

# Liberty for America

Journal of the Libertarian Political Movement

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## LNC Votes to Defy JudComm

Then Obeys Them Anyhow

## LNC To Buy Building? Several Motions Outstanding

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### Hinkle Nominates Carla Howell to Be LNC Executive Director She Would Replace Wes Benedict

LNC National Chair Mark Hinkle has nominated Carla Howell of Massachusetts to be the next Executive Director of the LNC. The Executive Director is the senior paid staff member for the National Committee.

In 2010, a letter under Howell's name was distributed at the National Convention supporting Hinkle for National Chair and attacking your Editor's campaign for the same post, so there is an apparent quid pro quo between Hinkle and Howell.

Howell's Massachusetts referendum committees were recently found to have made expenditures not consistent with MGL c. 55 S.6, which allows expenditures "so long as they are not 'primarily for any other person's personal use'." In the period 2007-2010 the referenda committee paid Howell \$16921.50 to cover bills for EZ Oil, Comcast, and NStar service to her home. The Letter from the state OCPF is attached to the electronic issue of this newsletter.

In 2004, Howell was elected to the State Committee, a State Committee on which I had just been elected. She installed a friend of hers as State Chair, and was put in charge of the newsletter. Newsletter production stopped, only resuming when she was replaced. The State Committee almost never met.

A decade ago, there was a considerable in-state controversy over closing payments made by several of her campaigns, to be covered in a later issue. The State Party closed down the General LPMA discussion list to suppress discussion of the point. In the late 1990s Howell was Massachusetts State Chair. Large amounts of money were raised; almost none went to supporting Libertarian candidates other than herself and a few cronies running for Statewide office. In one year, in net the Stet Committee made a profit off of their candidates for the legislature.

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### LNC Votes to Reject JudComm Decision

The LNC has voted down the motion "That the LNC direct our ED to reinstate Wagner et al. as our official LP Oregon affiliate as per the JC decision of 8/26/2011 and the JC Clarification of 9/23/2011." That is, the LNC voted against the motion that the Executive Director is required to obey its Party Bylaws and Judicial Committee.

Voting in favor of the motion were Craig, Kirkland, Olsen, Ploeger, and Ruwart. Voting against the motion were Eshelman, Knedler, Mattson, Redpath, Root, Rutherford, Sink-Burris, Visek, Wiener, and Wolf. Jim Lark sent a motion specifying that he was abstaining.

Soon after the LNC rejected this motion, the link to the LP-Oregon site went up on LP.Org, and member datadumps began being transferred to Oregon State Chair Wes Wagner.

### Hinkle Obtains Legal Opinion on Oregon

Mark Hinkle has we are told informed the LNC that "the LNC has engaged an Oregon law firm" to provide a legal opinion on the Oregon Issue. I have seen no evidence that

the LNC voted to approve a contract. Mary Ruwart has stated that the LNC Executive Committee was not consulted in advance. We get to wait for FEC reports to see what the report cost. Hinkle's letter to the LNC follows. The actual document will be attached to the electronic version of this newsletter. We are told that the law firm did not contact the legitimate Wagner faction prior to writing their report to the LNC. Hinkle's letter reads:

Dear LNC and Affiliate Chairs,  
As you know there has been a fair amount of discussion regarding the problems with the LPO and the two factions both claiming to be the real LPO leadership.

To help get a handle on the situation, the LNC has engaged an Oregon law firm that specializes in election law.

Attached is the legal opinion of Tyler Smith & Associates that has been also reviewed by our staff attorney: Gary Sinawski.

Mr. Sinawski wrote: " I have carefully reviewed Tyler Smith's letter to Mark Hinkle dated October 4, 2011 and agree with the analysis set forth in the letter."

As you would normally suspect, communications between the LNC and legal counsel are often kept confidential to assure proper client/attorney privilege.

However, due to the massive amounts of misinformation and disinformation floating around the Internet on this topic, I thought we should set the record straight and attempt to clear the air.

Thus, you are free to share this with any interested party.

Please read the attached document carefully. There is a lot to absorb.

Once everyone on the LNC has had a chance to digest it, there may be one or more motions forthcoming.

As always, I'm open to your thoughts and suggestions to resolve this problem.

Yours in liberty.....Mark Hinkle, LNC Chair

## Hinkle Says Wagner Must Go

In a letter to the LNC and forwarded to us, Mark Hinkle is said to have written:

Mary,

I'm not willing to entertain any disaffiliation vote concerning Oregon.

That was never the intent of the LNC EC's 6 to 1 vote that recognized the Reeves group as the legitimate leadership of the LPO.

It's clear to me that any disaffiliation vote would jeopardize

ballot status in Oregon, as Wes Wagner has threatened to "yank" ballot status.

That in turn would re-assign 13K+ voters to "no party affiliation" and obviously risk having no presidential or vice-presidential candidate on the ballot there in 2012.

And that also would eliminate any Libertarians from running in partisan races as libertarians.

It's clear to me that the Wagner faction is the one "intent on tearing them down", not the LNC.

Over 50 LPO members have requested disaffiliation as a way to reboot the LPO and their dysfunctional Bylaws.

That is more LPO members than have attended any LPO convention for the last 10 years I'm told.

Sadly, because of the Oregon SOS ruling on disaffiliation, that would effectively disqualify the LPO from the ballot. So, that is not an option.

In order to rebuild the LPO, the Wagner faction must be removed.

In order to secure LPO ballot status for Oregon, the Wagner faction must be removed.

In order to insure that our presidential candidate has a place on the November 2012 ballot in Oregon, the Wagner faction must be removed.

In order to protect LPO's contractual obligation to our members, the Wagner faction must be removed.

In order to protect the LPO's Bylaws and the rule of law, the Wagner faction must be removed.

And I must take exception to the statement "As usual, our Chair has solicited this opinion without any input from the other side."

Not only did I solicit opinions from all sides, I actually went up to Oregon to attend their special convention last year to observe in person what was reportedly going on.

No one on the LNC, other than perhaps Alicia Mattson, has more knowledge of the LPO situation than I.

I've talked with Wes Wagner, Tim Reeves, Richard Burke,

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Christina Mayer, Mike Jingoian, Mark Vetanen, Jim Wilson, David Perkins and M Carling. I was unsuccessful in reaching Alfredo Torrejon (who I understand was their web-master). All LPO members.

Additionally I've spoken with their regional LNC rep. Dan Karlan, Oregon election law attorney Tyler Smith, Richard Winger, and LNC Counsel Gary Sinawki. And I've spoke to Steve Trout in the Oregon Secretary of States office.

As for Wes Wagner's comment that "Their legal counsel does not address the issues of ORS 248.072)" well, here it is:

248.072'

*Authority of state central committee*

*The state central committee is the highest party authority in the state and may adopt rules or resolutions for any matter of party government which is not controlled by the laws of this state. [1979 c.190 §84]*

Does anyone think this gives Wes Wagner the power to ignore LPO Bylaws? To violate membership contracts?

Does anyone think this gives Wes Wagner the power to ignore the law (ORS 248.004) which requires Oregon non-profits to follow their bylaws?

Clearly, no. He doesn't have that authority nor that power. It's time for Wes Wagner to go.

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## 51 Oregon Libertarians Ask Disaffiliation

LNC Secretary Alicia Mattson has, we are told, advised the LNC that there is a disaffiliation request from Oregon, the reported text being:

“Chairman Hinkle had in a previous email indicated that 51 people in Oregon had asked the LNC to disaffiliate the LP of Oregon. As LNC Secretary, I am in receipt of that petition request with those signatures. The signers have all been verified as either being sustaining members of the LP or as being LPO members with the best-available membership listing as of the date the Wagner-led LPO State Committee voted to toss the bylaws out the door.”

## Hinkle Capitulates to JudComm

As forwarded to us: a message bearing Mark Hinkle's name and capitulating on the issue:

Dear LNC,

RE: the LPO mess

I've been giving this a lot of thought over the weekend and through today. And even lost sleep over it.

I have spoken to many of you privately regarding this mess. I have also talked with dedicated activists that I respect outside of the LNC.

My conclusion is that if any member of the LNC wants to co-sponsor the two Dan Wiener motions, that will be the way to submit it to a mail ballot.

I'm not going to do it.

I've come to the conclusion that LPO is a mess that we can't fix and they can't fix.

So, to devote any more time, money, and talent to resolving their issues is an unproductive use of my time and any LNC resources.

It's just too much infighting. I ran for LP Chair to try and bring this sort of thing to a end.

Having the LNC battle the JC and the LPO and incur the wrath of dedicated activists and donors is just not in the best interest of the organization as a whole.

The situation was near hopeless to start with, then JC's horrendously bad decision created a virtual no-win situation for the LNC. We either disaffiliate the LPO and lose ballot status or spend tens of thousands of dollars on a lawsuit that may, or may not, remove the thug Wes Wagner from his illegal claim as the Chair of the LPO. Neither is worth the cost. We have other, higher, priorities to deal with.

I intend to essentially drop it. And I recommend that the LNC also drop it. It has already consumed too much time, talent, and money.

And it's been way way too decisive.

I know that's going to infuriate some folks and delight others.

But, I need to focus on the building fund and hiring a successor to Wes Benedict and everything else on my plate.

Something has got to give and it's the LPO situation.\

...Mark Hinkle

## What Their Regional Rep Thinks of the Oregon State Party

As forwarded to us from the LNC:

Mr. Chair -- Several thoughts:

First: When you wrote "And it's been way way too decisive.", I think you meant "divisive".

Second, I realize this was not an easy conclusion for you to come to.

Third, the division was created by the outlaw gang in Oregon, though (as you note) it was reinforced by the majority of the JC. However, had the JC made the correct decision, Wagner most certainly would have still cost us money. It's just the way he operates. His crew practically bankrupted the affiliate and forced them to close their popular and successful storefront office, so pursuing legal action if they had been rebuffed by the JC would have been a near certainty.

Fourth, I believe the outlaw gang that is currently in control of the LPO must be dealt with, and cannot be allowed to enjoy their victory. Doing so will poison every action the LNC and the LP take in accordance with our Bylaws, and will taint the very respect for the voluntary acceptance of reasonable rules that is part of the core libertarian philosophy. Leaving those thugs in control of the LPO will undermine our very legitimacy, and not just in Oregon.

Fifth, no matter what we might decide in furtherance of trying to solve the problem that is Wagner and his gang, this would have remained a major aggravation to be addressed by the delegates at Convention in Las Vegas. And if they are going to HAVE to face this, and might very well reverse any action we take, why should we tread any deeper into that minefield?

Finally, I reluctantly and with substantial misgiving come to the same conclusion you have, and I commend you for the courage it took to make this difficult decision. It is a very bad position to take -- but all the others are worse.

Dan Karlan

## New Wiener Motion to Call Judicial Committee Names

California Regional Representative Dan Wiener has, we are advised, offered a new motion to call the LP Judicial Committee names.

### MOTION REGARDING ACTIONS OF JUDICIAL COMMITTEE

Whereas, Article 9, Section 2 of the Libertarian Party Bylaws specifically restricts the authority of the Judicial Committee:

## Welcome to Liberty for America!

A magazine. A web site. An organization. **Liberty for America** has had several inquiries on launching **Liberty for America** Chapters across America. A draft set of state/regional By-Laws appears on the **LibertyforAmerica.Com** web site.

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 6, Section 6),
- b. suspension of officers (Article 7, Section 8),
- c. suspension of National Committee members-at-large (Article 8, Section 5),
- d. voiding of National Committee decisions (Article 8, Section 13),
- 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)

Whereas, these explicit restrictions were enumerated in detail in the Bylaws for the purpose of preventing an unchecked Judicial Committee from usurping the duly authorized powers of the Libertarian National Committee to control and manage the affairs of the Party consistent with the Bylaws;

Whereas, it is apparent under the 2009 Libertarian Party of Oregon (LPO) Bylaws that it was impossible for Wes Wagner and his associate claimants to be the legitimate leadership of LPO as of the date of the Judicial Committee appeal, and therefore under Article 6, Section 6 of the Bylaws the Wagner-led faction lacked standing to initiate an appeal on behalf of the LPO;

Whereas, the Judicial Committee lacked jurisdiction under any other provision of the Bylaws to hear the complaint brought by Mr. Wagner;

Whereas, the dispute in question has always been about recognizing the leadership of officers properly selected under LPO's 2009 Bylaws, and not the choosing between two organizations or disaffiliating a state affiliate;

Whereas, the Bylaws do not grant any authority to the Judicial Committee to determine matters of state affiliate leadership;

Whereas, in its statement of August 25 and subsequent clarification on September 23, the Judicial Committee declared that the Libertarian Party of a particular state (and by implication, the leadership of that state party), is the entity recognized by the secretary of state (in this case, the Secretary of State of Ore-

gon);

Whereas, this declaration is neither stated nor implied by any provision of the Libertarian Party Bylaws, and thus amounts to the crafting of a rule of its own making and an arrogation of power;

Whereas, this declaration and attendant decision may be mistakenly cited by state agencies and courts as evidence that the Libertarian Party Bylaws require the National Committee to recognize as affiliate officers those people recognized by state officials, rather than those who are duly selected according to the state affiliate's bylaws;

Whereas, this declaration and attendant decision therefore places state affiliates in greater jeopardy of untoward interference by state officials and those hostile to the interests of the Libertarian Party and its affiliates;

Whereas, the Judicial Committee made a further declaration on September 23 concerning its view of affiliate autonomy, a subject about which no appeal was made and no hearing conducted; and

Whereas, a direct consequence of the Judicial Committee's improper actions of August 25 and September 23 was the Oregon Secretary of State's September 29 decision to recognize the last officers known to them, rather than the officers elected by members of the Libertarian Party of Oregon in accordance with its bylaws.

Therefore be it resolved, it is the sense of the Libertarian National Committee that the decision by four members of the Judicial Committee in its 4-3 declaration regarding the Libertarian Party of Oregon is not justified by the Libertarian Party Bylaws, and that the Judicial Committee has acted outside of its limited authority, which is clearly and explicitly defined in the Libertarian Party Bylaws; and

Be it further resolved, the Libertarian National Committee finds that the Judicial Committee's decision is irreparably tainted by the fact that the deciding vote on the decision was cast by a person with an obvious conflict of interest, and that in any other venue of jurisprudence a person with such conflicts of interest would have been expected or required to recuse himself.

## LNC Receives Letter Critiquing LNCC

As passed to us, a letter bearing Starchild's name:

Dear Libertarian National Committee members,

I recently visited the website of the Libertarian National Campaign Committee (formerly the Libertarian National Congressional Committee?), LNCC.org, and was troubled by what appears there. Several pages on this site read like promotional puff pieces for Wayne Allyn Root, who is described as a "Reagan Libertarian" and "the face and voice of Libertarian-conservative politics in the mainstream national media" in a

lengthy bio touting his acumen as a prognosticator, among other things.

Other materials make it sound like the Libertarian Party is a conservative party. There is lots of focus on economics and only passing mention of civil liberties. No mention at all of the War on Drugs, "PATRIOT" Act, or "War on Terror" abuses, that I could see. While the party's non-interventionist stance is noted, someone reading that section could get the impression that extra-national military intervention is okay with the LP so long as it's done for the purpose of protecting "national interests" and not spreading democracy or getting involved in nation-building. Two current Democrats (Barack Obama and Nancy Pelosi) and only one past Republican not seen as a conservative by most conservative Republicans anyway (George W. Bush) are depicted as politicians to oppose. Under the heading "Libertarian Issues" we find things like a national sales tax and a section on "Tea Party Libertarians".

Wayne Allyn Root should not be allowed to distort what our party stands for and use a national LP website as his own personal promotional vehicle. Does the LNCC have any effective oversight from the LNC, or is it essentially Root's private fiefdom? What is the term of office for LNCC chair, anyway? Is the contact info being collected from visitors to this site being shared with the rest of the party?

Love & Liberty, ((( starchild )))

## LNC Approves Motion to Buy Building

The LNC has, say sources, approved a motion to buy a building in or near Washington, D.C. We do not yet have the vote totals.

Motion: that the LNC hereby authorizes the Chair to make an offer to purchase the office at 1428 Duke Street, contingent on the conditions listed below. An offer to purchase may be made, so long as the Secretary and legal counsel confirm that the offer contains provisions that allow the offer to be rescinded if the conditions below are not met. The purchase and loan agreements shall require the approval by the LNC prior to their execution.

Condition 1: The total monthly cost of OTM plus any outside storage plus payments for fully-amortized loans shall not exceed \$8500. For the above 2846 square foot property, the OTM costs are projected to be \$9 per square foot per year or \$2,134.50 monthly. Based on monthly payments which fit within this budget, the projected remaining total balance as per the stated terms of the loan or loans used to purchase the property shall not exceed \$380,000 at the end of five years.

Condition 2: The down payment on the purchase must come from dedicated contributions to the building fund, and not from the LP's general funds.

Condition 3: 33% of the necessary down payment must be raised with restricted donations within 20 days of the date on which this motion is officially approved or the date on which twelve LNC members have voted for its approval, whichever

comes sooner. At least half of that amount must be actual money, while the remainder must be in legally enforceable pledges using an agreement crafted by legal counsel.

Condition 4: 66% of the necessary down payment must be raised with restricted donations within 40 days of the date on which this motion is officially approved or the date on which twelve LNC members have voted for its approval, whichever comes sooner. At least half of that amount must be actual money, while the remainder must be in legally enforceable pledges using an agreement crafted by legal counsel.

Condition 5: 100% of the necessary down payment must be raised with restricted donations within 60 days of the date on which this motion is officially approved or the date on which twelve LNC members have voted for its approval, whichever comes sooner. At least two-thirds of that amount must be actual money, while the remainder must be in legally enforceable pledges using an agreement crafted by legal counsel.

Condition 6: 100% of the necessary down payment must be raised with restricted donations by January 5, 2012. All of that amount must be actual money.

Condition 7: LNC members who request it, and who explicitly agree to keep the information strictly confidential, shall be provided with each donor or individual pledger's name and amount (and a copy of the signed pledge agreement) used to meet Conditions 3-6.

If the Secretary provides notice to the LNC that there was a failure to meet any of the aforementioned conditions, it will result in an alternate lease agreement being executed, as provided for in a separate motion.

(Example 1 - likely worst case scenario: A building purchased for \$875,000 has OTM of \$2134.50 plus outside storage costs of \$400 per month, which leaves \$5,965.50 available for a monthly payment on a loan. A down payment of \$300,000 in cash by January 5, 2012 plus a loan for \$575,000 at 6.5 percent interest payable in equal installments of \$5,795.15 and fully amortized over 11 years 3 months would meet the first condition because it would be paid down to \$366,396.44 at the 5 year mark.)

(Example 2 - likely best case scenario: The seller accepts a purchase offer of \$850,000, and it is determined that the outside storage cost of \$400 per month is not necessary, leaving \$6365.50 available for a monthly payment on a loan. A down payment of \$245,000 in cash by January 5, 2012 plus a loan for \$605,000 at 6.5 percent interest payable in equal installments of \$6365.50 and fully amortized over 11 years would meet the first condition because it would be paid down to \$379,280.28 at the 5 year mark.)

## Goldstein Insists on Honest Answers

In October 30, LNC Member Sam Goldstein apparently asked the Chair: "Since the first hard deadline set by the LNC in its

vote approving the building fund is November 5th, could you please bring us up to date about the progress made towards the first three conditions." National Chair Hinkle is said to have responded, in part: "No one seems to agree on what the appropriate down payment is. And without that, I have no idea if we're meeting these conditions or not." Goldstein then asked, among other things, "How much cash is in the LP's bank account as of October 28th specifically dedicated to the building purchase?" to which Hinkle apparently responded: "The last query that Robert Kraus ran for me (we keep track over cash in bank and pledges) a couple of days ago and it was about \$102K and there have been some additional pledges since then." Readers will, however, note that condition 3 has an actual cash requirement, and Hinkle is seen to dodge the cash question.

Quoting detailed figures from Bill Redpath, a further message said to be from Goldstein concluded: "Therefore the amount required by the motion to be in the bank/pledged by November 5th would be \$103,409. The second part of that Section requires 'At least half of that amount must be actual money, while the remainder must be in legally enforceable pledges using an agreement crafted by legal counsel' which is why your answer to my question is inadequate. I would hope that Robert can up with a report showing \$51,705 in dedicated cash deposits by November 5th.

If he cannot then the current motion is certainly needed since the purchase motion would have failed due to noncompliance and we will need to immediately begin seeking an affordable lease for the next 3-5 years.

## Hinkle Offers New Motion Repealing First

Chairman Hinkle we are told has now offered a second motion on buying a building, repealing the first motion:

Motion: The LNC hereby rescinds the motion contained in the mail ballot started 10/3/11 regarding purchase and/or lease of new headquarters space. The LNC instead approves the purchase of 1428 Duke St, Alexandria, VA with the purchase contract and loan terms attached, which are summarized as:

- Selling price: \$860,000.00 with an all-inclusive 45 day study period during which we can opt out for any reason
- Down payment: \$172,000.00 (to be 100% paid out of restricted building fund revenue)
- 1st Trust: \$688,000.00 (5% 5/1 ARM – fixed rate for 5 years with annual adjustments not to exceed 7.5% max - 80% Loan to Value – based on 25 year amortization – with a ½ point origination fee)

Should the mail ballot started 10/28/11 regarding approval of a backup lease be adopted, its proviso is hereby amended to instead read, "This motion takes effect only in the event that the LNC exercises the opt-out clause of the contract approved with the mail ballot started 11-02-11 regarding purchasing 1428 Duke Street in Alexandria, VA."

Previous notice is hereby provided that the LNC may in its De-

ember 10-11, 2012 meeting amend or reconsider or rescind this motion, or it may choose to exercise the opt-out clause of this contract”

Alicia Mattson has been credited with a truly excellent recital of the history, in a presentation opposing the Hinkle motion; apparently writing:

“I would be in favor of buying a building under the right conditions, but those conditions include that we raise a substantial down payment, and we're not there yet.

I am not head-over-heels about this particular property at 1428 Duke St. Our current space is on one floor, and employees are generally aware of what is happening within the office, can quickly yell from one office to the next, etc. A 3-floor layout seriously impacts inter-office dynamics and it will be harder for the ED on the top floor to know what the interns are doing in the basement or even what the receptionist is doing on the 2nd floor. The 3-floor layout is not ideal, in my opinion.

Plus if we're going to plant ourselves in a long-term location, I'd like to have a higher profile DC location.

The only thing that made me vote for the previous motion to purchase this particular property was the requirement that we would have a very large down payment in hand, making the finances pretty appealing.

The down payment has not yet developed, and now we're being asked to approve the purchase with a relatively small down payment. Once we plant ourselves in a location and own a building, it's hard to run a future campaign to say we'd like to move to a nicer place in DC. So without the really large down payment in hand, this building is not what I want.

Instead of using a massive down payment to remove the concerns about the questionable future of the real estate market and questions about whether we'll be underwater trying to refinance in the future, this new proposal argues for buying with a fairly minimal down payment and just trusting that "realistically" funding will appear in the future to pay this off at a faster rate.

The motion we previously approved insisted that our monthly outlay for mortgage + OTM + storage would not exceed \$8500/month, giving us a savings. And it required a down payment large enough that EVEN IF WE COULD PAY NO MORE THAN THAT we'd be in good shape in 5 years. But this motion instead counts on us deciding to pay \$4290 extra per month on the mortgage in order to get us to the low-future-balance goal.

While I think that if we can do so, paying extra on the mortgage is a good thing to do, I think that should be done IN ADDITION TO our plan to have a low balance in 5 years, not that it BE the plan to achieve the low balance in 5 years.

When we set a budget, we may decide that instead of putting the savings toward earlier pay-off, we'd rather use the savings

to help restructure our personnel along the lines of what Mr. Knedler proposed at the last meeting. If we do that, bye-bye low future loan balance.

I am not willing to equate ideas for things we COULD decide to do in the future with cash in hand now applied to the down payment.

This proposal also replaces part of the need for a large down payment with two future-year donations from a single donor who is willing to contribute the \$30,800 legal maximum for those years. While that's a fabulous and generous offer from the donor, let us view them realistically. Suppose for some reason we cannot collect on those promises? Maybe the donor loses it all in Vegas or a bad business investment. Maybe the donor gets mad at the party and refuses to pay it next year. Are we willing to sue the donor to enforce his promise? So I don't equate that with cash-in-hand now.

Additionally, this particular donor has given the legal maximum to our general fund for the past two years. It seems by counting on this particular donor, we are just diverting funds that would likely have been available for our general fund for the next two years into our building fund instead, cannibalizing to the tune of \$61,600.

I am particularly disappointed in the pattern of unrealized promises we've been given over the past year, and that makes me reticent to approve a purchase based only on trust that though it hasn't happened so far, "realistically" funds will materialize after we buy the building to pay it off sooner.

I've reviewed the audio from the discussion of this topic from a year ago. We were told:

- 1) The time to consider this is today (a year ago). It's not 3 months before our lease expires because that's not enough time to raise the money. A capital campaign needs to be done over a relatively long time.
- 2) As the first of three passes, we would ask all former LNC chairs and former presidential candidates to help with fundraising. Those people would help make 1-on-1 contact with large donors, and the second pass would be to appeal to mid-level donors, followed by a third pass of sending a fundraising letter to our entire donor base who might contribute \$10 at a time.
- 3) It was hoped that the first pass in #2 would come up with 35% of the what we expected would be needed to buy.
- 4) We would start the capital campaign to raise the funds based on promise that we're looking for a generic respectable building in the DC area, but not pick a particular site first and then do whatever it takes to go there.
- 5) Geoff Neale said (close but not precisely verbatim): What you're deciding today is to undertake a capital campaign with the understanding that you're not going to buy anything. You're going to go to major donors with a proposal of that high-level

fuzzy here's-what-we're-looking-for. If the money's not there, we'll say this is a bad idea and stop. But what if we do that first pass and we've got \$400,000? Then you carry it on to the second pass and ask for matching funds to raise more.

6) After the vote, Dr. Lark commented that we need a contingency plan should the capital campaign not be successful. Neale replied, "In my opinion by the next LNC meeting you'll know with confidence if this is going to succeed or be a dismal failure. It won't be partial. It will be a raging success or the Titanic."

So we agreed to create the building fund and try it. But none of the plan was executed. We did not have a team of former chairs and presidential candidates working the phones. By the August LNC meeting, 9 months after creating the building fund, our Chair indicated he had made about 5 phone calls so far and that we only had pledges/cash from staff and current board members.

And though we were initially told that 3 months prior to the end of the lease is not enough time to run a capital campaign, last month at 4 months prior to the end of the lease we were promised that if we just approved going a step further that \$300,000 could be raised in 60 days. We gave that a chance, too, with the previous motion we adopted last month.

Note that we're doing just the opposite of plan item #4 above in that we're not making a generic appeal for a fund and then picking a site once we have cash in hand, but now the driving force that we have found a particular building and must now do whatever it takes to get us into that site.

Now with this motion we're being asked to lower expectations again with a target of a \$172,000 down payment. Now we're told that we can't even collect the few pledges we have unless there is a signed contract to buy this particular site.

This is not what we agreed to try last year. Without the compelling large down payment in hand, I'd rather we keep working at it for the next 3 years and then buy some place that I think is more appropriate for a permanent DC footprint."

Root, voting against the Hinkle motion, wrote "In worst economy perhaps EVER...yes, I believe it worse than 1929 Great Depression...I am certain the monies going to a LP building are monies that would have gone to fund the LP and LP campaigns. People cannot do both. We are killing ourselves for the wrong reason. Electing candidates is our 100% goal in life. Buying real estate is not even on our list. Our values are out of whack here."

Voting against so far, apparently, are Root, Sink-Burris, Eshelman, and Mattson. More or less speaking against but not yet having said 'I vote no' without qualifying remarks are Knedler, Wiener, and Visek. That count is likely to defeat the Hinkle building-purchase motion.

Mattson has put up as a mail ballot a motion directing leasing

space, only in the event that there is a failure to meet any one of the conditions in the mail ballot motion started on 10/03/11 regarding purchasing 1428 Duke Street in Alexandria, VA. Hinkle has urged that this motion be rejected, we are told saying

Dear LNC,

This is a bad idea and I urge you to reject it. This motion undermines the objective of the motion authorizing the purchase of the building at 1482 Duke Street. It also undermines the effort of the those of us raising funds for the purchase.

And since the lease market is so fluid, it makes no sense to put specific addresses in a motion when those properties could be off the market tomorrow. Please don't sabotage our plans to purchase the property at 1428 Duke Street.

The purchase is in the best interest of the Party financially and it's frankly nutty to suggest we reject over \$100K in donations and pledges towards the purchase.

Don't do this  
.....Mark Hinkle, LNC Chair

### LNC Credentials Committee Members Appointed

We have earned that the LNC has appointed its five members to the Credentials Committee. They are reported to be Mark Bodenhausen, Jo Coleman, Jeff Dimit, Emily Salvette, and Scott Lieberman. Dimit has been appointed chair.

### Lark Urges LNC Discuss Goals for Rest of Term

Lark's proposed goals have novel features, like realism and good sense. Unfortunately, his proposal received only limited attention. His proposed 14,000 members by the National Convention appears more realistic than the prior 20,000 member goal, especially considering that membership currently is drifting downward in most months.

G1: The LP will have at least 14,000 sustaining members as of May 1, 2012.

G2: The LNC will take action to see that each state has an operational affiliate party by May 1, 2012.

G3: The LNC will raise at least \$500,000 by May 1, 2012. (This amount does not include funds raised to purchase a headquarters building.)

G4: The LNC will develop and approve new and revised outreach literature, to be available no later than May 1, 2012. Some of the literature (e.g., issue pamphlets) should be available in the form of PDFs that can be downloaded from LP.org.



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real Libertarians when they run for Federal office.

In this issue:

LNC Votes to defy JudComm, then obeys them anyhow

Hinkle nominates Howell to be LNC Executive Director

LNC votes to reject JudComm ruling—Hinkle obtains legal opinion on Oregon

Hinkle says Wagner must go—51 Oregon Libertarians ask disaffiliation

Hinkle capitulates to Judicial Committee —What the Regional Rep thinks of LP-Oregon

New Wiener motion to call Judicial Committee names

LNC receives letter critiquing LNCC—LNC approves motion to buy building

Goldstein insists on honest answers

Hinkle offers new building motion—Mattson opposes Hinkle motion

LNC Credentials Committee members appointed

Lark urges LNC discuss goals for rest of term

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