

Members of the Libertarian Party of Michigan,

I know that the decision the Judicial Committee (JC) issued on Monday, December 19th may have shocked you. You may have seen some arguments that the Judicial Committee, under my chairmanship, is simply wrong, or biased. Furthermore, others are arguing about the authority of the JC to take executive actions. I would like to address these points in turn.

### **The Judicial Committee is Wrong.**

Rather than disprove the logic detailed in the [Ruling](#), some are simply proclaiming the Ruling is wrong. I have yet to see any substantiation to this assertion. The closest claim is that “The JC rejected the opinion of 2 parliamentarians.” Obviously, these appeals to authority and the majority are fallacious. Mr. Jacobs put up a compelling case on behalf of the Appellant, and another RP, Caryn Ann Harlos, will be conducting a [stream this Wednesday](#) in which she will affirm the Judicial Committee’s decision. Regardless, the veracity of the arguments is what the JC considered.

The JC spent several hours discussing the submissions from the parliamentarians, and many hours more independently evaluating the arguments presented therein: we did not treat these opinions as democratic votes. Admittedly, the flaws with their argumentation were not addressed directly in the Ruling document; I did not believe that either Mr. Martin’s or Mr. Brown’s interpretations were entirely congruent with the language of the bylaws as written.

Of note, Mr. Martin had conflated the distinct uses of the terms “convention” and “meeting” as used throughout the bylaws and in particular in Article III, Section 10. This error led him to the conclusions he had made in regards to the motion of the vote of no confidence and the election of officers. Mr. Brown dismissed the use of “regular convention” in the bylaws as “unfortunate” without fully considering all of the provisions in RONR (56:68 1-8). He correctly cited that a society may interpret its own bylaws (56:68-1), but didn’t really address that our society provides an authority by which those bylaws are interpreted, the Judicial Committee ([Bylaws Article VI, Section 2](#)).

Neither address how RONR’s (56:68-2 and 4) instructions on interpretation of seemingly conflicting rules and the authorizations of specific things necessitate a different interpretation than what they had concluded. Mr. Jacobs’ submission did raise the latter point; I recognized the former in my own research into this matter. After the ruling was issued, Mr. Chadderdon corresponded with Mr. Martin in which Mr. Martin conceded the opposing interpretation as a reasonable and valid one, and that upon adoption by the JC is the correct one. Mr. Martin also stated that were he a member, he would abide by the ruling issued by the Judicial Committee. Feel free to read this exchange [here](#).

None of the people arguing that the JC is wrong or ignoring the parliamentarians are disputing these points. They are simply repeating fallacious appeals instead of addressing the actual arguments presented.

Others are arguing that the Judicial Committee is intentionally making an interpretation which is undermining the rule of the majority. This is also an erroneous claim: Our bylaws and the parliamentary procedures in Robert's Rules of Order place great value in member's rights and provide the means by which they are implemented and protected. Those claiming their rights were violated by depriving them of a vote are ignoring entirely that their rights exist within procedural boundaries which create protections for the rights of other members as well.

I stated this in not so explicit terms in the Ruling; The members do have rights, but the processes by which they exercise them are provided for in the rules, and breaking those rules and processes by conducting illegal business is a gross violation of the other rights of members. Members do not have a right to break the bylaws: RONR Is very clear on this (as cited in the Ruling), and the attorney retained by the LEC before the convention advised them of this in no uncertain terms [here](#).

Delegates do not have the right to conduct unnoticed business, because would-be delegates make their decisions to attend a convention based in part on what business is being conducted at that particular convention. Anyone considering attending a convention as a delegate is entitled to notice detailing the business, time, place, and location of the convention. When unnoticed business happens, members who chose not to attend the convention are deprived of the right to make a fully informed decision on attending said convention. Those who chose not to attend what they were noticed as the (Candidate) Nominating Convention were deprived of their right to elect officers. This distorts the claim that what is hailed as a "majority" at convention; Your majority is based on the conduction of unnoticed business. The result may have been very different were the elections and vote of no confidence noticed properly. This is why RONR takes both notice and absentee member rights so seriously.

Every member joins the Libertarian Party of Michigan and participates in it knowing we have a shared standard of rules and processes. It is every member's responsibility to abide by those rules, and know that your rights as a member are defined therein. This is not only a vital part of running a productive political party, but of having a peaceful and voluntary society like Libertarians envision.

### **The Judicial Committee is Biased**

This accusation is largely being levied at myself. I will state first and foremost that this notion that the Judicial Committee is or needs to be unbiased is absurd. The Libertarian Party of Michigan is a political organization whose processes are entirely political in nature: that includes the election of a Judicial Committee. Our society is too small to have any presumption that a member of any sub-committee be uninvolved in any other activities or be unbiased on any principle, faction, or interest. Nobody in any circumstance is totally without bias: Everyone has a preconception of what is right, correct, and or logical. That does not void any obligation to thoroughly study and understand the rules as written to make a ruling.

Furthermore, I was elected to the JC when my association with the Mises Caucus and Mr. Chadderdon was well known. If we can revisit the lead up to the 2021 convention: you may recall that there was some turmoil in other parts of the Libertarian Party. In particular, the Libertarian Party of New Hampshire had been subject to a coup when the chair unlawfully removed board members and stole the party's assets like the website, contact lists, and social media access. This controversy was front and center at that time as the matters were still developing. Mr. Yow was running unopposed for the Chair position of the LPM, so I started a campaign to get a concession from him that under his leadership, the Libertarian Party of Michigan would operate within the scope of its bylaws and respect its members' rights. Mr. Yow gave the delegates and I that promise.

Before that convention, I was not intending to run for the Judicial Committee. I did not solicit anyone to nominate me for the committee. I was nominated from the floor by Breanna Arold, whom I had never met or talked to before the convention. I was then elected by, if I am remembering correctly, 56 votes, which was the highest number of votes of anyone nominated. My bias was well known and demanded by the delegates at the 2021 Regular Convention. The delegates who voted for me knew that I would stand by the letter of the law and the rules of our organization, and I contend that I have done exactly that through the proceedings of this committee.

The other matter of bias has to do with the fact that in my role as Communications Director, I had both sent the notice issued on June 8th, and refused to send a notice when requested by the Secretary nearly two weeks later. On June 8th, we had no indication that any business other than the nomination of candidates was necessary. Furthermore, the call to convention that I sent out was written by the Convention Committee Chair, Mrs. Fox, and approved by both the Chair (still Mr. Yow), and Secretary. I copy/pasted what was given to me, sought approval, and sent the call to convention accordingly. I facilitated the message: I was not responsible for the content of the call to convention that was properly noticed as the bylaws specify. This was done with full compliance to the bylaws of our organization.

On June 23rd, the Secretary (Mr. Ziembra) asked me to send, on behalf of Mr. Canny, a message to the membership as notice that the motion of a vote of no confidence against the Chair (Mr. Chadderdon) was to happen. At first, I had suggested that sending the message as written was inappropriate and should properly be sent simply as including the matter in the agenda. This prompted me to begin examining our bylaws and the process by which this instruction was given. I quickly realized that sending such a notice violated the 30 days requirement of our bylaws and that the LEC did not vote to have this message sent to the membership. At the time, I objected on the grounds of the latter, but the former very much was still in effect, as we determined in the final Judicial Committee ruling.

I refused because without a vote of the LEC as a whole, the Communications Director answers to the Chair, not the Secretary. This is specified in the LPM Communications Policy manual: "The (Communications) Director reports to the LEC and the LPM Chair in the interim period between meetings." There was only a small minority (2 or 3 members) of the LEC who wanted

to have Mr. Chadderdon removed, and they most certainly did not call a vote of the board to have the notice of that motion added to the agenda or sent to the membership. With these objections, the Secretary conceded and dropped the matter, but of course, those who would impugn my name and character conveniently leave that fact out. The entire email exchange, rather than just the first email I sent to the LEC, can be viewed [here](#).

Lastly, Mr. Canny and company should have considered changing their course of action when a member of the Judicial Committee was objecting to what they were doing, rather than attempt to condemn that member as corrupt. Mr. Canny's claim that I refused to follow his direction is fraudulent on its face because he is claiming a power and authority (to direct staff) which he as a singular LEC/LPMI member never had.

There are also some provisions in RONR which state that even if there is a conflict of interest, a voting member may not be compelled to not vote, nor is there an obligation that they not vote on matters in which they may get personal benefit. Please read RONR 45:4-5 and 47:10. I further maintain that I have acted exactly as I have promised and inline with what the delegates expected of me at the 2021 convention, and that can not be a conflict of interest.

### **Executive Action**

There is a claim going around that the Judicial Committee's decision needs to be ratified by the LEC composed of the officers disposed of by the Judicial Committee. This claim is absurd on its face and has not been substantiated by anyone claiming it. The Judicial Committee's ruling declared in effect that the officers improperly elected at the July 9th Candidate Nominating Convention never had the authority they assumed thereafter. It is absurd to think that a Judicial Committee decision affecting the makeup of that board be ratified by the officers who never had any such authority to ratify such a decision in the first place. Furthermore, there is nothing in the bylaws which specifies any process by which the LEC may override the JC, in any circumstance; Per the bylaws, "The Judicial Committee shall decide cases involving alleged violations of these bylaws or resolutions." Once again, we see a pattern of people repeating these baseless claims without any supporting argumentation based on the reality of our bylaws and parliamentary authority as written.

### **Conclusion**

As I said in June 2021, it is my hope that the Libertarian Party of Michigan operates within the scope of its rules. If we are to not just be Libertarians in name only, but to instead live the Libertarian principles of voluntary association and justice for all, we must abide by the rules that we all consent to by joining and participating in the Party. We cannot survive as an organization by making up arbitrary rules and defrauding one another with lies and erroneous actions. We cannot fabricate consent with fraud. Instead, our visions for the future of the Party must compete on fair terms within the rules. I am encouraging all of you to study our bylaws and parliamentary authority so that you can fully understand how we should operate in a way that is professional and protects our rights as members. Lastly, if any member wishes to speak to me

directly about these or any other matters, please reach out to me and have a direct conversation.

Merry Christmas,  
Connor Nepomuceno

PS: This whole saga has been stressful and destructive. The energy all parties in this case have spent has taken away from unseen opportunities. We cannot forget that this whole chain of events was precipitated by the resignations of board members who were upset that they couldn't get their way on a vote. They chose to virtue signal and throw the Party into disarray rather than continue to further the cause of the Party. Mr. Yow erroneously assumed that elections could happen without notice, necessitating breaking the rules, and breaking his promise to the delegates and I. He and Mr. Boren bears the blame for the chain of events since.

This was further exacerbated by the coordinated effort of some board members to obstruct the hiring of the needed and qualified experts to help us determine the correct handling before the convention occurred and damage was done. That was done based on attacking the motives of those involved instead of engaging honestly and fairly. It is hilariously hypocritical that those same board members asked the LEC to fund parliamentarians to argue against the appeal of Mr. Chadderdon.