

To the Members of the Judicial Committee:

My name is Kyle McCauley and I am the Chair of the Lapeer County Affiliate as well as the District 10 Representative. The reason for this letter is to share some additional background information and experience I had in the process and events surrounding the events related to the appeal by Mr. Chadderdon.

When Mr. Yow resigned as Chair of the party and Mr. Boren resigned as First Vice Chair I was only recently becoming very engaged in the party, and so I did not really understand why it happened or if anything that I was told surrounding the reasons were correct. However, I realized (from my professional experience) that this was a major transition period for the party and in light of the circumstances, I knew that Mr. Chadderdon was likely to be under a lot of stress and pressure.

Because of experience, and my desire to be of any help I could be, I reached out to many of the people involved to attempt to try to assist in any way possible. My desire was solidified as I realized that there were many vocal opponents to Mr. Chadderdon. I also realized that these opponents were completely unreasonable since they relied mostly on personal attacks against Mr. Chadderdon, and rarely spoke to anything substantial. One issue that I identified quickly, was that Mr. Chadderdon lacked the skill to communicate effectively to the LPM members as well as the Executive Committee members. It also became my opinion within a week of Mr. Chadderdon claiming his position as Chair of the party that he also lacked the necessary leadership skills to run the party effectively.

However, it appeared to me (and was confirmed by many) that Mr. Chadderdon was a sincere person with a strong desire to see the LPM have success. Therefore, I still desired to assist Mr. Chadderdon as I could, despite my skepticism at his ability to lead. My primary attempt to help was to assist Mr. Chadderdon in communicating his desires for the party and for his position within the party. I felt that creating clarity would assist the party greatly in feeling that they knew what Mr. Chadderdon wanted for the party as well as himself and could allow people to approach that desire with a

straightforward attitude and perspective. While Mr. Chadderdon agreed with me in conversation, he continued to fail to put forward such communication. So, I went to the next step (thinking that he was very overwhelmed and busy) to write a template of what he could use as a launching point to write his own communication to the party. Mr. Chadderdon agreed that what I had written (while it did need a few tweaks to match his voice and some of the finer points of his aims) was a good representation of his views. However, Mr. Chadderdon never sent out any communication to the party to provide a clear vision of his desires and goals. While this is not a great transgression in-and-of itself, it does speak to the issue of whether Mr. Chadderdon was in fact able to honor his “fiduciary” duty to the LPM.

Fiduciary duty to the Libertarian Party of Michigan is a very murky subject and is certainly up to interpretation. However, Fiduciary duty in the context of being a Financial Planner is much less murky and has been defined by the Charter of Certified Financial Planners. This definition, I believe, should provide a framework of understanding for whether Mr. Chadderdon did violate any aspect of his “fiduciary” responsibility to the Libertarian Party of Michigan.

Taking a high level view, the “Fiduciary” is the person entrusted to put the needs, wants or goals of his or her client ahead of the “Fiduciary’s” needs, wants or goals. This is accomplished in many ways, but to summarize, the Charter of Certified Financial Planners lists it as is represented below:

1. Definition: “Professional” is understood in this context to be the Mr. Chadderdon in his role as 2nd Vice Chair and subsequently as Chair of the Libertarian Party of Michigan. “Client” is understood in this context to be the Libertarian Party of Michigan.
2. Loyalty
 - a. Putting the client’s interests ahead of professional’s interests.
 - b. Avoiding first, and fully disclosing if unavoidable, any conflicts of interest.
 - c. Acting without regard to the financial interests or any other incentives of the professional.

3. Duty of Care

- a. The professional must act with care for his client.
- b. The professional should provide that care with skill.
- c. The professional should provide that care with thoughtfulness of future ramifications (prudence).
- d. The professional should provide that care with persistent effort (diligence).

4. Duty to Follow Client Instructions

- a. It is the responsibility of the Professional to be responsive to the desires of the client, and to fulfill the written responsibilities of the Professional's role.

I modified the language found on the Charter of Certified Financial Planner's website in regard to how they define Fiduciary Duty. <https://www.cfp.net/ethics/code-of-ethics-and-standards-of-conduct>

It is my belief that Andrew Chadderdon failed to honor his fiduciary duty to the party and was reasonably dismissed from service as the Chair of the party for the following reasons.

1. Loyalty – It is my belief that Mr. Chadderdon sincerely wished to be the Chair of the Libertarian Party of Michigan, and although he will state that he simply was “following the bylaws and rules” and although I’m certain that he believes that was the best method of ensuring the integrity of the party, I believe that he ultimately believed that he, “the professional” was the right man for the job more than the “the client” believed that. Therefore, he failed to put the party's interest above his own.
2. Conflict of Interest – I also believe that because Mr. Chadderdon failed to listen to Mr. Doster's counsel regarding the authority of the party members at Convention, he has violated the conflict of interest that he had in moving himself to the role of Chair, while subsequently seeking to deny a vote of no confidence from the members at convention, despite Mr. Doster's counsel to the contrary.

3. Mr. Chadderdon also failed to take the advice of the senior members of the party, including those involved in the creation and prior interpretation(s) of the bylaws regarding the methods for handling the transition that occurred when Mr. Yow and Mr. Boren resigned. Additionally, because of his lack of desire to heed the counsel of these members, he incurred personal expenses for which he sought to have the party reimburse him for. For this reason, I believe that Mr. Chadderdon failed to honor his duty of loyalty to the party to avoid financial conflicts of interest.
4. Mr. Chadderdon failed to act with skill and prudence in his desire to deal with a short-term transitional period for the party. While he may have acted in line with -his- personal best skill, it was clearly insufficient to avoid receiving a successful vote of no-confidence at the convention.
5. Mr. Chadderdon has also failed to consider the desires of the Libertarian Party of Michigan as represented by its delegates at the July 2022 convention. This highlights what I believe to be the greatest offense that Mr. Chadderdon has repeatedly engaged in. He has consistently shown a willingness to use his interpretation of the bylaws and rules as a weapon against the Libertarian Party of Michigan members who do not agree with him, rather than as a means of facilitating cooperation.

It is my belief that if Mr. Chadderdon wishes to undo the past, that he ought to make that case to the party. Not by wielding a specific interpretation of the bylaws and rules as a weapon against the party in this appeal, but by showing that he is indeed the leader that could have helped the party through a difficult transition. Unfortunately, perhaps Mr. Chadderdon is already showing his hand by making this appeal. Perhaps he knows that he is not actually capable of such leadership, which begs the question of why was this appeal submitted at all? What is the end goal that Mr. Chadderdon would seek? How would a reinstatement (at face value) be in the best interest of the party which successfully carried out a vote of no confidence at the July Convention? Will Mr. Chadderdon immediately resign should his

appeal have success? These are just a small sample of open questions as to the ramifications of a successful appeal.

I will end by urging the members of the Judicial Committee to consider their Fiduciary duty to the Libertarian Party of Michigan. Specifically, the “Duty of Care”.

1. Prudence. What will be the future ramifications be if the Judicial Committee supports this appeal?
2. Care. What care does the Judicial Committee have for the activities of the party, and its members and committees and the responsibilities coming up that these members are committed to?
3. What conflicts of interest do the members of the Judicial Committee currently have? Are there any conflicts that need to be fully disclosed? Are there any conflicts that could cause a vote in one direction or another that should be put forward?
4. Are the needs of the party being served by the Judicial Committee?

I won't seek to answer these questions in this letter. I simply hope that they will be considered when the results of this appeal are being made.

Warm Regards,

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