

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

**LIBERTARIAN NATIONAL
COMMITTEE, INC.,**

Plaintiff,

v.

**MIKE SALIBA,
RAFAEL WOLF,
GREG STEMPFLE,
ANGELA THORNTON-CANNY,
JAMI VAN ALSTINE,
MARY BUZUMA, and
DAVID CANNY,
JOSEPH BRUNGARDT**

Defendants.,

CIVIL ACTION NO.:

23-cv-11074

JURY TRIAL DEMANDED

**COMPLAINT FOR TRADEMARK INFRINGEMENT AND
OTHER LANHAM ACT VIOLATIONS UNDER 15 U.S.C. §§ 1114, 1125**

1. This is an action under the laws of the United States, Title 15 of the United States Code, for trademark infringement, false designation of origin, false advertising, unfair competition, passing off, and unjust enrichment under 15 U.S.C. §§ 1114, and 1125(a)(1)(A) and (B), in which Plaintiff Libertarian National Committee, Inc. ("LNC" or "Plaintiff"), makes the following allegations against Mike Saliba, Rafael Wolf, Greg Stempfle, Angela Thornton Canny, Jami Van Alstine, Mary Buzuma, Danny Canny and Joseph Brungardt (collectively "Defendants").

PARTIES

2. Plaintiff LNC is a District of Columbia Corporation, having its primary office at 1444 Duke St, Alexandria, Virginia, 22314.

3. Defendant Mike Saliba ("Saliba") is an individual residing within Michigan. Upon information and belief, Saliba resides at 16231 Scenic Clinton TWP, Macomb, Michigan 48038.

4. Defendant Rafael Wolf ("Wolf") is an individual residing within Michigan. Upon information and belief, Wolf resides at 1418 Elkerton Avenue, Kalamazoo, Michigan 49048.

5. Defendant Greg Stempfle ("Stempfle") is an individual residing within Michigan. Upon information and belief, Stempfle resides at 2615 Hyland, Ferndale, Michigan 48220.

6. Defendant Angela Thornton Canny ("Thornton Canny") is an individual residing within Michigan. Upon information and belief, Thornton Canny resides at 15223 Ripple Drive, Linden, Michigan 48451.

7. Defendant Jami Van Alstine ("Van Alstine") is an individual residing within Michigan. Upon information and belief, Van Alstine resides at 28158 Heather Way, Romulus Michigan 48174.

8. Defendant Mary Buzuma ("Buzuma") is an individual residing within Michigan. Upon information and belief, Buzuma resides at 714 S. Beacon Blvd, Apt. 76, Grand Haven, Michigan 49417.

9. Defendant David Canny ("Canny") is an individual residing within Michigan. Upon information and belief, Canny resides at 15223 Ripple Drive, Linden, Michigan 48451.

10. Defendant Joseph Brungardt ("Brungardt") is an individual residing within Michigan. Upon information and belief, Brungardt resides at 4140 8-1/2 Mile Road, Sterling Heights, Michigan 48116.

JURISDICTION AND VENUE

11. This action arises under the commerce and trade laws of the United States, Title

15 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331.

12. Venue is proper in this district under 28 U.S.C. §§ 1391(b)(1)&(2).

FACTS COMMON TO ALL CLAIMS

13. Plaintiff, Libertarian National Committee, Inc., is the National Committee of the Libertarian Party as defined by 52 U.S.C. §30101(14) and manages the business of the Libertarian Party throughout the United States at the national level, including by functioning as a libertarian political entity separate and distinct from all other political parties or movements; electing Libertarians to public office to move public policy in a libertarian direction; chartering affiliate parties throughout the United States and promoting their growth and activities; nominating candidates for President and Vice-President of the United States, and supporting Libertarian Party and affiliate party candidates for political office; and entering into public information activities.

14. The LNC is authorized to charter affiliates throughout the United States. Properly chartered affiliates are licensed to use the LNC's federally registered trademarks. In 1972, the LNC chartered the Libertarian Party of Michigan (LPM), as an affiliate of the Libertarian Party. In January 2023, a group of individuals, Defendants, challenged the legitimate leadership of the officially recognized state-level affiliate of the Libertarian Party, the LPM. Plaintiff has continued to recognize the legitimate affiliate organization. However, Defendants, individually and as a group, have, without permission and without license, beginning in January 2023, willfully adopted, used and infringed one or both of the LNC's federally registered trademarks. Defendant's infringement and caused harm and damage to the LNC, including monetary harm, political harm and reputational harm to the LNC, the Libertarian Party and the

LPM, and dilution and disparagement of the Plaintiff's federally registered trademarks and the good will associated therewith. Defendants have used the LNC's federally registered marks to, among other things, solicit funds and to illegitimately suggest their activities and organization are affiliated with the Plaintiff without the Plaintiff's consent.

15. The governing arm of the LPM is the Libertarian Party of Michigan Executive Committee, Inc. ("LPMEC"). The directors of the LPMEC are defined in their Articles of Incorporation and Corporate Bylaws and are recognized as an affiliate by the Plaintiff, LNC. [see Exhibit 1, Articles of Incorporation and Bylaws of LPMEC,] The LPM has a legitimate LPMEC that is recognized and authorized by the LNC to use Plaintiff's Trademarks.

16. The following LPMEC positions have been illegitimately claimed by the following Defendants: Brungardt (Chair- originally) Saliba (Chair-current), Wolf (1st Vice-Chair), Stempfle (2nd Vice-Chair), Thornton-Canny (Treasurer), and Van Alstine (Secretary). The Defendants' claims of recognition are denied by the Plaintiff who recognizes a different set of officers as representing its Michigan affiliate and as authorized to use its trademarks. The LPMEC is authorized to charter sub-affiliates. Until April 7, 2023, two of those sub-affiliates were the Libertarian Party of West Michigan ("LPWM") and the Libertarian Party of Genesee County ("LPGC"). Defendant Buzuma is the Chair of LPWM, and Defendant Canny is the Chair of LPGC. Currently, neither of these organizations are recognized by Plaintiff LNC and are not authorized to use either Registered mark.

THE TRADEMARKS

17. As part of its management of the Party, Plaintiff has registered a number of trademarks ("Libertarian Party Trademarks") with the USPTO that are associated and identified with its national and local political activities and affiliations.

18. Plaintiff's Trademarks include the federally registered trademark rights to:

- "Libertarian Party" Reg. No. 2,423,459 [Exhibit 2]. This mark has been in use in commerce at least since January of 1972.

- the "Libertarian" logo Reg. No. 6,037,046 [Exhibit 3]. This mark has been in use in commerce at least since 2015.

19. The Plaintiff currently and has continuously actively used the Libertarian Party Trademarks in commerce [Exhibit 4, screenshot of front page of Plaintiff's website LP.org].

20. Plaintiff grants the use of its Trademarks to its officially recognized state-level affiliates and their officially recognized sub-affiliates pursuant to Plaintiff's Bylaws [Exhibit 5, Libertarian Party Bylaws, specifically, Article 5.1].

21. On or about January 31, 2023, Defendants wrongfully claimed to be officers of the LPMEC and thus entitled to use the Plaintiff's Trademarks and to authorize sub-affiliates to do likewise.

22. On February 15, 2023, counsel for the representatives of the legitimate LPMEC recognized by the Plaintiff, sent a cease and desist letter to Defendant Brungardt, the original self proclaimed unrecognized chair of the Defendant Group, to immediately terminate any further misrepresentation as having any authority to govern the affairs of LPMEC and return their property [see Exhibit 6, cease and desist letter from Eric Doster, Esq. dated February 15, 2023, and Exhibit 7, response email from Defendant's former board member Scotty Boman dated February 15, 2023].

23. On February 16, 2023, Plaintiff sent a cease and desist letter to Defendant Brungardt, demanding an immediate termination to any representations of being the legitimate Michigan state affiliate of the Plaintiff and use of its Trademarks, including the designation

"Libertarian Party" and identifying as the recognized LPMEC at that time [see Exhibit 8, cease and desist letter from LNC Chair Angela McArdle dated February 16, 2023, and Exhibit 9, response from Brandon G. Warzybok dated February 8, 2023].

**FACTS COMMON TO DEFENDANTS BRUNGARDT, SALIBA, WOLF,
STEMPFLE, THORNTON-CANNY, AND VAN ALSTINE**

24. On January 25, 2023, the governing arm of the LPM, the LPMEC, directed Defendant Brungardt to add the Chair, Andrew Chadderdon, to the LPMEC's bank account at Comerica Bank. Brungardt ignored these instructions and on January 31, 2023, claimed that he was the LPMEC Chair. Subsequently, under the direction of the other Defendants, Brungardt added Defendants Saliba and Thornton-Canny to the account while claiming that these were rightful officers of the LPMEC who were entitled to use Plaintiff's Trademark "Libertarian Party" and to operate as an affiliate of Plaintiff. Thereafter, Chadderdon successfully appealed to Comerica's legal department to have his name added to the LPMEC bank account based upon documentation from LPMEC's legal counsel and from Plaintiff. However, on or about March 22, 2023, Defendants had the assets frozen after attempting to draw upon the account. Chadderdon made a second successful appeal after which Comerica provided him with cashier's checks for the balance and closed the account. However, on or about April 28, 2023, Chadderdon was notified that an Interpleader/Declaratory action (Case No. 23-557-CB Washtenaw County Circuit Court, State of Michigan) was filed by Comerica due to the continued attempts of Defendants to secure the funds properly belonging to LPMEC. Lack of access to funds has damaged the LPMEC and Plaintiff LNC.

25. On or about April 20, 2023, Thornton-Canny filed a campaign finance report with the state of Michigan purporting to be on behalf of the legitimate LPMEC entitled to use the

Plaintiff's Trademark of "Libertarian Party" [see Exhibit 9, screenshot of Michigan campaign finance filing dated April 20, 2023].

26. On February 5, 2023, and March 19, 2023, under color of being the legitimate Treasurer of LPMEC, and thus falsely authorized to use the Plaintiff's Trademark of "Libertarian Party," Thornton-Canny filed false amended Statements of Organization with the Federal Elections Commission ("FEC") claiming a change in Treasurer, website, and address. Under 52 U.S.C. §§ 30101-46, this is an improper attempt to be recognized as a state-level affiliate of a recognized national party. As claimed by Thornton-Canny in the filings, an organization must be recognized as part of the official structure of said national political party, however, Thornton-Canny was fully aware that the organization referenced in her filing did not have official recognition from Plaintiff LNC [see Composite Exhibit 11, Amended Statements of Organization dated February 5, 2023, and March 19, 2023, filed by Angela Canny Thornton to the FEC; and Exhibit 12, letter from the FEC to the LNC's counsel dated November 17, 2016]. These false filings have harmed the Libertarian Party and may adversely affect the ability of the Libertarian Party to put its 2024 Presidential and Vice-Presidential candidate on the ballot in Michigan.

27. On February 3, 2023, Defendants Brungardt, Saliba, Wolf, Stempfle, Thornton-Canny and Van Alstine, registered a website (michiganlp.net) using the Plaintiff's Trademark of "Libertarian Party" which was further deceptively similar to the website of the recognized LPMEC (michiganlp.org) [see Exhibit 13, screenshot of WhoIs information for the michiganlp.net domain] and attempted to have the legitimate website taken down by its hosting provider, Domain IT. Until such time as this trademark suit is resolved, the legitimate LPMEC is locked out of making any domain transfers or other fundamental identity changes to its

website due to this fraudulent and bad faith take-down effort as per a phone call from Domain IT made to Mr. Chadderdon on or about March 7, 2023.

28. On multiple dates, including February 7, 2023, Defendants filed documentation with the Michigan Corporations registry ("LARA") claiming to be the legitimate directors of LPMEC and entitled to the use of the Plaintiff's Trademark of "Libertarian Party" [see Exhibit 14, LARA filing dated February 7, 2023].

29. On or about March 3, 2023, Plaintiff sent an email to its membership in Michigan alerting them to the identity of the correct website and contact email [see Exhibit 15, email from Plaintiff to Michigan membership dated March 3, 2023].

30. In response and on the same day, Defendants sent out an email to the Michigan membership fraudulently "spoofing" the email address of the recognized affiliate identified by the Plaintiff and using Plaintiff's Trademark of "Libertarian Party" in an infringing manner [see Composite Exhibit 16, email from Defendants dated March 3, 2023, and screenshot of email header showing spoofed sender]. They have sent numerous other emails representing themselves as the Michigan affiliate and using Plaintiff's Trademark of "Libertarian Party" without engaging in spoofing.

31. Defendants have set up several social media accounts falsely holding themselves out to be representatives of the affiliated LPMEC and using Plaintiff's Trademark of "Libertarian Party" [see Composite Exhibit 17, depicting Twitter and Facebook pages infringing upon Plaintiff's Trademark].

32. Defendants have further advertised numerous meetings, including an alleged annual convention [see previously referenced Exhibit 16], representing themselves as the Michigan affiliate and infringing upon Plaintiff's Trademark.

33. Defendants have published Bylaws upon their website explicitly claiming that they are operating as an affiliate of the Plaintiff and using the Plaintiff's Trademark throughout [see Composite Exhibit 18, screenshots of Defendants' website using Plaintiff's Trademark including the explicit claim of affiliation with Plaintiff].

34. Defendants have taken money from individuals as “membership dues” using their claims of false association with the Plaintiff and took receipt of other funds from individuals related thereto and is actively soliciting same [see Exhibit 19, donation page from Defendants' website].

35. Defendants and their associates have made it clear that their intent is to disrupt, dilute, and defame the Trademark and good will of the Plaintiff and ignore any demands for cessation. They have further made harassing and potentially defamatory claims to and about the attorney of the affiliated LPMEC [see Composite Exhibit 20, screenshot of post from Defendant Saliba joking about burning any cease and desist letters, screenshot of post from Defendant Canny describing damaging Plaintiff's brand as a "Holy Quest," picture of Defendants' fellow board member Brian Ellison disrupting a legitimate board meeting by stripping off of his clothes, and screenshot of post by Defendants' former fellow board member Scotty Boman accusing attorney of malpractice].

36. Plaintiff anticipates receiving complaints regarding the same – wherein individuals contact Plaintiff to inquire about non-existent memberships in the LNC or the “Libertarian Party,” and/or the LPM and are upset that they’ve paid money but have no membership with the Plaintiff or have given personal and private contact information in reliance upon the claim of association with the Plaintiff and use of Plaintiff's Trademark.

FACTS RELATING TO DEFENDANT CANNY

37. Defendant Canny is the chair of LPGC, a formerly recognized affiliate of the LPMEC previously entitled to use Plaintiffs' trademarks. Canny had been notified as of April 7, 2023, that LPGC's affiliation would be revoked if the organization did not meet certain conditions which were not met [see Exhibit 21, email from Andrew Chadderdon to LPGC notifying of intent to disaffiliate and to cease further infringing activities].

38. Defendant Canny operates a website using Plaintiff's Trademarks without authorization [see Exhibit 22, screenshot of LPGC website depicting use of both of Plaintiff's Trademarks].

39. Further, Canny has used LPGC in order to process money in assistance of fundraising efforts in furtherance of the infringing activities described above [see Exhibit 21 referenced previously, and Exhibit 23, screenshot of donation page on michiganlp.net noting the LPGC as the processor for donations].

FACTS RELATING TO DEFENDANT BUZUMA

40. Defendant Buzuma is the chair of LPWM, a formerly recognized affiliate of the LPMEC previously entitled to use Plaintiffs' trademarks. Buzuma had been notified as of April 7, 2023, that LPGC's affiliation would be revoked if the organization did not meet certain conditions which were not met [see Exhibit 24, email from Andrew Chadderdon to LPWM notifying of intent to disaffiliate].

41. Defendant Buzuma operates a website using Plaintiff's Trademarks without authorization [see Exhibit 25, screenshot of LPWM website depicting use of both of Plaintiff's Trademarks].

COUNT I
FEDERAL TRADEMARK INFRINGEMENT UNDER 15 U.S.C. § 1114

42. Plaintiff restates herein and incorporates by reference all of the above paragraphs.

43. Plaintiff LNC is the exclusive owner and registrant of Plaintiff's Trademarks, Reg. No. 2,423,459 and Reg. No. 6,037,046 and to all common law rights thereto and associated therewith.

44. Plaintiff's registrations of the Trademarks at the USPTO are valid and active, and in full force and effect.

45. Plaintiff has used, and continues to use, its registered Trademarks in commerce.

46. Defendants have, without the consent of the Plaintiff, used the Trademarks, reproductions of the Trademarks, counterfeits of the Trademarks, copies of the Trademarks, and/or colorable imitations of the Trademarks in commerce in a manner that is confusing and/or confusingly similar.

47. Defendants' Infringing uses have been in connection with repeated and continuous distribution, advertising, registration, and publication of information and materials containing references to "Libertarian Party" and as far as Defendants Canny and Buzuma, using the Libertarian Party "torch eagle" logo.

48. Defendants' Infringing uses of Plaintiff's Trademarks occurred, and occur, in related commercial fields for related commercial services (*e.g.*, political party communications, political party activities, political press activity, political candidate screenings, official filing and registrations and endorsements).

49. Defendants' Infringing uses of Plaintiff's Trademarks further include Defendants soliciting funds from individuals – by misleading and deceiving those individuals as to

Defendants' relationship, affiliation or sponsorship with or by Plaintiff, by using Plaintiff's Trademarks and in other manners.

50. Defendants' Infringing uses of Plaintiff's Trademarks – especially when considered in light of their knowing and defiant continued uses – have been intentional, to create a false impression of affiliation, authorization or sponsorship.

51. Defendants' Infringing uses of Plaintiff's Trademarks – especially when considered in light of their knowing and defiant continued uses – have been intentional, to harm Plaintiff's marks, to harm Plaintiff's good will and to dilute Plaintiff's marks.

52. Defendants' Infringing uses have therefore caused confusion and mistake, and are likely to continue to cause confusion or mistake as Defendants' association, affiliation or relationship with Plaintiff. Such confusion or mistake is probable, given the relatedness of Defendants' Infringing Uses.

53. Defendants' Infringing uses constitute trademark infringement and trademark dilution in violation of the Lanham act and 15 U.S.C.

54. Defendants' infringing activities and willful conduct in relation thereto, constitute trademark infringement in violation of 15 U.S.C. § 1114(1) and the Lanham Act.

55. Plaintiff has been, and will continue to be harmed by Defendants' Infringing activities. Defendants' conduct has irreparably harmed Plaintiff, and will continue to do so unless enjoined by this Court.

56. As a result of Defendants' conduct, Plaintiff has been harmed and is entitled to damages, including, but not limited to, actual damages, statutory damages, treble damages, and corrective advertising damages and a temporary and permanent injunction.

57. The harm caused to Plaintiff's business, goodwill, reputation, trademarks and

finances are a direct and proximate result of Defendants' intentional, deliberate, and willful use of Plaintiff's Trademarks in an infringing manner.

58. The intentional, deliberate, and willful actions of Defendants render this an exceptional case, entitling Plaintiff to enhanced damages and an award of attorney's fees and costs associated with the action pursuant to 15 U.S.C. § 1117(a).

59. The damage caused to Plaintiff by Defendants cannot be fully measured or compensated for in economic terms. Such irreparable harm will continue unless Defendants are enjoined from such conduct.

COUNT II
UNFAIR COMPETITION UNDER 15 U.S.C. § 1125(a)(1)(A)

60. Plaintiff herein restates and incorporates by reference all paragraphs above.

61. Defendants have, without the consent of the Plaintiff, used the Libertarian Trademarks – including, but not limited to, words, terms, names, symbols, and combinations thereof.

62. Defendants have, without the consent of the Plaintiff, used the Libertarian Trademarks in false designations of origin, false or misleading descriptions of fact, or false or misleading representations of fact, regarding the Trademarks.

63. Defendants' unlawful usage of Plaintiff's Trademarks has caused and is likely to continue to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of Defendants or their activities with the Plaintiff.

64. Defendants' unlawful usage of Plaintiff's Trademarks is likely to cause confusion, or to cause mistake, or to deceive as to the origin, sponsorship, or approval of their commercial activities by the Plaintiff.

65. Defendants' unlawful usage of Plaintiff's Trademarks has caused confusion, mistake and deception as to the origin, sponsorship, or approval of their commercial activities by the Plaintiff.

66. Defendants' Infringing Uses of Plaintiff's Trademarks include Defendants receiving money from individuals – by misleading and deceiving those individuals as to Defendants' relationship, affiliation or sponsorship with or by Plaintiff, using Plaintiff's Trademarks.

67. Defendants' unlawful usage of Plaintiff's Trademarks is willful and deliberate.

68. Defendants have acted purposefully to create a false or misleading association in order to trade off of the extensive goodwill that Plaintiff's Trademarks have established.

69. Defendants' unlawful usage of Plaintiff's Trademarks and willful conduct in relation thereto constitute false designation of origin, false descriptions, and dilution of the Trademarks in violation of 15 U.S.C. § 1125(a)(1)(A).

70. Plaintiff has been, and will continue harmed by Defendants' unlawful usage of Plaintiff's Trademarks. Defendants' conduct has irreparably harmed Plaintiff, and will continue to do so unless enjoined by this Court.

71. As a result of Defendants' unlawful usage of Plaintiff's Trademarks, Plaintiff has been harmed and is entitled to damages, including but not limited to, actual damages, statutory damages, treble damages, and corrective advertising damages.

72. The harm caused to Plaintiff's business, goodwill, reputation, and finances are a direct and proximate result of Defendants' intentional, deliberate, and willful misuse of Plaintiff's Trademarks in an unlawful manner.

73. The intentional, deliberate, and willful actions of Defendants render this an

exceptional case, entitling Plaintiff to enhanced damages and an award of attorney's fees and costs associated with the action pursuant to 15 U.S.C. § 1117(a).

74. The damage caused to Plaintiff by Defendants cannot be fully measured or compensated for in economic terms. Such irreparable harm will continue unless Defendants are enjoined from such conduct.

**COUNT III
FALSE ADVERTISING UNDER 15 U.S.C. § 1125(a)(1)(B)**

75. Plaintiff herein restates and incorporates by reference all of the above paragraphs.

76. Defendants have, without the consent of the Plaintiff, used the Trademarks – including, but not limited to, words, terms, names, symbols, and combinations thereof.

77. Defendants have, without the consent of the Plaintiff, used the Trademarks in false designations of origin, false or misleading descriptions of fact, or false or misleading representations of fact, regarding the Trademarks.

78. Defendants have, without the consent of the Plaintiff, used the Trademarks in commercial advertising and promotion.

79. Defendants' unlawful usage of Plaintiff's Trademarks in commercial advertising or promotion misrepresents the nature, characteristics, qualities, or geographic origin of their commercial activities.

89. Defendants' unlawful usage of Plaintiff's Trademarks has caused confusion, mistake and deception as to the origin, sponsorship, or approval of their commercial activities by the Plaintiff.

81. Defendants' Infringing uses of Plaintiff's Trademarks include Defendants receiving money from individuals – by misleading and deceiving those individuals as to

Defendants' relationship, affiliation or sponsorship with or by Plaintiff, using Plaintiff's Trademarks.

82. Defendants' unlawful usage of Plaintiff's Trademarks is willful and deliberate.

83. Defendants have acted purposefully to falsely advertise and promote their activities in order to trade off of the extensive goodwill that Plaintiff's Trademarks have established.

84. Defendants' unlawful usage of Plaintiff's Trademarks and willful conduct in relation thereto constitute false advertising of the Trademarks in violation of 15 U.S.C. § 1125(a)(1)(B).

85. Plaintiff has been, and will continue harmed by Defendants' unlawful usage of Plaintiff's Trademarks. Defendants' conduct has irreparably harmed Plaintiff, and will continue to do so unless enjoined by this Court.

86. As a result of Defendants' unlawful usage of Plaintiff's Trademarks, Plaintiff has been harmed and is entitled to damages, including but not limited to, actual damages, statutory damages, treble damages, and corrective advertising damages.

87. The harm caused to Plaintiff's business, goodwill, reputation, and finances are a direct and proximate result of Defendants' intentional, deliberate, and willful misuse of Plaintiff's Trademarks in an unlawful manner.

88. The intentional, deliberate, and willful actions of Defendants render this an exceptional case, entitling Plaintiff to enhanced damages and an award of attorney's fees and costs associated with the action pursuant to 15 U.S.C. § 1117(a).

89. The damage caused to Plaintiff by Defendants cannot be fully measured or compensated for in economic terms. Such irreparable harm will continue unless Defendants are

enjoined from such conduct.

**COUNT IV
INJUNCTIVE RELIEF UNDER 15 U.S.C. § 1116(a)**

90. Plaintiff herein restates and incorporates by reference all paragraphs.

91. Plaintiff has shown, herein, that Defendants has unlawfully used Plaintiff's Trademarks in violation of 15 U.S.C. §§ 1114, 1125(a)(1)(A) and 1125(a)(1)(B).

92. Plaintiff has shown, herein, that Defendants' infringement of Plaintiff's Trademarks is willful, deliberate and ongoing.

93. Plaintiff has shown, herein, that Plaintiff has been, and will continue to be, harmed by Defendants' infringement of Plaintiff's Trademarks.

94. Plaintiff has shown, herein, that Plaintiff has been irreparably harmed by Defendants' infringement of Plaintiff's Trademark, and that Defendants will continue to do so unless enjoined by this Court.

95. The damages caused to Plaintiff by Defendants cannot be fully measured or compensated for in economic terms. Such irreparable harm will continue unless Defendants are enjoined from such conduct.

DEMAND FOR JURY TRIAL

Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

A preliminary injunction enjoining Defendants and others acting in concert with Defendants from infringing on plaintiffs trademarks and from using, advertising or publicizing

any information that includes or refers to Plaintiff's Trademarks or any colorable imitation thereof;

A judgment in favor of Plaintiff that Defendants violated 15 U.S.C. § 1114;

A judgment in favor of Plaintiff that Defendants violated 15 U.S.C. § 1125(a)(1)(A);

A judgment in favor of Plaintiff that Defendants violated 15 U.S.C. § 1125(a)(1)(B);

A judgment in favor of Plaintiff that Defendants intentionally violated 15 U.S.C. § 1114;

A judgment in favor of Plaintiff that Defendants intentionally violated 15 U.S.C. § 1125(a)(1)(A);

A judgment in favor of Plaintiff that Defendants intentionally violated 15 U.S.C. § 1125(a)(1)(B);

A judgement in favor of Plaintiff that Defendants have violated the Federal trademark rights of Plaintiff.

A judgement in favor of Plaintiff that Defendants have violated Plaintiffs' Lanham Act rights.

A judgment and order requiring Defendants to pay Plaintiff monetary damages – in an amount to be determined at trial – in addition to awarding Plaintiff's attorney's fees, costs, expenses, enhanced and/or exemplary damages, and pre-judgment and post-judgment interest;

A permanent injunction enjoining Defendants and others acting in concert with Defendants from infringing on plaintiffs trademarks and from using, advertising or publicizing any information that includes or refers to Plaintiff's Trademarks or any colorable imitation thereof; and

Any and all other relief to which Plaintiff may show itself to be entitled.

May 5, 2023

Respectfully Submitted,

/s/ Joseph J. Zito

Joseph J. Zito

FRESH IP PLC

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Suite 700

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(202) 466-3500

**ATTORNEYS FOR PLAINTIFF
LIBERTARIAN NATIONAL
COMMITTEE**

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

LIBERTARIAN NATIONAL COMMITTEE, INC.

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

Mike SALIBA, Rafael WOLF, Greg STEMPFLE, Angela THORNTON-CANNY, Jami Van ALSTINE, Mary BUZUMA, David CANNY, and Joseph BRUNGARDT

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes codes like 110 Insurance, 310 Airplane, 365 Personal Injury, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 USC Trademark Infringement and Lanham Act violations. Brief description of cause: Federal Trademark Infringement and Lanham Act violations

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE May 5, 2023 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

Yes
 No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

Yes
 No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

LIBERTARIAN NATIONAL COMMITTEE, INC.
Plaintiff,
v.
MIKE SALIBA, RAFAEL WOLF, GREG STEMPFLE,
ANGELA THORNTON CANNY, JAMI VAN
ALSTINE, MARY BUZUMA, DAVID CANNY, and
JOSEPH BRUNGARDT
Defendant.
Civil Action No.
Hon.

SUMMONS IN A CIVIL ACTION

To: Mary Buzuma
714 S. Beacon Blvd, Apt 76
Grand Haven, Michigan 49417

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

FRESH IP
Joseph J. Zito, Esq.
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KINIKIA D. ESSIX, CLERK OF COURT

By: _____
Signature of Clerk or Deputy Clerk

Date of Issuance: _____



Summons and Complaint Return of Service

Case No. _____

Hon. _____

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

LIBERTARIAN NATIONAL COMMITTEE, INC.
Plaintiff,
v.
MIKE SALIBA, RAFAEL WOLF, GREG STEMPFLE,
ANGELA THORNTON CANNY, JAMI VAN
ALSTINE, MARY BUZUMA, DAVID CANNY, and
JOSEPH BRUNGARDT
Defendant.
Civil Action No.
Hon.

SUMMONS IN A CIVIL ACTION

To: Angela Thornton Canny
15223 Ripple Drive
Linden, Michigan 48451

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

FRESH IP
Joseph J. Zito, Esq.
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KINIKIA D. ESSIX, CLERK OF COURT

By: _____
Signature of Clerk or Deputy Clerk

Date of Issuance: _____



Summons and Complaint Return of Service

Case No. _____

Hon. _____

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

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_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

LIBERTARIAN NATIONAL COMMITTEE, INC.
Plaintiff,
v.
MIKE SALIBA, RAFAEL WOLF, GREG STEMPFLE,
ANGELA THORNTON CANNY, JAMI VAN
ALSTINE, MARY BUZUMA, DAVID CANNY, and
JOSEPH BRUNGARDT
Defendant.
Civil Action No.
Hon.

SUMMONS IN A CIVIL ACTION

To: Jami Van Alstine
28158 Heather Way
Romulus, Michigan 48174

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

FRESH IP
Joseph J. Zito, Esq.
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KINIKIA D. ESSIX, CLERK OF COURT

By: _____
Signature of Clerk or Deputy Clerk

Date of Issuance: _____



Summons and Complaint Return of Service

Case No. _____

Hon. _____

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

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was received by me on *(date)* _____.

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I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

LIBERTARIAN NATIONAL COMMITTEE, INC.
Plaintiff,
v.
MIKE SALIBA, RAFAEL WOLF, GREG STEMPFLE,
ANGELA THORNTON-CANNY, JAMI VAN
ALSTINE, MARY BUZUMA, DAVID CANNY, and
JOSEPH BRUNGARDT
Defendant.
Civil Action No.
Hon.

SUMMONS IN A CIVIL ACTION

To: Rafael Wolf
1418 Elkerton Avenue
Kalamazoo, Michigan 49048

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

FRESH IP
Joseph J. Zito, Esq.
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KINIKIA D. ESSIX, CLERK OF COURT

By: _____
Signature of Clerk or Deputy Clerk

Date of Issuance: _____



Summons and Complaint Return of Service

Case No. _____

Hon. _____

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

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was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

LIBERTARIAN NATIONAL COMMITTEE, INC.
Plaintiff,
v.
MIKE SALIBA, RAFAEL WOLF, GREG STEMPFLE,
ANGELA THORNTON-CANNY, JAMI VAN
ALSTINE, MARY BUZUMA, DAVID CANNY, and
JOSEPH BRUNGARDT
Defendant.
Civil Action No.
Hon.

SUMMONS IN A CIVIL ACTION

To: Mike Saliba
16231 Scenic Clinton TWP
Macomb, Michigan 48038

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

FRESH IP
Joseph J. Zito, Esq.
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KINIKIA D. ESSIX, CLERK OF COURT

By: _____
Signature of Clerk or Deputy Clerk

Date of Issuance: _____



Summons and Complaint Return of Service

Case No. _____

Hon. _____

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

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was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____
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My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

LIBERTARIAN NATIONAL COMMITTEE, INC.
Plaintiff,
v.
MIKE SALIBA, RAFAEL WOLF, GREG STEMPFLE,
ANGELA THORNTON CANNY, JAMI VAN
ALSTINE, MARY BUZUMA, DAVID CANNY, and
JOSEPH BRUNGARDT
Defendant.
Civil Action No.
Hon.

SUMMONS IN A CIVIL ACTION

To: David Canny
15223 Ripple Drive
Linden, Michigan 48451

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

FRESH IP
Joseph J. Zito, Esq.
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KINIKIA D. ESSIX, CLERK OF COURT

By: _____
Signature of Clerk or Deputy Clerk

Date of Issuance: _____



Summons and Complaint Return of Service

Case No. _____

Hon. _____

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

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was received by me on *(date)* _____.

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I left the summons at the individual's residence or usual place of abode with *(name)* _____
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on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
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I returned the summons unexecuted because _____; or

Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

LIBERTARIAN NATIONAL COMMITTEE, INC.
Plaintiff,
v.
MIKE SALIBA, RAFAEL WOLF, GREG STEMPFLE,
ANGELA THORNTON CANNY, JAMI VAN
ALSTINE, MARY BUZUMA, DAVID CANNY, and
JOSEPH BRUNGARDT
Defendant.
Civil Action No.
Hon.

SUMMONS IN A CIVIL ACTION

To: Joseph Brungardt
4140 8-1/2 Mile Road
Sterling Heights, Michigan 48116

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

FRESH IP
Joseph J. Zito, Esq.
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KINIKIA D. ESSIX, CLERK OF COURT

By: _____
Signature of Clerk or Deputy Clerk

Date of Issuance: _____



Summons and Complaint Return of Service

Case No. _____

Hon. _____

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

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I served the summons on *(name of individual)* _____, who is
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Other *(specify)*: _____
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My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

LIBERTARIAN NATIONAL COMMITTEE, INC.
Plaintiff,
v.
MIKE SALIBA, RAFAEL WOLF, GREG STEMPFLE,
ANGELA THORNTON-CANNY, JAMI VAN
ALSTINE, MARY BUZUMA, DAVID CANNY, and
JOSEPH BRUNGARDT
Defendant.
Civil Action No.
Hon.

SUMMONS IN A CIVIL ACTION

To: Greg Stempfle
2615 Hyland
Ferndale, Michigan 48220

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

FRESH IP
Joseph J. Zito, Esq.
1250 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KINIKIA D. ESSIX, CLERK OF COURT

By: _____
Signature of Clerk or Deputy Clerk

Date of Issuance: _____



Summons and Complaint Return of Service

Case No. _____

Hon. _____

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Other *(specify)*: _____
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My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

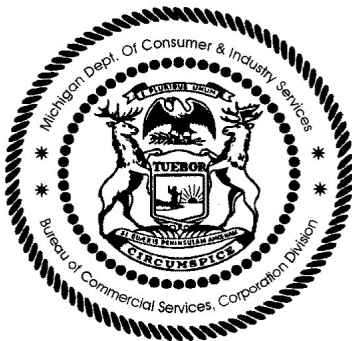
Michigan Department of Consumer and Industry Services

Filing Endorsement

***This is to Certify that the ARTICLES OF INCORPORATION - NONPROFIT
for
LIBERTARIAN PARTY OF MICHIGAN EXECUTIVE COMMITTEE, INC.***

ID NUMBER: 792439

***received by facsimile transmission on January 19, 2005 is hereby endorsed filed on
January 19, 2005 by the Administrator. The document is effective on the date filed,
unless a subsequent effective date within 90 days after received date is stated in the
document.***



***In testimony whereof, I have hereunto set my
hand and affixed the Seal of the Department,
in the City of Lansing, this 19th day
of January, 2005.***

, Director

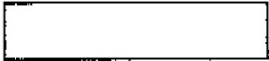
EXHIBIT 1

Bureau of Commercial Services

BCS/CD-502 (Rev. 08/01)

| MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH BUREAU OF COMMERCIAL SERVICES | | | | | | | | | | | | | | | | | | | |
|--|--|----------|--|--|-----------------|--|--|---------|--|--|---|--|--|------|-------|----------|--------------|----|-------|
| Date Received | (FOR BUREAU USE ONLY) | | | | | | | | | | | | | | | | | | |
| | This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document. | | | | | | | | | | | | | | | | | | |
| <table border="1"> <tr> <td colspan="3">Name</td> </tr> <tr> <td colspan="3">William W. Hall</td> </tr> <tr> <td colspan="3">Address</td> </tr> <tr> <td colspan="3">Warner Norcross & Judd LLP, 111 Lyon Street NW, Suite 900</td> </tr> <tr> <td>City</td> <td>State</td> <td>Zip Code</td> </tr> <tr> <td>Grand Rapids</td> <td>MI</td> <td>49503</td> </tr> </table> | | Name | | | William W. Hall | | | Address | | | Warner Norcross & Judd LLP, 111 Lyon Street NW, Suite 900 | | | City | State | Zip Code | Grand Rapids | MI | 49503 |
| Name | | | | | | | | | | | | | | | | | | | |
| William W. Hall | | | | | | | | | | | | | | | | | | | |
| Address | | | | | | | | | | | | | | | | | | | |
| Warner Norcross & Judd LLP, 111 Lyon Street NW, Suite 900 | | | | | | | | | | | | | | | | | | | |
| City | State | Zip Code | | | | | | | | | | | | | | | | | |
| Grand Rapids | MI | 49503 | | | | | | | | | | | | | | | | | |
| EFFECTIVE DATE: | | | | | | | | | | | | | | | | | | | |

Document will be returned to the name and address you enter above.
If left blank document will be mailed to the registered office.



ARTICLES OF INCORPORATION
For use by Domestic Nonprofit Corporations
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 162, Public Acts of 1982, the undersigned corporation executes the following Articles:

OF

LIBERTARIAN PARTY OF MICHIGAN EXECUTIVE COMMITTEE, INC.

These Articles of Incorporation are signed by the Incorporator for the purpose of forming a nonprofit corporation pursuant to the provisions of Act 162 of the Public Acts of 1982, as follows:

ARTICLE I

The name of the corporation is:

LIBERTARIAN PARTY OF MICHIGAN EXECUTIVE COMMITTEE, INC.

ARTICLE II

The purpose or purposes for which the corporation is organized are:

(a) To serve as the governing body and operational arm of the Libertarian Party of Michigan ("LPM"), the political party designated by the Libertarian National Committee as the affiliate of the Libertarian Party in the State of Michigan;

(b) To serve as the "Executive Committee" of the LPM, as described in the Bylaws of the LPM, and to continue to carry on all functions presently exercised by or in the future delegated to the Executive Committee by the LPM, including, without limitation, the exercise of control and management of all the affairs, properties and funds of the LPM;

(c) To engage in political action, within the meaning of Section 527 of the Internal Revenue Code;

(d) To act as a "political committee" within the meaning of the Michigan Campaign Finance Act and the Federal Election Campaign Act, as they may be amended from time to time;

(e) To borrow money and issue evidences of indebtedness in furtherance of any and all of the purposes of the business of the corporation, and to secure the same by mortgage, pledge or other lien on the corporation's property;

(f) To contribute funds to (i) the political committees of candidates, (ii) political party committees, (iii) political committees supporting or opposing Constitutional amendments, legislative initiatives, legislative referenda and other ballot questions, and/or (iv) other political committees;

(g) To make independent or coordinated expenditures (i) in support of candidates, (ii) in opposition to candidates, (iii) in support of Constitutional amendments, legislative initiatives, legislative referenda and other ballot questions, (iv) in opposition to Constitutional amendments, legislative initiatives, legislative referenda and other ballot questions, and/or (v) in support of other political activities;

(h) To lobby public officials;

(i) To engage in educational, advertising and promotional activities;

(j) To petition for Constitutional amendments, legislative initiatives, legislative referenda and other ballot questions;

(k) To solicit, collect, receive and administer funds;

(l) To contract for the purchase of goods and services;

(m) To rent and maintain office space;

(n) To hire and fire employees;

(o) To sell, convey and dispose of any property and invest and reinvest the property held;

(p) To deal with and distribute the Committee's income and assets in such manner as in the Committee's judgment will best promote its purposes; and

(q) In general, to enter into any kind of activity, to make and perform any contract and to exercise all powers necessary, incidental or convenient to the administration, management, maintenance, repair, replacement and operation of the LPM and to the accomplishment of any of the purposes of the LPM not forbidden, and with all powers conferred upon nonprofit corporations by the laws of the State of Michigan.

Notwithstanding any other provision of these Articles, the corporation shall not carry on any activities: (A) that would violate the Statement of Principles of the national Libertarian Party, as they now exist or may in the future be amended; (B) not permitted to be carried on by an organization exempt from federal income taxation under Section 527 of the Internal Revenue Code and other related legislation and regulations as they now exist or may in the future be amended; or (C) that would disqualify the corporation from its intended status as a political committee formed for the sole purpose of limiting liability within the meaning of 11 C.F.R. Section 114.12(a) and Rule 169.39b(3) of the Michigan Administrative Code.

ARTICLE III

This corporation is organized upon a nonstock basis.

The amount of assets which this corporation possesses is: Real Property - None;
Personal Property - None.

This corporation is to be financed under the following general plan: solicitation of contributions.

ARTICLE IV

This corporation is organized on a directorship basis.

ARTICLE V

The address of the initial registered office is:

111 Lyon Street, NW, Suite 900
Grand Rapids, Michigan 49503-2487

The name of the initial resident agent at the registered office is:

William W. Hall

ARTICLE VI

The name and address of the Incorporator are:

William W. Hall
Warner Norcross & Judd LLP
111 Lyon Street, NW, Suite 900
Grand Rapids, Michigan 49503-2487

ARTICLE VII

The term of this corporation shall be perpetual.

ARTICLE VIII

When a compromise or arrangement or a plan of reorganization of this corporation is proposed between this corporation and its creditors or any class of them or between this corporation and its members, or any class of them, a court of equity jurisdiction within the state, on application of this corporation or of a creditor, or member of the corporation, or an application of a receiver appointed for the corporation, may order a meeting of the creditors or class of creditors or of the members or class of members to be affected by the proposed compromise or arrangement or reorganization, to be summoned in such manner as the court directs. If a majority in number representing seventy-five percent (75%) in value of the creditors or class of creditors, or of the members or class of members to be affected by the proposed compromise or arrangement or a reorganization, agree to a compromise or arrangement or a reorganization of this corporation as a consequence of the compromise or arrangement, the compromise or arrangement and the organization, if sanctioned by the court to which the application has been made, shall be binding on all the creditors or class of creditors, or on all of the members or class of members and also on this corporation.

ARTICLE IX

A contract or other transaction between this corporation and one or more of its directors or officers, or between this corporation and another corporation, firm or association of any type or kind, in which one or more of this corporation's directors or officers are directors or officers, or are otherwise interested, is not void or voidable solely because of such common directorship, officership or interest, or solely because such directors are present at the meeting of the board or committee thereof which authorizes or approves the contract or transaction, or

solely because their votes are counted for such purpose if:

- (a) The contract or other transaction is fair and reasonable to this corporation when it is authorized, approved or ratified; or
- (b) The material facts as to the director's or officer's relationship or interest and as to the contract or transaction are disclosed or known to the board or committee, and the board or committee authorizes, approves or ratifies the contract or transaction by a vote sufficient for the purpose without counting the vote of any common or interested director; or
- (c) The material facts as to the director's or officer's relationship or interest as to the contract or transaction are disclosed or known to the members, and they authorize, approve or ratify the contract or transaction.

ARTICLE X

A volunteer director of the corporation shall not be personally liable to the corporation or its directors or members for monetary damages for a breach of the director's fiduciary duty, except that a volunteer director's liability is not limited for any of the following:

- (a) a breach of the director's duty of loyalty to the corporation or its directors or members;
- (b) acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law;
- (c) a violation of Section 551(1) of the Michigan Nonprofit Corporation Act, which section relates to the making of unauthorized dividends or distributions;
- (d) a transaction from which the director derived an improper personal benefit; and
- (e) an act or omission that is grossly negligent.

The corporation shall assume all liability to any person other than the corporation or its directors or members for all acts or omissions of a volunteer director incurred in the good faith performance of the volunteer director's duties as such.

If, after the adoption of this Article, the Michigan Nonprofit Corporation Act is amended to further eliminate or limit the liability of a volunteer director or director, then a volunteer director of the corporation (in addition to the circumstances in which a director is not personally liable as set forth in the preceding paragraph) shall, to the fullest extent permitted by the Michigan Nonprofit Corporation Act, not be liable to the corporation or its directors or members, as so amended. No amendment to or alteration, modification, or repeal of this Article

shall increase the liability or alleged liability of any volunteer director of the corporation for or with respect to any acts or omissions of such director occurring prior to such amendment, alteration, modification, or repeal.

ARTICLE XI

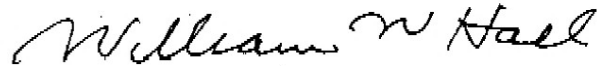
The corporation may assume the liability for all acts or omissions of a nondirector volunteer if all of the following are met:

- (a) the volunteer was acting or reasonably believed he or she was acting within the scope of his or her authority;
- (b) the volunteer was acting in good faith;
- (c) the volunteer's conduct did not amount to gross negligence or willful and wanton misconduct;
- (d) the volunteer's conduct was not an intentional tort; and
- (e) the volunteer's conduct was not a tort arising out of the ownership, maintenance, or use of a motor vehicle for which tort liability may be imposed as provided in section 3135 of the insurance code of 1956, Act No. 218 of the Public Acts of 1956, being section 500.3135 of the Michigan Compiled Laws.

ARTICLE XII

These Articles of Incorporation may be amended, altered, changed or repealed only by the affirmative vote of a majority of the Board of Directors of the corporation.

I, the Incorporator of this corporation, sign these Articles of Incorporation on JANUARY 13, 2005.



William W. Hall

**Preparer's name and business
address and telephone number:**

William W. Hall
Warner Norcross & Judd LLP
111 Lyon Street, NW, Suite 900
Grand Rapids, Michigan 49503-2487
(616) 752-2143

**Name of person or organization
submitting fees:**

Warner Norcross & Judd LLP
111 Lyon Street, NW, Suite 900
Grand Rapids, Michigan 49503-2487
(616) 752-2000
1028662-2

BYLAWS
OF
LIBERTARIAN PARTY OF MICHIGAN EXECUTIVE COMMITTEE, INC.

ARTICLE I

Purpose

The purpose for which the corporation is formed is to serve as the governing body and operational arm of the Libertarian Party of Michigan ("**LPM**"), the political party designated by the Libertarian National Committee as the affiliate of the Libertarian Party in the State of Michigan. More specifically, the corporation shall serve as the "Executive Committee" of the LPM, as described in the Bylaws of the LPM, as they may be amended from time to time ("**LPM Bylaws**"), and continue to carry on all functions presently exercised by or in the future delegated to the Executive Committee by the LPM, including, without limitation, the exercise of control and management of all the affairs, properties and funds of the LPM.

ARTICLE II

LPM Bylaws

The LPM Bylaws are incorporated by reference in these Bylaws. In the event of any conflict between the LPM Bylaws and these Bylaws, the LPM Bylaws shall take precedence.

ARTICLE III

Board of Directors

Section 1. Election and Term of Office. The incorporator has designated the existing Executive Committee (as defined in the LPM Bylaws) of the LPM as the initial board of directors. In the future, the directors shall be the members of Executive Committee, and thus shall be selected as provided in the LPM Bylaws.

Section 2. Resignation and Removal. A director may resign by written notice to the corporation Secretary. A director may be removed only as provided in the LPM Bylaws for the removal of a member of the Executive Committee.

Section 3. Vacancies. Directors then in office may fill a vacancy only as provided in the LPM Bylaws for replacing a member of the Executive Committee.

Section 4. New Directors. The corporation Secretary shall provide each new director with current copies of the Articles of Incorporation, bylaws, and other pertinent information regarding the organization and operation of the corporation.

Section 5. Powers. The board manages the corporation's business and may exercise all the corporation's powers.

Section 6. Committees of Directors. The board may appoint committees of directors.

Section 7. Compensation-Related Limitations on Directors. Directors shall serve without compensation.

ARTICLE IV

Directors' Meetings

Section 1. Meetings. Each regular meeting of the board shall be held at the time and place the board specifies at its regular meeting immediately preceding. No notice of such meeting to the directors is necessary. A board meeting may be held at a different time and place with the consent of a majority of the directors upon notice to all directors who did not consent.

Section 2. Special Meetings. The Chair, or a majority of the board, may call a special meeting of the board at any time upon notice to all directors.

Section 3. Notice of Meetings. Notice of a meeting or special meeting shall state the time, place, and purposes of the meeting and must be given to each director by one of the following methods:

(a) by mailing a written notice of such meeting to such address as the director designates from time to time or, in the absence of designation, to the last known address of the director at least 5 business days before the date set for such meeting;

(b) by personally delivering a written notice of such meeting to the director at least 2 business days in advance of such meeting;

(c) by orally notifying the director of such meeting at least 2 business days in advance, either personally or by telephone; or

(d) by transmitting notice of such meeting to the director at least 2 business days in advance:

(i) by fax to the director's last known office or home or to such other location as the director designates from time to time, or

(ii) by electronic mail message to the director's last known electronic mail address or to such other electronic mail address as the director designates from time to time,

except that, if the transmitted notice is returned as undeliverable, a different permitted method of notification must be used.

Section 4. Waiver of Notice of Meetings. A director's attendance at a meeting waives notice to the director of the meeting, except where the director attends the meeting for the express purpose of objecting to the transacting of any business because the meeting is not lawfully called or convened. A director may waive in writing any right to notice before or after a meeting.

Section 5. Quorum. A majority of the directors constitutes a quorum for the transaction of business. The act of a majority of those directors present at any meeting at which there is a quorum is the act of the board, except as provided by law, the Articles of Incorporation, or these bylaws.

Section 6. Voting Rights. Each director present in person at a board meeting is entitled to one vote.

Section 7. Conduct of Meetings. Directors' meetings shall generally follow accepted rules of parliamentary procedure. The presiding official has authority over matters of procedure and may adopt any other form of procedure suited to the business being conducted.

Section 8. Action Without a Meeting. Unless otherwise provided by the Articles of Incorporation, any action may be taken without a meeting, prior notice, or vote if all directors consent to the action in writing.

Section 9. Electronic Participation in Meeting. A director or a member of a committee may participate in a meeting by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Such participation in a meeting constitutes presence in person at the meeting.

ARTICLE V

Officers

Section 1. Selection and Duties. The officers of the corporation shall consist of those selected as provided in the LPM Bylaws, and perform those duties set forth in the LPM Bylaws. In addition, the board may appoint Assistant Treasurer(s), to the extent it deems such assistants necessary for the purpose of overseeing campaign finance reporting for separate campaign funds maintained by the corporation.

Section 2. Term, Removal, and Vacancies. An officer shall hold office for the term specified in the LPM Bylaws, or until the officer's death, resignation, or removal as provided in the LPM Bylaws. An officer may resign by written notice to the corporation Secretary. The resignation is effective upon its receipt by the corporation or at a later date specified in the notice.

ARTICLE VI

FINANCE

Section 1. Handling. The finances of the corporation shall be handled in accordance with the provisions of the Act and Law, and to the extent not inconsistent with the Act and Law, generally accepted accounting principles, consistently applied.

Section 2. Fiscal Year. The fiscal year of the corporation shall be an annual period commencing on such date as may be initially determined by the board. The commencement date of the fiscal year shall be subject to change by the board for accounting reasons or other good cause.

Section 3. Depository. The funds of the corporation shall be deposited in such bank as may be designated by the board and shall be withdrawn only upon the check or order of such officers, employees or agents as are designated by resolution of the board from time to time.

ARTICLE VII

Indemnification

Section 1. Scope of Indemnity. The corporation shall indemnify its directors and officers against expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by them in connection with any actions or suits brought or threatened against them, including actions by or in the right of the corporation, by reason of the fact that such person was serving as a director or officer of the corporation, to the fullest extent permitted by the Michigan Nonprofit Corporation Act. The corporation may indemnify persons who are not directors or officers to the extent authorized by resolution of the board of directors or by contractual agreement authorized by the board of directors. A change in the Michigan Nonprofit Corporation Act, the Articles of Incorporation, or these bylaws that reduces the scope of indemnification shall not apply to any action or omission that occurs before the change.

Section 2. Authorization of Indemnification. Unless ordered by a court or otherwise provided by law, the corporation shall indemnify a person only upon determination that the person acted in good faith and in a manner the person reasonably believed to be in or not opposed to the corporation's best interests. Such determination shall be made (1) by majority vote of a quorum of the board consisting of directors who were not parties to the action or suit, (2) if a quorum of disinterested directors is not obtainable, by a majority vote of a committee of directors

who were not parties to the action and consisting of not less than two disinterested directors, or (3) by independent legal counsel in a written opinion.

Section 3. Insurance. The corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee, nondirector volunteer, or agent of this corporation or is or was serving at the corporation's request in any other enterprise against any liability incurred in such capacity.

ARTICLE VIII

Dedication of Assets

Section 1. Use of Funds. The corporation's funds and property shall be used exclusively for the corporation's purposes set forth in the Articles of Incorporation. No part of the income or assets of the corporation shall inure to the benefit of any individual or director.

Section 2. Dissolution and Liquidation. If the corporation's purposes fail or if the corporation ceases to be approved as a political organization under Section 527 of the federal Internal Revenue Code, and any such defect is not cured by appropriate amendment, or in the event of voluntary dissolution, then all of the corporation's assets and accumulated income shall be distributed to the LPM, or if such organization does not then exist, to such other organizations as the directors (or in default of designation by the directors, the Circuit Court for the County of Kent, Michigan) designate as best accomplishing the purposes for which the corporation was formed. An organization receiving such distribution must be qualified as a political organization under Section 527 or as tax-exempt under Section 501(c)(3) or (4) of the federal Internal Revenue Code or the corresponding provisions of any subsequent federal tax laws. The corporation shall be dissolved after all its property has been so distributed.

ARTICLE IX

Amendments

The board may amend or repeal these Bylaws by vote of a majority of directors entitled to vote at any regular or special meeting.

ARTICLE X

COMPLIANCE

These Bylaws are set forth to comply with the requirements of the Michigan Campaign Finance Act and the Federal Election Campaign Act. In case any of these Bylaws conflict with the provisions of those laws, or any other applicable law or regulation, the provisions of those laws and the other applicable law or regulation shall be controlling.

I certify that the foregoing bylaws constitute all of the bylaws of this corporation current as of the date entered below.

Dated: _____, 2005

Thomas Quinn
Secretary

1040780-2



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LIBERTARIAN PARTY

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| Word Mark | LIBERTARIAN PARTY |
| Goods and Services | IC 016. US 002 005 022 023 029 037 038 050. G & S: NEWSPAPERS, BROCHURES, PAMPHLETS AND BOOKLETS CONCERNING POLITICAL ISSUES. FIRST USE: 19720100. FIRST USE IN COMMERCE: 19720100 |
| | IC 042. US 100 101. G & S: POLITICAL PARTY SERVICES, NAMELY, PROMOTING THE INTERESTS OF A POLITICAL PARTY. FIRST USE: 19720100. FIRST USE IN COMMERCE: 19720100 |
| Mark Drawing Code | (1) TYPED DRAWING |
| Serial Number | 75937476 |
| Filing Date | March 7, 2000 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | October 10, 2000 |
| Registration Number | 2423459 |
| Registration Date | January 23, 2001 |
| Owner | (REGISTRANT) Libertarian National Committee, Inc. NON-PROFIT CORPORATION D.C. 1444 Duke Street Alexandria VIRGINIA 223143403 |
| Attorney of Record | R. Scott Keller |
| Disclaimer | NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "PARTY" APART FROM THE MARK AS SHOWN |
| Type of Mark | TRADEMARK. SERVICE MARK |
| Register | PRINCIPAL |
| Affidavit Text | SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20200805. |
| Renewal | 2ND RENEWAL 20200805 |

EXHIBIT 2

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|---------------------------------|--|
| Word Mark | LIBERTARIAN |
| Goods and Services | IC 035. US 100 101 102. G & S: Political party services, namely, promoting the interests of a political organization. FIRST USE: 20150000. FIRST USE IN COMMERCE: 20150000 |
| Mark Drawing Code | (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS |
| Design Search Code | 13.01.02 - Blow torch ; Propane torches ; Torches ; Welding torch |
| Serial Number | 88630634 |
| Filing Date | September 25, 2019 |
| Current Basis | 1A |
| Original Filing Basis | 1A |
| Published for Opposition | February 4, 2020 |
| Registration Number | 6037046 |
| Registration Date | April 21, 2020 |
| Owner | (REGISTRANT) Libertarian National Committee, Inc. non-profit corporation D.C. 1444 Duke Street Alexandria VIRGINIA 22314 |
| Attorney of Record | R. Scott Keller |
| Prior Registrations | 2423459 |
| Description of Mark | The color(s) black, gold and white is/are claimed as a feature of the mark. The mark consists of the word "LIBERTARIAN" in black with a depiction of a black torch with the head and wing of an eagle as the flame with the wing and outline of the head in gold and the remainder of the head in white. |
| Type of Mark | SERVICE MARK |

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LIBERTARIAN PARTY ▾

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Get Started Now!

Together, we are the Libertarian Party.

The Libertarian Party (**LP**) is your representative in American politics. It is the only political party that respects you as a unique and responsible individual.

Our slogan is that we are "The Party of Principle" because we stand firmly on our principles.

Libertarians strongly oppose any government interference in your personal, family, and business decisions. Essentially, we believe all Americans should be free to live their lives and pursue their interests as they see fit as long as they do no harm to another.

LIBERTARIAN PARTY

BYLAWS, CONVENTION SPECIAL RULES, AND JUDICIAL COMMITTEE RULES OF APPELLATE PROCEDURE



**ADOPTED IN CONVENTION JULY 2020, ORLANDO, FLORIDA AND VIA ZOOM
WITH STYLE CORRECTIONS ADOPTED SEPTEMBER 12, 2020**

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Bylaws of the Libertarian Party

ARTICLE 1: NAME

These articles shall govern the association known as the "Libertarian Party," hereinafter referred to as the "Party."

ARTICLE 2: PURPOSES

The Party is organized to implement and give voice to the principles embodied in the Statement of Principles by:

1. functioning as a libertarian political entity separate and distinct from all other political parties or movements;
2. electing Libertarians to public office to move public policy in a libertarian direction;
3. chartering affiliate parties throughout the United States and promoting their growth and activities;
4. nominating candidates for President and Vice-President of the United States, and supporting Party and affiliate party candidates for political office; and
5. entering into public information activities.

ARTICLE 3: STATEMENT OF PRINCIPLES AND PLATFORM

1. The Statement of Principles affirms that philosophy upon which the Libertarian Party is founded, by which it shall be sustained, and through which liberty shall prevail. The enduring importance of the Statement of Principles requires that it may be amended only by a vote of 7/8 of all registered delegates at a regular convention.
2. The Party platform shall include, but not be limited to, the Statement of Principles and the implementation of those principles in the form of planks.
3. The current platform shall serve as the basis of all future platforms. The existing platform may be amended only at regular conventions. A platform plank may be deleted by majority vote. New planks or amendments to existing planks require a 2/3 vote.

ARTICLE 4: MEMBERSHIP

1. Members of the Party shall be those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals.
2. The National Committee may offer life memberships and must honor all prior and future life memberships.
3. The National Committee may create other levels of membership and shall determine the contribution or dues levels for such memberships.
4. "Sustaining members" are members of the Party who:
 - a. During the prior 12 months have donated, or have had donated on their behalf, an amount of at least \$25; or
 - b. Are Life members.

ARTICLE 5: AFFILIATE PARTIES

1. No person, group, or organization may use the name "Libertarian Party" or any confusingly similar designation except the Party or an organization to which the Party grants affiliate party status or as otherwise provided in these bylaws.
2. The National Committee shall charter state-level affiliate parties from any qualifying organization requesting such status in each state, territory, and the District of Columbia (hereinafter, state). Organizations which wish to become state-level affiliate parties shall apply for such status on a standard petition form as adopted by the National Committee, which petition shall be signed by no fewer than ten members of the Party residing in the appropriate state. Affiliate party status

shall be granted only to those organizations which adopt the Statement of Principles and file a copy of their constitution and/or bylaws with the Party Secretary.

3. There shall be no more than one state-level affiliate party in any one state. Each state-level affiliate party shall, in accordance with its own bylaws and these bylaws, determine who shall be its delegates to all regular conventions. A state-level affiliate party may charter sub-affiliate parties within the state, which will entitle such sub-affiliates to use the name "Libertarian Party."
4. No affiliate party shall endorse any candidate who is a member of another party for public office in any partisan election. No affiliate party shall take any action inconsistent with the Statement of Principles or these bylaws.
5. The autonomy of the affiliate and sub-affiliate parties shall not be abridged by the National Committee or any other committee of the Party, except as provided by these bylaws.
6. The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire National Committee. A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation. The affiliate party may challenge the revocation of its status by written appeal to the Judicial Committee within 30 days of receipt of notice of such revocation. Failure to appeal within 30 days shall confirm the revocation and bar any later challenge or appeal. The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention. The Judicial Committee shall set a date for hearing the appeal within 20 to 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and submit evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's revocation of affiliate party status or order reinstatement of the affiliate party. The Judicial Committee shall issue its ruling within 30 days of the hearing and in no case later than 90 days prior to a regular convention. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's revocation of affiliate party status except when the last day of the 30 day period falls within 90 days prior to a regular convention, in which case the Judicial Committee's non-action shall result in reinstatement of affiliate party status.

ARTICLE 6: OFFICERS

1. The officers of the Party shall be:
 - o Chair,
 - o Vice-Chair,
 - o Secretary, and
 - o Treasurer.

All of these officers shall be elected by a regular convention of the Party, shall take office immediately upon the close of the convention and shall serve thereafter until the final adjournment of the next regular convention. No person shall serve as an officer who is not a sustaining member of the Party.

2. No offices shall be combined.
3. The Chair shall preside at all conventions and all meetings of the National Committee. The Chair is the chief executive officer of the Party with full authority to direct its business and affairs, including hiring and discharging of National Committee volunteers and paid personnel, subject to express National Committee policies and directives issued in the exercise of the National Committee's plenary control and management of Party affairs, properties and funds.
4. The Vice-Chair shall be the chief assistant to the Chair, performing such duties as the Chair shall prescribe, and holding such executive powers as the Chair shall delegate and shall perform the duties of the Chair in the event that the Chair is, for any reason, unable to perform the duties of the office.
5. The Secretary shall be the recording officer of the Party and shall perform such duties as are assigned by the Chair or the National Committee. The Secretary shall attend all meetings of the National Committee and all Party conventions and shall act as Secretary thereof, keeping such minutes and records as necessary.
6. The Treasurer shall receive, expend, and account for the funds of the Party under the supervision and direction of the Chair and the National Committee. The Treasurer shall make an annual

financial report to the National Committee and shall perform all duties required of the office by applicable federal and state law. The Treasurer is responsible for oversight of all financial functions, including, but not limited to receipts, disbursements, internal and external reporting. The Treasurer shall report to the National Committee and the convention both the financial situation of the Party and the results of its activities. The report of the Treasurer to the convention, specified in Convention Rule 1 agenda item 4, shall include an independent auditor's report opining whether the financial statements present fairly, in all material respects, the financial position of the Party and the changes in its net assets and its cash flow for the years then ended, in conformity with accounting principles generally accepted in the United States of America. Unaudited interim financial statements shall also be presented. Such reports shall be made available to every delegate.

7. The National Committee may, for cause, suspend any officer by a vote of 2/3 of the entire National Committee, excepting the officer that is the subject of the vote who may not participate in that vote. The suspended officer may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the officer or order the officer's reinstatement within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's suspension of the officer. At such time as the suspension is final, the office in question shall be deemed vacant.
8. The National Committee shall appoint new officers if vacancies occur, such officers to complete the term of the office vacated.

ARTICLE 7: NATIONAL COMMITTEE

1. The National Committee shall have control and management of all the affairs, properties and funds of the Party consistent with these bylaws. The Libertarian National Committee shall establish and oversee an organizational structure to implement the purposes of the Party as stated in Article 2. The National Committee shall adopt rules of procedure for the conduct of its meetings and the carrying out of its duties and responsibilities. The National Committee may delegate its authority in any manner it deems necessary.
2. The National Committee shall be composed of the following members:
 - a. the officers of the Party;
 - b. five members elected at large by the delegates at a regular convention; and
 - c. any additional members as specified below:
Any affiliate party with 10% or more of the total national party sustaining membership within affiliate parties (as determined for delegate allocation) shall be entitled to one National Committee representative and one alternate for each 10% of national sustaining membership. Affiliate parties may, by mutual consent, band together to form "representative regions," and each such "region" with an aggregate national party sustaining membership of 10% or more shall be entitled to one National Committee representative and one alternate for each 10% of national party sustaining membership. "Representative regions" may be formed or dissolved once every two years during a period beginning 90 days before the beginning of and ending on the second day of the national convention, and notice of new formations or dissolutions must be given in writing to the national Secretary prior to the close of the convention at which they take place.
3. The National Committee shall take office immediately upon the close of the regular convention at which they are selected and serve until the final adjournment of the next regular convention.
4. A National Committee member shall be a sustaining member of the Party and shall not be the candidate of any party except the Party or an affiliate.
5. The National Committee may, for cause, suspend any member-at-large by a vote of 2/3 of the entire National Committee, excepting the member that is the subject of the vote who may not

participate in that vote. The suspended member-at-large may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the member-at-large or order reinstatement of the member-at-large within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's suspension of the member-at-large. At such times as the suspension is final, the office in question shall be deemed vacant.

6. A National Committee member who fails to attend two consecutive regular sessions of the National Committee shall be deemed to have vacated his or her seat. The appointing body shall be free to reappoint the member who vacated the seat.
7. The National Committee shall appoint new officers and members-at-large if vacancies occur, such officers and members-at-large to complete the term of the office vacated.
8. A National Committee Regional Representative or Alternate may be removed and replaced only by the act of the affiliate parties that constitute the subject region. The voting procedure for the removal and replacement of regional representatives or alternates shall be determined by the regions. In the absence of any such procedures, a majority vote of the state chairs comprising the region shall prevail.
9. The National Committee shall meet at such times and places as may be determined by: action of the Committee, call of the Chair, or written request of 1/3 or more of its members.
10. A majority of the membership of the National Committee shall constitute a quorum for the transaction of business at all meetings.
11. The National Committee may adopt public policy resolutions by a $\frac{3}{4}$ vote with previous notice or by unanimous consent without previous notice.
12. Upon appeal by ten percent of the delegates credentialed at the most recent regular convention or one percent of the Party sustaining members the Judicial Committee shall consider the question of whether or not a decision of the National Committee contravenes specified sections of the bylaws. If the decision is vetoed by the Judicial Committee, it shall be declared null and void.
13. The National Committee shall use roll call voting on all substantive motions. Additionally, the National Committee must have a roll call vote upon request of any single committee member present on any motion. On all roll call votes, the vote of each individual committee member shall be recorded in the minutes.
14. The Secretary or a designee shall promptly post notice for each session of the National Committee; any National Committee proposed agendas; and approved minutes of each convention and open National Committee session to a permanent archive section on the Party's website. Any person may record the National Committee's proceedings while in open session, or subscribe to a read-only email list on which National Committee votes are recorded.
15. The National Committee and all of its committees shall conduct all votes and actions in open session; executive session may only be used for discussion of personnel matters, contractual negotiations, pending or potential litigation, or political strategy requiring confidentiality.

ARTICLE 8: JUDICIAL COMMITTEE

1. The Judicial Committee shall be composed of seven Party members elected at each regular non-presidential convention and any five members shall constitute a quorum. No member of the National Committee may be a member of the Judicial Committee. The members of the Judicial Committee shall select the Chair of the Judicial Committee. The Judicial Committee shall take office immediately upon the close of the regular non-presidential convention at which elected and shall serve until the final adjournment of the next regular non-presidential convention. All Judicial Committee members shall have been Party members at least four years at the time of their selection. The remaining members of the Judicial Committee shall appoint new members if vacancies occur, such appointees to serve until the final adjournment of the next regular non-

presidential convention. Should all Judicial Committee positions be vacant, an Intervening convention may fill such vacancies.

2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows:
 - a. suspension of affiliate parties (Article 5, Section 6),
 - b. suspension of officers (Article 6, Section 7),
 - c. suspension of National Committee members-at-large (Article 7, Section 5),
 - d. voiding of National Committee decisions (Article 7, Section 12),
 - e. challenges to platform planks (Rule 5, Section 7),
 - f. challenges to resolutions (Rule 6, Section 2), and
 - g. suspension of Presidential and Vice-Presidential candidates (Article 14, Section 5).
3. Within 90 days following the regular convention at which elected, the Judicial Committee shall establish rules of appellate procedure to govern its consideration of matters within the scope of its jurisdiction. The existing Rules shall remain in effect until and unless the Judicial Committee submits new proposed rules to the National Committee for approval, which approval shall be deemed given unless denied by a 2/3 vote of the National Committee within 60 days of submission. A copy of the current rules of appellate procedure shall be maintained by the Secretary at the Party Headquarters and shall be available to any member at cost.

ARTICLE 9: FINANCE AND ACCOUNTING

1. The fiscal term of the Party shall begin on January 1 of each year. From January 1 until the National Committee has approved a budget, the Treasurer may authorize expenditures for any item incorporated in the previous year's budget as long as the level of expenditure is consistent with that budget.
2. The National Committee shall cause an efficient double-entry system of accounts to be installed and maintained. Financial statements of the Party shall be prepared in accordance with Generally Accepted Accounting Principles (GAAP). Audits shall be performed annually by an independent auditor. The non-officer members of the National Committee shall appoint a standing Audit Committee of three members with power to select the independent auditor. One member shall be a non-officer member or alternate of the National Committee and the other two shall not be members or alternates of the National Committee. The Assistant Treasurer is not eligible to serve on the Audit Committee. The Audit Committee shall present its findings to each regular convention and clarify for the National Committee any recommendations made by the auditor.
3. No disbursements exceeding \$100 may be made with cash.
4. The National Committee shall have the power to designate the depository of all funds of the Party and shall appoint such officers and employees as in its judgment may seem advisable to deposit and withdraw funds.
5. The Party shall not borrow in excess of \$2,000 total without prior approval by 2/3 vote of the National Committee. This shall not include current operating debt for trade payables.
6. The National Committee shall designate an Assistant Treasurer to temporarily serve in the event the Treasurer is incapacitated or unavailable, or vacates the position.

ARTICLE 10: CONVENTIONS

1. Regular Conventions:

The Party shall hold a regular convention every two years, at a time and place selected by the National Committee. Regular conventions shall be held sometime during the period of July of an odd-numbered year through August of an even-numbered year. All business required to be conducted at regular conventions shall be conducted at regular conventions only.
2. Delegates:
 - a. Delegates shall be required to be members of either the Party or an affiliate party. At all regular conventions delegates shall be those so accredited who have registered at the convention.
 - b. Any federal or state law to the contrary notwithstanding, delegates to a regular convention shall be selected by a method adopted by each affiliate party; provided

however, that only members of the Party as defined in these bylaws, or members of the affiliate party as defined in the constitution or bylaws of such affiliate party, shall be eligible to vote for the selection of delegates to a regular convention.

3. Affiliate Party Delegate Entitlements:

Each affiliate party shall be entitled to send delegates to each regular convention on the following basis:

- a. One delegate for each 0.14 percent, or fraction thereof, of the total Party sustaining membership in that affiliate; provided that at least one such delegate must be a resident of that State or District.
- b. One delegate for each 0.35 percent, or fraction thereof, of the votes cast nationwide for the Libertarian Party candidate in the most recent presidential election, cast in that affiliate's state. If a state conducts its presidential election via Ranked-Choice or Instant Runoff Voting, the ballots for the Libertarian candidate as tabulated in the first round of ballot counting will be used for this purpose.

4. Delegate Allocation:

- a. In order to be counted for delegate allocation, sustaining membership applications must be sent to the National Headquarters by either the individual member or the affiliate party and received or postmarked no later than the last day of the seventh month prior to the regular convention.
- b. The Secretary shall make a count of the sustaining members qualified under the requirements set forth here and shall compute the delegate allocations for the affiliate parties. Notification of the sustaining membership totals and allocation totals shall be sent by the Secretary to the chair of each affiliate party no later than the last day of the sixth month prior to a regular convention.
- c. A list of the names and addresses of all delegates and alternates chosen by each affiliate party shall be sent to the Credentials Committee no later than one month prior to start of the first general session of the regular convention. Amendments to such lists may be made by the affiliate parties and submitted to the Credentials Committee until the close of the Credentials Committee meeting preceding the convention. The number of alternates' names submitted shall not exceed the greater of 50 or the number of delegates allocated.
- d. Failure to submit a listing of delegate/alternate names and addresses, as prescribed within these bylaws, shall cause no delegation to be registered from that affiliate party.
- e. By seven-eighths vote, the convention may approve additional delegates and alternates whose names and addresses are submitted to the Credentials Committee during the convention.

5. Delegate List:

Any Party member shall be provided, upon request and payment of copying and mailing costs, a list of the names and addresses of all delegates selected to attend and those who actually attended the most recent two conventions, with those who attended clearly identified, and all delegates / alternates selected to the upcoming convention, if available.

6. Voting Eligibility:

- a. Use of the unit rule or unit voting is prohibited at national conventions.
- b. Duly selected alternates may be freely substituted for any members of their delegation who are temporarily or permanently absent from the floor, provided the procedure has been clearly specified by the affiliate party in advance of the convention, and the Credentials Committee has been provided with lists of the affiliate party's delegates and alternates as well as a copy of the affiliate party's rules governing substitutions.
- c. An alternate, upon certification by the Credentials Committee, may function as a delegate whenever a delegate of the same state has not been registered in attendance. This status shall continue until the absent delegate registers in attendance. If the affiliate party has made no provision for filling delegate vacancies, the alternate substitute shall be decided by drawing lots.
- d. If the affiliate party has made no other provision, an alternate may temporarily vote in place of a delegate from the same state while he or she has the written consent of that delegate; however, no delegate may cast more than one vote on a question.
- e. All members must wear the identification badge issued upon registration in order to be admitted to the convention hall.

7. Votes cast for "None of the Above" in voting on the Party's nominees for President and Vice-President, the Party officers, and at-large members of the National Committee, shall be considered valid. Should a majority of the votes be cast for "None of the Above" in the Presidential or Vice-Presidential balloting, no candidate shall be nominated for that office. Should "None of the Above" be selected for any Party office, that position shall be declared vacant and none of the losing candidates for that position may be selected to fill the vacancy for that term of office.
8. Quorum:
A quorum shall consist of 40% of the total number of delegates registered in attendance at the Convention.
9. The Convention Secretary shall produce draft convention minutes within 60 days of the adjournment of the convention and present them to the National Committee. Draft convention minutes shall be posted on the Party's website at least 14 days prior to being submitted to the National Committee for approval by a two-thirds vote.
10. Convention Rules:
The Party's convention special rules of order may be amended only by a regular convention.

ARTICLE 11: OTHER COMMITTEES

1. There shall be a Platform Committee, a Bylaws and Rules Committee, and a Credentials Committee for each regular convention. The National Committee shall appoint a temporary chair of each committee to serve until each committee selects its own chair.
2. The Bylaws and Rules Committee shall consist of 10 Party members appointed by the National Committee no later than twelve months before a regular convention. No more than five of these members shall be members of the current National Committee.
3. The Platform Committee shall consist of 20 members selected as follows:
 - a. One member by each of the five affiliate parties having the greatest per capita sustaining membership as determined for convention delegate allocations at the most recent regular convention.
 - b. One member by each of the 10 affiliate parties having the largest sustaining memberships, excluding those affiliates from (a), as determined for convention delegate allocations at the most recent regular convention.
 - c. Five members selected by the National Committee.
 - d. These members shall be selected no later than the last day of the fifth month prior to the regular convention.
4. The Credentials Committee, composed of 10 members, shall be selected as follows.
 - a. Five members chosen by the National Committee no later than six months before a regular convention.
 - b. One member by each of the five affiliate parties having the largest sustaining memberships as determined for convention delegate allocations at the most recent regular convention. These shall be selected by each of the affiliate parties no later than three months prior to the regular convention.
5. Ranked alternates may be named by the appointing bodies to fill any vacancies or absences in the convention committees.
6. Committee Procedures
 - a. A majority vote of those Committee members present is necessary for a "do pass" recommendation, and in the case of the Platform Committee, a majority must approve each specific plank separately.
 - b. Four or more members of the Platform Committee may join together to issue a minority report regarding any plank reported to the floor of the convention. Two or more members of the Bylaws and Rules Committee or of the Credentials Committee may join together to issue a minority report regarding their business.

ARTICLE 12: MEETINGS

Boards and committees may conduct business by teleconference or videoconference. The National Committee shall have power to adopt special rules of order and standing rules to facilitate the conduct of business by teleconference or videoconference.

ARTICLE 13: ELECTRONIC MAIL BALLOTS

Boards and committees may transact business by electronic mail. The Chair or Secretary shall send out electronic mail ballots on any question submitted by the Chair or co-sponsored by at least 1/5 of the members of the board or committee. The period for voting on a question shall remain open for seven days, unless all members have cast votes, or have stated an intention to abstain or be absent during the voting period, by electronic mail to the entire board or committee. Votes from alternates will be counted, in accordance with previously defined ranked order, in the absence of the corresponding committee member(s). The outcome of each motion shall be announced promptly and recorded in the minutes of the next meeting. The number of votes required for passage of any motion shall be the same as that required during a meeting. Motions dispensed through electronic mail ballots satisfy the requirement of giving previous notice.

ARTICLE 14: PRESIDENTIAL AND VICE-PRESIDENTIAL CAMPAIGNS

1. Nominations of candidates for President and Vice-President of the United States may be made only at the regular convention immediately preceding a Presidential election.
2. No candidate may be nominated for President or Vice-President who is ineligible under the United States Constitution, who has not expressed a willingness to accept the nomination of the Party, who served as a stand-in candidate during the current election cycle, or who is not a sustaining member of the Party. A stand-in is an individual who has agreed to be placed on a state affiliate's nomination petition prior to the selection of nominees by the Libertarian Party at convention.
3. In the event of the death, resignation, disqualification, or suspension of the nomination of the Party's nominee for President, the Vice-Presidential nominee shall become the Presidential nominee. Two-thirds of the entire membership of the National Committee may, at a meeting, fill a Vice-Presidential vacancy, and, if necessary, a simultaneous Presidential vacancy.
4. The National Committee shall respect the vote of the delegates at nominating conventions and provide full support for the Party's nominee for President and nominee for Vice-President as long as their campaigns are conducted in accordance with the platform of the Party.
5. A candidate's nomination may be suspended by a 3/4 vote of the entire membership of the National Committee at a meeting. That candidate's nomination shall then be declared null and void unless the suspended candidate appeals the suspension to the Judicial Committee within seven days of receipt of notification of suspension. The resolution of suspension must state the specific reasons for suspension and must be signed by each member of the National Committee agreeing thereto. The Judicial Committee shall meet and act on this appeal within 30 days and before the election.

ARTICLE 15: ALTERNATIVE VOTING PROCEDURES

1. The convention special rules of order may authorize specified forms of preferential voting.
2. The convention special rules of order may provide a mechanism under which, when no candidate initially receives a majority, the candidate receiving the fewest votes is removed from consideration.

ARTICLE 16: PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the Party in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order adopted by the Party.

ARTICLE 17: AMENDMENT

1. These bylaws may be amended by a 2/3 vote of the delegates at any regular convention.
2. Article 3, Section 1, or this Section, shall not be amended by a vote of less than 7/8 of all registered delegates at a regular convention.

ARTICLE 18: PROMULGATION OF BYLAWS

The National Committee shall promulgate the bylaws in accordance with applicable law. A copy of these bylaws and convention rules shall be provided to each member of the National Committee, each member of the Judicial Committee and each Chair of an affiliate party within 90 days of adoption.

Convention Special Rules of Order of the Libertarian Party

RULE 1: ORDER OF BUSINESS

The standing order of business for a regular convention shall be as follows:

1. Call to order
2. Credentials Committee report
3. Adoption of agenda
4. Treasurer's report
5. Audit Committee report
6. Bylaws and Rules Committee report
7. Election of Judicial Committee (in appropriate years)
8. Election of Party officers and at-large members of the National Committee
9. Platform Committee report
10. Nomination of Party candidates for President and Vice-President (in appropriate years)
11. Resolutions
12. Other business

RULE 2: VOTING PROCEDURE AND MOTIONS

1. On all matters, except the retention of platform planks, the election of Judicial Committee members, Party officers and at-large members of the National Committee, and the nomination of Presidential and Vice-Presidential candidates, voting will be by either voice vote or rising vote. If any delegate objects to the Chair's ruling on the outcome of a voice vote, a rising vote shall be conducted. If 20 or more delegates object to the Chair's ruling on the outcome of a rising vote, a counted vote will be held.
2. The Chair may require any motion offered from the convention floor to be in writing, signed by the mover and submitted to the Secretary.

RULE 3: POLLING PROCEDURE

1. The State Chair shall serve as chair of his or her delegation, unless that delegation selects another of its members to serve as its chair and so notifies the Secretary.
2. In cases where a roll call vote is required, polling shall be by state. The Secretary will ask for the vote from each state in alphabetical order, and the chair of each delegation shall report the vote for that state. The convention seating will be by state delegation. If someone challenges the vote reported by any state's chair, the Secretary shall poll the delegates from that state individually.
3. In cases where computer readable ballots are used, each delegate must sign the ballot and submit it to the delegation chair. After verifying that the number of votes cast does not exceed the number the state is entitled to, the chair of each delegation shall submit the ballots to the Secretary. During the period of time allotted for such votes, the business of the convention shall continue without interruption.

RULE 4: DEBATING AND VOTING -- BYLAWS AND RULES

The Chair of the Bylaws and Rules Committee shall report each recommendation of the committee to the convention separately and shall have two minutes to explain the intent or purpose of the proposed amendment(s). The Convention Chair shall open each recommendation to discussion without amendment from the floor. Each recommendation shall be considered and adopted separately, with a maximum of eight minutes discussion on any recommendation. After the discussion, the Convention Chair shall bring the recommendation to a vote. If the recommendation fails, the Convention Chair shall open the recommendation to amendment for an additional 10 minutes.

RULE 5: DEBATING AND VOTING -- PLATFORM

1. After the adoption of the convention agenda, the convention will vote whether to delete planks from the existing platform. This will be accomplished as follows:
 - a. The Credentials Committee shall issue five signature tokens to each delegate.
 - b. Tokens shall only be issued to delegates. Delegates are responsible for transferring possession of unused tokens to their alternates if necessary.
 - c. Each delegate may cast each token as a recommendation for deletion of one plank by noting on the token the plank to be deleted and signing the token.
 - d. A delegate may cumulate recommendations by casting any number of tokens for deletion of the same plank.
 - e. Delegates will be given until one hour prior to the scheduled start of the platform report to mark their tokens and deliver them to the Secretary.
 - f. Prior to the scheduled start of the platform report, the Secretary shall review the tokens received and tabulate and report the tokens submitted for deletion of each plank.
 - g. As its first item of platform business, the convention shall vote whether to delete each of those planks that received a number of tokens for deletion equal to 20% or more of the number of credentialed delegates. Such votes shall be cast without amendment or debate.
2. The Platform Committee shall meet before each regular convention and prepare a report containing its recommendations. At the convention, the Platform Committee's recommendations shall be reported to the floor and debated and voted upon separately. The Platform Committee shall set forth the order in which each recommendation shall be considered.
3. Recommendations for which there is no minority report shall be debated and voted upon in the following manner:
 - a. The Platform Committee Chair, or some other person designated by him or her, shall read the proposed recommendation and shall have up to two minutes to explain the recommendation.
 - b. The Convention Chair shall then open the recommendation to debate without amendment for a period of up to 15 minutes before bringing the matter to a vote. If the recommendation fails, the Convention Chair shall inquire if any amendments are proposed from the floor. If there are such proposals, the Convention Chair shall request a vote on whether to consider amendments, and with majority approval may consider amendments for a period of up to 10 minutes.
4. Recommendations for which there is a minority report shall be debated and voted upon in the following manner:
 - a. Spokespersons for both the majority and minority positions shall each have two minutes to present their views.
 - b. The Chair shall then open consideration of both positions for five minutes during which time any delegates may express their views without offering amendments. After five minutes, there will be a vote on which of the two reports shall be considered for purposes of adopting a recommendation. The report receiving the greater number of votes shall then be discussed and voted upon in the manner described in Section 3b.
5. After all committee recommendations have received initial consideration, any delegate may propose amendments to the platform. The delegate may take up to two minutes to state and explain the proposal, with debating and voting to proceed as described in Section 3b.
6. Finally, if time permits, proposals which were considered by the Platform Committee but which received an unfavorable vote from a majority of the committee, may be considered, with a spokesperson for the minority position giving the reasons in favor and the Platform Committee Chair or other representative of the majority position giving the reasons why it was voted down, before the proposal is taken to the floor for debate.
7. Challenges of adopted Party planks believed by 10% of the delegates to be in conflict with the Statement of Principles shall be referred in writing, during the convention, to the Judicial Committee by the delegates requesting action for consideration. The challenge shall specify in what manner the plank is believed to be in conflict. The Judicial Committee shall consider the challenge, decide whether the Statement of Principles is conformed to and report their findings

and reasons to the convention. If the plank is vetoed by the Judicial Committee, it will be declared null and void but can be reinstated by a 3/4 vote of the convention.

8. Should changes to the bylaws or platform result in a grammatical error in accordance with the latest edition of the Chicago Manual of Style, the National Committee presiding at the time of that discovery is authorized to make those grammatical corrections provided it does not change the meaning or intent of the item edited.

RULE 6: RESOLUTIONS

1. Resolutions must be approved by a 2/3 vote.
2. Resolutions must not be in conflict with the Statement of Principles. Challenges of such adopted resolutions believed by 10% of the delegates to be in conflict with the Statement of Principles shall be referred in writing, during the convention, to the Judicial Committee by the delegates requesting action for consideration. The challenge shall specify in what manner the resolution is believed to be in conflict. The Judicial Committee shall consider the challenge, decide whether the Statement of Principles is conformed to, and report their findings and reasons to the convention. If the resolution is vetoed by the Judicial Committee, it will be declared null and void but can be reinstated by a 3/4 vote of the convention.

RULE 7: NOMINATION OF PRESIDENTIAL AND VICE-PRESIDENTIAL CANDIDATES

1. No person shall be nominated for President or Vice-President unless at least 30 registered delegates join in the nomination in writing submitted to the Secretary, and the nominee has submitted to the Secretary evidence of sustaining membership and a statement of willingness to accept the nomination. No delegate may join in nominating more than one candidate for each office. The affixing of signatures to a nominating petition per this requirement shall be effected by a transfer of signature tokens issued by the Credentials Committee.
2. The Party's nominee for President shall be chosen by majority vote. If no candidate has attained a majority, the candidate with the fewest votes and any candidates polling less than 5% shall be struck from subsequent ballots. This procedure shall be repeated after every ballot in which no candidate has received a majority vote, until one candidate attains a majority.
3. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all the delegations have submitted their votes, the Secretary shall declare the voting closed. Following the first presidential ballot, an announcement of each delegation's vote total shall be made by delegation chairs in alphabetical order beginning with a randomly selected delegation. For all ballots, the Secretary shall then display the results.
4. The Party's nominee for Vice-President shall be chosen by the same procedure as for the Presidential nominee except that the Presidential nominee shall have the privilege of addressing the convention for 5 minutes, after nominations have been made but before voting has begun, for the purpose of endorsing or objecting to any of the Vice-Presidential nominees. Nominations for Vice-President shall close after selection of the Presidential nominee.
5. Nominating and seconding speeches for each candidate shall be limited in duration as follows:
 - a. President: Total of 16 minutes;
 - b. Vice-President: Total of 11 minutes.

A delegate who collects the required number of nominating tokens so designated may speak up to 5 minutes in favor of voting for None Of The Above.

RULE 8: ELECTION OF OFFICERS AND NATIONAL COMMITTEE

1. Nominations for Party officers shall be from the floor. The election shall be conducted in the following manner:
 - a. For each office, a majority vote will be necessary for election.

- b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary. When all delegations have submitted their votes, the Secretary shall declare the voting closed.
 - c. In cases where no candidate receives a majority, runoff votes will be held, dropping the candidate with the fewest votes after each ballot.
 2. Nominations for the at-large members of the National Committee shall be from the floor. The election shall be conducted in the following manner:
 - a. Each delegate may cast a ballot with a vote for either none-of-the-above or one vote per candidate for any number of candidates. Every ballot with a vote for none-of-the-above or one or more candidates is counted as one ballot cast. A vote for none-of-the-above shall be ignored if the ballot also includes a vote for any other candidate.
 - b. Each delegation shall tabulate its total vote, and the delegation chair shall deliver a written total to the Secretary, along with the ballots cast.
 - c. When all delegations have submitted their votes, the Chair shall declare the voting closed. The top five candidates receiving a majority vote of the ballots cast shall be elected. Tie votes affecting the outcome shall be decided by lot.
 3. No person shall be nominated unless at least 15 registered delegates join in the nomination submitted to the Secretary, and the nominee has submitted to the Secretary evidence of the required level of membership and a statement of willingness to accept the nomination. No delegate may join in nominating more than one candidate per seat. Nominating speeches shall be limited in duration as follows:
 - a. Chair: Total of 10 minutes;
 - b. All others: Total of 5 minutes.
 4. In the event a region has not otherwise provided for the election of its National Committee representation then the delegates from the region shall elect its regional representative and alternate, provided there are at least five delegates present. Each Region's delegates may elect their representative and alternate in whatever manner they choose, provided all delegates present from that region are given equal voice in the selection.

RULE 9: ELECTION OF JUDICIAL COMMITTEE

Nominations and elections for members of the Judicial Committee shall be conducted in the same manner as specified for at-large members of the National Committee.

RULE 10: VERIFICATION OF DELEGATION VOTE TOTALS

For each vote in which subtotals are submitted by delegation, each delegation shall conduct its vote by written ballot. After each delegation has tabulated its own vote totals, before submitting the totals to the Secretary, tellers approved by the Secretary shall review the ballot tabulation for accuracy and cosign the delegation totals.

After the Secretary has recorded all delegation submissions, the state-by-state delegation totals for each candidate or choice shall be displayed on a projection screen for each delegation to review for accuracy.

Judicial Committee Rules of Appellate Procedure

As Amended 2022

1. Commencement of action; petition

- 1.1. The Judicial Committee shall act only when its Chair receives a written request for a ruling on a matter identified in the Party's Bylaws as being within the Committee's jurisdiction ("petition").
- 1.2. All petitions and responses shall be in text-searchable in Word, ODF, txt, rtf, or PDF format only.
- 1.3. Such petition(s) shall identify:
 - 1.3.1. the basis for the subject matter jurisdiction of the Committee;
 - 1.3.2. the ruling requested;
 - 1.3.3. the verifiable identity of each member, affiliate, or Party committee petitioning for the requested ruling ("petitioner(s)"); and
 - 1.3.4. the identity by individual name of each member, affiliate, or Party committee that would be directly affected by the requested ruling.
- 1.4. Any such member, affiliate, or committee directly named in a petition, together with any other person member, affiliate, or committee identified by the Judicial Committee members as likely to be so affected, shall be considered a prospective "respondent."
- 1.5. Petition(s) should be supported by such written and other necessary evidence to support the grant of the ruling requested.

2. Committee procedure during National Convention

- 2.1. If the Committee is called into action during a National Convention, the Chair shall convene the Committee as soon as is reasonably practicable.
- 2.2. Upon request of either petitioner(s) or respondent(s), and/or at the Committee's direction, the Committee may hear arguments from petitioner(s) and respondent(s) in person.

3. Committee standard procedure

- 3.1. When any petition, response, amicus brief, or supporting material is received at any time other than during a National Convention, the Chair shall promptly forward such document or material to the other Committee members by electronic mail. Committee members shall acknowledge receipt of petitions. The complete list of such documents and material received by the Judicial Committee shall be posted and publicly available online.

4. Respondent procedure

- 4.1. Within seven days following receipt of such petition(s) (or promptly, if the request is received during a National Convention), the Committee Chair shall provide a copy of the petition(s) and any supporting material to each prospective respondent, along with notice that any desired responses are due in writing within seven days (or promptly, if the request is received during a National Convention) ("response").

5. Privileges of interested parties

- 5.1. Members may file amicus briefs in support of the petitioners or respondents.

- 5.2. Copies of petitions and responses and amici shall be made available electronically to any sustaining member upon request.
- 5.3. The Committee may by a majority vote redact portions of the petition(s) and response(s) and amici so made available, to protect personally-identifiable and other sensitive information.

6. Committee pre-hearing procedure

- 6.1. When petitions and responses and amici are received at any time other than during a National Convention, the Committee members shall review all material they are sent within seven days of receiving it, and each member shall advise the Chair as soon as he or she has done so.

7. Hearing

- 7.1. After the time allowed for responses has passed, and the Chair has been advised by at least two other Committee members that they have reviewed the petition(s) and response(s) provided, he or she shall set a time for a hearing and notify the Committee in writing of such time.
- 7.2. Unless all of the Committee members request a physical gathering, the hearing shall take place by telephone conference or videoconference.
- 7.3. Any hearing shall be open to sustaining members, who may observe (but not participate in) the proceedings.
- 7.4. The Committee may by a 2/3 vote deliberate in open session once the hearing concludes; otherwise, deliberations shall be in executive session.
- 7.5. All oral arguments shall be in open session.
- 7.6. All decisions shall be both published and made publicly available.
- 7.7. The Committee may in its discretion offer to the petitioner(s) and respondent(s) an equal opportunity to make their arguments orally via a telephone conference, videoconference, or physical meeting, under such rules as the Committee shall specify.
- 7.8. Committee members who are unable to participate in the hearing shall retain the right to vote. All votes must be received by the Chair no later than 10 calendar days after the hearing.

8. Publication of decision

- 8.1. When the Committee reaches a decision, the Chair shall notify the petitioner(s), respondent(s), the National Chair, and the National Secretary.
- 8.2. Preliminary notification may be made orally, either in person or by telephone; official notification shall be made in writing, as soon as all participating Committee members have voted on the matter in question, or 10 calendar days after the hearing if all members have not voted.

9. Delivery of documents

- 9.1. Petitions, responses, amici, supporting materials, and notifications required to be provided in writing in connection with any proceeding may be delivered personally, or by United States mail, private delivery service, or electronic mail. All such materials must be received prior to the hearing to be considered as part of the case.

DOSTER LAW OFFICES, PLLC

2145 Commons Parkway
Okemos, MI 48864

Eric E. Doster
Email: eric@ericdoster.com

(517) 483-2296 (main)
(517) 977-0147 (direct)
www.ericdoster.com

February 15, 2023

Joseph Brungardt
4140 18 ½ Mile Road
Sterling Heights, Michigan 48314

By Email Transmission
joebfreedom@gmail.com

RE: Demand by Libertarian Party of Michigan (LPM) for Return of all Property Belonging to LPM; Cease and Desist Demand by LPM to Immediately Terminate any Further Misrepresentation as Having any Authority to Govern the Affairs of LPM

Dear Mr. Brungardt:

INTRODUCTION

This office represents LPM with respect to the serious issues raised in this letter. It has come to our attention that you are misrepresenting yourself to be the current Chair of the LPM; however, as you know as a result of your personal and direct participation in the matter, on or about December 19, 2022, the Judicial Committee (in accordance with the LPM Bylaws) ruled that the actions taken at the July 9, 2022 Candidate Nominating Convention which led to your initial selection as LPM Chair --- are invalid. Specifically, the Judicial Committee unequivocally determined:

“We have decided to grant Mr. Chadderdon’s appeal. The vote of no confidence, the election of officers, and the election of Congressional district representatives conducted at the Candidate Nominating Convention on July 9th are to be considered out of order as a violation of our bylaws and parliamentary procedures. The Libertarian Executive Committee shall be reverted to its composition as of July 8th. Any actions taken by the erroneous board which are of a continuing nature are null and void.”

Consequently, as a result of this Judicial Committee determination, any “actions taken by the erroneous board which are of a continuing nature are null and void” including without limitation, your selection as LPM Chair.

In defiance of the Judicial Committee’s determination, you apparently are claiming that Section 535 of the Michigan Nonprofit Corporation Act (MCL 450.2535) precludes the taking of any action with respect to your status as LPM Chair since you were not removed by any members of

the Michigan nonprofit corporation known as “Libertarian Party of Michigan Executive Committee, Inc.” (State of Michigan Identification Number 800902778). Such a claim fails for many reasons.

“LIBERTARIAN PARTY OF MICHIGAN EXECUTIVE COMMITTEE, INC.” DOES NOT HAVE MEMBERS

The Michigan nonprofit corporation known as “Libertarian Party of Michigan Executive Committee, Inc.” does not have members. According to Article IV of the Articles of Incorporation of “Libertarian Party of Michigan Executive Committee, Inc.” filed on January 19, 2005, this nonprofit corporation is organized on a directorship basis. Nowhere in these Articles of Incorporation or in the Bylaws of “Libertarian Party of Michigan Executive Committee, Inc.” dated January 23, 2005 is there any reference to members. Consequently, because “Libertarian Party of Michigan Executive Committee, Inc.” is organized on a directorship basis and has no members in law and in fact, any reference to a “member removal requirement” under Section 535 of the Michigan Nonprofit Corporation Act is misplaced.

LPM EXISTS SEPARATELY FROM “LIBERTARIAN PARTY OF MICHIGAN EXECUTIVE COMMITTEE, INC.” AND CONTROLS “LIBERTARIAN PARTY OF MICHIGAN EXECUTIVE COMMITTEE, INC.”

LPM is the political party designated by the Libertarian National Committee as the affiliate of the Libertarian Party in the State of Michigan. As previously referenced, “Libertarian Party of Michigan Executive Committee, Inc.” (State of Michigan Identification Number 800902778).is a Michigan nonprofit corporation. According to Article II of the Bylaws of “Libertarian Party of Michigan Executive Committee, Inc.”:

“The LPM Bylaws are incorporated by reference in these Bylaws. In the event of any conflict between the LPM Bylaws and these Bylaws, the LPM Bylaws shall take precedence.”

According to Article III of the LPM Bylaws:

“The officers of the Party shall be a chair, a first vice chair, a second vice chair, a secretary, a treasurer, and the Congressional district representatives described below, hereinafter referred to as the “Executive Committee.” These are the same individuals who shall serve as the directors of the “Libertarian Party of Michigan Executive Committee, Inc.””

Consequently, members of the LPM Executive Committee (as established and recognized pursuant to the LPM Bylaws) automatically become officers and directors of “Libertarian Party of Michigan Executive Committee, Inc.” without further corporate action. Conversely, once an individual is no longer a member of the LPM Executive Committee (as established and recognized pursuant to the LPM Bylaws) this individual automatically is no longer an officer or director of “Libertarian Party of Michigan Executive Committee, Inc.” without further corporate action. Therefore, because the decision of the Judicial Committee (which established the current officers and representatives thereby invalidating your selection as LPM Chair) was made pursuant to the LPM Bylaws, and the LPM Bylaws establish the officers and directors of “Libertarian Party of Michigan

Executive Committee, Inc.”, the LPM Bylaws, and any actions taken pursuant to the LPM Bylaws, take precedence.

AS A MATTER OF CONSTITUTIONAL LAW (NOT TO MENTION LIBERTARIAN PRINCIPLES), THE AFFAIRS OF THE LIBERTARIAN PARTY OF MICHIGAN ARE GOVERNED BY THE LPM BYLAWS---AND NOT A STATE STATUTE

Bylaws constitute a “binding contractual agreement between the [entity] and its various members.” *Conlin v Upton*, 313 Mich App 243, 255 (2015). Accordingly, a board must follow the bylaws—a binding contract—unless they take steps to amend them. *See also Allied Supermarkets, Inc v Grocer's Dairy Co*, 45 Mich App 310, 315 (1973), *aff'd sub nom. Allied Supermarkets, Inc v Grocers' Dairy Co*, 391 Mich 729 (1974) (“[t]he bylaws of a corporation, so long as adopted in conformity with state law, constitute a binding contract between the corporation and its shareholders”). Here, the LPM Bylaws govern the affairs of LPM and control the affairs of “Libertarian Party of Michigan Executive Committee, Inc.”. Therefore, unless LPM amends the LPM Bylaws under the proper procedure outlined in Article XII, the LPM Bylaws (including the authority of the Judicial Committee pursuant to Article V) govern. *See Slatterly v Madiol*, 257 Mich App 242, 250; 668 NW2d 154 (2003) (noting that bylaws are generally construed in accordance with the same rules used for statutory construction; thus, courts must first look at the specific language of the bylaw).

As indicated earlier in this letter, there is no conflict between the operation of the LPM Bylaws and the Michigan Nonprofit Corporation as both require adherence to the Judicial Committee’s December 19, 2022 decision invalidating your selection as LPM Chair and recognizing the current LPM officers and representatives. However, for the sake of argument, let’s assume that there is a conflict between a state statute (such as the Michigan Nonprofit Corporation Act) and the LPM Bylaws as to the composition of the current officers of the LPM. Even in such an instance, the consistent principles articulated by the United States Supreme Court have made it clear that where the rules of a political party conflict with state law, the First Amendment requires that the political party rules prevail. For example, in *Cousins v Wigoda*, 419 US 477 (1975), the United States Supreme Court held that political party rules supersede state law concerning the delegate selection process. The *Cousins* decision is based upon the principle that “[t]he National Democratic Party and its adherents enjoy a constitutionally protected right of political association.” 419 US at 487. This First Amendment freedom to gather in association for the purpose of advancing shared beliefs is protected by the Fourteenth Amendment from infringement by any State. *Democratic Party v Wisconsin*, 450 US 107, 121 (1981). And the freedom to associate for the common advancement of political beliefs “necessarily presupposes the freedom to identify the people who constitute the association, and to limit the association to those people only.” *Democratic Party v Wisconsin*, 450 US 107, 122 (1981). “Any interference with the freedom of a party is simultaneously an interference with the freedom of its adherents.” *Sweezy v New Hampshire*, 354 US 234, 250 (1957). According to the United States Supreme Court, on “several occasions this Court has recognized that the inclusion of persons unaffiliated with a political party may seriously distort its collective decisions - thus impairing the party’s essential functions - and that political parties may accordingly protect themselves ‘from intrusion by those with adverse political principles.’ *Ray v Blair*, 343 US 214, 221-222 (1951).” *National Democratic Party, supra*, 450 US at 1 22. Furthermore, in *Roberts v United States Jaycees*, 104 S.Ct. 3244, 3249 (1984), the United States Supreme Court emphasized that:

“There can be no clearer example of an intrusion into the internal structure or affairs of an association than a regulation that forces the group to accept members it does not desire. Such a regulation may impair the ability of the original members to express only those views that brought them together.”

In this regard, the United States Supreme Court struck down a Connecticut statute which required voters in a political party primary to be registered members of that party, which conflicted with a state Republican party rule permitting independent voters to vote in its primaries for federal and statewide offices. See *Tashjian v Republican Party of Connecticut*, 479 US 208 (1986). Similarly, in *Heitmanis v Austin*, 899 F2d 521 (6th Cir. 1990), the Sixth Circuit Court of Appeals held as invalid certain portions of the Michigan Election Code which were contrary to the rules of the Michigan Republican Party. Significantly, the *Heitmanis* Court found that the Michigan Election Code created a significant burden on the party’s right to freedom of association because it infringed upon the right of political parties to choose a method for selection of their party nominees. 899 F2d at 529.

Accordingly, to the extent that there is a conflict between a state statute (such as the Michigan Nonprofit Corporation Act) and the LPM Bylaws as to the composition of the current officers of the LPM, the LPM Bylaws, and any actions taken pursuant to the LPM Bylaws, take precedence once again.

THE LIBERTARIAN NATIONAL COMMITTEE RECOGNIZES THE COMPOSITION OF THE CURRENT OFFICERS AND REPRESENTATIVES OF LPM, AS DETERMINED BY THE JUDICIAL COMMITTEE

In Federal Election Commission Advisory Opinion 2016-17, the Federal Election Commission determined that the LPM qualifies as the state committee of a national political party under the Federal Election Campaign Act and Commission regulations because: (1) The Libertarian National Party (LNP) qualifies as a political party; (2) LPM is part of the official structure of the LNP; and (3) LPM is responsible for the day-to-day operation of the LNP at the state level. Consequently, recognition from the Libertarian National Committee establishes LPM as an affiliate of the Libertarian National Committee. Stated differently, without recognition from the Libertarian National Committee, there is no LPM.

According to Article 6 of the Bylaws of the Libertarian Party as adopted in 2008 by the Libertarian National Committee, there shall be no more than one state-level affiliate party in any one state. Significantly, the Libertarian National Committee recognizes the composition of the current officers of the LPM, as determined by the Judicial Committee, to be the state-level affiliate party of the Libertarian Party: See [Leadership - Libertarian Party of Michigan \(michiganlp.org\)](https://michiganlp.org).

Because the Libertarian National Committee does not recognize you as LPM Chair or the other officers and representatives you contend are legitimate, you are not allowed to use the name “Libertarian Party” pursuant to Article 6 of the Bylaws of the Libertarian Party:

“No person, group or organization may use the name "Libertarian Party" or any confusingly similar designation except the Party or an organization to which the Party grants affiliate party status or as otherwise provided in these bylaws.”

Consequently, a separate cease and desist letter has already been sent to you (or will soon be sent to you) by the Libertarian National Committee demanding that you and your colleagues not use the name "Libertarian Party".

ACTIONS RESPECTFULLY DEMANDED AND REQUESTED

On behalf of the Libertarian Party of Michigan (LPM), it is hereby DEMANDED that you and your agents return all property belonging to LPM within ten (10) days of the date of this letter. Further, you are hereby REQUESTED to immediately terminate any further misrepresentation as having any authority to govern the affairs of LPM. At a minimum, you and your agents must do the following:

1. Sign any documentation to transfer the LPM bank accounts to Andrew Chadderdon, LPM Chair and/or his designee(s).
2. Cease to engage in any fundraising on behalf of LPM.
3. Turn over the PO Box and any/all other accounts belonging to the LPM to Andrew Chadderdon, LPM Chair and/or his designee(s).

Your anticipated cooperation is appreciated.

Sincerely,

DOSTER LAW OFFICES, PLLC



Eric Doster

CC: BY EMAIL TRANSMISSION

ANDREW CHADDERDON, LPM CHAIR chair@michiganlp.org

LIBERTARIAN NATIONAL COMMITTEE

Angela McArdle angela.mcardle@lp.org Caryn Ann Harlos secretary@lp.org

ANGELA THORNTON angelat0763@gmail.com ANDREW HALL halla12@ferris.edu
JORDAN MARTIN jord.martin02@protonmail.ch MARK KING mark.king@markzz.com
DAVID CANNY cannyds@gmail.com WILLIAM GELINEAU bill@abtitlemi.com
MIKE SALIBA themikesaliba@yahoo.com
MARY BUZUMA mary.buzuma@att.net
GREGORY STEMPFLE gregstempfle@gmail.com
RAFAEL WOLF rewolf@gmail.com
BRIAN ELLISON bellison78@gmail.com
JONATHAN ELGAS elgasja@gmail.com
KYLE MCCAULEY k86.mccauley@gmail.com
JAMI VAN ALSTINE jamiracquel2004@yahoo.com
SCOTT BOMAN scottyeeducation@yahoo.com



Secretary LNC <secretary@lp.org>

Demand by Libertarian Party of Michigan (LPM) for Return of all Property Belonging to LPM; Cease and Desist Demand by LPM to Immediately Terminate any Further Misrepresentation as Having any Authority to Govern the Affairs of LPM

Scotty Boman <scottyeduction@yahoo.com> Wed, Feb 15, 2023 at 11:11 PM

To: Eric Doster <eric@ericdoster.com>, Brian Ellison <bellison78@gmail.com>
Cc: Joe Brungardt <joebfreedom@gmail.com>, Andrew Chadderdon <chair@michiganlp.org>, "angela.mcardle@lp.org" <angela.mcardle@lp.org>, "secretary@lp.org" <secretary@lp.org>, Angela Thornton Canny <angelat0763@gmail.com>, Jordan Martin <jord.martin02@protonmail.ch>, dave canny <cannyds@gmail.com>, Mike Saliba <themikesaliba@yahoo.com>, Mary Bazuma <mary.buzuma@att.net>, Greg Stempfle <gregstempfle@gmail.com>, Rafael Wolf <rfwolf@gmail.com>, jon elgas <elgasja@gmail.com>, Kyle McCauley <k86.mccauley@gmail.com>, Jami Van Alstine <jamiracquel2004@yahoo.com>, Andrew S Hall <halla12@ferris.edu>, Mark King <mark.king@markzz.com>, Bill Gelineau <bill@abtitlemi.com>

Brian:

You might as well be the client of a hit man begging for your life. He doesn't give a Frak about ethics he's a hired goon. Any loyalties he has are to the Republican Party, so he is motivated to hurt the Libertarian Party as much as possible.

I will be making a complaint to the Bar association about a Republican party hack abusing his attorney credentials by pretending to represent the Libertarian Party without it's authorization. Joe! Are you on board with this? I know your reading this Mr. Doster, you might as well hear it now. The world will hear about it soon.

Trying to gas-light us by pretending we have no members? That's a good fit given that the LPM identity thieves have brazenly rejected the will of the membership as irrelevant.

If this attorney had a shred of ethics, he would be sending this to the people who have stolen our digital assets, not the legitimate leaders... At present Mr. Doster is acting as an accomplice.

Look Eric. You may be corrupt, but your not stupid. So you know where you can put this letter.

In liberty (something the sender could care less about),
Scotty Boman
District 14 Representative
Libertarian Party of Michigan

Scotty Boman. (313) 247-2052 [Voice Only] (313) 338-9769 [Text only].

[Quoted text hidden]



T LIBERTARIAN
Minimum Government Maximum Freedom

February 16, 2023

Joseph Brungardt
4140 18 1/2 Mile Rd.
Sterling Heights, MI 48314
michiganlibertarians@gmail.com,
joebrungardt@gmail.com,
joebfreedom@gmail.com

Via Email

Re: The Libertarian Party of Michigan

Mr. Joe Brungardt:

The national Libertarian Party (“LP”) has a vested interest in protecting its rights and the rights of its affiliate parties, including the Libertarian Party of Michigan (“LPM”). It has come to our attention that you are holding yourself out to the public and members of the LPM as the Chair of the “Libertarian Party of Michigan”. This is patently false.

The presently recognized Chair of the Michigan affiliate is Andrew Chadderdon and his legitimately elected successors, as affirmed by the LPM Judicial Committee and explicitly authorized by the LPM Bylaws. On or about December 13, 2022, the LPM Judicial Committee (in accordance with the LPM Bylaws) ruled that the actions taken at the July 9, 2022, Candidate Nominating Convention which led to your initial selection as LPM Chair are invalid.

Your claim that Michigan corporate law provides otherwise is irrelevant to the identity and leadership of the legitimate affiliate. Likewise, your recent correspondence to LPM members advertising an unauthorized and illegitimate convention was also incorrect.

Rumors have circulated that LPM’s Judicial Committee removed officers with their decision. Your state affiliate’s Judicial Committee did not “remove” any officer or director. Their decision invalidated a motion of no confidence that removed Andrew Chadderdon as chair because the removal and election in controversy was not validly noticed. Individuals cannot be removed from positions to which they were not validly elected. Thus, the act of voiding an invalid removal is not a removal. It is the national LP’s understanding that LPM’s judicial committee decision has been affirmed by counsel retained by the rightful LPM.

Absent a decision from the LNC or the national Judicial Committee to the contrary, national Platform Committee appointments and national delegate entitlements, along with ballot access, remain with the Party presently chaired by Mr. Chadderdon, and his legitimately elected successors.

In these pursuing statements and activities (holding yourself out to be chair, holding yourself out to be LPM, soliciting for donations, and other similar activities), you have violated LPM’s bylaws, the national Libertarian Party’s bylaws, and made unauthorized use of Libertarian Party trademarks, including but not

1444 Duke Street – Alexandria VA 22314 – 1-800-Elect-Us – www.LP.org

LPM
2/16/23
Page 2 of 3

limited to the trademarked name “Libertarian Party.” Further, neither the Libertarian National Committee (“LNC”) nor the LPM has authorized you to make use of its trademark(s) in order to promote a different political party, and any such use is hereby expressly prohibited. We are therefore sending you this letter in an attempt to resolve this matter without the need for legal action. We demand that you immediately cease and desist from making further unauthorized use of Libertarian Party trademark(s) and fraudulently advertising a non-Libertarian Party convention as one of the Party.

In particular, the LNC has registered trademarks on the following:

- “Libertarian Party” (Reg. No. 2,423,459);
- “The Party of Principle” (Reg. No. 2,423,458);
- Libertarian Party Logo (Reg. No. 6,037,046).

Your unauthorized use of Libertarian Party trademark(s) and false claims of official position and calling of an illegitimate convention harms the LNC and LPM by willfully misleading members of the public and the LPM into believing that your alleged chairmanship and advertised convention is affiliated with the Libertarian Party, when in fact no such affiliation or authorization exists. Consequently, to avoid legal action in this matter, we demand that you immediately take any and all actions necessary to prevent your further infringement on our legal rights and interests. This includes, without limitation, that you cease and desist from using the trademarked name “Libertarian Party” in your organization in any published materials, including your mailing list, Facebook and social media pages, or any other electronic forum, as well as any other communications, whether electronic, print, audio or any other medium, including but not limited to campaign literature, brochures, advertisements, email or any other communication.

Further, it has been communicated to us by the Chair of the Libertarian Party of Michigan as well as by membership that their contact information secured in CiviCRM was potentially used to further these false representations. As you are aware, all users of CiviCRM are required to sign a Non Disclosure Agreement (“NDA”) which limits the use of this data to legitimate Party business authorized by the affiliate or the national Party.

You are advised not to destroy or otherwise spoliage any evidence of your actions relating to any potential NDA violations, and/or the dissemination of confidential information, pursuant to Va. Code § 8.01-379.2:1. You have, “a duty to preserve evidence that may be relevant to reasonably foreseeable litigation.” If this conflict results in litigation and you have “disposed of, altered, concealed, destroyed, or not preserved” evidence, you may place yourself at risk of an unfavorable finding by a jury, or a default judgment.

“‘The textbook definition of ‘spoliation’ is ‘the intentional destruction of evidence[.]’ . . . However, spoliation issues also arise when evidence is lost, altered or cannot be produced.’” *Wolfe v. Virginia Birth-Related Neuro*, 40 Va. App. 565, 581 (Va. Ct. App. 2003) The law on this matter is clear in the state of Virginia and in the District of Columbia, which have overlapping jurisdiction regarding the LNC’s legal affairs. “[T]here now exists in the District of Columbia an independent action for negligent or reckless spoliation of evidence”. *Holmes v. Amerex Rent-A-Car*, 710 A.2d 846, 854 (D.C. 1998)

Based on the foregoing, we demand that you and your agents cease using the LP’s registered trademarks and return all property belonging to the LP within 10 days of the date of this letter. Furthermore, we

LPM
2/16/23
Page 3 of 3

request you immediately terminate any further misrepresentation that you are affiliated with the LP.
Thank you for your attention to this matter.

Angela McArdle, Chair

Libertarian National Committee

Brandon G. Warzybok
Attorney at Law
50477 CR 374
Lawrence, Michigan, 49064
t 248.877.5776
Licensed in MI, and IN
brandon.warzybok@gmail.com

February 17, 2023

Angela McArdle
Chairwoman
Libertarian National Committee

via email only-- angela.mcardle@lp.org

Re: The Libertarian Party of Michigan

Dear Angela,

Attached is a letter that Mr. Joe Brunghardt, the elected Chairman of my state affiliate, received on February 16, 2023. I feel you should be aware that some asshole is signing your name to stupid, pointless letters. In light of this, I would like to take this opportunity to remind you and all members of the Libertarian National Committee that the Libertarian Party of Michigan is a wholly separate entity from the Libertarian National Committee, that the Libertarian Party of Michigan is governed separately by its own members, that it was organized before the adoption of the Articles of Incorporation, Constitution, and Bylaws of the National Party in June 1972, and that the National Party Bylaws expressly disavow any abridgment of state affiliate autonomy by your Committee. I point this out because it appears that whoever signed your name on this letter is not only dishonest and petulant, but also confused about the limits of your Committee's authority.

The attached letter contains a litany of factual allegations, few (or any) of which have any basis in reality. While I confess that I am a great devotee of fantasy writing, I must advise you that the author of this letter is a pale imitation of Tolkien, Martin, Lewis, Sanderson, and others who work more productively in this genre. I shan't be reading the sequel.

In Liberty etc. etc.



Brandon G. Warzybok
Member, Libertarian Party of Michigan
BGW

Enc.

P.S. Best of luck with your "antiwar" rally this weekend.

| | |
|---|--|
| Committee ID# | 002594 |
| Committee Name | LIBERTARIAN PARTY OF MI EXEC COMM INC |
| This statement covers from | 01/01/2023 04/20/2023 |
| Committee Mail Address | PO BOX 27065 LANSING, MI 48909 |
| Committee Phone Number | (888) 373-3669 |
| Treasurer Name Residential Address | ANGELA THORNTON 15223 RIPPLE DR. LINDEN MI 48451 |
| Phone | |

FEC FORM 1

STATEMENT OF ORGANIZATION

Office Use Only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: If typing, type over the lines. 12FE4M5

Libertarian Party of Michigan Executive Committee, Inc.

ADDRESS (number and street) P.O. Box 614

(Check if address is changed)

Royal Oak MI 48068 CITY STATE ZIP CODE

COMMITTEE'S E-MAIL ADDRESS (Check if address is changed) angelat0763@gmail.com

Optional Second E-Mail Address swmi4liberty@be-innovative.net

COMMITTEE'S WEB PAGE ADDRESS (URL) (Check if address is changed) www.michiganlp.net

2. DATE 02 / 05 / 2023

3. FEC IDENTIFICATION NUMBER C C00403907

4. IS THIS STATEMENT NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Thorton, Angela, , ,

Signature of Treasurer Thorton, Angela, , , [Electronically Filed] Date 02 / 05 / 2023

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 52 U.S.C. §30109. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

5. TYPE OF COMMITTEE:

Candidate Committee:

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate _____

Candidate Party Affiliation Office Sought: House Senate President State District

- (c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate _____

Party Committee:

- (d) This committee is a (National, State or subordinate) committee of the (Democratic, Republican, etc.) Party

Political Action Committee (PAC):

- (e) This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
 - Corporation Corporation w/o Capital Stock Labor Organization
 - Membership Organization Trade Association Cooperative
 - In addition, this committee is a Lobbyist/Registrant PAC.
- (f) This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
 - In addition, this committee is a Lobbyist/Registrant PAC.
 - In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)
- (g) This committee is an independent expenditure-only political committee (Super PAC).
 - In addition, this committee is a Lobbyist/Registrant PAC.
- (h) This committee is a political committee with both contribution and non-contribution accounts (Hybrid PAC).
 - In addition, this committee is a Lobbyist/Registrant PAC.

Joint Fundraising Representative:

- (i) 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.
- (j) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

1. _____

2. _____

C _____

C _____

Write or Type Committee Name

Libertarian Party of Michigan Executive Committee, Inc.

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

NONE

Grid lines for organization name

Mailing Address

Grid lines for mailing address

CITY ▲

STATE ▲

ZIP CODE ▲

Relationship: Connected Organization Affiliated Organization Joint Fundraising Representative Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name Thorton, Angela, , ,

Mailing Address 15223 Ripple Dr.

Linden MI 48451

CITY ▲

STATE ▲

ZIP CODE ▲

Title or Position ▼

Treasurer Telephone number 517 - 375 - 9924

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer Thorton, Angela, , ,

Mailing Address 15223 Ripple Dr.

Linden MI 48451

CITY ▲

STATE ▲

ZIP CODE ▲

Title or Position ▼

Treasurer Telephone number 517 - 375 - 9924

Full Name of Designated Agent | Brandenburg, Jason, F, ,

Mailing Address | 2763 Chestnut Ridge Ave. | Portage | MI | 49024 | CITY ▲ STATE ▲ ZIP CODE ▲

Title or Position ▼ | Telephone number | 586 | 491 | 8853

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Comerica Bank

Mailing Address | PO Box 75000 | Detroit | MI | 48275 | CITY ▲ STATE ▲ ZIP CODE ▲

Name of Bank, Depository, etc.

Mailing Address | CITY ▲ STATE ▲ ZIP CODE ▲

FEC FORM 1

STATEMENT OF ORGANIZATION

Office Use Only

1. NAME OF COMMITTEE (in full) (Check if name is changed) Example: If typing, type over the lines. 12FE4M5

Libertarian Party of Michigan Executive Committee, Inc.

ADDRESS (number and street) P.O. Box 614 (Check if address is changed) Royal Oak MI 48068 CITY STATE ZIP CODE

COMMITTEE'S E-MAIL ADDRESS (Check if address is changed) angelat0763@gmail.com Optional Second E-Mail Address swmi4liberty@be-innovative.net

COMMITTEE'S WEB PAGE ADDRESS (URL) (Check if address is changed) www.michiganlp.net

2. DATE 03 / 18 / 2023

3. FEC IDENTIFICATION NUMBER C C00403907

4. IS THIS STATEMENT NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Thornton, Angela, , ,

Signature of Treasurer Thornton, Angela, , , [Electronically Filed] Date 03 / 19 / 2023

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 52 U.S.C. §30109. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

5. TYPE OF COMMITTEE:

Candidate Committee:

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate

Candidate Party Affiliation Office Sought: House Senate President State District

- (c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate

Party Committee:

- (d) This committee is a (National, State or subordinate) committee of the (Democratic, Republican, etc.) Party

Political Action Committee (PAC):

- (e) This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:
 - Corporation Corporation w/o Capital Stock Labor Organization
 - Membership Organization Trade Association Cooperative
 - In addition, this committee is a Lobbyist/Registrant PAC.
- (f) This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)
 - In addition, this committee is a Lobbyist/Registrant PAC.
 - In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)
- (g) This committee is an independent expenditure-only political committee (Super PAC).
 - In addition, this committee is a Lobbyist/Registrant PAC.
- (h) This committee is a political committee with both contribution and non-contribution accounts (Hybrid PAC).
 - In addition, this committee is a Lobbyist/Registrant PAC.

Joint Fundraising Representative:

- (i) 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.
- (j) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

1.

2.

Write or Type Committee Name

Libertarian Party of Michigan Executive Committee, Inc.

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

NONE

Grid lines for organization name entry.

Mailing Address

Grid lines for mailing address entry.

CITY ▲

STATE ▲

ZIP CODE ▲

Relationship: Connected Organization Affiliated Organization Joint Fundraising Representative Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name Thornton, Angela, , ,

Mailing Address 15223 Ripple Dr.

Linden MI 48451

CITY ▲

STATE ▲

ZIP CODE ▲

Title or Position ▼

Treasurer Telephone number 810 458 4698

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer Thornton, Angela, , ,

Mailing Address 15223 Ripple Dr.

Linden MI 48451

CITY ▲

STATE ▲

ZIP CODE ▲

Title or Position ▼

Treasurer Telephone number 810 458 4698

Full Name of Designated Agent | Brandenburg, Jason, F, ,

Mailing Address | 2763 Chestnut Ridge Ave. | Portage | MI | 49024 | CITY ▲ STATE ▲ ZIP CODE ▲

Title or Position ▼ | Telephone number | 586 | 491 | 8853

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Comerica Bank

Mailing Address | 411 W Lafayette Blvd | Detroit | MI | 48226 | CITY ▲ STATE ▲ ZIP CODE ▲

Name of Bank, Depository, etc.

Mailing Address | CITY ▲ STATE ▲ ZIP CODE ▲

: 97 `A-G79 @C B9CI G`H9LH`F9 @ H98 `HC`5 `F9DCFHZG7 <98I @ `CF`+H9A-N5HCB

Form/Schedule: F1A
Transaction ID :

This amendment is to correct the spelling of the Treasurer and correct the bank address.

Form/Schedule:
Transaction ID:



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 17, 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ADVISORY OPINION 2016-17

William W. Hall, Esq.
Warner Norcross & Judd LLP
900 Fifth Third Center
111 Lyon Street, N.W.
Grand Rapids, Michigan 49503-2487

Dear Mr. Hall:

We are responding to your request on behalf of the Libertarian Party of Michigan Executive Committee, Inc. (the “Committee”) regarding its status as the state committee of a political party under the Federal Election Campaign Act, 52 U.S.C. §§ 30101-46 (the “Act”), and Commission regulations. The Commission concludes that the Committee qualifies as a state committee of a national political party.

Background

The facts presented in this advisory opinion are based on your advisory opinion request (“AOR”) received on September 28, 2016, the Committee’s articles of incorporation and bylaws attached thereto, public filings with the Commission, and public filings with the Michigan Secretary of State.

In 1975, the Commission determined that the Libertarian National Party (“LNP”) was a national political party. Advisory Opinion 1975-129 (National Committee of the Libertarian Party). The Libertarian National Committee, Inc. (“LNC”) is the national party committee of the LNP. The LNC’s Executive Director, Mr. Wes Benedict, has confirmed by letter that the Committee is a “chartered state-level affiliate part[y]” of the LNC. AOR003.

The Committee “assisted in placing” Gary Johnson, a candidate for President, on the 2016 general election ballot in Michigan. AOR001. Mr. Johnson was listed on that general

election ballot in Michigan as a candidate of the Libertarian Party.¹ Mr. Johnson received contributions or made expenditures in excess of \$5,000 according to disclosure reports filed with the Commission.²

Pursuant to its articles of incorporation and bylaws, the Committee engages in various political party activities in Michigan. *See generally* AOR005-014. These activities include: serving as “the governing body and operational arm of the Libertarian Party of Michigan . . . , the political party designated by the Libertarian National Committee as the affiliate of the Libertarian Party in the State of Michigan,” AOR006; furthering the “principles of individual liberty as expressed in the Statement of Principles of the National Libertarian Party by nominating and working to elect candidates for political office and by entering into political information activities,” AOR012; contributing funds to political committees, AOR006; and making independent or coordinated expenditures in support of or in opposition to candidates or other political activities. *Id.*

The articles of incorporation and bylaws also provide for an Executive Committee, the members of which are elected by delegates at an annual convention. AOR012-013; *see also* AOR006. In addition to governing the affairs of the party, the Executive Committee supervises and manages conventions, at which nominations of candidates for public office are made. AOR013-014.

Question Presented

Does the Committee qualify as a state committee of a political party within the meaning of the Act and Commission regulations?

Legal Analysis and Conclusion

Yes, the Committee qualifies as the state committee of a political party within the meaning of the Act and Commission regulations.

A “state committee” is an organization that, “by virtue of the bylaws of a political party . . . is part of the official party structure and is responsible for the day-to-day operation of the political party at the [s]tate level, . . . as determined by the Commission.” 11 C.F.R. § 100.14(a); 52 U.S.C. § 30101(15). A “political party” is an “association, committee, or organization that nominates a candidate for election to any federal office whose name appears on the election ballot as the candidate of such association, committee, or organization.” 52 U.S.C. § 30101(16); 11 C.F.R. § 100.15.

The determination as to whether a state party organization qualifies as a state committee of a national political party turns on three elements: (1) the national party with which the state party

¹ Michigan Secretary of State, 2016 Michigan Candidate Listing, Oct. 17, 2016, http://miboecfr.nictusa.com/election/candlist/2016GEN_CANDLIST.html.

² *See, e.g.*, Gary Johnson 2016, FEC Report 3P at 2 (Sep. 20, 2016), http://docquery.fec.gov/cgi-in/fecimg?_201609209032026391+0 (showing net election cycle contributions totaling more than \$7,921,000).

organization is affiliated must itself be a “political party;” (2) the state party organization must be part of the official structure of the national party; and (3) the state party organization must be responsible for the day-to-day operation of the national party at the state level. *See, e.g.*, Advisory Opinion 2016-14 (11 Libertarian State Committees); Advisory Opinion 2015-01 (Green-Rainbow Party); Advisory Opinion 2012-39 (Green Party of Virginia). The Commission therefore addresses each of these three elements in turn.

(1) *Qualification of the LNP as Political Party*

The national party, the LNP, must qualify as a “political party” under the Act and Commission regulations. The Commission has previously determined that the LNP qualifies as a political party. *See* Advisory Opinion 1975-129 (National Committee of the Libertarian Party). The Commission is aware of no factual changes that would alter that conclusion.

(2) *Status of the Committee as Part of the Official Structure of the LNP*

To determine whether a state party organization is part of the official structure of a national party, the Commission evaluates documentation from the national party. *See, e.g.*, Advisory Opinion 2016-14 (11 Libertarian State Committees); Advisory Opinion 2015-01 (Green-Rainbow Party); Advisory Opinion 2012-39 (Green Party of Virginia). The letter from Mr. Wes Benedict, Executive Director of the LNC (AOR003), confirms that the Committee is part of the official party structure of the LNP.

(3) *Responsibility of the Committee for Day-to-Day Operation of the LNP at the State Level*

To determine whether a state party organization is responsible for the day-to-day operations of a national party at the state level, the Commission considers: (a) whether the state organization has placed a federal candidate on the ballot (thereby qualifying as a “political party” under 52 U.S.C. § 30101(16)); and (b) whether the bylaws or other governing documents of the state party organization indicate activity commensurate with the day-to-day functions and operations of a political party at the state level. *See, e.g.*, Advisory Opinion 2016-14 (11 Libertarian State Committees); Advisory Opinion 2012-39 (Green Party of Virginia); Advisory Opinion 2012-36 (Green Party of Connecticut).

(a) *Candidate on the Ballot*

Because an organization must place a federal candidate on the ballot to qualify as a “political party,” *see* 52 U.S.C. § 30101(16); 11 C.F.R. § 100.15, an organization must obtain ballot access for a federal candidate to qualify as a “state committee” of a political party. *See* 52 U.S.C. § 30101(2); 11 C.F.R. § 100.3(a); Advisory Opinion 2016-14 (11 Libertarian State Committees); Advisory Opinion 2015-01 (Green-Rainbow Party); Advisory Opinion 2012-39 (Green Party of Virginia); Advisory Opinion 2012-36 (Green Party of Connecticut).

The Committee assisted in placing the LNP’s nominee for President, Gary Johnson, on the 2016 general election ballot in Michigan. AOR001. Mr. Johnson received contributions or

made expenditures in excess of \$5,000 according to disclosure reports filed with the Commission. Mr. Johnson therefore satisfies the Act's definition of a "candidate." *See* 52 U.S.C. § 30101(2); 11 C.F.R. § 100.3(a).

(b) Day-To-Day Functions and Operations

In addition to gaining ballot access for a candidate for federal office, the Committee must show, in its bylaws, constitution, or other governing documents, that it is responsible for activity commensurate with the day-to-day functions and operations of a political party at the state level.

Here, the articles of incorporation and bylaws establish the organizational structure of the Committee and describe the election process for, and responsibility of, party officers. They also set forth the Committee's responsibilities with respect to its role as the operational arm of the LNP, membership, fundraising, communications, and other party-related tasks.

These governing documents indicate activity commensurate with the day-to-day functions and operations of a political party at the state level and are similar to other state party rules that the Commission has found sufficient to qualify an organization for state-committee status. *See, e.g.*, Advisory Opinion 2016-14 (11 Libertarian State Committees); Advisory Opinion 2015-01 (Green-Rainbow Party); Advisory Opinion 2012-39 (Green Party of Virginia); Advisory Opinion 2012-36 (Green Party of Connecticut); Advisory Opinion 2010-22 (Working Families Party of Connecticut). Therefore, the Committee satisfies the requirement of being responsible for the day-to-day operation of the LNP at the state level pursuant to 52 U.S.C. § 30101(15) and 11 C.F.R. § 100.14(a).

Conclusion

The Commission determines that the Committee qualifies as the state committee of a national political party under the Act and Commission regulations because: (1) The LNP qualifies as a political party; (2) the Committee is part of the official structure of the LNP; and (3) the Committee is responsible for the day-to-day operation of the LNP at the state level.

This response constitutes an advisory opinion concerning the application of the Act and Commission regulations to the specific transaction or activity set forth in your request. *See* 52 U.S.C. § 30108. The Commission emphasizes that, if there is a change in any of the facts or assumptions presented, and such facts or assumptions are material to a conclusion presented in this advisory opinion, then the requestor may not rely on that conclusion as support for their proposed activity. Any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which this advisory opinion is rendered may rely on this advisory opinion. *See* 52 U.S.C. § 30108(c)(1)(B). Please note that the analysis or conclusions in this advisory opinion may be affected by subsequent developments in the law including, but not limited to, statutes,

regulations, advisory opinions, and case law. Any advisory opinions cited herein are available on the Commission's website.

On behalf of the Commission,

A handwritten signature in blue ink, appearing to read "Matthew S. Petersen", with a long horizontal flourish extending to the right.

Matthew S. Petersen
Chairman

michiganlp.net

Updated 1 second ago 



Domain Information

Domain: michiganlp.net

Registrar: GoDaddy.com, LLC

Registered On: 2023-02-03

ET 1303

CSC/L/CD-518 (Rev. 09/21)

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU

Date Received
FEB 06 2023

ADJUSTED PURSUANT TO ACT TELEPHONE AUTHORIZATION (FOR BUREAU USE ONLY)
JOSEPH BRUNGARDT

This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.

| | | |
|---------|-------|----------|
| Name | | |
| Address | | |
| City | State | ZIP Code |

TranInfo:1 25321795-2 02/06/23
Chk#: 1105 Amt: \$10.00
ID: 800902778

EFFECTIVE DATE: **2/3/2023**

FILED

FEB 07 2023

ADMINISTRATOR
CORPORATIONS DIVISION

Document will be returned to the name and address you enter above.
If left blank, document will be returned to the registered office.

CERTIFICATE OF CORRECTION

For use by Corporations and Limited Liability Companies
(Please read information and instructions on last page)

Pursuant to the provisions of Act 284, Public Acts of 1972 (profit corporations), Act 162, Public Acts of 1982 (nonprofit corporations), or Act 23, Public Acts of 1993 (limited liability companies), the undersigned corporation or limited liability company executes the following certificate:

- The name of the corporation or limited liability company is:
LIBERTARIAN PARTY OF MICHIGAN EXECUTIVE COMMITTEE, INC.
- The identification number assigned by the Bureau is: 800902778
- The corporation or limited liability company is formed under the laws of the State of Michigan

4. That a CERTIFICATE OF CORRECTION CORRECTING THE 2022 ANNUAL REPORT
(Title of Document Being Corrected)
was filed by the Bureau on 2/3/2023, EFFECTIVE 9/20/22 and that said document requires correction.

5. Describe the inaccuracy or defect contained in the above name document.
Names of Directors are inaccurate.

6. The document is corrected as follows:
The names of the correct Directors are attached to this form.

7. This document is hereby executed in the same manner as the Act requires the document being corrected to be executed.

Signed this 3rd day of February, 2023

By [Signature] (Signature) By _____ (Signature) By _____ (Signature)

Joseph Brungardt, President / Chair

(Type or Print Name and Title)

(Type or Print Name and Title)

(Type or Print Name and Title)

EXHIBIT 14



TL

NONPROFIT CORPORATION ANNUAL REPORT

2022



Due October 1, 2022 File Online at www.michigan.gov/corpfileonline

| | |
|---|--|
| Identification Number 800902778 | Corporation name LIBERTARIAN PARTY OF MICHIGAN EXECUTIVE COMMITTEE, INC. |
| Resident agent name and mailing address of the registered office VICKI L HALL 2615 HYLAND FERNDAL, MI 48220 | |
| The address of the registered office 2615 HYLAND FERNDAL, MI 48220 | |

To certify there are **NO CHANGES** from the previously filed report, check this box and **PROCEED TO ITEM 6** for signature. No other sections can be completed if box is checked.

| | |
|--|------------------------------|
| 1. Mailing address of registered office in Michigan if changed (may be a P.O. Box) | 2. Resident Agent if changed |
|--|------------------------------|

| |
|---|
| 3. The address of the registered office in Michigan if changed (a P.O. Box may not be designated as the address of the registered office) |
|---|

| |
|---|
| 4. The purposes and general nature and kind of business in which the corporation engaged in during the year covered by this report: State Political Party |
|---|

| | |
|--|---|
| 5. NAME and BUSINESS OR RESIDENCE ADDRESS (Print legible and complete names and addresses) | |
| President | Joseph Brungardt 4140 18 1/2 Mile Rd, Sterling Heights, MI 48314 USA |
| If different than President | Secretary DANIEL ZIEMBA 1457 S SHELDON RD, APT 1, PLYMOUTH, MI 48170 USA |
| | Treasurer Angela Thornton 15223 RIPPLE DR, LINDEN, MI 48451 USA |

If the corporation is a private foundation or formed to provide care to a dentally underserved population, check the following box. If box is checked the board shall consist of 1 or more directors. The board of all other corporations shall consist of 3 or more directors.

| | | |
|----------------------|----------|-------------------------------------|
| Required Director(s) | Director | See additional page included |
| | Director | |
| | Director | |

| | | | |
|---|-----------------------------------|---------------------------|------------------|
| 6. Signature of authorized officer or agent X | Title President / Chair | Date 02/03/2023 | Phone (Optional) |
|---|-----------------------------------|---------------------------|------------------|

FILE ONLINE AND SAVE time by going to www.michigan.gov/corpfileonline. You will get an immediate response and you can elect to receive future notices by email to the resident agent. The agent will also be sent an email when a document is filed or a CID/PIN is requested.

Report due October 1, 2022.

Filing Fee \$20.00.

or mail your completed report with a check or money order payable to the State of Michigan, return to:
Corporations Division
P.O. Box 30767
Lansing, MI 48909
(517) 241-6470

If more space is needed additional pages may be included. Do not staple any items to report. This report is required by Section 911, Act 162, Public Acts of 1982, as amended. Failure to file this report may result in the dissolution of the corporation.

DO NOT DETACH THIS STUB

| Title | Name | Residence or Business Address |
|--------------|---------------------|---|
| PRESIDENT | Joseph Brungardt | 4140 18 1/2 Mile Rd, Sterling Heights, MI 48314 USA |
| SECRETARY | DANIEL ZIEMBA | 1457 S SHELDON RD, APT 1, PLYMOUTH, MI 48170 USA |
| TREASURER | Angela Thornton | 15223 RIPPLE DR, LINDEN, MI 48451 USA |
| DIRECTOR | MARY BUZUMA | 7145 BEACON BLVD, APT 76, GRAND HAVEN, MI 49417 USA |
| DIRECTOR | MIKE SALIBA | 20900 MOXON DR, CLINTON TWP, MI 48036 USA |
| DIRECTOR | GREGORY STEMPFLE | 2615 HYLAND, FERNDALE, MI 48220 USA |
| DIRECTOR | Ryan Roberts | 505 29TH ST, GLADSTONE, MI 49837 USA |
| DIRECTOR | Jordan Martin | 869 EMERALD AVE NE, GRAND RAPIDS, MI 49503 USA |
| DIRECTOR | Rick Thelen | 2144 S GRANGE RD, FOWLER, MI 48835 USA |
| DIRECTOR | David Canny | 15223 RIPPLE DR, LINDEN, MI 48451 USA |
| DIRECTOR | Rafael Wolf | 1418 ELKERTON AVE, KALAMAZOO, MI 49048 USA |
| DIRECTOR | Brian Ellison | 15006 WOODPINE DR, MONROE, MI 48161 USA |
| DIRECTOR | Jonathan Elgas | 5533 SHADY KNL, BRIGHTON, MI 48116 USA |
| DIRECTOR | Kyle McCauley | 115 MICHAEL RD, LAPEER, MI 48446 USA |
| DIRECTOR | Bruce Jaquays | 1841 LERENE DR, COMMERCE TWP, MI 48390 USA |
| DIRECTOR | Daniel Muehl-Miller | 19 PINE, HIGHLAND, MI 48357 USA |
| DIRECTOR | Jami Van Alstine | 28158 HEATHER WAY, ROMULUS, MI 48174 USA |
| DIRECTOR | Scott Boman | 4877 BALFOUR RD, DETROIT, MI 48224 USA |
| DIRECTOR | Andrew Hall | 4508 Woodrose Ct SE, Kentwood, MI 49508 |

List of Directors as of Feb 3, 2023

Treasurer is an interim administrative role and not a member of the board.



Dear Members of the Libertarian Party of Michigan,

I understand there may be some confusion in your affiliate regarding a change of leadership. As you move towards an upcoming convention, I want to wish you all the best of luck and inform you that the LNC currently recognizes the entity found at <https://michiganlp.org> and presently chaired by Andrew Chadderdon as the rightful affiliate party.

If you have any questions about getting involved or information on your convention, please contact LPMI at info@michiganlp.org.

Sincerely,

Angela McArdle
LNC Chair

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Paid for by the Libertarian National Committee, Inc. (LP.org)
1444 Duke St., Alexandria, VA 22314-3403
Not authorized by any candidate or candidate's committee.

You previously signed up to get mail from the Libertarian National Committee on December 19th, 2017. Didn't get this email in your primary inbox? [Here's how](#) to fix that.

EXHIBIT 15

You can [update your preferences](#), [unsubscribe](#) from the Libertarian National Committee or [opt out](#) of all Libertarian Party communications.



Andrew Chadderdon <andrew.chadderdon@gmail.com>

Libertarian Party of Michigan: CALL TO CONVENTION

Libertarian Party of Michigan <noreply@michiganlp.org>
Reply-To: r.8.38.b5f76b2546ef8678@michiganlp.net
To: Andrew Chadderdon <andrew.chadderdon@gmail.com>

Fri, Mar 3, 2023 at 11:16 AM

Official communication from the Libertarian Party of Michigan

Dear Members:

This is the official call to convention and notification of delegate allocation for the Libertarian Party of Michigan State Convention to be held the weekend of April 1, 2023 at the Hilton Garden Inn at 633 North Canal Road in Lansing. The business meeting will be held during the day on Saturday to consider LPM business which will include the election of state party officers, proposals to amend the LPM platform and bylaws, and motions or resolutions from the floor. Anyone may attend the convention, but only delegates, or in their absence their alternates, will be able to vote.

Registration is now open: [LPM Spring Convention 2023 Convention Registration](#)

Voter Eligibility

All delegates/alternates must be dues-paying members of the Libertarian Party of Michigan. People who have never been a Libertarian Party of Michigan member must join the LPM 30 days prior to the convention, by 11:59 pm on March 2, 2023 to be eligible to vote. Past LPM members whose memberships have lapsed or current national members, may pay \$25 to renew their LPM membership as late as convention day. You may renew at convention or during convention registration.

I want to assure you that this is the official regular state convention of the Libertarian Party of Michigan in spite of conflicting messages and calls, please refer to the attached letter of support to see just a few of the trusted leaders of our party that will be attending this event as the only state convention currently scheduled by the actual Libertarian Party of Michigan.

Mike Saliba,
In the role of Chair,
Libertarian Party of Michigan

Unsubscribe
PO Box 614
Royal Oak, MI 48068
United States

EXHIBIT 16

Libertarian Party of Michigan: CALL TO CONVENTION Inbox x LP x



Libertarian Party of Michigan noreply@michiganlp.org via michiganlp.net

11:16 AM (12 hours ago) ☆ ↶ ⋮

to me

Official from: **Libertarian Party of Michigan** <noreply@michiganlp.org> via michiganlp.net

Dear reply-to: r.8.38.b5f76b2546ef8678@michiganlp.net

to: Andrew Chadderdon <andrew.chadderdon@gmail.com>

date: Mar 3, 2023, 11:16 AM

This subject: Libertarian Party of Michigan: CALL TO CONVENTION

business mailed-by: michiganlp.net

Anyo signed-by: michiganlp.net

Reg security: Standard encryption (TLS) [Learn more](#)

Libertarian Party of Michigan State Convention to be held the weekend of April 1, 2023 at the Hilton Garden Inn at 633 North Canal Road in Lansing. The include the election of state party officers, proposals to amend the LPM platform and bylaws, and motions or resolutions from the floor. be able to vote.

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Mike Saliba,
In the role of Chair,
Libertarian Party of Michigan

[Unsubscribe](#)
PO Box 614
Royal Oak, MI 48068
United States

One attachment • Scanned by Gmail





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Michigan Libertarians (Official LPM)

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Join the Libertarian Party of Michigan (Official) & fight to restrain all authoritarian power grabs: tinyurl.com/joinlpmi

Comms: Gregg S & Jami V

michlp.org Joined January 2023



Libertarian Party of Michigan Executive Committee, Inc

21 likes • 26 followers



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Official FB page of the LPM
On Twitter @MILibertarians

Find us on the web at: <https://michiganlp.net>



Page · Political Party



info@michiganlp.net



[MILibertarians](#)



michlp.org

Featured



Libertarian Party of Michigan Executive Committee, Inc

April 2 at 10:04 PM · 🌐

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<https://www.facebook.com/groups/892908535113062...>





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Bylaws

(as amended in convention April 1, 2023)

I. NAME

The name of this organization shall be the "Libertarian Party of Michigan," hereinafter referred to as the "Party" or "LPM".

II. PURPOSE

The purpose of this organization is to further the principles of individual liberty as expressed in the Statement of Principles of the National Libertarian Party by nominating and working to elect candidates for political office and by entering into political information activities and affiliating with the National Libertarian Party.



Membership

The Libertarian Party of Michigan does not take special interest money, it relies on the support of people like you. You'll also have a voting say in our party at our conventions. Your support will help build a stronger, more effective Libertarian Party of Michigan.

You may use this page to join / renew your membership or you may make a [donation here](#).

Fields marked with an * are required

Select Join or Renewal *

Choose One ▼

Membership Options *

- Annual Membership - \$25.00
- Lifetime Membership - \$250.00



Mike Saliba



6m Like Reply





Jonathan M. Jacobs Thank you for the confirmation of the absurd stretch of fiduciary damage to the party.

Haha Reply Share 2h



Jonathan M. Jacobs
Dave Canny Sorry if you think damaging the brand is "absurd."

Like Reply Share 1h



Dave Canny
Jonathan M. Jacobs I think that damaging your brand and the Wixom Group brand could be considered a Holy Quest

Like Reply Share 1m



Jonathan M. Jacobs
Dave Canny It would not be Libertarian, however. The key to being a Libertarian affiliate is to be Libertarian.



Brian Ellison, [extra initials so I look important]



Scott A Boman

3m · 



[#FraudAlert](#) Pleas#FraudAlert

There is a Republican hack named Eric Doster, who is falsely claiming to represent the Libertarian Party of Michigan, in order to sabotage it, to make it easier for Republicans to win future elections. He is colluding with disgruntled or insurgent former and current LEC members. He is even abusing his law license trying to intimidate the Chair of our party into denying his office.

Hello ,

The Genesee County Affiliate is listed as the committee receiving funds on a website that is misrepresenting itself as the Libertarian Party of Michigan. This action is fraudulent, deprives the legitimate Libertarian Party of Michigan of fundraising, and is damaging donor confidence in the organization. We consider these actions to be a breach of our affiliation agreement. Furthermore, the Libertarian Executive Committee observed that the Libertarian Party of Genesee County did not send any delegates to the legitimate Special Convention in Wixom on April 1st.

We are asking the Libertarian Party of Genesee County to resolve to recognize the legitimate Libertarian Party of Michigan Executive Committee (as convened in Wixom on April 1st, 2023), and to cease participating in fraudulent activity fundraising for the rogue board. The Executive Committee has already resolved to disaffiliate Genesee County effective end of Friday April 7th if these conditions are not met. If you are a member and wish that your county party stays affiliated with the Libertarian Party of Michigan and the National Libertarian Party, please ask your executive committee to take these actions and avert the disaffiliation.

In the unfortunate event that the county party decides not to maintain our affiliation, the Libertarian Party of Michigan Executive Committee hopes to launch a new affiliate as soon as possible. We will gladly continue to work with all members who are interested in working towards our goal of getting Libertarians elected in Genesee county. Please reach out to our vice chairs, Leah Dailey (VCAffiliates@MichiganLP.org) and Trevor Step (VCPoliticalDirector@MichiganLP.org), for affiliate and campaign support.

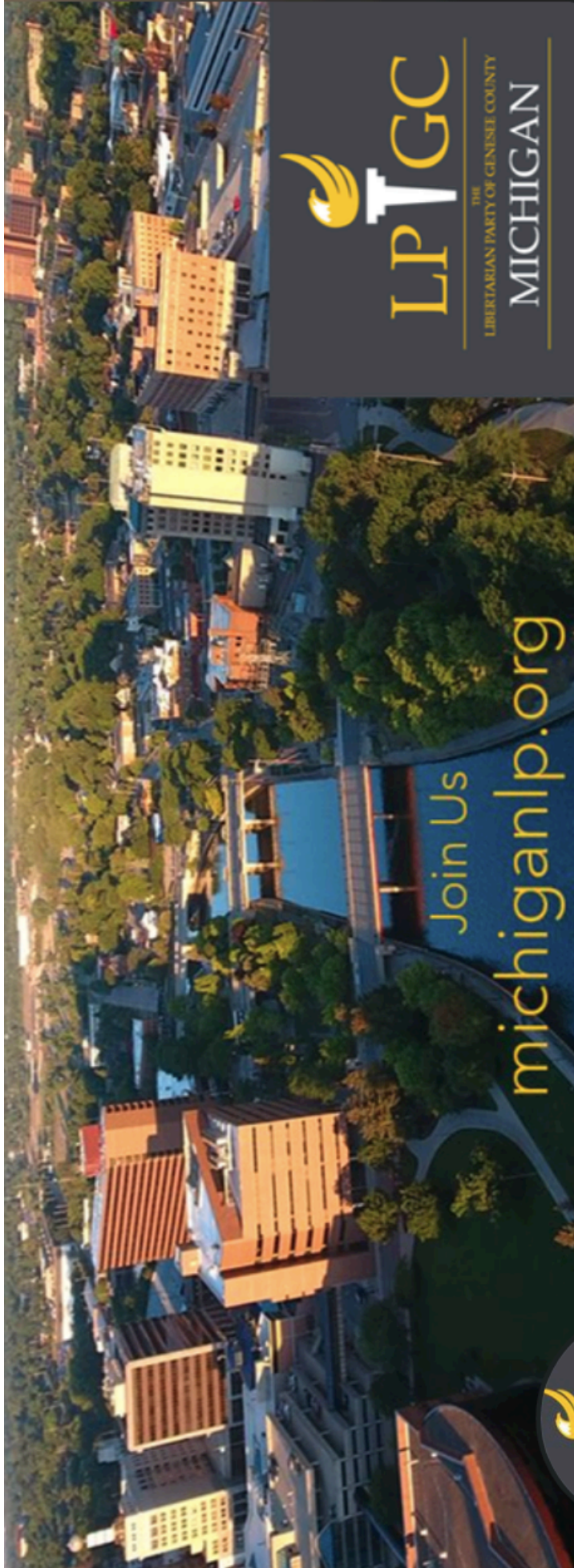
Regards,

Andrew Chadderdon

Chair, Libertarian Party of Michigan Executive Committee

PO BOX 614
ROYAL OAK, MI 48068-0614
Oakland

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Anedot

Hello ,

It has come to the attention of the Libertarian Party of Michigan Executive Committee that the Libertarian Party of West Michigan passed the following resolution:

Resolved in convention of the Libertarian Party of West Michigan, February 25, 2023: "We the assembled members of the Libertarian Party of West Michigan, do not recognize or accept ANY legitimacy of representation of the Libertarian Party in Michigan by those organizing the meeting in Wixom on April 1st, 2023. The only legitimate representative body is that one elected by the members of the Party and modified by actions on July 9th, 2022, at the Holland Convention. We specifically object to any attempt by the subordinate Judicial Committee to overturn the will of the convention."

This resolution evidences the intent of the Libertarian Party of West Michigan to disaffiliate from the Libertarian Party of Michigan. This action deprived our members of the right to attend the legitimately called Special Convention in Wixom and broke our affiliation agreement. By rejecting the bylaws sanctioned decisions of the Judicial Committee, this is a clear violation of the bylaws requirements upon Local Party Organizations of the Libertarian Party of Michigan:

Article IV, Section 2

"The Executive Committee shall charter affiliate parties, each of which shall cover one or more counties of the state, hereinafter referred to as an "affiliate region", from those organizations requesting such status ... No organization shall be so chartered ... whose operating rules do not comply with these bylaws."

We are asking the Libertarian Party of West Michigan to reverse this action and to resolve to recognize the legitimate Libertarian Party of Michigan Executive Committee (as convened in Wixom on April 1st, 2023). The Executive Committee has already resolved to disaffiliate West Michigan effective end of Friday April 7th if these conditions are not met. If you are a member and wish that your region party stays affiliated with the Libertarian Party of Michigan and the National Libertarian Party, please ask your executive committee to take these actions and avert the disaffiliation.

In the unfortunate event that the region party decides not to maintain our affiliation, the Libertarian Party of Michigan Executive Committee hopes to launch new affiliates as soon as possible. We will gladly continue to work with all members who are interested in working toward our goal of getting Libertarians elected in West Michigan. Please reach out to our vice chairs, Leah Dailey (VCAffiliates@MichiganLP.org) and Trevor Step (VCPoliticalDirector@MichiganLP.org), for affiliate and campaign support.

Regards,

Andrew Chadderdon

Chair, Libertarian Party of Michigan Executive Committee

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Oakland

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May 23 @ 7:00 pm - 8:00 pm

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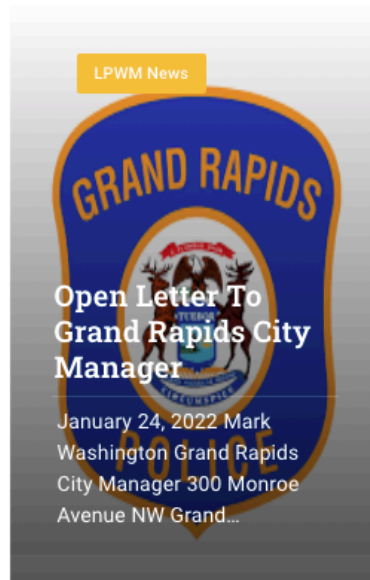
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