

CONCURRING OPINION OF ROBERT W. RODDIS, ESQ.

I concur with the decision of my two colleagues. However, I write separately because I am convinced that determination of the impropriety of the removal of Andrew Chadderdon can and should be determined without reference to any notice requirement. Simply, no evidence was ever produced or introduced to suggest that Mr. Chadderdon “failed to perform his fiduciary duties”.

Section III-10 of the Bylaws states in part:

A member of the Executive Committee who.....fails to perform his or her fiduciary duties may be removed from the Executive Committee and replaced by a two-thirds vote at a regular meeting of the Executive Committee or a majority vote at convention following a motion for a vote of no confidence.

Section V-2 of the Bylaws state:

The Judicial Committee shall decide cases involving alleged violations of these bylaws or resolutions.

Tim Yow, elected state party Chair at the March, 2022 convention, resigned as Chair on June 15, 2022 stating in part:

The national party is heading off a cliff and I no longer have state leadership who are willing to help me unhitch our affiliate before it pulls us down with it. They all resigned yesterday. All but me and my 1st vice chair and dear friend, Ben Boren. I avoided making this public until I had spoken with him about my intent. Turns out we are both on the same page. With that, we turn the gavel, figuratively, over to your 2nd vice chair.

Andrew Chadderdon is divisive and hateful towards anyone who would challenge or criticize him or his precious caucus. He also has proven, time and again, that he is incapable of putting party priorities ahead of those of his faction. I supported his run for his current seat and I now regret that decision. He has already alienated, attacked, and run off several of our best volunteers. The delegation in the upcoming convention would do well to elect a chair and 1st vice chair who will continue our trend of standing up to his bullying and reprehensible conduct.

No mention was made of exactly what was said by Mr. Chadderdon or to whom. No mention was made of exactly whom was “alienated, attacked, and run off” by Mr. Chadderdon.

First Vice Chair Ben Boren also resigned stating in part:

For the last year it's become apparent that this is no longer the Libertarian Party of Michigan. This is now the Mises party of Michigan. I tried my hardest to stay

and keep balance. I went into debt just to attend a national convention to try to prevent a full blown takeover. At this point I am nothing more than a puppet for a board controlled by Mises. I also can no longer effectively do my job as I have lost any and all inspiration to be a part of this. It seems best to walk away and let them have full control.

Mr. Chadderdon automatically became state party Chair upon the resignation of Mr. Yow and Mr. Boren June 15, 2022.

Brandon Warzybok had resigned from the Libertarian Party of Michigan on June 14, 2022 stating in part:

Going into the National Convention in Reno. I drew a clear red line with myself; if the delegates removed the language in our national platform about bigotry being "irrational and repugnant", I would leave. I drew this line because I see it as fundamental that an organization which accepts the right of private discrimination must also clearly disavow it. The delegates did remove the language, and, being true to myself, I left the national party, Now, our state leadership has regrettably charted a similar course.

In equal measures of “wokeness” and liberty,
Brandon Warzybok
Lawrence, Michigan
June 14, 2022

On June 19, 2022, after Mr. Chadderdon had been Chair for a total of four days, Dave Canny, [District 5 Representative Genesee County Affiliate Chair](#), sent a message to the Libertarian Party of Michigan Executive Committee (EC) which states in part:

LEC Officers and Members,

In accordance with Libertarian Party of Michigan Bylaws, Section 111 -10, I am on this date advising the Libertarian Party of Michigan Executive Committee (EC), and all members of the State Party of my intention to introduce a Motion of No Confidence and the subsequent removal of the Party Chair, Andrew Chadderdon, at the Summer Convention in July.

Currently the state party is divided to the point of being ineffective, creating a working environment that has resulted in numerous members, especially new members, leaving in frustration. In addition, it has been determined that our bylaws are insufficient and that situation must be addressed immediately. It is imperative that, at convention, the party members as a whole fulfill their right and obligation to select or approve of a party chair by vote of the entire body. This vote will determine if there is majority support for an unelected chair and eliminate a cause of division going forward.

I propose that that Andrew Chadderdon has failed to fulfill his fiduciary duty in his role as 2nd Vice Chair by failing to create a productive environment within the LEC, supported by evidence that other members have refused to work with him and have even left the party in frustration, rendering us less effective and diverse as a party. This behavior will prevent Andrew from executing the duties as party chair as required going forward. (Please note that the statements of Mr. Yow, Mr. Boren, Mr. Warzybok and Mr. Canny can be found in the Appendix to the original Appeal filing of Mr. Chadderdon.)

Similar vague allegations were made against Mr. Chadderdon at the July convention without there being any evidence of exactly what Mr. Chadderdon allegedly said to whom, who would allegedly not “work with him” or exactly why or who allegedly resigned in frustration due to Mr. Chadderdon’s alleged failure to perform his fiduciary duties.

Sixty seven members attended the July 9, 2022 convention. The vote to remove Mr. Chadderdon was in favor 38-18. There are over three hundred members of the Libertarian Party of Michigan.

I submit that due a complete failure to present proof on the issue of Mr. Chadderdon’s alleged failure to perform his fiduciary duties, the Motion to Remove was without any basis in the Bylaws and is void and vacated.