

<b>To:</b>	Judicial Committee of the National Libertarian Party
<b>Appellants:</b>	Bill Hinds, Amy LePore, and Dave Casey of the Libertarian Party of Delaware
<b>Interested Parties:</b>	Will McVay, James Brittingham, Mary Pat McVay, Joe DiPasquale, and Brandi Kerchevall
<b>Date:</b>	December 20 <sup>th</sup> , 2021

**APPEAL TO THE JUDICIAL COMMITTEE REGARDING LNC ACTIONS ON NOVEMBER 21, 2021 AND DECEMBER 5, 2021 AMOUNTING TO A CONSTRUCTIVE DISAFFILIATION OF THE LIBERTARIAN PARTY OF DELAWARE**

**1. *Background***

Correspondences from Mr. Hinds and Dr. LePore to the Libertarian National Committee fully detailing the events leading up to this point are attached hereto as **Exhibits A** and **B**.

In October of 2021, Will McVay attempted to fraudulently remove Mr. Hinds (chair), Dr. LePore (vice chair), and Mr. Casey (Newcastle County Chair) from their Board positions and seize control of the Party from the duly elected Board. McVay then went on to engineer further Bylaws changes that placed LPDE's three county affiliates under strict control of the state Party and removed over 2,000 persons as LPDE members, subject to readmittance with his personal approval. The complete timeline of events is included with **Exhibit A**.

Although McVay claimed everything he did was in accordance with the Bylaws and RONR, that claim is demonstrably false, as explained in the Section 1 "Summary of Violations" of **Exhibit A**. McVay himself admitted that he felt "dirty" for these actions and that it was a sneaky and underhanded "plot." (<https://www.youtube.com/watch?v=PDVSNQG51Y4>)

In November of 2021, McVay acknowledged his prior actions were in violation of both the LPDE bylaws and RONR and called a Board meeting to "ratify" his prior actions. However, any ratification depends upon the legitimate Board making such a vote, and in this case, that is the very point under dispute, rendering any such ratification vote hopelessly circular.

**Exhibit A** includes a timeline and evidence of the events as they occurred beginning August 31<sup>st</sup>, when the bylaws change language was purposely hidden from one-half of the State Board.

**Exhibit B** explains the process Mr. McVay and his co-conspirators used to centralize all authority in the Board, rendering the LPCD county affiliates powerless. It also includes the article change by which they eliminated over 2000 Libertarians from membership.

Pertinent details include:

On August 31<sup>st</sup>, McVay and his 4 co-conspirators purposefully hid language in a Facebook group that they would later point to as a notification of a bylaws change.

An LPDE member (not a board member) made a post in the LPDE Facebook group and captioned it “Bylaws change?” and attached a graphic of the proposed change. McVay and his co-conspirators immediately posted a “meme dump” after the bylaws post so that no one else would be notified or aware of the proposed change. Numerous images were posted in the LPDE group immediately following the loosely worded “bylaws change” proposal, and comments for the “bylaws change” post were turned off.

On October 1st (30 days later), McVay made a motion to change the way the Board can remove its officers, based on the “bylaws change” Facebook post. The existing bylaws required 4/5 of the full board (10 members) to vote YES in order to remove an LPDE board member. McVay proposed a bylaws change that would change the removal requirement to only 2/3 of county chairs, instead of  $\frac{4}{5}$  of the whole Board.

The Chair, Hinds, was given less than one minute to respond. In his one minute “absence”, the absence of the Vice Chair, and the absence of the New Castle County Chair, the rest of the board moved forward with a vote. The process for replacement they claim to use here is “*Bylaw 2: Chairman Succession*” which states, “If the Office of Chair is vacated, it shall pass to the Vice Chair. If there is no Vice Chair, the Chair shall next pass to the Chair of the County with the greatest number of members according to Delaware Commissioner of Elections lists.”

The absence of the Chair, Vice Chair, and Chair of the county with the greatest number of members, for one minute, online in a Discord server and without any notice whatsoever of business being moved, cannot be reasonably interpreted to mean that each of them had vacated the offices to which they were duly elected. No one had vacated any of their positions and there was no reason to believe that anyone had abandoned or vacated their Board positions.

McVay and the other Board members did not make any effort to contact the “absent” officers, nor did they request to see if the Chair, Vice Chair, and Newcastle County Chair would like to appoint proxies, as is their right under Article 4. All activity described below took place in the LPD Discord Server between 8:01 PM and 8:06 PM that evening. Screenshots from the Discord server where this conversation occurred are included below.

***While LPD Articles IV and X address how to convene a meeting and how to provide notice for a bylaw or article amendment respectively, there is no guiding language about meeting notification. In this case, the LPD bylaws regarding meeting notification are not specific and should rely on Roberts to clarify the requirements stated in RONR (12<sup>th</sup> ed.) 9:13 Special Meetings.*** Specific violations are listed in **Exhibit A**, Section 1. **Further, both Roberts Rules of Order and the adopted bylaws should protect the membership and its**

***ability to participate fully. In this case, rogue members exploited the absence of board members and perform their illicit acts under cover of secrecy.*** (See RONR p. xl ix) Relevant screenshots are included in **Exhibit A**, Section 2.

As noted above, Will McVay and team admitted to intentionally keeping the information from five other Board members so they could later weaponize the language in a no notice meeting. ***The notification of a change to Bylaw 4 claimed by McVay and his co-conspirators is defective and in violation of Roberts Rules of Order.*** Specific violations are listed in **Exhibit A**, Section 1. Relevant screenshots are included in **Exhibit A**, Section 2.

On October 31<sup>st</sup>, Will McVay, Mary Pat McVay, Brandi Kerchevall, Joseph Dipasquale, and Jimmy Brittingham, operating as the fraudulent board, passed an AoA amendment to Article V that centralized all power in the hands of the State Board. The language it includes permits the state board to determine who is worthy to be a member of the Libertarian Party of Delaware, permits them to depose county affiliate officers, and to take county affiliate assets. On that same day the parties listed above employed their new powers under Article V and claimed to have disaffiliated the New Castle County affiliate. On November 1<sup>st</sup>, McVay and his co-conspirators passed a motion to limit the number of Delaware Libertarians. They expelled nearly all 2,070 members, leaving the number of “approved” members at 20. We understand that the number of authorized participants may now be closer to 30. **Exhibit B** provides additional detail and screenshots.

## **2. Meeting of the LNC on November 21, 2021**

### **A. Motion to recognize Hinds**

*Motion: The Libertarian National Committee and the Libertarian Party recognizes the board elected at the Libertarian Party of Delaware convention of 2021 and shall be recognized as the sole authority of the Libertarian Party of Delaware, under the bylaws extant at that time.*

This motion failed 7-8-1.

### **B. Motion to disaffiliate the LPDE**

*Motion: Disaffiliate the Libertarian Party of Delaware for having two boards and the Libertarian National Committee unable to decide an appropriate board.*

This motion failed to achieve the ¾ vote needed with a vote count of 8-3-5.

**3. Meeting of the LNC on December 4-5, 2021**

**A. Resolution to Address LPDE Controversy**

*WHEREAS, Article 5 Paragraph 3 of the Bylaws of the Libertarian Party require that the Libertarian National Committee only recognize one state-level affiliate party in any one state;*

*WHEREAS, Article 5 Paragraph 5 of the Bylaws of the Libertarian Party prevents the abridgement of the autonomy of the affiliate parties;*

*IT IS HEREBY RESOLVED, the National Committee of the Libertarian Party takes the following actions:*

- 1. The National Committee will continue all support activities, data sharing, and other services for and with both of the claimed chairs of the Libertarian Party of Delaware, subject to the limitations of the law and campaign finance regulations regarding such information, and the requirements of the Non-Disclosure Agreement for access to such information;*
- 2. The National Committee encourages a general membership meeting to be held to determine which leadership is the rightful leadership of the Libertarian Party of Delaware, with participation both open to and limited to all those who meet the criteria to be a member, under the definition of "membership" as defined in the Articles of Association and Bylaws of the Libertarian Party of Delaware as of the 2021 annual convention of the Libertarian Party of Delaware;*
- 3. Upon the completion of the general meeting of the membership, the National Committee shall recognize that leadership which is recognized by the body of that general meeting and, upon majority vote of the National Committee, shall consider the matter resolved and return to normal relations with the Libertarian Party of Delaware;*
- 4. If there are competing general meetings or conventions, the National Committee shall recognize the convention or general meeting of the membership with the greatest number of those who qualify as members, using the definition of "membership" as defined in the Articles of Association and Bylaws of the Libertarian Party of Delaware as of the 2021 annual convention of the Libertarian Party of Delaware;*
- 5. Upon resolution, the National Committee shall enforce the provisions of the Bylaws of the Libertarian Party, Article 5 Paragraph 1.*

This motion passed 16-0-1.

#### **4. Constructive Disaffiliation**

##### **A. Relevant National Libertarian Party Bylaws**

#### **ARTICLE 5: AFFILIATE PARTIES**

1. No person, group, or organization may use the name "Libertarian Party" or any confusingly similar designation except the Party or an organization to which the Party grants affiliate party status or as otherwise provided in these bylaws.
2. The National Committee shall charter state-level affiliate parties from any qualifying organization requesting such status in each state, territory, and the District of Columbia (hereinafter, state). Organizations which wish to become state-level affiliate parties shall apply for such status on a standard petition form as adopted by the National Committee, which petition shall be signed by no fewer than ten members of the Party residing in the appropriate state. Affiliate party status shall be granted only to those organizations which adopt the Statement of Principles and file a copy of their constitution and/or bylaws with the Party Secretary.
3. There shall be no more than one state-level affiliate party in any one state. Each state-level affiliate party shall, in accordance with its own bylaws and these bylaws, determine who shall be its delegates to all regular conventions. A state-level affiliate party may charter sub-affiliate parties within the state, which will entitle such sub-affiliates to use the name "Libertarian Party."
4. No affiliate party shall endorse any candidate who is a member of another party for public office in any partisan election. No affiliate party shall take any action inconsistent with the Statement of Principles or these bylaws.
5. The autonomy of the affiliate and sub-affiliate parties shall not be abridged by the National Committee or any other committee of the Party, except as provided by these bylaws.
6. The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire National Committee. A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation. The affiliate party may challenge the revocation of its status by written appeal to the Judicial Committee within 30 days of receipt of notice of such revocation. Failure to appeal within 30 days shall confirm the revocation and bar any later challenge or appeal. The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention. The Judicial Committee shall set a date for hearing the appeal within 20 to 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and submit evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's revocation of affiliate party status or order reinstatement of the affiliate party. The Judicial Committee shall issue its ruling within 30 days of the hearing and in no case later than 90 days prior to a regular convention. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's revocation of affiliate party status except when the last day of the 30 day period falls within 90 days prior to a regular convention, in which case the Judicial Committee's non-action shall result in reinstatement of affiliate party status.

**B.      *The national Libertarian Party must either recognize a Board or disaffiliate***

In order to carry on the work of the Party, such as providing registrant data and listing affiliate contacts, the national LP frequently makes determinations about the legitimacy of State Boards. This typically happens naturally for most affiliates once a year when each state has its convention and notifies the national Party of any changes in leadership. No one ever claims that this is an inappropriate role for the national Party or that it is interfering with the autonomy of an affiliate. In fact, it is obvious that the national Party should treat the Board that was elected at a state-level as the presumptive Board until it is *proven* that they are not. A mere claim is not proof. A mere claim does not give any competing claim automatic equal legitimacy as the claim of the duly elected Board, as has occurred in the case of Delaware. If the national Party was unable or unwilling to make this determination, the only option it has is disaffiliation. In fact, in such a case, disaffiliation is not merely an *option*, it is a duty, since otherwise, the national Party could be providing personal information and data of national Party members and inquiries to people who are not entitled to this information would be a serious breach of privacy, fiduciary duty, and responsibility to its national members and good faith inquirers. It further would make the national Party a co-conspirator to effect fraud upon the public if it knew that at least one set of imposters was claiming to be the Party, and it remained passive when this situation could be repudiated. Lastly, people who are considering donations have a right to rely upon the national Party's representation of the legitimate affiliate and Board through its direction of people to an official affiliate website.

**5.      *The LPDE was constructively disaffiliated on November 21, 2021***

At the time of failure of the vote to recognize the legitimate Hinds Board, McVay was publicly presenting himself as the legitimate Chair of the LPDE, was in control of social media assets claiming to be the official assets of the LPDE, was in control of the membership data of the LPDE, and was in possession of the bank account of the monies belonging to the LPDE. In failing to honor the presumption of legitimacy of the Board elected at the June LPDE convention, the LNC de facto legitimized and recognized the McVay Board. Because the McVay Board is not legitimate, and the Hinds Board is, this is a constructive disaffiliation of the LPDE through failure to recognize its actual leadership and directing the public and other Party members to interface with those who stole the assets of the affiliate.

**A.      *The National Libertarian Party listed the McVay-controlled website as the the official affiliate site***

Although the LNC was put on notice of this controversy in the beginning of October, it has continually listed the McVay controlled website as the website of the official affiliate. This website solicits donations from the public which are ostensibly for the official affiliate. This is either the national Party giving legitimacy to these solicitations, or it is recklessly directing people to a site to give money to imposters.

**B.     *The National Libertarian Party was aware that McVay was presenting himself as the legitimate Chair and was silent***

In addition to directing the public and other Party members to the McVay controlled website, the LNC was aware of McVay's claims and did nothing to warn the public of any possible dispute and instead remained silent until November, nearly two months after it became aware of a possible dispute. This effectively counters the claim that the vote failing to recognize the Hinds board could not be construed as de facto recognition of the McVay Board since the Party's own actions and lack of actions outside of that vote already clearly showed recognition to the McVay board.

**6.     *The constructive disaffiliation was effectively confirmed at the LNC meeting on December 4-5, 2021***

On the second day of the December 4-5, 2021 LNC meeting, the LNC confirmed that the Hinds Board was NOT recognized by stating it would require proof of the desires of the LPDE membership before granting such recognition. It cannot be argued that it was not recognizing the McVay board either, since it imposed the same conditions on them since the McVay controlled-website is still, as of the date of this filing, listed on the national Party website, the national Party still has not provided any warning to the public that McVay's claims may not be legitimate, and the national Party has made no effort into officially determining if there was a legitimate change in leadership rather than just taking McVay's claims at face value. This lack of effort is despite the many pages of evidence provided to the national Party in October and November by the Hinds affiliate (Exhibits A and B).

**RELIEF REQUESTED**

The appellants request that the Judicial Committee direct the LNC to recognize the LPDE affiliate led by Bill Hinds, the duly elected Chair, and repudiate its constructive disaffiliation of same.

Signed:

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Bill Hinds

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Amy LePore

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Dave Casey



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October 6th, 2021

Dear Members of the Libertarian National Committee,

As you are already aware, there are ongoing issues in the Libertarian Party of Delaware (LPD) that threaten the growth and success of the party. Our goal in providing this documentation is to give you a full picture of the events that have transpired. We certainly appreciate your time and attention to this matter and are happy to answer any follow-up questions which may arise.

***It is of the utmost importance that the Committee recognize that the Libertarian Party of Delaware is still under the leadership of the duly elected Chair, Bill Hinds.*** We ask that the committee act quickly to recognize Chairman Hinds as there is an increase in the threats to substantial segments of LPD membership coming from those parties who claim to be in leadership roles. In fact, members have been warned against attending meetings in one of our three counties and all LPD members have been put on notice that the State Board will usurp any local affiliate power to determine who is permitted to be a member. We have included this information as Appendix 1. Chairman Hinds, Vice Chair, Amy LePore, and the two New Castle County Board Representatives Dylan Griffith and Dave Casey are working to rectify this situation and will take the following actions in the coming days:

- Meet with the Delaware Department of Elections for an update on their active investigation into changes made on October 4th
- Work with law enforcement and the Attorney General's office to secure the LPD bank accounts
- Share this packet of evidence with our attorney
- Reconstitute the web and social media presence of the LPD

While we are providing a timeline below that is related directly to the activities on October 1st, there are several other matters which must be established.

We understand that there is some confusion over the status of LPD as it appears that there is a separate group which claims the State Board title. ***Under the direction of Will McVay, Kent County Libertarian Party Chair, LPD social media and financial assets have been stolen.*** Complicit in this act are Mary Pat McVay, Brandi Kercheval, Joe Dipasquale, and Jimmy Brittingham. Their actions, taken between August 31 and October 1, appear to have been for the purpose of wholesale consolidation of party power in the hands of a few. This includes a continuation of unfettered control by a single individual, Will McVay, of all party communication both internally and externally. The actions of the above listed parties have culminated in an attempt to purge those board members who were unaware of the hidden agenda, whom if informed, would have surely stood against such centralization.

Their motives are now clear, underscored by their months long refusals to provide the Chair or Vice Chair the ability to review financial information or to access social media accounts. What is less clear is the link between Mr. McVay's other political parties and the actions described here. It is important to note that the Kent County Chair, Will McVay, has gone through the process to found and maintain a competing political party known as The Mandalorian Party. At the very least this affiliation raises serious concern as a conflict of interest with his position as Kent County Chair and even more so as he is the driving force in the move to expel duly elected members of the board. Effectively, while head of his competing party, he has convinced other libertarians to subvert the will of the Delaware Libertarian Party delegates through nefarious and procedurally inconsistent means. We are including screenshots in Appendix 2 that

indicate their ongoing operations and that include participation by at least two of the above mentioned people. ***Of primary concern is that the bank accounts are no longer under the control of the true LPD, but are under the name of Mary Pat McVay who appears to be a part of the operations of this rogue faction listed above and the Mandalorians of Delaware Party as well. Further, Kent County Board Representative Brandi Kerchevall recently moved to sequester LPD funds and to authorize the receipt of unspecified loans to the party, the motion was adopted and no additional information is available on the state of the party's accounts. This screenshot is included in Appendix 2.***

One additional matter of importance exists which can help to clarify what has occurred. Since the June 2021 convention, Will McVay has refused to give administrative access to social media accounts or to the party's website. ***Mr. McVay claims that these assets are his private property and as such, the duly elected officers have had no access to official LPD means of communication during their tenure.*** We have included evidence of this as well in Appendix 3.

The membership of the Libertarian Party of Delaware deserves far better than it has gotten out of its board in the last six months. As you may know, Sean Goward, past Chair of the LPD, found no other way but to resign given how poorly new members are treated. The activity that we describe in this document is simply a continuation of that treatment. We have included Sean's letter of resignation as Appendix 4.

As you'll see below, the actions taken by the 5 members listed above to deceive the entirety of the deliberative body must be met with swift action. The accusations they have made against party officers are wholly inaccurate and are not supported with any evidence. The process they used was far outside of any forthright procedural expectations, and permitted the theft of financial assets.

We are providing this packet of evidence to the Libertarian National Committee to ensure that members are informed about the occurrences in Delaware. We will work to rectify this situation locally, but reserve the right to call upon the LNC to act against these rogue members. Quick action must be taken to secure the unauthorized use of the name "Libertarian Party" and in order to avoid additional damage to the Libertarian Party of Delaware properly registered with the LNC Secretary under LNC Bylaws, Article 5. We can further explain the information contained here in a meeting, and request an audience with the LNC during its November 3rd session.

We are happy to answer any questions related to the timeline below or the evidence presented. We look forward to working with you to rectify this unfortunate situation.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Hinds".

Bill Hinds, Chair

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## SECTION 1 SUMMARY OF VIOLATIONS

### Violations of Notification

- The notification of a change to Bylaw 4 claimed by McVay and his co-conspirators is defective and in violation of Roberts Rules of Order. Specifically, the lack of notice does not comply with RONR (12<sup>th</sup> ed.) 9:13 Special Meetings “notice of the time, place, and purpose of the meeting, clearly and specifically describing the subject matter of the motions or items of business to be brought up, must be sent to all members a reasonable number of days in advance.” Additionally, special meetings should only be called as authorized in the bylaws or as authorized by the assembly for varying reasons, according to RONR (12<sup>th</sup> ed.) 9:14. The board did not authorize a call for a special meeting, nor did the Chair direct the Secretary to send notice of a special meeting.

While LPD Articles IV and X address how to convene a meeting and how to provide notice for a bylaw or article amendment respectively, there is no guiding language about meeting notification. In this case, the LPD bylaws regarding meeting notification are not specific and should rely on Roberts to clarify the requirements stated in RONR (12<sup>th</sup> ed.) 9:13 Special Meetings.

- There is also a clear concern that the basic underlying principles of parliamentary law have been violated. Specifically, both Roberts Rules of Order and the adopted bylaws should protect the membership and its ability to participate fully. In this case, rogue members exploited the absence of board members and perform their illicit acts under cover of secrecy. (See RONR p. xl ix)
- *LPD Bylaw 2: Chairman Succession* which states, “If the Office of Chair is vacated, it shall pass to the Vice Chair. If there is no Vice Chair, the Chair shall next pass to the Chair of the County with the greatest number of members according to Delaware Commissioner of Elections lists.” The absence of the Chair, Vice Chair, and Chair of the county with the greatest number of members, for one minute, online in a Discord server, without any notice whatsoever of business being moved, cannot be reasonably interpreted to mean that each of them had vacated the offices to which they were duly elected. In addition, there was no effort made to contact those officers, nor was there a request to see if they would like to appoint proxies, as is their right under Article 4.
- The vague language in LPD Article X: *Notice* cannot be construed to mean that any post that initiates discussion about a bylaw is sufficient notice of pending action to board members. In this case the preface of “Change Bylaw 4?” cannot be argued to mean that the language that followed is an official notification. The Article states: “Many actions described in these Articles of Association and the accompanying By-Laws require notice of that pending action be provided to members. Any one of the following methods shall constitute proper notice:

- 1- Posting on the LPD Facebook page
- 2- Posting to the LPD Facebook group
- 3- Posting on the LPD webpage”

- Mr. McVay admits that obscuring the bylaw language was his intent, and that the steps outlined on the timeline that follows were for the purpose of ensuring that five other board members would be unaware of his group's plot.

### **Violations of Member Rights**

- The actions of the five rogue members ensured that there could not be full participation by Mr. Hinds, Dr. LePore, and Mr. Casey in that they were not provided the right to attend meetings, to make motions, to speak in debate, or to vote as described in RONR (12<sup>th</sup> ed.) 1:4 and 25:11. These are among the most basic operating principles which can only be abridged as a result of disciplinary action.
- Roberts Rules are clear that the rights of absentee members are of the utmost importance and are deserving of protections. RONR (12<sup>th</sup> ed.) 25:10 states that "Rules protecting absentees cannot be suspended, even by unanimous consent..." and that among the several protections offered to absentees is "previous notice of a proposed amendment." Clearly the events of August 31 and October 1 were crafted intentionally so that three members would be absent. The actions take on both of those days violated the rights that must be afforded to absentees.

## SECTION 2 TIMELINE OF EVENTS

**August 31st:** A possible change to Bylaw 4 was mentioned by an LP member in the LPD Facebook Group. While the LPD bylaws permit proposals for change to be notified to Board Members in the Facebook group, this particular bylaw discussion did not indicate that it was an official suggestion to make a change, nor was it treated by the group administrator- Will McVay- in accordance with past practice. It is markedly different than official bylaw change notifications in that:

- The group administrator (Will McVay) very quickly turned off comments, driving the post down in group member feeds while others flooded the group with posts and comments to effectively and intentionally hide the post. An image below also captures the original poster having turned off comments, presumably this is a more recent action intended to hide that the group administrator shut the comments off originally. In a recent interview, Mr. McVay denied shutting off comments multiple times until the screenshots were provided to him ([Click here for a link](#)). The image to the left was captured in the moments after the 10/1 vote was taken. The image on the right demonstrates what the post looks like presently.



Will McVay turned off commenting for Steve Newton's post.  
Tue, Aug 31, 9:06 PM

**Post**

 Steve Newton  
Aug 31 · 

"Change Bylaw 4?:  
For members of the State Board accused of misconduct, they may face a similar range of sanctions as those listed above for members at large and the additional option of removal from office. This may occur in one of two ways:  
A. By a vote of 2/3 of the sitting County Chairs, or  
B. At Convention by a motion to sanction and a vote of 2/3 of members present."



Steve Newton  
August 31 · 

"Change Bylaw 4?:  
For members of the State Board accused of misconduct, they face a similar range of sanctions as those listed above for members at large and the additional option of removal from office. This may occur in one of two ways:  
A. By a vote of 2/3 of the sitting County Chairs, or  
B. At Convention by a motion to sanction and a vote of 2/3 of members present."

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 Like     Share

Steve Newton turned off commenting for this post.

- Immediately after the bylaw 4 language was posted, the 5 parties involved and several associates initiated a “meme dump” in an attempt to further obscure the post which discussed bylaw 4. Screenshots of their activity are below and the interview linked to above includes Mr. McVay’s own admission of intent to hide the bylaw language.



Will McVay  
Special thanks to Roger Stemler, Joseph David DiPasquale, Aarika Nelson, Mary Pat McVay, Gwendolyn M. Jones, Jimmy Brittingham, Brandi Kercheval, and Jhan Machurek for kickstarting us.

4w Like    4 

**Roger Stemler**  
Can't wait till the next one.

4w Like    2 



Will McVay ► Libertarian Party of Delaware · Join  
Aug 31 at 22:34 · 

Thank you to everyone who is participating in our meme dump. If you're having as much fun as we are, please make sure to join us at our monthly county meetings and social events, visit our website at <https://lpdelaware.org>, make a donation, follow our county pages, and help us set Delaware and the world free in our lifetimes.



- The group administrator, Mr. McVay, did not tag the post using #aoaamendmentnotifications as is past practice. We have included other official change notifications on the following page
- The change suggested in Mr. Newton's post was not discussed between the board members at any time
- There was no notification by the Secretary to the board members, nor was there placement of it on the agenda for the board meeting that followed on September 27th. The Secretary, who has now resigned, was unaware of this suggested change, indicating that it was intentionally obscured from him as well.

The vague language in *Article X: Notice* cannot be construed to mean that any post that initiates discussion about a bylaw is sufficient notice of pending action to board members. In this case the preface of "Change Bylaw 4?" cannot be argued to mean that the language that followed is an official notification. The Article states: "Many actions described in these Articles of Association and the accompanying By-Laws require notice of that pending action be provided to members. Any one of the following methods shall constitute proper notice:

- 1- Posting on the LPD Facebook page
- 2- Posting to the LPD Facebook group
- 3- Posting on the LPD webpage"

Below are several examples of how proposed article or bylaw amendments in the Facebook group have been handled in the past. Each one is for proposed change.


**Will McVay** ► Libertarian Party of Delaware  
 September 29 at 10:14 AM ·

...

AoA Amendment Notification:  
 Replace any references to a "Chairman" (or "Vice Chairman") with "Chair" (or "Vice Chair").

[==== See More](#)

Added by admin **#aoaamendmentnotifications**

 Carol Moore and 1 other

---

 Like     Comment     Share


**Carter Hill** ► Libertarian Party of Delaware  
 July 7 ·

...

Notice of Proposed Change to the LPDE AoA:  
 Article 9, Section 1 to read:  
 "A 2/3 vote of the entire State Board as long as notice of proposed changes was made at least 30 days in advance."... [See More](#)

Added by admin **#aoaamendmentnotifications**

 Dayl C. Thomas and 1 other    6 Comments

 Like     Comment     Share


**Will McVay** ► Libertarian Party of Delaware  
 August 26 ·

...

Three Bylaw Change Notifications:  
 1:  
 "Any votes conducted online shall remain open for 48 hours after no more than 24 hours of discussion without a suspension of the rules unless a sufficient number of votes has been recorded to determine the result of the vote as if the entire State Board had responded, in which case the Chair may direct the Secretary to record remaining votes at their discretion. After 48 hours, votes shall be ruled on based on the quorum of members who have..." [See More](#)

Added by admin **#aoaamendmentnotifications**

 1

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 Like     Comment     Share


**Amy LePore** ► Libertarian Party of Delaware  
 July 20 ·

...

Dayl C. Thomas and I are providing this notice for several proposed changes:  
 Amend Article VI Duties of the State Board to include:  
 11. Establish standing or special committees and codify their duties, composition, and reporting requirements.  
 12. Establish departments, teams, and directorships to perform work as authorized by the Executive Committee of the Board and confirmed by a vote of the full State Board.

[See More](#)

Added by admin **#aoaamendmentnotifications**

 Krista Lynn Graham, Carter Hill and 6 others    15 Comments

 Like     Comment     Share

**September 27th:** A monthly, ad hoc State Board meeting was convened in Discord at 7PM. The draft agenda had been shared 14 days prior and additions and edits from the Board were included. Immediately after roll call Joe Dipasquale, the Board representative from Sussex County motioned to adjourn. The motion was seconded by Will McVay and passed. Will McVay, Mary Pat McVay, Brandi Kercheval, Jimmy Brittingham, and Joe Dipasquale all voted in favor of immediately adjourning. Bill Hinds, Amy LePore, Dave Casey, and Dylan Griffith opposed the motion to adjourn.

At the close of the meeting the Secretary Dayl Thomas resigned citing the need to attend to stress and related health issues. His resignation left the board at 9 people and unintentionally cleared the way for the actions of Will McVay, Mary Pat McVay, Brandi Kercheval, Jimmy Brittingham, and Joe Dipasquale on October 1st.

If the Secretary had been aware of an official bylaw amendment he would have included it on the agenda for September 27th or made the board members aware by some other means. It appears that this information was also obscured from him and shared only with the 5 parties listed in the above paragraph. He states emphatically that he was unaware that there was a bylaw change proposal.

Further, the September meeting would have been an optimal time to discuss Mr. Newton's language if a member believed it rose to the occasion of an officially notified amendment. Since the convention, it has been common practice to use board meetings for discussion about article or bylaw amendments. In fact in every meeting since the convention, amendments have been discussed and debated. Appendix 5 includes the minutes of these meetings with highlighted amendment discussion as examples of standard practice.

**October 1st:** On the evening of October 1st a motion was made by Mr. McVay to pass a change to the bylaws that would replace the prior language requiring 4/5 of the full board (10 members) to vote on removal of board members with a requirement of only 2/3 of county chairs. The chair was given less than a minute to respond and in his absence, the absence of the vice chair, and the absence of the New Castle County chair the board moved forward. The process for replacement they claim to use here is Bylaw 2: Chairman Succession which states, "If the Office of Chair is vacated, it shall pass to the Vice Chair. If there is no Vice Chair, the Chair shall next pass to the Chair of the County with the greatest number of members according to Delaware Commissioner of Elections lists." The absence of the Chair, Vice Chair, and Chair of the county with the greatest number of members, for one minute, online in a Discord server and without any notice whatsoever of business being moved, cannot be reasonably interpreted to mean that each of them had vacated the offices to which they were duly elected. In addition, there was no effort made to contact those officers, nor was there a request to see if they would like to appoint proxies, as is their right under Article 4. All activity described below took place in the LPD Discord Server between 8:01 PM and 8:06 PM that evening. Screenshots from the Discord server where this conversation occurred are included below.

8:01 Will McVay moved to adopt the change to bylaw 4, as notified on Aug. 31.  
8:01 Joe Dipasquale seconded  
8:01 Quorum Called and completed using the Discord bot function  
8:01 Will McVay- Point of Order “The quorum call has completed. Not calling the vote is dilatory. In the absence of the Chair, Vice Chair, and NCC Chair, under Bylaw 2, the Sussex Chair is the acting Chair and should rule on the point of order”  
8:02 Jimmy Brittingham “Point of order is not well taken”  
8:02 Mary Pat McVay “Appeal the ruling of the chair”  
8:02 Brandi Kerchevall “Second”  
8:02 Vote Called- Uphold the Ruling of the Chair 0-0-5  
8:02 Vote Called- Adopt Bylaw Amendment 5-0-0  
8:03 Will McVay “Jimmyjambrittingham, we should remove Bill Hinds, Amy L, and Dave Casey.”  
8:04 Jimmy Brittingham “I agree”  
8:05 Will McVay “Congratulations Mr. Chair”  
8:05 Jimmy Brittingham “I hereby resign as State Chair”  
8:06 Will McVay “I nominate Jimmy for vice chair”  
8:06 Jimmy Brittingham “I accept”  
8:06 Vote Called- Confirm nomination of Jimmy as Vice Chair 5-0-0  
8:06 Will McVay “Congratulations Jimmyjambrittingham”

At 8:07, a member proposed a bylaw amendment in the LPD Facebook group that would permit the State Board to have authority over nearly every activity at the local affiliate level up to and including authorizing who can and cannot be members (this is also included in Appendix 2).

At the culmination of this activity, Mr. McVay drafted a letter that falsely defames Bill Hinds, Amy LePore, and Dave Casey. No evidence of the claims contained in this letter are provided. The letter is provided as Appendix 6.

8:38

# state-board

October 1, 2021

**Will McVay** Today at 8:01 PM  
I move to adopt the Bylaw Amendment notified by Steve Newton on Aug 31:  
<https://www.facebook.com/groups/lpdFB/permalink/6392407380769452>

**Log In or Sign Up to View**  
See posts, photos and more on Facebook.

1 1

**Joe Dipasquale** Today at 8:01 PM  
Second

**LPD Bot BOT** Today at 8:01 PM  
Quorum call for **@State Board**: 11.1%

Started: 10/1/2021, 8:03:43 PM  
Member  
AmyL  
Dave Casey  
jimmyjambrittingham  
MaryPat  
Dylan Griffith  
Bill Hinds  
Will McVay  
Brandi  
Joe Dipasquale  
Presence  
9/30/2021, 12:25:54 PM  
10/1/2021, 7:25:34 PM  
Online  
Online

Channel is read-only.

8:39

# state-board

9/12/2021, 3:37:02 PM  
9/27/2021, 10:42:32 PM  
Present  
Online  
Online  
Instructions  
to be marked present.

1 1

Quorum call for **@State Board**: complete.  
Started: 10/1/2021, 8:03:43 PM  
Member  
AmyL  
Dave Casey  
jimmyjambrittingham  
MaryPat  
Dylan Griffith  
Bill Hinds  
Will McVay  
Brandi  
Joe Dipasquale  
Presence  
9/30/2021, 12:25:54 PM  
10/1/2021, 7:25:34 PM  
Present  
Present  
Present  
9/12/2021, 3:37:02 PM  
9/27/2021, 10:42:32 PM  
Present  
Present  
Present

Channel is read-only.

8:39

# state-board

**Will McVay** Today at 8:01 PM

Point of Order:  
The quorum call has completed. Not calling the vote is dilatory.  
In the absence of the Chair, Vice Chair, and NCC Chair, under Bylaw 2, the Sussex Chair is the acting Chair and should rule on the point of order

**jimmyjambrittingham** Today at 8:02 PM

Point of order is not well taken

**MaryPat** Today at 8:02 PM

Appeal the ruling of the chair

**Brandi** Today at 8:02 PM

Second

**LPD Bot BOT** Today at 8:02 PM

Poll for **@State Board** (edited)

**Vote Called**  
**Uphold the Ruling of the Chair**  
Closes 10/3/2021 @ 8:05:24 PM EDT

React Below to Vote:

- 👍 - Aye - 0 votes in favor
- 🚫 - Abstain - 0 abstentions
- 👎 - Nay - 5 votes against

Instructions:

- ❓ - Show current votes
- ⚡ - Whip outstanding votes
- 🔄 - Move poll to bottom
- ✉️ - Close poll and publish result
- ✖️ - Delete poll (DON'T)

Channel is read-only.

8:39

# state-board

**Will McVay** Today at 8:03 PM

@jimmyjambrittingham, we should remove @Bill Hinds, @AmyL, and @Dave Casey

**LPD Bot BOT** Today at 8:03 PM

He'll always be Dave Casee in my ❤️

**jimmyjambrittingham** Today at 8:04 PM

Channel is read-only.

8:39

# state-board

jimmyjambrittingham Today at 8:04 PM  
I agree.

Will McVay Today at 8:05 PM  
Congratulations Mr @State Chair

jimmyjambrittingham Today at 8:05 PM  
I hereby resign as State Chair

Will McVay Today at 8:06 PM  
I nominate Jimmy for vice chair

jimmyjambrittingham Today at 8:06 PM  
I accept.

LPD Bot BOT Today at 8:06 PM  
Poll for @State Board (edited)

**Vote Called**  
Confirm nomination of Jimmy as vice chair  
Closes 10/3/2021 @ 8:08:56 PM EDT

React Below to Vote:

- 👍 - Aye - 5 votes in favor
- 🚫 - Abstain - 0 abstentions
- 👎 - Nay - 0 votes against

Instructions:

- ❓ - Show current votes
- ⚡ - Whip outstanding votes
- 🔄 - Move poll to bottom
- ✉️ - Close poll and publish result
- ✖️ - Delete poll (DON'T)

Channel is read-only.

## Appendix 1 Threats Against Membership

Repeated threats have been made by the Sussex County Chair and State Board Member, Jimmy Brittingham, to party members. It appears that his goal is to deter their membership in the county affiliate that he leads. We have included those screenshots.



**Jimmy Brittingham**

Heise doesn't know how to leave things alone. That's ok. Wait till he sees the new Sussex County Resolution that keeps out Mises Caucus members. He's really going to hit the ceiling!!



**Jimmy Brittingham ► Libertarian Party of \*\*\* Delaware • Join**

Sep 26 at 22:36 •

Some of the stuff that I'm going to post in here, some of you may not like. Just remember, your silly little antics and allegiance to a certain faction within the party have caused this. I've tried to be patient and fair with everyone, but there are going to be radical changes within the Sussex LPD, and those changes are not going to favor those whose allegiance is to a certain caucus within the party. I wish that it didn't have to come to this, but you all pushed me in this direction, and now as Chair for Sussex County, I'm going to show you all some bold messaging and bold action items!!

Most concerning is a current AoA amendment proposal that permits the State Board to rule over all aspects of the three County affiliates. This amendment would centralize all local authority for determining membership, officers, and AoA/bylaws to the State Board. This proposal was made in the LPD Facebook group by a known ally of the five co-conspirators, and it was posted at 8:07 PM on October 1 (1 minute after the attempted removal of Hinds, LePore, and Casey).



**Roger Stemler**

- October 1 at 8:07 PM -

\*\*\*

**AoA Amendment, Append to Article V:**

4. County affiliate membership shall be determined by membership in the LPD and residence in that county. No other membership criteria may expand or limit membership.
5. All county affiliates must hold monthly meetings open to all members with notice provided as to the time and location at least one week in advance. No business may be conducted by any county affiliate that does not provide transparency to the public and the opportunity to provide input to all members.

The State Board of the LPD reserves the right to adjudicate any issues in the county affiliates in order to ensure that all county affiliates reflect the highest ideals of the Libertarian Party. The State Board may take action including but not limited to:

1. Removal/Reappointment of County Officers
2. Veto of County Motions
3. Amending of County AoA or Bylaws
4. Reassignment of Responsibility for County Assets
5. Disaffiliation of the County

The State Board of the LPD reserves the right to adjudicate any issues in the county affiliates in order to ensure that all county affiliates reflect the highest ideals of the Libertarian Party. The State Board may take action including but not limited to:

1. Removal/Reappointment of County Officers
2. Veto of County Motions
3. Amending of County AoA or Bylaws
4. Reassignment of Responsibility for County Assets
5. Disaffiliation of the County

Such actions may be taken by a 2/3 vote of the State Board. If a county is disaffiliated, the State Board shall establish a process for reconstituting the county affiliate by majority vote and all county assets shall be held in trust by the State Board to benefit the new affiliate.

**Append to Article VII:**

Members must also be approved by a majority of the State Board, and may be approved on a temporary or permanent basis. Membership may be revoked by a 2/3 vote of the State Board.

**Strike the first two paragraphs from Bylaw 4 and replace the new first paragraph with:**

Members of the State Board may be removed from office in one of two ways:

Members must also be approved by a majority of the State Board, and may be approved on a temporary or permanent basis. Membership may be revoked by a 2/3 vote of the State Board.

**Strike the first two paragraphs from Bylaw 4 and replace the new first paragraph with:**

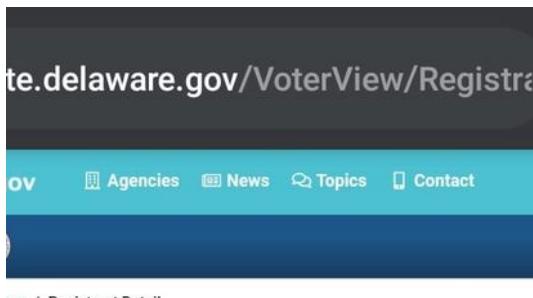
Members of the State Board may be removed from office in one of two ways:

Lastly, it is unsettling and inappropriate to weaponize the AoA amendment process. Anyone seeing the image below would understand that this is made as a threat and ties directly to the proposed articles above. It is unclear why Mr. McVay chose to use the branding of his other political party to make this statement.



## Appendix 2 Connections to Other Political Parties

Will McVay made it known publicly that he is actively seeking ballot access with a separate political party, the Mandalorians of Delaware. He has been transparent about his prioritization of the work with his new party over his work for the LP, as indicated in the posts and images below. While he boasts about the numerous political parties he has initiated, his effort on the Mandalorians has likely risen to the level of a conflict of interest.



[View / Registrant Detail](#)

### AM ROBERT MCVAY

DE 19901-5744 - KENT

Political Party Status  
MANDALORIANSACTIVE

Precinct  
34-07

Absentee Ballots  
None



Brianna Coyle

1. Wtf is that party? It's real?
2. Why are you leaving the LP, if you don't mind me asking?

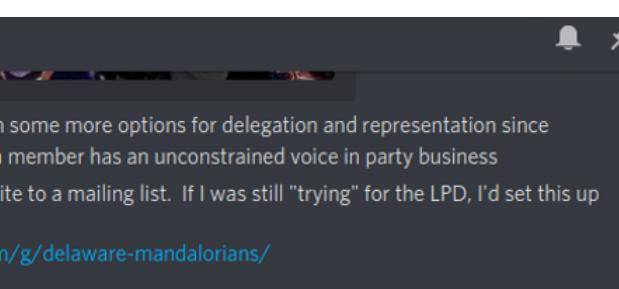
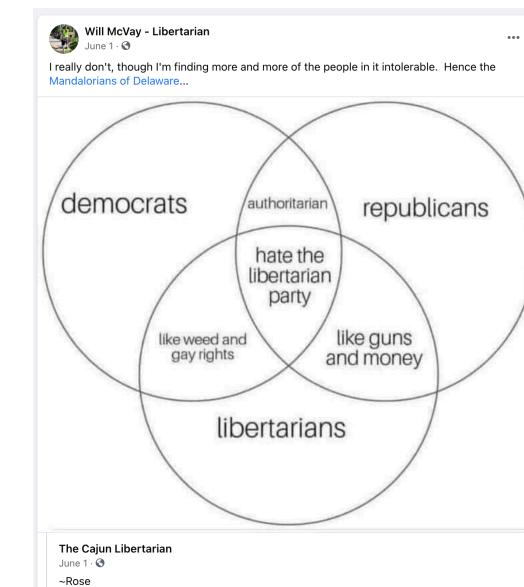
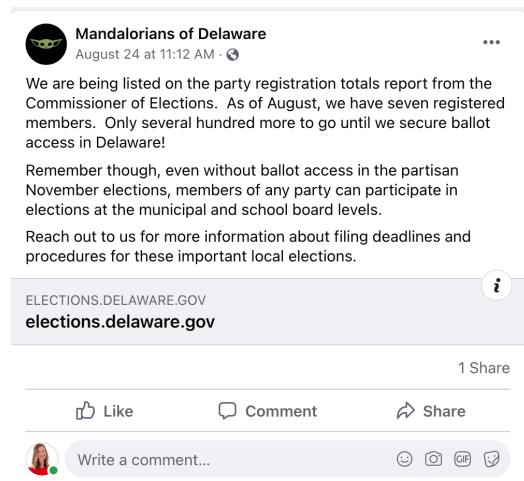
13w Like Reply



Will McVay

[Brianna Coyle](#), it is real, it is the way.

13w Like Reply



Several matters of concern have arisen related to his involvement with the Mandalorians. For example, on September 30th- the day before the unwarranted bylaw changes, Mr. McVay gave the Mandalorians of Delaware Party posting permissions into the LPD FB group.

**September 30**

 Will McVay approved Libertarian Party of Delaware, Sussex County Chapter's request to join the group. ...

Thu, Sep 30, 12:16 PM

[See Details](#)

[Undo](#)

 Will McVay approved Mandalorians of Delaware's request to join the group. ...

Thu, Sep 30, 10:23 AM

[See Details](#)

[Undo](#)

It also appears that of the five rogue actors, at least two may be working on behalf of the Mandalorians for Delaware party. It is most concerning that one of these people is Mary Pat McVay (screen name below mpdm1120), past Treasurer of the LPD and the sole person currently named on the LPD's bank accounts.

We have an additional concern regarding party funds. On October 8, a motion was made to sequester funds and to approve the receipt of loans. At this time, neither Bill Hinds nor Amy LePore nor the previous chair Sean Goward has ever seen a bank statement and cannot say with certainty that the financial reports are accurate. The vagueness of the language below is concerning at least.

 **Brandi** 10/08/2021

I Move to:

- sequester all funds received prior to 10/1
- authorize receipt of loans to cover previously authorized expenses, to be retained as donations unless repaid by the State Board
- with the webmaster's consent, terminate the webmaster contract
- appoint Will McVay as IT Director for the LPD with responsibility for maintaining all LPD IT assets subject to State Board oversight

 **LPD Bot BOT** 10/09/2021

**Adopt Motion**

[Motion](#)

**Vote Results (as of 10/9/2021, 6:40:39 PM):**

jimmyjambrittingham - aye  
 MaryPat - aye  
 Joe Dipasquale - aye  
 Will McVay - aye  
 Brandi - aye

### Appendix 3 Claims of Private Ownership of LPD Assets

One of the ongoing challenges since the June 5 convention is that Mr. McVay claims to privately own the social media assets of the Libertarian Party of Delaware. The LPD has a Facebook page, a Facebook group, and a Twitter account. Mr. McVay states that because he initiated these accounts he owns them privately and he in turn licenses them back to the party. A thorough document review demonstrates no such agreement. While he is under contract as the webmaster, there is no mention of social media duties, no indication that he privately owns the party assets, and no reason to have sole administrative access. The fact that he has maintained sole administrative access has made it far easier for him to keep certain Board members out of these assets. We have included his relevant statements from our Discord server and a copy of his contract.

**Bill Hinds** 05/20/2021  
We are going way off track here all I am saying is we need to create an Intellectual property agreement to protect both the owner and developer of the intellectual property from disputes.

**Will McVay** 05/20/2021  
i'm the owner and the developer.  
i feel pretty protected.

**Ian\_G** 05/20/2021  
So what's our current relationship with our web assets? Are we leasing them from you? Are you licensing them to us?

**Will McVay** 05/20/2021  
i think technically i'm licensing them to you, since i created them and i'm letting you use them  
at least most of them  
some of them certainly belong to the LPD and there's no way i could claim they belong to me

**1**

that i know of  
the domain name definitely belongs to the LPD

**Will McVay** Yesterday at 5:44 PM  
With the exception of your attempt to rationalize scheduling a real time meeting at times other members of this board aren't available in lieu of giving everyone 48 hours to answer a vote, nothing you've said is outside the scope of discussions we call ALL have to determine a policy without pretending to an "emergency" that justifies appropriating private property and imposing a misguided policy that benefits you at the expense of the party

 **Will McVay** Today at 6:23 PM  
It really does though

 **Dylan Griffith** Today at 6:26 PM  
Your webmaster contract is not inclusive of social media, even without the policy violation you are still refusing the board access to it's property. I've been trying to work with you on things but I think this is an area where you are wrong.

 **Will McVay** Today at 6:30 PM  
Retaining administrative control over the social media assets operating under the party's name is absolutely within the scope of my duties  
Always has been  
And the executive committee has access  
They have the ability to publish posts, which is the policy

 @Will McVay Retaining administrative control over ...

 **Dylan Griffith** Today at 6:32 PM  
It is definitely not in your contract.

 **Will McVay** Today at 6:32 PM  
Such as it is

 @Dylan Griffith It is definitely not in your contract.

 **Will McVay** Today at 6:34 PM  
It is.

 **Dylan Griffith** Today at 6:35 PM  
Even without the policy, they are the party's property and the party should have access to them. I don't want to argue with you here man, the POO is for the **@State Chair** to rule on now.  
You and I aren't going to accomplish anything.

 **Will McVay** Today at 6:35 PM  
They're the party's property? How do you figure that?

The name is the party's property, for sure

The name is the party's property, for sure

 @Will McVay They're the party's property? How do...

 **Dylan Griffith** Today at 6:36 PM  
The Facebook is a verified page, who else's property would it be?

 **Will McVay** Today at 6:36 PM  
Who do you think verified it?

 **Dylan Griffith** Today at 6:36 PM  
Facebook

 **Will McVay** Today at 6:36 PM  
Me.

 **Dylan Griffith** Today at 6:37 PM  
You verified with Facebook that it was the "authentic presence" of the LPD

 1

 **Will McVay** Today at 6:37 PM  
The verification is the party's property  
Which it is

 **Dylan Griffith** Today at 6:38 PM  
So you are saying that because you created these pages, they belong to you alone?

 **Will McVay** Today at 6:39 PM  
I created them on my own initiative and have been an admin continuously since then. Before there was even a contract at all

 **Dylan Griffith** Today at 6:40 PM  
Who owns the page and group?

 **Will McVay** Today at 6:40 PM  
I do. They're licensed to the LPD.

 1

# Libertarian Party of Delaware

## Agreement for Services

This agreement ("Agreement"), dated 17 Feb 2020, is by and between the State Board of the Libertarian Party of Delaware, on behalf of the Libertarian Party of Delaware ("the LPD"), and William McVay ("the Contractor"), and governs the provision of services by the Contractor to the LPD, on the terms and subject to the conditions set forth below:

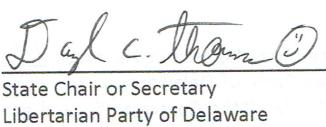
- A. Consideration. In consideration of the services to be provided by the Contractor hereunder to the LPD, the Contractor shall be paid the sum of \$1 by the LPD on an annual basis for the duration of this Agreement.
- B. Duties and Responsibilities. The Contractor shall provide services to the LPD as a webmaster and shall perform such duties required by the LPD in that capacity. The relationship between the LPD and the Contractor shall be that of independent contractors, and no contract of employment is intended or created by this Agreement.
- C. Term. The term of this Agreement commenced on the date hereof and shall extend until such time as either the Contractor or the LPD elects to terminate it, either with or without cause, subject to the Contractor's obligations set forth in paragraph D hereof. [Any termination without cause shall require the terminating party to give 30 days written notice to the other party.]
- D. Non-Disclosure and LPD Property. In order to perform the duties required hereunder, the Contractor may be granted access to confidential information and property of the LPD material to the LPD's mission. The Contractor shall not disclose any such confidential information to any third party without the express written consent of the LPD. All such access is given subject to the discretion of the LPD, and such confidential information and property shall be surrendered to the LPD by the Contractor immediately upon request. Any legal costs incurred by the LPD to recover said information and property must be compensated by the Contractor as a breach of this Agreement.
- E. Severability. In the event a part of this Agreement is found void or unenforceable by a court of competent jurisdiction, the remainder of the Agreement shall remain enforceable.
- F. Amendments. This Agreement contains the entire understanding of the parties and may not be amended or supplemented except by an instrument in writing signed by the parties.
- G. Governing Law. This Agreement shall be governed by the laws of the State of Delaware, without regard to choice of law principles.

In witness whereof, the parties have duly executed this Agreement as of the date set forth above.

Contractor



State Chair or Secretary

 Libertarian Party of Delaware

I, John C. Thomas, do hereby declare that I am a member of the Libertarian Party of Delaware and that I am running for the office of State Chair or Secretary of the Libertarian Party of Delaware. I am running as an independent candidate and am not affiliated with any other political party.

I am running for the office of State Chair or Secretary of the Libertarian Party of Delaware because I believe in the principles of the Libertarian Party and want to help them grow and succeed. I am running as an independent candidate and am not affiliated with any other political party.

I am running for the office of State Chair or Secretary of the Libertarian Party of Delaware because I believe in the principles of the Libertarian Party and want to help them grow and succeed. I am running as an independent candidate and am not affiliated with any other political party.

I am running for the office of State Chair or Secretary of the Libertarian Party of Delaware because I believe in the principles of the Libertarian Party and want to help them grow and succeed. I am running as an independent candidate and am not affiliated with any other political party.

I, John C. Thomas, do hereby declare that I am a member of the Libertarian Party of Delaware and that I am running for the office of State Chair or Secretary of the Libertarian Party of Delaware. I am running as an independent candidate and am not affiliated with any other political party.

I, John C. Thomas, do hereby declare that I am a member of the Libertarian Party of Delaware and that I am running for the office of State Chair or Secretary of the Libertarian Party of Delaware. I am running as an independent candidate and am not affiliated with any other political party.

I, John C. Thomas, do hereby declare that I am a member of the Libertarian Party of Delaware and that I am running for the office of State Chair or Secretary of the Libertarian Party of Delaware. I am running as an independent candidate and am not affiliated with any other political party.

## Appendix 4 Resignation Letter of Sean Goward



# LIBERTARIAN PARTY OF DELAWARE

April 30, 2021

Fellow Delaware Libertarians,

On Monday, April 26<sup>th</sup>, with long consideration and a heavy heart, I resigned my position as Chair of the Libertarian Party of Delaware (LPD). I owe it to each of you, to provide an explanation of my reasons, as I will not be conveying the state of the LPD at the 2021 Convention. When I sought nomination for Chair in 2017, my stated priorities were to grow the party, get more candidates on ballots, improve our support for candidates, mentor future leaders, and advocate for Libertarian Principles. Over the last four years, it has been my sincere honor to work with the State Board in overcoming challenges that at their worst, have threatened the existence of the LPD as we know it. Since wrapping up the Jorgenson/Cohen Campaign, though, the Board and I have held diametric and mutually exclusive views on a path forward for our party.

While growth is seldom a painless process, it is best undertaken by nourishing new relationships and creating an environment that respects basic dignity, past experience, and the ingenuity and enthusiasm of our newest members. When we take a proprietary approach to an organization over which we are only stewards for those we represent, we close off communication with and marginalize those who approach us to offer their time, money, and effort. Certain members of our board have actively taken this proprietary approach, and others have condoned it with their silence. Of those who have taken a more aggressive approach against our newer members, one has taken deliberate steps to censor and silence them, abusing the authority granted them by the board, and violating the principles on which we have built this party. While I have tried to address these issues, the silence of the other members of the board have made it clear to me, that I cannot address these problems adequately, nor can I suffer my conscience by continuing to Chair a board that is intent on continuing down this path.

It is my sincerest hope, that at the 2021 State Convention, that members of the LPD will elect a board that actively promotes principled growth and creates an environment where **all** of our members feel safe to express their ideas, bring them to their representatives, and volunteer themselves and their precious resources to the cause of spreading the message of Liberty, because if we don't, we will endure a legacy of mediocrity, and continue to struggle under the boot of a bloated and outmoded government.

Yours in Liberty,

Sean L. Goward  
Former Chair  
Libertarian Party of Delaware

## **Appendix 5 Meeting Minutes**

As indicated below, the appropriate venue for discussion for board members about bylaw amendments is board meetings. In each month since the convention such discussion has been held. If board members were aware of the suggested language and were compelled to discuss it, some indication should have been given. It stands to reason that the ability of these same 5 members to shut down the September meeting gives them some plausible deniability in terms of a lack of discussion.

The minutes of the June, July, August, and September meeting follow this page.

# LPD Monthly Meeting – June 2021 - Minutes

Attendance: Bill Hinds, Amy LePore, Dayl Thomas, Dave Casey, Dylan Griffith, Will McVay, Brandi Kerchevall, Joe Dipasquale. Jimmy Brittingham (late).

1. Meeting called to order at 19:05 EDT.
2. Will 1<sup>st</sup>, Joe 2<sup>nd</sup> to have a meeting. Quorum m
  - a. Discussion had on how to properly speak/mute oneself. Mary Pat was having technical issues.
  - b. Jimmy joined the meeting at 19:09 EDT. He was having technical difficulties too.
  - c. Mary Pat jumped off to switch to her phone at 19:10 EDT. Joined right back.
  - d. We lost Jimmy at 19:10 EDT.
  - e. Dayl was asked to turn off his video to help with lag issues.
3. Dayl 1<sup>st</sup>, Dylan 2<sup>nd</sup> to adopt the agenda. Passed 7-0-2-1.
  - a. Amy-aye
  - b. Dave-aye
  - c. Will-abstain
  - d. Mary-aye
  - e. Joe-aye
  - f. Dylan-aye
  - g. Brandi-aye
  - h. Dayl-aye
  - i. Jimmy-not present
  - j. Bill – abstain (Will pointed out that the chair needs to vote, even if he is abstaining).
4. Scheduling of LPD monthly business meetings
  - a. Bill shared that we have all come to an agreement that the 4<sup>th</sup> Monday of the month at 7pm on Discord is good to meet. Everyone agreed.
5. Scheduling of LPD quarterly Board meetings
  - a. Bill's recommendations: August 15th, November 14th, February 13th, and May 15<sup>th</sup>
6. Discussion had on August 15<sup>th</sup>. It didn't work for Dayl. August 22<sup>nd</sup> didn't work for Dylan. August 21<sup>st</sup> worked for everyone.
7. Bill suggested meeting NCC, Sussex, then Kent.

8. Will 1<sup>st</sup> to meet at 1pm at either McGlynn's in Pike Creek or Bill's house. Dave pointed out that he can't meet until 6pm due to his work. Will withdrew his motion.
9. Will 1<sup>st</sup>, Amy 2<sup>nd</sup> to meet at 6pm at either McGlynn's in Pike Creek or at Bill's house. Passed 8-0-1-1
  - a. Amy-aye
  - b. Dave-aye
  - c. Will-aye
  - d. Brandi-aye
  - e. Dayl-aye
  - f. Dylan-aye
  - g. Joe-aye
  - h. Mary Pat-aye
  - i. Bill-abstain
  - j. Jimmy-Not present
10. Joe asked how long the meetings go. Mary Pat said to set aside two hours.
11. Jimmy rejoined us at 19:28 EDT.
12. Review all committee memberships
  - a. SMM committee meets: When Bill asked what committees exist, Will pointed out it was fuzzy.
    - i. Historically, we have had a SMM committee, an AoA committee, and when needed, a convention committee.
    - ii. Bill asked the history of the SMM committee and how it relates to the AoA. Will shared the history.
    - iii. Amy asked if the AoA committee has been brought about and disbanded? Will corrected that the AoA committee has been more like an advisory committee. Discussion had
      1. Amy asked if we had any resolutions concerning these things. Dayl didn't know of any off the top of his head. Will said he might have a file, but would need to look at it.
      2. There was an AoA change up for review at the 2021 convention, we just haven't had a chance to adopt it yet.
        - a. Bill would like all of us to review those and we'll have an item on the agenda next month to vote on them.
        - b. Bill would also like to hear from LPD state board members if they have any ideas for AoA improvements.

3. Bill brought up that John Machurek is the SMM chair and no longer was registered as a Libertarian in Delaware, but had switched parties. Discussion had.
    - a. Bill said he would like to see six-month membership for county board members and one-year membership for state board members. Discussion had.
    - b. Bill reiterated that he wanted to have the AoA suggestions reviewed by all LPD board members.

13. Review the succession process for the LPD

- a. Discussion had. Bill would like to have everyone contribute to this.
  - i. Amy brought up that it would be ideal to have a succession pamphlet for each LPD state board member. ACTION ITEM #1: Amy to work on this.
  - ii. Bill brought up that we would need to look at the AoA and possibly update it concerning this item.
  - iii. Bill also brought up that he has access to other state bylaws from Region 5 so that we can see what they have done and use what is best.
  - iv. Dayl given responsibilities to get death certificates and a letter from the LPD state board to help the succession process.
    1. Amy suggested that we should look at other state boards' bylaws.
    2. Mary Pat suggested looking at Robert's Rules.

b. Formal announcement of election results

14. ◦ Transference of all credentials

- a. ◆ Financial account information to Chair and Treasurer
- b. ◆ Information technology administrative accounts to Chair and IT Director, currently the IT Director is titled Webmaster
  - i. ACTION ITEM #2: Will to research and show what the funds are.
- c. ◆ Social Media account information to Chair, Vice Chair and IT Director
  - i. Bill asked if we would need a new contract to change "Webmaster" to "IT Director".
  - ii. ACTION ITEM #3: Will and Dayl to work on wording of the IT/SMM contract, update it, and get it done.

15. 2022 Convention Planning

- a. Bill asked when convention planning is done. Mary Pat shared that it is usually done starting Q4 and for sure in Q1. Bill would like to start things sooner so that we can avoid animosities and issues.
- b. Bill brought up how each chair can make their own rules for conventions. Discussion had. Will shared that the only use of this was when Brad allowed online voting for this past convention.
- c. We have \$827.94 in the convention fund after paying off the 2021 convention. The convention did well. Not the most we have ever made, but pretty close.
  - i. Bill asked if we made a profit off the convention as a whole. Mary Pat shared that with all things considered, just a little bit.
- d. Mary Pat shared that we have the convention in March in election years and May/June in off/odd years. Discussion had.
  - i. Will brought up that we picked Pizzadili due to it being outside and due to the COVID-19 pandemic.
    - 1. Bill would like to have a scout committee. Dylan shared that as LPD doesn't need a standing scout committee due to Robert's Rule. Discussion had. Bill suggested Dayl being the scout committee lead. Will brought up that we as a state board can just scout and bring info back next month.
      - a. **ACTION ITEM #4:** LPD state board members to look for venues and report back to the LPD state board; also, the three county chairs to ask their respective members to look for and suggested places.
    - 2. Meeting for the quarterly meeting will forgo these monthly meetings.
    - 3. Dave brought up John Machurek being SMM chair. Discussion had.
      - a. Bill suggested looking at the NCCLP AoA for how NCCLP dealt with SMM/Data & Tech.
- e. Mary Pat 1<sup>st</sup>, Will 2<sup>nd</sup> to adjourn. Passed 9-0-1. Meeting adjourned at 20:39 EDT.
  - i. Amy-aye
  - ii. Dave-aye
  - iii. Dayl-aye
  - iv. Jimmy-aye
  - v. Brandi-aye

- vi. Dylan-aye
- vii. Joe-aye
- viii. Mary Pat-aye
- ix. Will-aye
- x. Bill-abstain

# LPD Monthly Meeting – July 2021 - Minutes

- 1) Motion to meet
  - a) Amy 1<sup>st</sup>, Dayl 2<sup>nd</sup> to get started.
- 2) Roll call to determine quorum
  - a) Bill - Present
  - b) Amy - Present
  - c) Dayl - Present
  - d) Mary Pat - Present
  - e) Dave - Present
  - f) Dylan - Present
  - g) Will - Present
  - h) Brandi - Present
  - i) Joe - Present
  - j) Jimmy – Absent
    - i) Joe sent him a text.
  - k) Nine LPD members out of ten accounted for. We have quorum.
- 3) Call to order
  - a) Bill called the meeting to order at 19:03 EDT.
- 4) Approval of the agenda
  - a) Will brought up the agenda for all to view on Discord. It took some time. People had trouble viewing it. Dayl and Bill tried to share their screens, but people still couldn't see it. We skipped trying to share it and Dayl read them at Bill's asking. Dayl 1<sup>st</sup>, Amy 2<sup>nd</sup> to approve the agenda.
    - i) Bill -aye
    - ii) Amy – aye
    - iii) Dayl – aye
    - iv) Mary Pat – aye
    - v) Dave – aye
    - vi) Dylan – aye
    - vii) Will – aye
    - viii) Brandi -aye
    - ix) Joe – aye
    - x) Jimmy – absent (still working, will not be able to join us).
    - xi) Passed 9-0-0-1
- 5) Reading and approval of minutes
  - a) Mary Pat asked Dayl to update item 15.c. from “\$827.94 in profits from the 2021 convention” to “\$827.94 in the convention fund after paying off the 2021 convention”.
  - b) Joe 1<sup>st</sup>, Amy 2<sup>nd</sup> to approve the minutes
    - i) Bill – aye

- ii) Amy – aye
- iii) Dayl – aye
- iv) Mary Pat – aye
- v) Dave – aye
- vi) Dylan – aye
- vii) Will – aye
- viii) Brandi – aye
- ix) Joe – aye
- x) Jimmy – absent.
- xi) Passed 9-0-0-1

6) LPD Board Status

- a) Statewide membership status
  - i) Discussion had
  - ii) LPD has 2162 registered voters as of Thursday, July 1<sup>st</sup>, 2021.
- b) Statewide fundraising
  - i) We have about \$100 in monthly income.
    - (1) A donor had stopped their monthly donation, as it was up to about \$150 a month previously
  - ii) Bill 1<sup>st</sup> to have a meeting with the LPD executive board to go over who the LPD donors are and what their posture/donations is/are. Mary Pat mentioned that she already does this and sends each donor a thank you card or e-mail. Will suggested moving this discussion to Discord – state-board-private. Bill agreed and the motion died for lack of a second.
    - (1) Discussion on whether to reveal donors or not briefly continued until Will called orders of the day.
  - iii) Approve banking with Citizens Bank
    - (1) Bill asked if we need to take a vote and Will pointed out that we don't need to as it is in the purview of the LPD Treasurer. Mary Pat shared that once we started receiving fees at our last bank, she moved the LPD's money to another bank (Dover Federal Credit Union), no one in the party questioned it. She will go and check out Citizens Bank if that is what the LPD would like her to do.
    - (2) Bill stated that the problem of being charged fees by PayPal is being worked on and fixed by Mary Pat. Discussion had on what the board needs to and doesn't need to approve concerning where to bank.
    - (3) Joe asked through point of information if we can also do it through Venmo and Mary Pat said we could if someone could help her set it up.
    - (4) **ACTION ITEM #1:** Mary Pat to seek out Joe if she is unable to set up the Venmo account herself.
- c) LP National activities

- i) This year is the 50<sup>th</sup> anniversary of the founding of the LP. National asked each state to send out a gift basket. Will asked Bill to firm up the details and that we discuss it on Discord.
  - ii) **ACTION ITEM #2:** Members to donate and Amy to secure items and mail them out to Colorado.
  - iii) LPDelaware AT googlegroups DOT com is the LPD state board distribution list, which is also public and anyone can join. It tracks and sends out information on the ad hoc votes. Will to put this in the state-board discord chat.
  - iv) Bill mentioned the LP Region 5 affiliate and campaign training taking place in Norfolk, VA from July 31<sup>st</sup>, 2021 to August 1<sup>st</sup>, 2021.
    - (1) **ACTION ITEM #3:** Dayl to e-mail LP Region 8 affiliate and campaign training out TONIGHT!
- d) Other activities
- i) Approve fund for discord bot in the cloud
    - (1) Bill asked if it has a cost and Will said that he needs to work on it, but most likely \$40/month.
      - (a) **ACTION ITEM #4:** Bill to add this to the agenda for next month (2021 Q3 Meeting on August 21<sup>st</sup>).
        - 1. It was discussed that \$30 was set aside for web hosting.
        - 2. Mary Pat shared that the LPD had about \$1400 in funds received from the 2021 LPD Convention (about \$600 +) and Day of Liberty (\$787).
          - a. We're also supposed to get more money from Pizzadili Winery, but Mary Pat is not sure where that money is coming from and Angela, the main lead at Pizzadili, has been very busy.
        - 3. Put on hold until next month.
- 7) County updates
- a) KCLP
    - i) Have had decent attendance at meetings since convention
    - ii) Have passed some items that aligned with the resolution that Sussex passed regarding state bills.
    - iii) Working on their own AoA and Bylaws
    - iv) Moved to McGlynn's in Dover
      - (1) Worked well in June, hope to be able to stay there
    - v) Started their own website as a subdomain of lpdelaware.org
      - (1) Will put up a donation button.
      - (2) News about this new website posted to Discord.
        - (a) **ACTION ITEM #5:** Will link the KCLP website link and the NCCLP website link to the main LPD website.
- b) NCCLP

- i) Working on branding
    - (1) Working with Chris Velrath on this.
  - ii) Trying to have a big activity every month.
  - iii) Reggaefest the end of this month and Weedstock next month.
    - (1) Joe offered to help with Weedstock. Dave thanked him. Times discussed.
  - iv) Making a Twitter and Instagram account.
  - v) Mad over \$300 at the NCCLP Summer BBQ on July 17<sup>th</sup>.
    - (1) Will have an end of the summer BBQ on August 28<sup>th</sup>, with a beer license, so can make more money.
- c) SCLP
- i) Last meeting, election held for Vice-Chair and Wendy Jones was elected.
    - (1) Also discussed the absence of a permanent treasurer (Will filling in)
  - ii) Apple Scrapple prep going on. The event is going on in October 9<sup>th</sup> (same as Region 8 training).
  - iii) Will have adopt-a-hwy clean up in August.
  - iv) Have a couple of new members!
- 8) AoA and Bylaws
- a) Review of proposed amendments
    - i) Bill asked Dayl to take the lead on this, with Amy's help.
    - ii) We have a proposed Policy and Procedures Guide (PPG) to review
    - iii) There was a motion previously made to amend Article 6 of the LPD AoA (see item 8.a.vi just below).
    - iv) LPD Social Media & Messaging Policy
    - v) Amy noted that there were a series of items on the AoA report.
      - (1) Mary Pat asked if these were posted anywhere else besides the LPD Executive Board. Bill shared that the ones ready for primetime (30-day review time) have been posted on Facebook by Dayl. Dayl corrected this by saying they had been posted by Amy.
        - (a) Amy asked that we only focus on the items where notification has been given. Bill did so.
        - (2) Amy then gave an update on the proposed amendments to Article 6 of the LPD AoA.
      - vi) Very long discussion had on how to word contracts (2 years only vs. ending contracts with each board; including kill switches to contracts and 30-day-notices to those performing duties, etc.)
        - (1) ACTION ITEM #6: Amy, Will, and Dayl to work on wording of contracts amendment.
- 9) Review specific officer roles and responsibilities
- a) Bill to share the wording for the following positions so that they can be reviewed and discussed at next month's meeting:
    - i) Webmaster

- ii) Treasurer
- iii) Secretary

10) Social media policy framework discussion

- a) Update Facebook group moderators to current board
  - i) Bill asked that we wait to this current meeting to do so and Will agree, discussing accountability (via administrator logs) and having more moderators available.
  - ii) Will 1<sup>st</sup>, Dayl 2<sup>nd</sup> to update Facebook group moderators to current board.
    - (1) Amy stated that they needed to go, but stayed to hear the discussion on the motion.
    - (2) Will brought up the wording about a posting that was found to be vulgar and how Bill deleted said posting. Will stated that we need to follow the rules concerning deleting post but that the vulgar comment didn't break the rules. It was agreed that we would discuss this further. Further discussion had.
    - (3) Amy and Dylan left the meeting due to having to attend another meeting at 20:20 EDT. Quorum still retained with seven LPD members.
    - (4) Brandi also had to leave and left at 20:22 EDT. Quorum still retained with six LPD members.
    - (5) Discussion had on SMM rules set a few years ago. Joe read the four rules. They are as follows
      - (a) Rule #1: No Promotions or Spam
        - (i) Give more than you take to this group. Self-promotion, spam and irrelevant links aren't allowed. Candidate posts are exempted from the "self-promotion" restriction.
      - (b) Rule #2: Honesty
        - (i) Posts that are demonstrably false and misrepresent readily known facts, particularly those with the intention or effect of appropriating the Libertarian Party brand, will be subject to removal.
      - (c) Rule #3: Read the Room
        - (i) We try to maintain an open forum and not to limit posts, but please read the room. If you are blowing up group notifications with posts that do not generate responses, check yourself.
      - (d) Rule #4: Personal Attacks:
        - (i) Generally speaking we should be attacking the argument not the person, but this will especially be enforced for attacks against individuals who are not public figures or group members.
      - (e) Rule 3 was Bill's justification for removing the comment to the vulgar post. Will made the counterpoint that "not reading the room" as found in Rule 3 was what James Ogle violated when he kept

posting items about something he cared deeply about but that no one else on the group did and repeatedly said so to James Ogle.

- (f) Dave shared that he liked Rule 3, but that it was very vague.
  - (g) Bill suggested adding an amendment that covers vulgarity and profanity
  - (h) Dave and Will had a good discussion on free speech, supporting free speech, and how to decide to set up a rule to remove something bad that doesn't create a loop of posting and removing.
  - (i) Bill read a rule from Delaware Politics about graphic violence as guidance for a new rule. Discussion had.
  - (j) A new rule, Rule #5: Catch All, will be added.
- (6) Getting back to the motion made in item in 10.a.ii, here are the vote results:
- (a) Bill - aye
  - (b) Amy - absent
  - (c) Dayl -aye
  - (d) Mary Pat - aye
  - (e) Dave - aye
  - (f) Dylan - absent
  - (g) Will - aye
  - (h) Brandi - absent
  - (i) Jimmy - absent
  - (j) Joe - aye
  - (k) Passed 6-0-0-5.

#### 11) Announcements & upcoming events

- a) Dayl brought up the need to write apology cards for our speakers that didn't get to speak at the 2021 LPD Convention due to us running overtime.
  - i) Will shared that he reached out to everyone and apologized. Dayl then asked if we as a board should do something official. Mary Pat shared that what Will has done is enough, being a member of the board. Dayl thanked Will publicly for the notes he had written, but continued to ask if we would still like to do anything as a whole board. Discussion had. Bill suggested doing thank you cards instead of apology cards. Mary Pat shared that we could still write something along the lines of the following: we apologize that you didn't get to speak because we ran out of time.
    - (1) **ACTION ITEM #7:** Dayl to get thank you cards and addresses. Mary Pat has plenty of stamps. Everyone to sign them at the various state and county meetings.
- b) Will updated the Facebook moderators to all 10 board members and put in wording for the new Rule 5: Catch All. The wording is as follows:

- i) The Moderation Team reserves the right to remove any content not conducive to the mission of the LPD. The full Moderation Team will review any such removals and content can be restored if necessary.
- c) Bill asked that we hide unwanted comments instead of deleting them. Discussion had. It was pointed out that we want to hide comments, as we can't hide posts.
  - i) It was discovered that only administrators can undelete posts.
  - ii) Joe brought up that he couldn't find the hide button, even after clicking on specific posts. Will pointed out that only comments can be hidden, not posts.
  - iii) Bill brought up an idea about the catch all, but he cut out of the feed, as did everyone else except for Will. Orders of the day were called by Bill once everyone was able to hear everyone else speak. Bill asked that we add something to the new Rule #5 to the effect that "repeat offenders must have their posts approved by moderators". Dave felt that this was showing our hand too much. He suggested instead that we add something to the effect that "we reserve the right to boot anyone from our group", in the spirit of property rights. Will explained that we have done this sort of thing already, we just haven't sorted out the penalties. Will then gave examples again, including James Ogle. He turned on post approval for such posters for 30 days, which can be repeated as long as necessary or desired. Dave felt that Will made the right move regarding posts from James Ogles and others that did not read the room and/or were incessant with their inappropriate posts.
  - iv) Dayl made a point of personal privilege concerning not being able to hear the audio. Will shared that the recording of the meeting will be up on YouTube.

12) Adjournment.

- a) Bill 1<sup>st</sup>, Dayl 2<sup>nd</sup> to adjourn.
  - (1) Bill - aye
  - (2) Amy - absent
  - (3) Dayl -aye
  - (4) Mary Pat - aye
  - (5) Dave - aye
  - (6) Dylan - absent
  - (7) Will - aye
  - (8) Brandi - absent
  - (9) Jimmy - absent
  - (10)        Joe - aye
  - (11)        Passed 6-0-0-5
- b) We adjourned at 20:49 EDT.

# **LPD Q3 August 2021 Meeting Minutes**

- 1 Call to order: Call to order made at 18:02.
  - 1.a Will 1<sup>st</sup>, Mary Pat 2nd to adopt a variant agenda with time limits and the rearranging of items.
    - 1.b Bill – aye
    - 1.c Amy- aye
    - 1.d Dayl – abstain
    - 1.e Mary Pat – aye
    - 1.f Dave – aye
    - 1.g Dylan – aye
    - 1.h Will – aye
    - 1.i Aarika – aye
    - 1.j Wendy (Jimmy's proxy) – aye
    - 1.k Joe – aye
    - 1.l Passed 9-0-1.
- 2 Roll Call.
  - 2.a Because there was a vote, it was seen that we had roll call already.
- 3 Reading and approval of minutes.
  - 3.a Will made a motion to waive the reading of the minutes.
  - 3.b Dayl made a point of order (POO) sharing that there were two sets up minutes sent out, the Q2 2021 minutes and the July 2021 Monthly State Board Meeting minutes.
  - 3.c Due to this, Will withdrew his motion to waive the reading of the minutes.
  - 3.d Will 1<sup>st</sup> Mary Pat 2<sup>nd</sup> to adopt both.
    - 3.e Bill – aye
    - 3.f Amy – aye
    - 3.g Dayl – abstain
    - 3.h Mary Pat – aye
    - 3.i Dave – aye
    - 3.j Dylan – aye
    - 3.k Will – aye
    - 3.l Aarika – aye
    - 3.m Wendy – aye
    - 3.n Joe – aye
    - 3.o Passed 9-0-1.
- 4 Reports of officers
  - 4.a Treasure:
    - 4.a.i \$3523.23 in the bank. See LPD Treasure's report for more details.
  - 4.b Secretary:
    - 4.b.i Dayl apologized for being late with the minutes (submitted before this meeting, but only by a little bit).

4.b.ii Dayl also shared that he brought thank you cards to send to our guests for the convention.

4.b.iii He also shared that he got gifts and a thank you card (donations in kind) for Mr. Rick Jensen and Mr. Randy Dascher for their support of the LPD. These actions were well received by everyone.

4.c Chair:

4.c.i Bill reported on numbers

i.1 SCLP: lost 1 registered LP voter total. 470 currently in the county.

i.2 NCCLP: lost 11 registered LP voter total. 1240 currently in the county.

i.3 KCLP: lost 2 registered LP voter total. 423 currently in the county.

4.d Vice Chair: Amy shared the following:

4.d.i Just how good Rick and Randy of WDEL have been to us.

4.d.ii The NCCLP is trying to get someone out of Afghanistan; a new members' translator friend.

4.d.iii Let's get the LPD sharing more on the Rick Jensen show.

## 5 AoA and Bylaws

5.a Will 1<sup>st</sup>, Amy 2<sup>nd</sup> to adopt the amendment written by Carter Hill and shared on Discord and notified on Facebook. Article 9, Section 1 change.

a.i Amy – aye

a.ii Dayl – aye

a.iii Mary Pat – aye

a.iv Dave – aye

a.v Dylan- aye a.vi

Will – aye

a.vii Aarika – aye

a.viii Wendy – aye

a.ix Joe – aye

a.x Bill – abstain

a.xi Passed 9-0-1.

### 5.b Vote on Committee Change

b.i Will 1<sup>st</sup>, Aarika 2<sup>nd</sup> to adopt a slightly modified AoA Article VI item 11 from what was shared. Discussion ensued.

i.1 Original notification: Establish standing or special committees and codify their duties, composition, and reporting requirements.

i.2 2<sup>nd</sup> notification: Establish temporary standing or special committees for no more than two years except by an amendment to these Articles.

b.ii Amy 1<sup>st</sup>, Dave 2<sup>nd</sup> to amend the motion to add the words, and codify their duties, compositions, and reporting requirements. This would be tacked on to the end of the Will's modified AoA Article VI item 11.

ii.1 Amy – aye  
ii.2 Dayl – aye  
ii.3 Mary Pat – aye  
ii.4 Dave – aye  
ii.5 Dylan – aye  
ii.6 Will – aye  
ii.7 Aarika – aye  
ii.8 Wendy – aye  
ii.9 Joe – aye  
ii.10 Bill – abstain.  
ii.11 Passed 9-0-1.

- b.iii Now voting on the amended amendment. Needs 2/3 to pass due to what was voted in the amendment written by Carter Hill and shared on Discord and notified on Facebook. Article 9, Section 1 changed. Amy – aye iii.2
- Dayl – aye iii.3  
Mary Pat – aye iii.4  
Dave – aye iii.5  
Dylan – aye iii.6  
Will – aye iii.7  
Aarika – aye iii.8  
Wendy – aye iii.9  
Joe – aye  
iii.10 Bill – abstain  
iii.11 Passed 9-0-1.

#### 5.c Vote on Bylaw Notifications

- c.i Will 1<sup>st</sup>, Mary Pat 2<sup>nd</sup> to vote on an amended bylaw changes, for Bylaw #7. The wording is different than what was notified:
- i.1 Original notification: Addition to by-laws. The State Board may not enter any contract exceeding two years between the start and end dates of the agreement. The State Chair or Secretary may sign approved contracts on behalf of the State Board.
- i.2 Will's amendment: Bylaw 7. The State Board may not enter into any labor contract that does not allow the Party to terminate it given at least 30 days notice without penalty. The State Chair or Secretary may sign approved contracts on behalf of the State board.
- i.3 Dayl made a point of personal privilege (PPP) for a recess of 5 minutes to review the language. Bill as chair granted Dayl's request. Recess started at 18:44 EDT.
- 3.a Discussion held during recess.
- i.4 Meeting reconvened at 18:49 EDT
- i.5 Dayl 1<sup>st</sup>, Dylan 2<sup>nd</sup> to extend time by 10 minutes.

5.a Amy – aye  
5.b Dayl – aye  
5.c Mary Pat – nay  
5.d Dave – aye  
5.e Dylan – nay  
5.f Will – nay  
5.g Aarika – nay  
5.h Wendy – nay  
5.i Joe – nay  
5.j Bill – abstain  
5.k Failed 3-6-1. Orders of the day to finish the main

c.ii Amy – motion.  
c.iii Dayl – nay  
c.iv Mary Pat – aye  
c.v Dave – nay  
c.vi Dylan – nay  
c.vii Will – aye  
c.viii Aarika – aye  
c.ix Wendy – aye  
c.x Joe – aye  
c.xi Bill – nay  
c.xii Fails

## 6 Introduce ~~5.5.0~~ Policy and Procedures (PPG)

6.a Discussion had on this. The LPD will vote on it once the 30-day notification passes.

## 7 BCP questionnaires

7.a In order to help keep knowledge learned within the LPD and to be able to pass it on to future officers, Bill asked that the LPD Secretary, LPD Treasurer, and LPD Webmaster fill out Business Continuity Papers (BCP) questionnaires.

### 7.b Secretary

b.i Dayl had not yet completed his questionnaire and asked for forgiveness and clemency, given his busy schedule.  
b.ii Will asked for a 5 minute recess. Granted by Bill as Chair.  
b.iii Mary Pat shared during the recess that Spike Cohen got his wine, but has yet to be reimbursed by the LPD.  
b.iv Meeting reconvened at 19:06 EDT.

### 7.c Treasurer

c.i Mary Pat read her answers to the questionnaire Bill gave. Some discussion had on individual answers.

### 7.d Webmaster

d.i Will handed his to Bill.

## 8 Announcements

8.a FILL IN

- 8.b Bill asked if the counties reached out to registered LP members (FILL IN).
- 8.c Dayl mentioned about Wendy becoming SCLP vice chair and Vern becoming SCLP treasurer.
- 8.d Dave made a personal point of privilege, granted by Bill, to share about the medical freedom protest.
- 8.e Dylan also shared what Carter had asked him about NCCLP social media growth.

## 9 Upcoming Events

- 9.a NCCLP BBQ 8/28
- 9.b Apple Scrapple 10/8-9
  - b.i Jimmy Brittingham has been in touch with the event organizers. SCLP has a booth. SCLP will only be there on Saturday the 9<sup>th</sup> because political organizations cannot be there on Friday the 8<sup>th</sup> per event rules.
- 9.c Region 8 Campaign training Newark NJ 10/9-10
- 9.d Other TBD
  - d.i Discussion had on where to meet for the next quarterly meeting (Q4 2021). It was shared that Bill and Dayl had hoped to meet in the three various counties. Some members of the LPD state board felt that this was too much of a burden and suggested meeting in Kent County exclusively or meeting online, as we do for the monthly LPD state board meetings.
  - d.ii Tabled on where and when to meet for the Sept. 2021 LPD Meeting.

## 10 Adjournment.

- 10.a Mary Pat 1<sup>st</sup>, Dayl 2<sup>nd</sup> to adjourned. We adjourned at 19:40 EDT.

## Appendix 6 Will McVay's October 1st Letter



### STATE BOARD TURNOVER

At an online meeting of the LPD State Board a change was adopted to our bylaws regarding disciplinary policy to enable 2/3 of our county chairs to remove a member of the State Board rather than the previous 4/5 requirement among all State Board members. Board members judged that a body is poorly suited to police itself without an outside source of accountability and that the 4/5 requirement was too difficult to surmount when dealing with multiple board members who were disruptive, disrespectful, incompetent, dishonest, or otherwise compromising to the mission of the LPD.

Pursuant to this new process, State Chair Bill Hinds, Vice Chair Amy LePore, and New Castle County State Board Representative Dave Casey were removed from the State Board.

State Chair Bill Hinds was elected in an uncontested campaign based on false pretenses. He failed to disclose factional allegiances within the national party that do not suit the alignment interests of the LPD. Furthermore, in his brief tenure as Chair, he has demonstrated a tendency towards making unilateral decisions without consulting the Board; failure to understand his role and responsibilities to the Party and to the Board; and has comported himself on social media in a way that portrayed the LPD in a negative light. He has held his factional interests higher than those of the LPD to our detriment.

Vice Chair Amy LePore was also elected under false pretenses. Not only did she also fail to openly disclose her factional allegiances, but she remains the state coordinator for one such organization despite assurances that she would resign that position upon being elected Vice Chair. This compromises her neutrality as an officer of the state party and calls her integrity into question. Not only is the organization itself a divisive presence within the LP nationally, but it has also recently suffered a string of public relations setbacks including the suspension of its Facebook group for hate speech; failure to comply with Federal Election Commission regulations; and being named as a defendant in a lawsuit for defamation and invasion of privacy, all of which reflect poorly on the LPD having a Vice Chair who is the state coordinator for that organization.

NCC State Board Representative Dave Casey has subjected LPD members to a long string of abuses beginning even before his tenure within the party. His confrontational and disrespectful attitude elevated to the level of hurling personal insults at party members, Board members, and their families. He has done so on social media in a way incompatible with his obligations to the Party and abusive of his position. His continued presence on the State Board portrays the LPD in a negative light and obstructs progress on the business of the Party.

The Libertarian Party is founded on a philosophy of openness and transparency. It is a difficult decision to exercise another fundamental part of the philosophy and choose to voluntarily disassociate from individuals who are not aligned to our goals. Presenting our philosophy in the most positive light possible in order to appeal to voters across the political spectrum who are not comfortable in their own parties is difficult under the best of circumstances. Doing so while members of the State Board obstruct or actively subvert those goals is impossible.

We are a small party, so to turn away willing volunteers is no easy decision, yet when those volunteers create a hostile environment it discourages new volunteers and demoralizes existing ones. The LPD wishes to grow in numbers and influence, but growing numbers in the wrong directions detracts from rather than enhancing our influence. Sometimes we must tell people who are not conducive to our mission that they are not a good fit for leadership in our party.

New officers have been selected by the remaining members of the State Board, in accordance with our bylaws, to replace the State Chair and Vice Chair. The New Castle County affiliate will be charged with the task of replacing their representative, though further action is pending to ensure that all of the LPD's county affiliates are governed in accordance with the highest ideals of Libertarian principles. Under the bylaws pertaining to succession and the filling of vacancies, the Board has designated Will McVay to serve as State Chair with James Brittingham to serve as Vice Chair.

November 5th, 2021

Dear Members of the Libertarian National Committee,

As a follow-up to my last communication I am providing this additional packet of information. The situation in Delaware continues to devolve and your attention to this matter is of critical importance so that we can assure our membership that we are on solid footing.

While operating fraudulently as the Libertarian Party of Delaware, Will McVay, Mary Pat McVay, Brandi Kerchevall, Joseph Dipasquale, and Jimmy Brittingham are working to disenfranchise affiliates and members. The impact of their actions is to confuse and deceive members and to ruin the brand of the Libertarian Party in Delaware.

The document that follows contains information about the following occurrences:

- Will McVay, Mary Pat McVay, Brandi Kerchevall, Joseph Dipasquale, and Jimmy Brittingham, operating as the fraudulent board, have passed an AoA amendment to Article V that centralizes all power in the hands of a State Board. The language it includes permits the state board to determine who is worthy to be a member of the Libertarian Party of Delaware, permits them to depose county affiliate officers, and to take county affiliate assets.
- On October 31st, the parties listed above employed their new powers under Article V and claim to have disaffiliated the New Castle County affiliate.
- On November 1st, the fraudulent board passed a motion to limit to a list of 20, people who are permitted to participate in the Libertarian Party of Delaware and its affiliates.

Their behavior has given way to confusion among members and a genuine feeling of disenfranchisement. Despite the fact that they are not the rightful board, their actions are having a devastating impact on the brand of the Libertarian Party in Delaware.

I understand that it is my job and the job of the remaining members of the rightful board to straighten out this embarrassing mess in Delaware. We are hard at work and taking steps to honor the will of our members. While we do not have an explicit action that we want the committee to take against the rogue actors, I need your continued support in my role as Chair. Making public what is true, that I am the Chair, Amy LePore is the Vice Chair, and that Dave Casey and Dylan Griffith are representatives to the Board would go along way in giving confidence to our membership that we can move forward. We require their faith and confidence as we proceed with the upcoming special meeting, investigation, and potential trial and as we pursue legal avenues.

The initial document sent to the LNC and the information that follows this letter should offer more than sufficient evidence of the fraudulent behavior of the five parties. I do not believe that this matter should wait until the 4th of December. The attempt at disenfranchisement of members statewide should be sufficient reason for the LNC to remind those acting as a fraudulent board that the LPD does not belong to them. I am happy to provide any additional information and to answer any questions. I look forward to your response.

Sincerely,

Bill Hinds

As indicated in our prior documentation, a proposal for change to Article V was notified in the LPD Facebook on October 1<sup>st</sup> at 8:07PM, one minute after the three board members allegedly were relieved of their state board duties. The State Board passed the amendment during an ad-hoc meeting on October 31st linked to [here](#). The revised Article V reads:

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### **Article V: County Affiliates**

Each of the three counties shall organize local chapters of the LPD. These county chapters may develop, if they choose, their own Articles of Association, By-Laws, and Political Platforms as long as they meet the following criteria:

1. They do not conflict with any State LPD operating documents,
2. They provide an equitable method for selecting members of the State Board, and
3. Separate individuals must be Chair and Secretary.
4. County affiliate membership shall be determined by membership in the LPD and residence in that county. No other membership criteria may expand or limit membership.
5. All county affiliates must hold monthly meetings open to all members with notice provided as to the time and location at least one week in advance. No business may be conducted by any county affiliate that does not provide transparency to the public and the opportunity to provide input to all members.

The State Board reserves the right to adjudicate any issues in the county affiliates in order to ensure that all county affiliates reflect the highest ideals of the Libertarian Party. The State Board may take action including but not limited to:

1. Removal/Reappointment of County Officers
2. Veto of County Motions
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4. Reassignment of Responsibility for County Assets
5. Disaffiliation of the County

Such actions may be taken by a 2/3 vote of the State Board. If a county is disaffiliated, the State Board shall establish a process for reconstituting the county affiliate by majority vote and all county assets shall be held in trust by the State Board to benefit the new affiliate.

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On October 31<sup>st</sup>, a post was made on the Libertarian Party of Delaware Facebook page that stated the Libertarian Party of New Castle County has been disaffiliated. Obviously, the fraudulent board does not have the power to disaffiliate but their actions do compromise the LPD, given that they have stolen all social media assets and control at least a portion of the narrative regarding which boards are legitimate. They have gone further to name a Chair and a Secretary and have assigned those two people to State Board roles. New Castle County is by far the most populous and most active of the three Delaware counties and their attempt to delegitimize it cannot stand. NCC's membership includes multiple candidates for office in 2022 and has an active outreach arm with events held multiple times per month. Its members are actively engaged in legislative work and in community coalition building.

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Libertarian Party of Delaware

October 31 at 2:22 PM ·

New Castle County Libertarian Party of Delaware

October 31 at 2:18 PM ·

Following the disaffiliation of the NCCLP, this is the new page for the reestablished New Castle County Libertarian Party of Delaware.

<https://ncc.lpdelaware.org/>

6 2 Comments 1 Share

Mr. McVay and his followers have gone a step further than disaffiliation, making an official list by board vote of those members who are considered approved to participate in the "Libertarian Party of Delaware" and at the affiliate level. On November 1 a list of only 20 people was created and passed by motion, in accordance with the amended Article V. Three of the 20 people listed are minors aged 4, 9 and 12. Of the Kent County members listed only the three minors and one other individual actively attend meetings. Of the New Castle County members listed, only five actively attend meetings. All officers from New Castle County were omitted from the list. Anyone known to have spoken out about what has happened was also omitted from the list.

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You're portraying a loaded representation about appropriate and inappropriate affiliations that you're making up entirely and presumptions of "guilt" which has no relation at all to the issue. The party follows the principles of free association in both directions in that they have to make an affirmative decision to approve voting members. People acting in bad faith can't comply with impersonal and easily manipulated requirements and brute force themselves into control of the party  
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Ian\_G 11/04/2021  
Disagreeing with you is shit stirring is what you're saying?

 Will McVay 11/04/2021  
Only when I'm right.



**Joe Dipasquale** Yesterday at 3:18 PM

I motion the following be approved for permanent membership to the lpd.

Vern Proctor  
Roger Stemler  
Bob Sigler

Leo Smith  
Nadine Frost  
Brad Thomas  
Steve Newton  
Dayl Thomas  
Scott Gesty  
Carol Moore  
Mark Parks  
David Rogers  
Cody McNutt

Bob Wilson  
Tim Spong  
Margie McKeown  
Susan McKeown  
Layla Webb  
Julia McVay  
Tesla Webb

1   2



**LPD Bot BOT** Yesterday at 8:15 PM

### Approve Members

#### Member List

#### Vote Results (as of 11/1/2021, 8:17:52 PM):

Machurek - aye  
boylayer01 - aye  
Joe Dipasquale - aye  
Brandi - aye  
MaryPat - aye  
jimmyjambrittingham - aye  
Will McVay - aye

The membership of Kent and New Castle County affiliates have passed resolutions repudiating the five members involved and have called for investigations at every level. New Castle has also asked for an investigation into the participation of John Machurek and Nicole Shaw. We have included the resolutions below.



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### RESOLUTION TO CONDEMN FAILED PARTY PURGE

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WHEREAS, on October 1, 2021, a purge of three duly-elected Libertarian Party of Delaware (LPDE) board members was attempted.

WHEREAS, working in concert, state board members Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, and Mary Pat McVay tried to remove Bill Hinds, Amy Lepore, and Dave Casey from the LPDE board after claiming to pass a bylaw amendment that allowed them to do so.

WHEREAS, the alleged bylaw amendment notification made 30 days before the vote to adopt it cannot syntactically be interpreted as such, it fails as appropriate notification. Even if it could be read in this manner, the ad hoc meeting called suddenly to vote on its adoption was also not properly notified. A motion was made by a board member and seconded, so it may be said that a meeting was indeed convened, but absent proper/timely notification to all board members, the substance of the meeting is nullified. Thus, the action taken by this subset of the state board is considered doubly dead on arrival.

RESOLVED, after careful examination of the facts, the Kent County Libertarian Party of Delaware (KCLP) has determined that this action was a procedural failure in several key respects and recognizes its outcome as void.

RESOLVED, that this body unequivocally rejects the notion that the composition of the state board has changed (with the exception of the party secretary's resignation on 9/27) since its officers were duly-elected at the most recent party convention in June 2021.

RESOLVED, the KCLP will not recognize any changes made at the behest of the illegitimate board now claiming to have authority. Further, the KCLP believes the manner in which this action was conducted was grossly unethical. And, where the current possession of the party's financial and communication assets are concerned, the action may even have been illegal.

RESOLVED, the KCLP urges Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, and Mary Pat McVay to suspend their illegitimate board activities, join us in the condemnation of this action, and resign from their leadership roles immediately so that this entire farce may be considered a quickly corrected lapse in judgement or the product of being lead astray by malevolent actors.

RESOLVED, that a special three-person committee to investigate KCLP officers Will McVay, Mary Pat McVay, and Brandi Kerchevall's involvement in this matter be convened immediately. This process should be done via nomination and simple majority vote of the body to confirm.

RESOLVED, that this resolution, in its entirety, be posted without comment on the KCLP's website and social media channels by the chair within 48 hours of its passing.



# NEW CASTLE COUNTY LIBERTARIAN PARTY

**WHEREAS**, on October 1, 2021, a purge of three duly-elected Libertarian Party of Delaware (LPDE) board members was attempted.

**WHEREAS**, working in concert, state board members Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, and Mary Pat McVay tried to remove Bill Hinds, Amy Lepore, and Dave Casey from the LPDE board after claiming to pass a bylaw amendment that allowed them to do so.

**WHEREAS**, the alleged bylaw amendment notification made 30 days before the vote to adopt it cannot syntactically be interpreted as such, it fails as appropriate notification. Even if it could be read in this manner, the ad hoc meeting called suddenly to vote on its adoption was also not properly notified. A motion was made by a board member and seconded, so it may be said that a meeting was indeed convened, but absent proper/timely notification to all board members, the substance of the meeting is nullified. Thus, the action taken by this subset of the state board is considered doubly dead on arrival.

**WHEREAS**, John Machurek and Nicole Shaw have assumed illegitimate LPNCC officer positions.

**RESOLVED**, after careful examination of the facts, the New Castle County Libertarian Party of Delaware (NCCLP) has determined that this action was a procedural failure in several key respects and recognizes its outcome as void.

**RESOLVED**, that this body unequivocally rejects the notion that the composition of the state board has changed (with the exception of the party secretary's resignation on 9/27) since its officers were duly-elected at the most recent party convention in June 2021.

**RESOLVED**, the NCCLP will not recognize any changes made at the behest of the illegitimate board now claiming to have authority. Further, the NCCLP believes the manner in which this action was conducted was grossly unethical. And, where the current possession of the party's financial and communication assets are concerned, the action may even have been illegal.

**RESOLVED**, the NCCLP urges Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, Mary Pat McVay, John Machurek, and Nicole Shaw to suspend their illegitimate board activities, join us in the condemnation of this action, and resign from their roles immediately so that this entire farce may be considered a quickly corrected lapse in judgement or the product of being lead astray by malevolent actors.

**RESOLVED**, that NCCLP supports the investigation now being conducted by the Kent County Libertarian Party of Delaware and also calls upon the State Board to hold a special meeting to investigate and correct these illegitimate actions.

**RESOLVED**, that this resolution, in its entirety, be posted without comment on the NCCLP's website and social media channels by the chair within 48 hours of its passing.

November 5th, 2021

Dear Members of the Libertarian National Committee,

As a follow-up to my last communication I am providing this additional packet of information. The situation in Delaware continues to devolve and your attention to this matter is of critical importance so that we can assure our membership that we are on solid footing.

While operating fraudulently as the Libertarian Party of Delaware, Will McVay, Mary Pat McVay, Brandi Kerchevall, Joseph Dipasquale, and Jimmy Brittingham are working to disenfranchise affiliates and members. The impact of their actions is to confuse and deceive members and to ruin the brand of the Libertarian Party in Delaware.

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Their behavior has given way to confusion among members and a genuine feeling of disenfranchisement. Despite the fact that they are not the rightful board, their actions are having a devastating impact on the brand of the Libertarian Party in Delaware.

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The initial document sent to the LNC and the information that follows this letter should offer more than sufficient evidence of the fraudulent behavior of the five parties. I do not believe that this matter should wait until the 4th of December. The attempt at disenfranchisement of members statewide should be sufficient reason for the LNC to remind those acting as a fraudulent board that the LPD does not belong to them. I am happy to provide any additional information and to answer any questions. I look forward to your response.

Sincerely,

Bill Hinds

**B. The National Libertarian Party was aware that McVay was presenting himself as the legitimate Chair and was silent**

In addition to directing the public and other Party members to the McVay controlled website, the LNC was aware of McVay's claims and did nothing to warn the public of any possible dispute and instead remained silent until November, nearly two months after it became aware of a possible dispute. This effectively counters the claim that the vote failing to recognize the Hinds board could not be construed as de facto recognition of the McVay Board since the Party's own actions and lack of actions outside of that vote already clearly showed recognition to the McVay board.

**6. The constructive disaffiliation was effectively confirmed at the LNC meeting on December 4-5, 2021**

On the second day of the December 4-5, 2021 LNC meeting, the LNC confirmed that the Hinds Board was NOT recognized by stating it would require proof of the desires of the LPDE membership before granting such recognition. It cannot be argued that it was not recognizing the McVay board either, since it imposed the same conditions on them since the McVay controlled-website is still, as of the date of this filing, listed on the national Party website, the national Party still has not provided any warning to the public that McVay's claims may not be legitimate, and the national Party has made no effort into officially determining if there was a legitimate change in leadership rather than just taking McVay's claims at face value. This lack of effort is despite the many pages of evidence provided to the national Party in October and November by the Hinds affiliate (Exhibits A and B).

**RELIEF REQUESTED**

The appellants request that the Judicial Committee direct the LNC to recognize the LPDE affiliate led by Bill Hinds, the duly elected Chair, and repudiate its constructive disaffiliation of same.

Signed:



Bill Hinds



Amy LePore

—  
Dave Casey

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Carol Moore

Mark Parks

David Rogers

Cody McNutt

Bob Wilson

Tim Spong

Margie McKeown

Susan McKeown

Layla Webb

Julia McVay

Tesla Webb

1    2



**LPD Bot** BOT Yesterday at 8:15 PM

### Approve Members

#### Member List

**Vote Results (as of 11/1/2021, 8:17:52 PM):**

Machurek - aye

boylayer01 - aye

Joe Dipasquale - aye

Brandi - aye

MaryPat - aye

jimmyjambrittingham - aye

Will McVay - aye

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RESOLVED, after careful examination of the facts, the Kent County Libertarian Party of Delaware (KCLP) has determined that this action was a procedural failure in several key respects and recognizes its outcome as void.

RESOLVED, that this body unequivocally rejects the notion that the composition of the state board has changed (with the exception of the party secretary's resignation on 9/27) since its officers were duly-elected at the most recent party convention in June 2021.

RESOLVED, the KCLP will not recognize any changes made at the behest of the illegitimate board now claiming to have authority. Further, the KCLP believes the manner in which this action was conducted was grossly unethical. And, where the current possession of the party's financial and communication assets are concerned, the action may even have been illegal.

RESOLVED, the KCLP urges Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, and Mary Pat McVay to suspend their illegitimate board activities, join us in the condemnation of this action, and resign from their leadership roles immediately so that this entire farce may be considered a quickly corrected lapse in judgement or the product of being lead astray by malevolent actors.

RESOLVED, that a special three-person committee to investigate KCLP officers Will McVay, Mary Pat McVay, and Brandi Kerchevall's involvement in this matter be convened immediately. This process should be done via nomination and simple majority vote of the body to confirm.

RESOLVED, that this resolution, in its entirety, be posted without comment on the KCLP's website and social media channels by the chair within 48 hours of its passing.



# NEW CASTLE COUNTY LIBERTARIAN PARTY

**WHEREAS**, on October 1, 2021, a purge of three duly-elected Libertarian Party of Delaware (LPDE) board members was attempted.

**WHEREAS**, working in concert, state board members Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, and Mary Pat McVay tried to remove Bill Hinds, Amy Lepore, and Dave Casey from the LPDE board after claiming to pass a bylaw amendment that allowed them to do so.

**WHEREAS**, the alleged bylaw amendment notification made 30 days before the vote to adopt it cannot syntactically be interpreted as such, it fails as appropriate notification. Even if it could be read in this manner, the ad hoc meeting called suddenly to vote on its adoption was also not properly notified. A motion was made by a board member and seconded, so it may be said that a meeting was indeed convened, but absent proper/timely notification to all board members, the substance of the meeting is nullified. Thus, the action taken by this subset of the state board is considered doubly dead on arrival.

**WHEREAS**, John Machurek and Nicole Shaw have assumed illegitimate LPNCC officer positions.

**RESOLVED**, after careful examination of the facts, the New Castle County Libertarian Party of Delaware (NCCLP) has determined that this action was a procedural failure in several key respects and recognizes its outcome as void.

**RESOLVED**, that this body unequivocally rejects the notion that the composition of the state board has changed (with the exception of the party secretary's resignation on 9/27) since its officers were duly-elected at the most recent party convention in June 2021.

**RESOLVED**, the NCCLP will not recognize any changes made at the behest of the illegitimate board now claiming to have authority. Further, the NCCLP believes the manner in which this action was conducted was grossly unethical. And, where the current possession of the party's financial and communication assets are concerned, the action may even have been illegal.

**RESOLVED**, the NCCLP urges Will McVay, Brandi Kerchevall, James Brittingham, Joe Dipasquale, Mary Pat McVay, John Machurek, and Nicole Shaw to suspend their illegitimate board activities, join us in the condemnation of this action, and resign from their roles immediately so that this entire farce may be considered a quickly corrected lapse in judgement or the product of being lead astray by malevolent actors.

**RESOLVED**, that NCCLP supports the investigation now being conducted by the Kent County Libertarian Party of Delaware and also calls upon the State Board to hold a special meeting to investigate and correct these illegitimate actions.

**RESOLVED**, that this resolution, in its entirety, be posted without comment on the NCCLP's website and social media channels by the chair within 48 hours of its passing.

