

September 12, 2024

ATTN: Judicial Committee of the Libertarian Party of Colorado (LPCO)

Subject of Appeal: Endorsement of Republican Candidate to Partisan Public Office as shown below:



Natalie Menten is the Republican nominee running as in that partisan race referenced above (<https://pagetwo.completec Colorado.com/2024/08/26/taxpayer-advocate-natalie-menten-jeffco-commissioner-seat/>). While endorsing members of other parties is clearly against national bylaws, which this body has (wrongly in my opinion in certain limited cases) previously stated is not their purview, this appeal will not rely on national bylaws. However, I would like the Judicial Committee to review the enclosed opinion from one of the authorship team of Robert's Rules of Order, Robert

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Balch, J.D. (whose expertise is on Bylaws) about how in fact, the LPCO is required to follow them. To quote Mr. Balch, *“it seemed to me that the affiliate status of the Colorado Party and the explicit provisions of the national bylaws render the conclusion so evident....”* when Caryn Ann Harlos asked him if the LPCO had to follow national bylaws where they spoke to affiliate. Again, that is not the argument I am making, but it is included for your edification and education. I would also like to include this portion from Harlos’ mooted appeal about the prior abuse of “declining to hear” my prior appeal, which logically leaves only the courts as recourse to the membership. I wrote this portion of the Bylaws with Harlos and Mike Seebeck. As per RONR 56:68, Bylaws are interpreted by original intent as far as that can be determined. As the co-author of this section with Harlos and Seebeck, that is about as good as it gets.

If the LPCO JC were to exercise its right not to hear an appeal, it is not to be decided on its merits, it is summarily declined to be considered at all. What is a valid and equitable reason to decline? An example would be an appeal that is clearly and totally outside the scope of the LPCO JC in a prima facie reading. The LPCO JC erred by treating a declination to hear a case that was clearly within its scope as a decision against Vadney. That was not the intent of that LPCO Bylaw. I would point out that I am very familiar with this intent, as Harlos and myself were part of the authorship team of that LPCO Bylaw. The declination provision was meant to allow the LPCO JC to prevent being harassed with clearly frivolous appeals (this clearly was not) or to be forced to have a hearing on something clearly outside its jurisdiction on all points, *not* to have the LPCO JC issue a determination on the merits without granting the Appellant an opportunity to argue his case, the Board to defend, and the Appellant to rebut. Any lack of clarity in the LPCO Bylaws should have been cured by a deference to principles of equity and impartiality which would have included fair due process to Vadney.

Bylaw XI, Section 4(i) clearly states: **(i) The Party, its affiliates, and its elected Directors in their**

official capacities, either individually or as a group, shall endorse only Libertarian Party nominees for election to partisan public office. [EMPHASIS ADDED]

Ms. Menten is not the Libertarian Party nominee. She was not nominated by a Jefferson County convention or vacancy committee (which has very specific requirements under the Libertarian Party of Jefferson County Bylaws including being a registered Libertarian - additionally state law requires a resolution for a vacancy committee – which never happened at a Libertarian Party of Jefferson Committee Convention – and publication in a newspaper of general circulation at least 15 days prior to nominations for candidates to public office). None of this is personal against Ms. Menten who is not just a stellar activist but a wonderful person. She has made the personal decision that she is more effective working in the Republican Party and anyone who believes likewise should go in peace and follow her example. But the Board of the Libertarian Party of Colorado must follow its own Bylaws or follow Ms. Menten, once again, an admirable person. Now to address this oft-abused portion of the LPCO Bylaws by, I once again quote Caryn Ann Harlos:

However, the more serious error comes in the LPCO JC’s interpretation of **LPCO Bylaws Article XI.4(a)**. Serious is an understatement. Egregious is more appropriate.... [this] Article is not talking about freedom from internal Party rules and decisions of the delegates assembled at the national Convention, but freedom from the laws of the state of Colorado to wit; **“all rules for nominating candidates are limited to only these Bylaws...”** [emphasis added]

The Bylaw that is being violated is **IN THESE BYLAWS and was authored by Seebeck, who would be glad to tell you the clear intent**. Further, it seems that the Judicial Committee has not considered the Fundamental Principles of Bylaws interpretation that the *specific* is more determinative than the “general” (RONR 56:68 (3), (4), (5), (6)). The Bylaw against this kind of endorsement is *specific* and not general.

RELIEF DEMANDED: That the alleged endorsement of a Republican candidate be deemed null and void pursuant to Article XI.4(i) and any such publications of this violative statement be

deleted and openly retracted.

Sincerely,

A handwritten signature in black ink that reads "Sean Vadney". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Sean Vadney

Vice Chair of the Libertarian Party of Douglas County

With the utmost respect, the Judicial Committee may wish to retain the services of a registered parliamentarian to avoid some obvious errors. I thank you for your volunteer services but sometimes a certified professional is needed.