

REPLY OF HARLOS TO LNC RESPONSE TO APPEAL

RE: MOTION AUTHORIZATING THE LNC TO ENTER INTO A JOINT FUND-RAISING AGREEMENT WITH THE RFK, JR. 2024 CAMPAIGN.

Appellant: Caryn Ann Harlos (Harlos) and Signatories (to conform with LNC’s technical insistence)

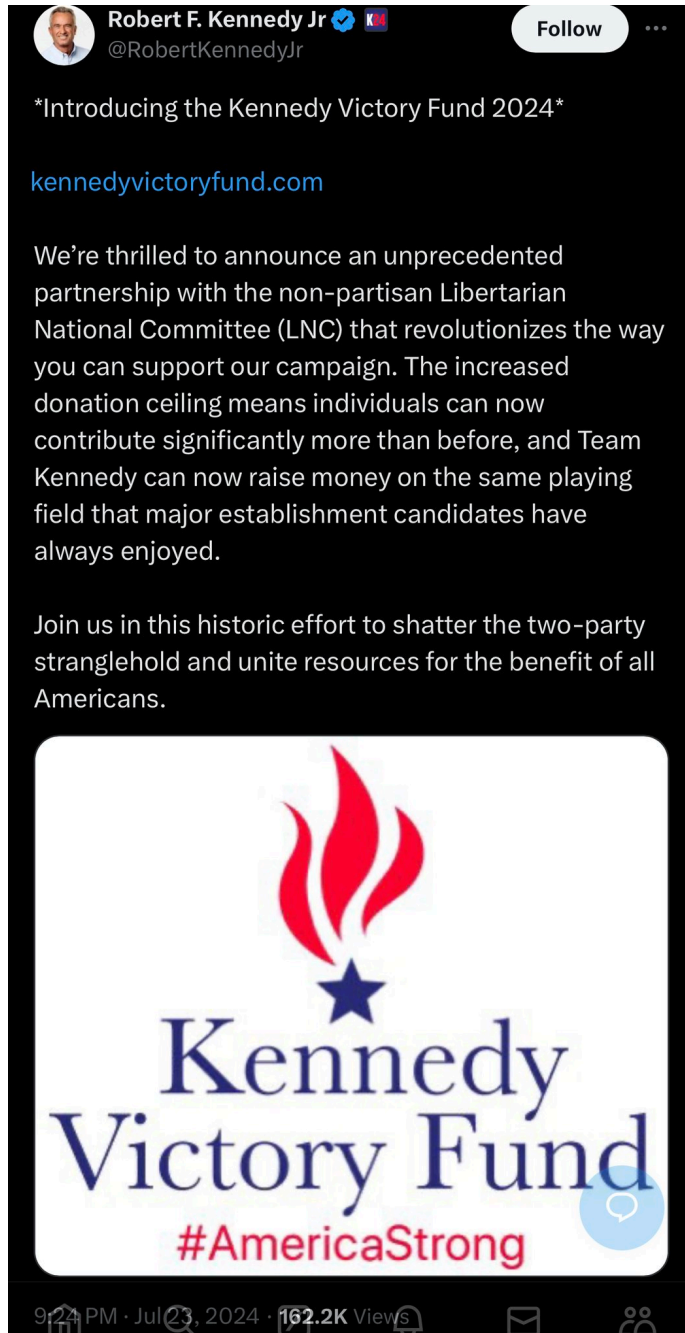
Appellee: Libertarian National Committee (LNC)

Date: July 17, 2024

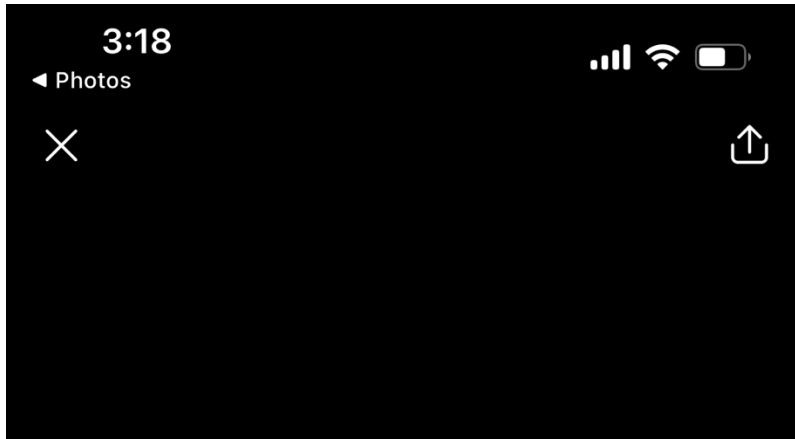
I, Caryn Ann Harlos, would like to give a very brief response to the Chair’s response to the appeal on behalf of the LNC.

1. The signatures were submitted to the JC. It is obvious that they granted me the authority to file but all consented to the appeal. I would note that the LNC did not make the same objection to the LPWI’s appeal. Why? Because the objection is invalid. Myself and the Chair even noted in the response to the LPWI appeal that although there were technical deficiencies, they were not fatal, and they are far more serious than here. There is not right of the LNC to “verify names.” That is, and has already been, the role of the JC with whatever assistance the JC deems necessary. The change of alleged title to “Caryn Ann Harlos and Signatories” is academic.
2. I did not appeal the Policy Manual issue on “urgency.” It is given as background for the totality of circumstances for my case of bad faith violation of the Party Bylaws. The Policy Manual *alone* cannot be appealed, at least in my current view.
3. The disclosure internal Complaint will aid JC in understanding totality of circumstances and support my allegations of bad faith. If names of non-LNC members are redacted, and it is not made public (with an NDA) there is no more damage than members of the LNC seeing the Complaint. The JC is just as “elected” as are members of the LNC.
4. My **personal Twitter** is irrelevant to a case against the LNC. First, my Twitter is clearly designated as personal and disclaims any opinions of the LNC. The Chair’s Twitter handle literally mentions her position and the comments in question were spoken “ex cathedra” – from the seat of the Chair as is her weekly name-calling livestreams in which Party members are routinely called “lolbertarian autists” and “losers.” I freely admit my personal Twitter is spicy. I never claim it is the views whatsoever of the LNC. If we want to get into spicy personal Twitter accounts, there is no reason to single me out. I am not singling out a colleague, the Chair is, but ironically does not for others. The criteria seems to be whether the speaker supports her positions or not.

5. It is notable through utter silence that the Chair did not address her statements of in selling this agreement to the Executive Committee, which seem very likely illegal – nor are they congruent to her recent claims that we don’t even know the exact terms (see attached email chain- read from bottom to top). It also appears that she sold Kennedy on the LNC being “**non-partisan**” which is an additional proof of the blatant bylaws violations. While an LNC member later disclaimed this was an error, it is pretty inconceivable how such a basic error could even be made if the “separate and distinct from all other political parties and movements” had been followed.



This is backed up by this post by the Kennedy Campaign as well (this is not isolated):



By joining forces with the LNC, we have significantly raised the threshold per individual by an additional \$41,300. The formation of the Joint Fundraising Committee also allows state parties that meet specific FEC requirements to collaborate, with each state adding an additional \$10,000 in donation capacity. One of the most remarkable aspects of this committee is its nonpartisan nature, enabling state parties from various non-establishment groups, including the Libertarian committees, the Reform Party in Florida, and other independent parties, to unite and support Mr. Kennedy's historic challenge to the two-party system.



See full email attached because Kennedy **outright states this is cover for OUR STATE PARITES TO DO THE SAME.** Absolutely outrageous is an understatement. But after you read that email, read this, and sing along, ONE OF THESE THINGS IS NOT LIKE THE OTHER, ONE OF THINGS IS NOT THE SAME. And you don't think the Party is risking ruin by FEC Complaints? Seriously, the H-E-double hockey sticks is going on here?

Note: Contributions to Kennedy Victory Fund 2024 are not tax deductible.

Paid for by Kennedy Victory Fund 2024, a joint fundraising committee authorized by Team Kennedy Inc. and the Libertarian National Committee.

The first \$6,600/\$10,000 from a person/multicandidate committee ("PAC") will be allocated to Team Kennedy Inc., with the first \$3,300/\$5,000 designated for the primary and the next \$3,300/\$5,000 for the general election. The next \$41,300/\$15,000 from a person/PAC will be allocated to the LNC. Any additional funds will be allocated to the LNC, subject to applicable contribution limits. The allocation formula above may change if following it would result in an excessive contribution. Notwithstanding the stated allocation formula, Kennedy Victory Fund 2024 may designate contributions for a particular participant or participants. Contributions will be used in connection with federal elections, may be spent on any activity as each committee determines in its sole discretion, and will not be earmarked for any particular candidate. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation, and name of employer of individuals whose contributions exceed \$200 per election cycle. Kennedy Victory Fund 2024 does not accept contributions from corporations or their PACs, unions, federal contractors, national banks, those registered as federal lobbyists or under FARA, SEC-named executives of fossil fuel companies, or foreign nationals.

6. The Chair claims that 40% of whatever amount the LNC receives will go to the Official Ticket and that such has been said publicly. Where? Not to the LNC. And that doesn't cleanse the Bylaws violations, it is making it worse by trying to use our candidates as a shield when the campaign has explicitly disclaimed any involvement or approval of this scheme.

7. The Chair has absolutely misrepresented my claim on the RONR principles of interpretation on that which is greater being prohibited by that which is lesser. It was never claimed that the *JFC is more than an actual nomination*. **It was claimed that active fundraising for the competition was more than mere endorsement.**

8. The Chair claims that there is no connection to the events in Colorado and the JFC. I was contacted by a very reputable news source in Colorado that the Chair has been working with LPCO to keep the Official Ticket off the ballot. An email from the Colorado SoS (also attached) indicates that someone from the national Party has attempted to keep the Official Ticket off the Colorado ballot. I spoke with this Colorado SoS representative who read to me an email from the Chair attempting to disqualify electors submitted by the campaign on its own behalf. The national Chair nor the national Party has any place whatsoever in choosing or disqualifying state-level electors. I have a public records request in to the SoS and expect to receive a copy of this email. Again, this matter is a totality of the circumstances, and this is yet another piece which tracks with what was communicated to me by the LPCO's former Treasurer.

9. The Chair bemoans that damage will be done if it is invalidated now. Well if so, that is damage of her own making. She was told there would be an appeal on July 11, 2024, when Executive Committee was passed. The initial appeal was filed on July 15, 2024. The JFC was formed on July 19, 2024 (see below FEC screenshot). She could have not rushed it through the Executive Committee. She could have waited until the resolution of this appeal. This is a tragedy sheerly of her own making.

10:52
Messages

Done docquery.fec.gov AA

FEDERAL ELECTION COMMISSION
HOME / CAMPAIGN FINANCE DATA / COMMITTEE DETAILS / HTML VIEWER

FEC FORM 1
STATEMENT OF ORGANIZATION
FILING FEC-1804278

1. Kennedy Victory Fund 2024
PO Box 147
S Walpole, MA 02071
Email: leonard@vlpc.com; ellie@teamkennedy.com

2. Date: 07/19/2024
3. FEC Committee ID #: C00883751

This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
Committees Participating in Joint Fundraiser

1. TEAM KENNEDY FEC ID number C00836916
2. LIBERTARIAN NATIONAL COMMITTEE, INC. FEC ID number C00256995

Affiliated Committees/Organizations
NONE

Custodian of Records:
Keith D Lowey
124 Washington Street
Suite 101
Foxboro, MA 02035
Title: Custodian of Records
Phone # (508) 543-1720

Treasurer:
Ellie Cox
PO Box 147
South Walpole, Massachusetts 02071
Title: Treasurer
Phone # (508) 543-1720

Designated Agent(s):

Banks or Depositories
Amalgamated Bank
275 Seventh Ave
New York, New York 10001

Signed: Ellie Cox
Date Signed: 07/19/2024

(End FEC FORM 1)

Generated Sat Jul 27 00:52:30 2024

Federal Election Commission (800) 424-9530 In Washington (202) 694-1100
For the hearing impaired, TTY (202) 219-3336 Send comments and suggestions about this site to:
webmanager@fec.gov

Friday, July 26, 2024 at 13:33:17 Mountain Daylight Time

Subject: Re: RFK Jr. Joint Fundraiser Clarification, Please!
Date: Friday, July 26, 2024 at 9:35:14 AM Mountain Daylight Time
From: Angela McArdle
To: Keith Thompson, Meredith Hays, Paul Darr, LNC Business, 4eb01eb9.lp.org@amer.teams.ms, businesslist-forward

The intent is for his portion to come from the Kennedy Victory Fund.

Angela McArdle
LNC Chair

From: Keith Thompson <keith.thompson@lp.org>
Sent: Friday, July 26, 2024 8:59:40 AM
To: Meredith Hays <meredith.hays@lp.org>; Angela McArdle <angela.mcardle@lp.org>; Paul Darr <paul.darr@lp.org>; LNC Business <lnc-business@lp.org>; 4eb01eb9.lp.org@amer.teams.ms <4eb01eb9.lp.org@amer.teams.ms>; businesslist-forward <businesslist-forward@lp.org>
Subject: Re: RFK Jr. Joint Fundraiser Clarification, Please!

Good morning - thank you for following up!

My assumption, and I think this is safe, is that the LP's 10% would exclusively go toward our Party and our candidates (not to include RFK Jr.).

For clarity: My concern is that the 90% to be spent toward the promotion of our competitor would technically need to be spent by the LP in order to satisfy FEC regulations.

I realize the 90% goes to RFK Jr. either way. The difference here would be that we would be contractually obligated to promote him as a Party vs him simply keeping the 90% in his own account and giving us 10% out of it.

My reasoning here is that it appears a National Party is limited in what it can donate toward a candidate but is not limited as to what it can spend in the promotion of a candidate. That could leave us in a scenario where the LP itself is on-paper responsible for promoting RFK Jr.'s campaign against our own nominee.

Keith Thompson
Region 3 Alternate

From: Meredith Hays <meredith.hays@lp.org>
Sent: Thursday, July 25, 2024 7:41 PM
To: Keith Thompson <keith.thompson@lp.org>; Angela McArdle <angela.mcardle@lp.org>;

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Paul Darr <paul.darr@lp.org>; LNC Business <lnc-business@lp.org>; 4eb01eb9.lp.org@amer.teams.ms <4eb01eb9.lp.org@amer.teams.ms>; businesslist-forward <businesslist-forward@lp.org>

Subject: Re: RFK Jr. Joint Fundraiser Clarification, Please!

Hi Keith,

May I ask a clarifying question for you question #2?

Is the question whether the LP's 10% cut would have to be spent towards promoting RFK Jr.?

Meredith Hays
Region 4 Rep, Libertarian National Committee
lp.org | meredith.hays@lp.org

From: Keith Thompson <keith.thompson@lp.org>
Sent: Thursday, July 25, 2024 12:19:39 PM
To: Angela McArdle <angela.mcardle@lp.org>; Paul Darr <paul.darr@lp.org>; LNC Business <lnc-business@lp.org>; 4eb01eb9.lp.org@amer.teams.ms <4eb01eb9.lp.org@amer.teams.ms>; businesslist-forward <businesslist-forward@lp.org>
Subject: Re: RFK Jr. Joint Fundraiser Clarification, Please!

That's understandable, though I would have expected general details to be ironed out before the RFK Jr. campaign announced the deal and launched a donation site.

- 1) If it's still being finetuned, does that mean the contract has not yet been signed?
(It seems as if it would already be signed and in force given that the RFK Jr. campaign has already run with it.)
- 2) Could you please at least assuage concerns that the LP would be obligated to spend money from the JFC account toward the promotion RFK Jr.?
- 3) When may the LNC see the contract to which we're seemingly obligated?

Thanks,

Keith Thompson
Region 3 Alternate

From: Angela McArdle <angela.mcardle@lp.org>
Sent: Thursday, July 25, 2024 1:33 PM
To: Keith Thompson <keith.thompson@lp.org>; Paul Darr <paul.darr@lp.org>; LNC Business <lnc-business@lp.org>; 4eb01eb9.lp.org@amer.teams.ms <4eb01eb9.lp.org@amer.teams.ms>; businesslist-forward <businesslist-forward@lp.org>
Subject: Re: RFK Jr. Joint Fundraiser Clarification, Please!

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Still finetuning it.

Angela McArdle

Chair, Libertarian National Committee

From: Keith Thompson <keith.thompson@lp.org>
Sent: Thursday, July 25, 2024 1:04 PM
To: Paul Darr <paul.darr@lp.org>; Angela McArdle <angela.mcardle@lp.org>; LNC Business <lnc-business@lp.org>; 4eb01eb9.lp.org@amer.teams.ms <4eb01eb9.lp.org@amer.teams.ms>; businesslist-forward <businesslist-forward@lp.org>
Subject: Re: RFK Jr. Joint Fundraiser Clarification, Please!

Would it be reasonable for the LNC to actually read the contract to which we've committed?

It would be reassuring if some sunlight could ease member concerns over our contractual obligations under the joint fundraiser agreement.

Keith Thompson
Region 3 Alternate

From: Paul Darr <paul.darr@lp.org>
Sent: Thursday, July 25, 2024 12:53 PM
To: Keith Thompson <keith.thompson@lp.org>; Angela McArdle <angela.mcardle@lp.org>; LNC Business <lnc-business@lp.org>; 4eb01eb9.lp.org@amer.teams.ms <4eb01eb9.lp.org@amer.teams.ms>; businesslist-forward <businesslist-forward@lp.org>
Subject: Re: RFK Jr. Joint Fundraiser Clarification, Please!

I received some follow up questions on this yesterday and I was hoping to share what is publicly available with my states executive committee next week.

Respectfully,

Paul Darr, Region 3 Representative
Libertarian National Committee

From: Keith Thompson <keith.thompson@lp.org>
Sent: Wednesday, July 24, 2024 12:20 PM
To: Angela McArdle <angela.mcardle@lp.org>; LNC Business <lnc-business@lp.org>; 4eb01eb9.lp.org@amer.teams.ms <4eb01eb9.lp.org@amer.teams.ms>; businesslist-forward <businesslist-forward@lp.org>
Subject: Re: RFK Jr. Joint Fundraiser Clarification, Please!

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Thank you very much - I look forward to the clarification.

My apologies for being a pain about this, but members have asked me questions about it and I can't explain details I don't understand.

My initial understanding was:

1. A donor gives 44,600
 - a. 3,300 of that is immediately given to the RFK Jr. campaign in one transaction
 - b. The remaining amount is given to the LP
 - c. 90% of that is then given to the Kennedy Victory Fund 2024.

However, I now suspect it functions more like this:

1. A donor gives 44,600
 - a. 3,300 of that is given to RFK Jr. as above
 - b. The remaining amount goes to a Joint Fundraising Committee, appropriately abbreviated in this case as JFC, which IS the "Kennedy Victory Fund 2024"
 - i. The fund is co-owned by both the LP and the RFK Jr. campaign
 - ii. Our agreement says that 90% would be used toward the RFK Jr. campaign and 10% would be used for the LP.

It seems like the second scenario would get around limits on what a Party can donate to a Candidate. But it would still likely run into a roadblock with the RFK Jr. campaign directly having access to the 90% as that would exceed limits.

One way around this would be if the LP technically controlled the 90% but just agreed to use it toward the promotion of our opponent. I'm sure many on the LNC would find that agreeable but I suspect my tin foil hat is generating that scenario.

I guess my main question is: How are we getting around the limits on what we can directly give to the RFK Jr. campaign? If the funds aren't being donated to RFK Jr., but instead spent from the JFC, will the LP then have a hand in the promotion of RFK Jr.? How are we getting around the 6,600 JFC limit (3,300 for the primary, 3,300 for the general) if the LP itself isn't promoting RFK Jr.?

Confused,

Keith Thompson
Region 3 Alternate

From: Angela McArdle <angela.mcardle@lp.org>

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Sent: Monday, July 22, 2024 1:54 PM
To: Keith Thompson <keith.thompson@lp.org>; LNC Business <lnc-business@lp.org>; 4eb01eb9.lp.org@amer.teams.ms <4eb01eb9.lp.org@amer.teams.ms>; businesslist-forward <businesslist-forward@lp.org>
Subject: Re: RFK Jr. Joint Fundraiser Clarification, Please!

Hello Mr. Thompson,

I'll get you some clarification later today or tomorrow after we touch base with the team.

Angela McArdle
Chair, Libertarian National Committee

From: Keith Thompson <keith.thompson@lp.org>
Sent: Monday, July 22, 2024 10:31 AM
To: LNC Business <lnc-business@lp.org>; 4eb01eb9.lp.org@amer.teams.ms <4eb01eb9.lp.org@amer.teams.ms>; businesslist-forward <businesslist-forward@lp.org>
Subject: RFK Jr. Joint Fundraiser Clarification, Please!

Good morning,

I've seen the RFK Jr. joint fundraiser portrayed a few different ways in public and I want to make sure my understanding is correct. As I don't wish the discourse to be poisoned by bad information, I'd like to seek clarity.

Is this accurate? If not, please let me know how it *does* function.

The Kennedy campaign is limited by the individual donor cap of \$3,300. The LNC, with its status as a National Party / Committee, has a limit of \$41,300 per individual.

The joint fundraiser would effectively increase the individual limit to \$44,600 (3,300 + 41,300) by splitting the donation amount between Kennedy's campaign and the Kennedy Victory Fund 2024 which would be jointly controlled by the LNC to grant it the \$41,300/individual limit.

Of donations exceeding \$3,300, the LNC would keep 10% with the Kennedy Victory Fund keeping 90%.

*This would allow the Kennedy campaign to control, per individual donor, up to \$40,470 (3,300 + (41,300 * 0.9)), with the LNC getting up to 4,130 per donor.*

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So, for example, a donation of \$40,000 would see \$3,300 go directly to the RFK Jr. campaign, with \$36,700 remaining in the "Kennedy Victory Fund 2024."

The 36,700 would then be divided up with the LNC getting 10% and the remaining \$33,030 (plus the initial \$3,300) going to support the RFK Jr. campaign?

Would that be fair and accurate? If not, please clarify.

A bit confused,

Keith Thompson
Region 3 Alternate

7/26/24, 5:00 PM

Gmail - Fwd: Empowering YOU: Join the Kennedy Victory Fund!



Caryn Ann Harlos <carynannharlos@gmail.com>

Fwd: Empowering YOU: Join the Kennedy Victory Fund!

From: "Team Kennedy" <info@teamkennedy.com>

Sent: Friday, July 26, 2024 6:03:33 PM

Subject: Empowering YOU: Join the Kennedy Victory Fund!

We are thrilled to announce that we have broken through the donation barrier.

KENNEDY SHANAHAN

The max donation to Robert F. Kennedy Jr. has risen from \$6,600 to \$41,300! Are you ready to help supercharge his candidacy?

One of the biggest barriers to an independent candidacy is FEC rules on fundraising. Donors to independent candidates are limited to \$3,300 in the general election, but they can donate tens or hundreds of thousands more to their political parties.

We are thrilled to announce that **we have broken through the donation barrier**. Through an unprecedented partnership with the Libertarian National Committee (LNC), we are leveling the playing field with the RNC and DNC.

[Introducing the Kennedy Victory Fund!](#)

This groundbreaking collaboration means that you can now contribute up to **[\\$41,300](#)** in

<https://mail.google.com/mail/u/0/?ik=8ffc8cae9&view=pt&search=all&permthid=thread-f:1805682679087116137&siml=msg-f:1805682679087116137&siml=m...> 1/4

7/26/24, 5:00 PM

Gmail - Fwd: Empowering YOU: Join the Kennedy Victory Fund!

addition to the general election contribution of \$3,300. That means we can access the same financial firepower as the Democrats and Republicans to challenge the status quo.



But that's not all! The Joint Fundraising Committee allows state party committees that meet specific FEC requirements to join us, adding an additional \$10,000 in donation capacity per individual for each participating state.

We're bringing together state parties from various non-establishment groups, including Libertarian affiliates, the Reform Party in Florida, and other independent parties, to support Robert F. Kennedy Jr.'s historic challenge to the two-party system.

"This historic collaboration breaks the fundraising stranglehold that the two major parties have on this election," says Robert F. Kennedy Jr. "Together, the Kennedy campaign and LNC are democratizing fundraising to make this independent run viable."

Join us in making history! Your contribution will help us reach new heights and ensure that every voice is heard. Together, we can pave the way for a brighter, more inclusive future.

\$100

\$240

\$1,000

\$3,300

Don't miss this chance to make history. Stand with us, support the Kennedy Victory Fund, and let's revolutionize the future of our country!

[Donate Now](#) and be a part of the change we all want to see!

With unwavering determination,

Team Kennedy

[TeamKennedy.com](https://www.teamkennedy.com)

P.S. This is more than just a campaign; it's a revolution. Your contribution is the fuel we need to drive this change. Donate today and be part of something truly historic!

<https://mail.google.com/mail/u/0/?ik=8ffc8cae9&view=pt&search=all&permthid=thread-f:1805682679087116137&simpl=msg-f:1805682679087116137&simpl=m...> 2/4

7/26/24, 5:00 PM

Gmail - Fwd: Empowering YOU: Join the Kennedy Victory Fund!



[Donate today](#) to put a Kennedy back in the White House — Elect Robert F. Kennedy Jr. as President to unite America in 2024!

Make sure to join us on Social Media to help spread our campaign's message and put Robert F. Kennedy Jr. in the White House!

PAID FOR BY TEAM KENNEDY

Would you like help donating?

Call: [805-728-9443](tel:805-728-9443) and you can get help from a campaign staffer.

This email was sent to [REDACTED]

To stop receiving emails, [click here](#).