

LIBERTARIAN NATIONAL COMMITTEE  
JUDICIAL COMMITTEE

CARYN ANN HARLOS

PETITIONER

v.

LIBERTARIAN NATIONAL COMMITTEE  
RESPONDENT

BRIEF PRO SE AMICUS CURIAE IN SUPPORT OF THE PETITIONER

As campaign manager of the Oliver/ter Maat campaign, as well as a former LNC Chair and life LP member, I submit this amicus brief in support of the PETITIONER's argument.

1. I have been directly involved in national ballot access for five presidential campaigns:

1992: As Vice-Chair, I served as Affiliate Parties Director. The people directly responsible for achieving 50 state ballot access reported to me. This was the first time we achieved 50 state + DC ballot status since 1980.

1996: As National Chair, I was responsible for making sure we again got on the ballot in all 50 states + DC.

2000: As Executive Director, I managed the HQ staff involved in getting on the ballot in 50 states + DC. (One state, Arizona, had been disaffiliated by the LNC and put a different candidate on the ballot.)

2020: As campaign manager for Jo Jorgensen & Spike Cohen, I provided such assistance as requested by the national staff to ensure we made the ballot in all 50 states + DC. That primarily consisted of helping to pay for some petitioning, tasking staff to assist with petitioning and delivering signatures, and providing required paperwork as requested by the LPHQ staff. An LPHQ staff member handled most of the paperwork and ballot access logistics. The campaign had a staff member track progress to make sure nothing slipped through the cracks.

2024: As campaign manager for Chase Oliver & Mike ter Maat, I had to directly focus on making sure we qualified on state ballots, since neither the LNC nor the LPHQ staff had anyone making sure that paperwork was filed and deadlines were met. The campaign contracted with former LPHQ staff member Bob Johnston to handle this - he was the person who had done this in 2020.

2. One of the keys to ensuring that the Libertarian Presidential ticket gets on as many ballots as possible is to file the required paperwork as quickly as possible. This allows

the people responsible for ballot access to focus on the remaining states and minimizes the chances that something critical gets overlooked. It also provides time to fix problems if any are discovered. Waiting until the last minute is how deadlines get missed.

3. In previous election cycles, the LNC and staff promptly provided all required paperwork as requested. Certificates of nomination were sent directly to the secretary of state (or similar election official) immediately after the candidates were nominated, as well as to state chairs. If a copy needed to be sent somewhere else, or a different form filled out, it was handled as quickly as possible to avoid missing a deadline. Prior to 2024, no presidential campaigns had an issue with the national chair, LNC or LPHQ staff dragging their feet or outright refusing to provide the necessary paperwork to place our nominated candidates on the ballot in any state.
4. In the specific case of Colorado in 2024, the chair of the LP of Colorado public stated her intention to NOT place the nominated candidate on the ballot, but rather to place Robert F. Kennedy and his running mate on the ballot instead. National Chair Angela McArdle claimed that she was working to try to get them to reconsider, but we saw no evidence that any progress was being made. McArdle arranged for our nominee, Chase Oliver, to meet with the LPCO board on July 1 to answer questions, which he did. The very next day, (July 2) the LPCO board met and voted to put Kennedy on the ballot instead. It was made quite clear that they had no intention of putting the nominated candidates on the ballot.
5. As part of his responsibilities, Bob Johnston had researched the exact filing requirements for every state. In the specific case of Colorado, the law was clear that for ballot-qualified parties, the candidates nominated by the national convention were to appear on the ballot. The state had a form for submitting those names that had to be signed by either the chair or secretary of the convention. Bob forwarded the email from the Secretary of State with the form attached to national secretary Caryn Ann Harlos in mid-June.
6. Once national chair McArdle made it clear that she would only provide the certificate of nomination to the LPCO chair, not the campaign or Colorado secretary of state, a representative of the campaign reached out to Harlos. We asked her to complete and file the state's nomination form, prior to the write-in deadline. She indicated that she had spoken to the Secretary of State's office earlier that day and they were waiting on the form stating the names of the candidates nominated at the national convention. She said she was preparing the form to file.
7. It is my understanding that respondents have claimed that there was no harm in waiting to file the paperwork to see if the LPCO chair and board could be persuaded to change their minds. This is incorrect. First, there was absolutely no indication that they were open to changing their minds. Public statements by the LPCO chair and board indicated their intent to put Kennedy on the ballot as the LP candidate, which interfered with our

ability to promote the actual nominees in Colorado. Second, the more we delayed filing, the greater the chance that something would go wrong, or that we would have to take legal action to ensure that the law was followed and have the nominated candidates placed on the ballot. Third, waiting until Kennedy was filed and then filing a legal challenge would have run the risk of not having a resolution in time for the candidates to appear on the ballot, as we saw happen in other states with other candidates. Fourth, dealing with filing delays took time away from other campaign activities, directly harming our campaign. Finally, it is difficult to get people motivated to volunteer and donate to a campaign in a state when it looks like the candidate may not even be on the ballot.

8. It has been disclosed that McArdle contacted the Colorado Secretary of State office and tried to get some of the paperwork placing Oliver & ter Maat on the ballot withdrawn. This is further evidence that McArdle was not actively trying to get the LPCO to place Oliver & ter Maat on the ballot.
9. Recently, a leaked posting from McArdle came to light, dated 7/5/2024, which I believe has been made available to the Judicial Committee. That post makes it clear that McArdle supported the agreement between the LPCO Chair (Hannah Goodman) and the Kennedy campaign, talking favorably about the “benefits” she (Goodman) gained from the agreement. This reinforces our belief that there was no chance that LPCO would place Oliver & ter Maat on the ballot.

National Secretary Caryn Ann Harlos fulfilled her responsibility under the bylaws by filing the required form certifying to the Colorado Secretary of State the names of the Libertarian Party’s presidential and vice-presidential candidates duly nominated at our national convention. The Judicial Committee should rule in favor of the PETITIONER to uphold the integrity of our Party's Bylaws.

Respectfully submitted,  
Stephen Dasbach  
Campaign Manager, Oliver/ter Maat campaign  
Campaign Manager, Jorgensen/Cohen campaign  
Former LNC Chair  
Life LP member