

**JUDICIAL COMMITTEE APPEAL
TO VOID THE ADOPTION OF THE SPECIAL INVESTIGATORY
COMMITTEE REPORT
AND ALL ACTIONS TAKEN THEREUPON BY THE LIBERTARIAN
NATIONAL COMMITTEE
AT ITS JUNE 9, 2025 SPECIAL MEETINGS AND VOID NEW SIC
RESOLUTIONS FROM AUGUST 24, 2025**

Filed by:

Hector Roos, sustaining member

On behalf of Petitioners

Date: September 8, 2025

JURISDICTION

Pursuant to Article 8, Section 2(d) of the Bylaws of the Libertarian Party, this Judicial Committee appeal challenges actions taken by the Libertarian National Committee (LNC) as contrary to specified sections of the Bylaws. This appeal is brought with the support of at least ten percent of the delegates credentialed at the most recent Regular Convention and/or at least one percent of the sustaining members of the Party. Petitioners include more than 150 sustaining members of the Party and at least 100 delegates credentialed at the most recent national convention, in accordance with Article 8.2(d) of the Bylaws. A full list of petitioners is attached as Exhibit 1.

AFFECTED PARTIES

The parties affected by these decisions include:

- 1) Members of the Libertarian National Committee (LNC);
- 2) Over 150 sustaining members of the party who also support bringing this appeal; and
- 3) All members of the Party who have an expectation that the LNC conduct itself according to the minimum standard set forth in the Statement of Principles.

FACTUAL BACKGROUND

After the heated 2024 election cycle, there was ongoing debate about the future of the Libertarian Party (LP). President Trump had kept several promises to libertarians, including pardoning Ross Ulbricht, appointing Robert F. Kennedy Jr. (a lifetime member) to a cabinet position, offering other libertarians opportunities in federal roles, and pledging to fulfill policies like shutting down the Department of Education. These actions showed that the Libertarian Party could play a valuable role in U.S. politics, attracting new supporters. They also helped make Angela McArdle one of the most recognized Libertarians in the country and a key figure in political networking. However, instead of capitalizing on this momentum, the Libertarian Party faced eight months of leadership struggles and resignations. Ongoing disciplinary actions against McArdle further

hindered progress. These issues frustrate both her ability to work with members and their ability to collaborate with her on party advocacy.

On May 25, 2024, Angela McArdle was reelected as LNC Chair for a second term by delegates to the 2024 Libertarian Party National Convention. These delegates represent a higher authority than the LNC.

On January 21, 2025, the same day Ross Ulbricht received his pardon, Jake Porter published a blistering report accusing then LNC Chair Angela McArdle of embezzling LNC funds. A group of LNC members, who unsuccessfully pressured Ms. McArdle to resign before the 2024 Libertarian Party National Convention, took advantage of these accusations to renew the demand for her resignation.

On January 23, 2025, the LNC considered an email ballot to create a disciplinary investigatory committee which passed on January 30, 2025:¹

Resolved, that a committee comprised of Meredith Hays, Paul Darr, Bill Redpath, Andrew Chadderton, and Steven Nekhaila be appointed by the Libertarian National Committee to investigate allegations of misconduct by our Chair, Angela McArdle, which, if true, cast doubt on her fitness to continue in office, and that the Committee be instructed, if it concludes that the allegations are well-founded, to report resolutions covering its recommendations. [20250123-02]

According to Ms. McArdle, she had decided to resign in exchange for an agreement to settle the dispute and maintain a working relationship with the LNC. The goal of an agreement was to enable the LNC to move forward building upon Ms. McArdle's success in developing political relationships including Trump, Kennedy and crypto currency entrepreneurs.²

On January 25, 2025, Ms. McArdle announced her resignation to the LNC Business List.³

Ms. McArdle states that there were other goals behind the pressure to have her resign and the SIC investigation organized against her: "I was later informed that they pressured me to leave so that CAH would drop her lawsuit against the party." Ms. Harlos dismissed her derivative lawsuit on April 3, 2025.⁴

When the SIC was being formed at the February 2, 2025 LNC meeting, then LNC Secretary Caryn Ann Harlos moved to amend the SIC's instructions to insert "allegations of misconduct of the former Chair" after "Libertarian National Committee" and before "comprised of...". This

¹ Current Email Ballots (2025, January 29). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/WJ-nZrm2IT8/m/5P7nWgWpEAAJ>.

² See appeal brief section "[Angela McArdle Claims She Acted Appropriately, Honored Her Fiduciary Duty and Represented the Best Interests of the Libertarian Party](#)". Pages 13-16.

³ Resignation, Thank You, and Timeline (2025, January 25). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/X8Gv9J84U54/m/ilgT7WCwDgAJ>.

⁴ See *Harlos v. McArdle et al.*, No. 2024-CAB-006230 (D.C. Super. Ct. 2024). Retrieved from <http://bit.ly/47xAnQG>

amendment failed to pass.⁵ The implication here is that the SIC investigation was not investigating misconduct of the former chair.

Instead of ending the controversy with McArdle's resignation as promised, these LNC members continued their disciplinary process. These efforts attempted to drive a wedge between Ms. McArdle's relationships by convincing them to work with the LNC directly. These efforts also developed into a pressure campaign with demands that Ms. McArdle introduce her relationships to the LNC.

At the February 2, 2025 LNC meeting, the LNC considered a motion to appoint a new special investigatory committee.⁶

Ms. Hays moved to appoint a special committee to investigate issues of conflict of interest and business practices of the Libertarian National Committee, consisting of six (6) members of the LNC and one non-LNC member. [20250202-04]

The motion was eventually amended by Ms. Yeniscavich and passed:

Appoint a special committee to investigate issues of conflict of interest and business practices of the Libertarian National Committee, comprised of Mr. Darr, Mr. Nekhaila, Mr. Weir, Mr. Garcia, Ms. Yeniscavich, Mr. Redpath, Mr. Bowen, and Mr. Knebel.

On February 11, 2025, the LNC considered an email ballot to discharge the first investigatory committee. The discharge motion passed on February 20, 2025. [20250210-01]^{7,8}

On June 9, 2025, the LNC held a Special Meeting via Zoom to consider a report issued by the SIC, which had been authorized to investigate "conflicts of interest and business practices" within the LNC.⁹ The LNC voted to adopt the SIC report in full, and passed original main motions which "deem[] Angela McArdle unfit to serve on the Libertarian National Committee, as an affiliate leader or as a candidate representing the Libertarian Party" and "financially benefitted from her deception of the Libertarian National Committee" authorizing litigation if necessary to recover funds from her.^{10,11}

⁵ February 2, 2025 LNC Meeting Minutes. Pages 14-15. Retrieved from https://lpedia.org/wiki/Special:Redirect/file/LNC-Meeting_2025-02-02_FINAL.pdf. See Exhibit 2.

⁶ February 2, 2025 LNC Meeting Minutes. Pages 12-16. Retrieved from https://lpedia.org/wiki/Special:Redirect/file/LNC-Meeting_2025-02-02_FINAL.pdf. Exhibit 2.

⁷ Email Ballot to Discharge Investigatory Committee (2025, February 11). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/V8teJiTqqn8/m/8RNfXFBgAgAJ>.

⁸ Results of Email Ballot 20250210-01 - Discharge Initial Investigatory Committee (2025, February 20). Libertarian National Committee Business List.

<https://groups.google.com/g/lnc-public/c/R9wI9p9JPQ4/m/uMuJqNEDAgAJ>.

⁹ DRAFT MINUTES 6/9/25 V1 (auto-approved version) (2025, June 11). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/sx0plI8M1lc>. See Exhibit 3.

¹⁰ Ballot:20250609-05, Ballot:20250609-04, Ballot:20250609-03, Ballot:20250609-02. 2025 Motions and Ballots, Libertarian National Committee. <http://tinyurl.com/LNCVotes2025>.

¹¹ SIC Report (2025, June 1). Libertarian National Committee Business List. https://groups.google.com/g/lnc-public/c/9ECZc2f__jU. See Exhibit 4.

Resolution 1

Whereas the Special Investigatory Committee finds that former Chair Angela McArdle violated her fiduciary duty to the Libertarian Party by concealing conflicts of interest and misusing donor funds, be it hereby resolved that the Libertarian National Committee deems Angela McArdle unfit to serve on the Libertarian National Committee, as an affiliate leader or as a candidate representing the Libertarian Party.

Be it further resolved that the Libertarian National Committee encourages the Bylaws Committee to review and propose bylaws changes that would codify the handling of members found to have engaged in financial malfeasance and/or other egregious actions.

Resolution 2

Whereas the Special Investigatory Committee finds that former Chair Angela McArdle financially benefitted from her deception of the Libertarian National Committee,

And whereas the Libertarian National Committee is unlikely to recover the full amount of misappropriated funds without incurring costs above that which was misappropriated,

Be it resolved that the Libertarian National Committee shall explore fundraising and/or pro bono legal counsel to pursue the recovery of funds, under any legal procedures available, as outlined in this report and any supplemental report(s) produced by the Special Investigatory Committee.

The “FINAL” Version Of The LNC June 9, 2025 Meeting Minutes

These meeting minutes give us a clue on how many people not appointed to the SIC were involved in the drafting of the SIC report.

There are two versions of the June 9, 2025 LNC meeting minutes:

- 1) A draft copy in the LNC Business List that was auto approved;¹² and
- 2) A final copy uploaded to the list of official LNC meeting minutes hosted on LPedia.¹³

The second and final version of these meeting minutes was uploaded with what seems to be draft comments going back to when the SIC resolutions were being drafted in Google Docs. These comments include a back and forth between several people but only LNC Secretary Caryn Ann Harlos and Region 4 Representative Meredith Hays are noticeable. As such, at least two people

¹² DRAFT MINUTES 6/9/25 V1 (auto-approved version) (2025, June 11). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/sx0pll8M1lc>. See Exhibit 3.

¹³ Special Meeting Minutes Libertarian National Committee June 9, 2025 (Final version) (2025, June 28). LPedia. https://lpedia.org/wiki/Special:Redirect/file/LNC-Minutes_2025-06-09_FINAL.pdf. https://web.archive.org/web/20250907203413/https://mywikis-wiki-media.s3.us-central-1.wasabisys.com/lpedia/LNC-Minutes_2025-06-09_FINAL.pdf (archived). See Exhibit 5.

not appointed to the SIC were directly involved in the preparation of the SIC report's resolutions of June 9, 2025.

The below screenshot was made from this second and final version of these meeting minutes.

And whereas the Libertarian National Committee is unlikely to recover the full amount of misappropriated funds without incurring costs above that which was misappropriated,

Be it resolved that the Libertarian National Committee shall explore fundraising and/or pro bono legal counsel to pursue the recovery of funds, under any legal procedures available, as outlined in this report and any supplemental report(s) produced by the Special Investigative Committee.

Mr. Martin raised the same **POINT OF ORDER** as previously noted, and the Chair ruled it **NOT WELL-TAKEN** as having been previously dispensed with. Mr. Chadderdon interrupted saying that this motion was not part of the motions for which the previous question had been ordered. He later clarified this was meant as a **POINT OF ORDER**. Chair Nekhaila ruled the Chadderdon Point of Order as **DILATORY**.

Mr. Chadderdon **APPEALED FROM** the ruling of the Chair.

Mr. Malagon moved to remove both Mr. Chadderdon and Mr. Martin from the meeting multiple times. There were multiple instances of crosstalk. Chair Nekhaila gave one (1) final warning to Mr. Martin.

Mr. Chadderdon raised an additional **POINT OF ORDER** that this item was not previously noted and **APPEALED FROM** the prior ruling that it was in order. Chair Nekhaila decided to entertain the Appeal and immediately moved to end debate.

Mr. Ford yielded his vote from this point forward to Mr. Weir.

A roll call vote was conducted on ending debate with the following results:

Member / Alternate	Yes	No	Abstain
Bost		X	
Chadderdon/Absent		X	
Darr	X		
Dassing/Bracco		X	
Absent/Weir		X	
Harlos	X		
Hays/Halsey	X		
Absent/Martin		X	
Malagon	X		
Absent/Johnson	X		
Nanna/Hertzsch	X		
Nekhaila			X
Redpath	X		
Thompson/Cowart	X		
Watkins		X	

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Commented [JC1]: I'm obviously not an attorney or paralegal, but there was a bunch of legalese that I attempted to pare down.

I'll also point out here that "explore" doesn't mean we'll commit to litigation. But I think that "sorry we've broke and can't do anything about it" won't play well at all with membership. We've got plenty of attorneys in the party.

Commented [CH2R1]: Let me simplify a bit

Commented [CH3R1]: Okay it removed pre-litigation and litigation and just made it "any legal procedure" which covers it all

Commented [JC4]: I'm obviously not an attorney or paralegal, but there was a bunch of legalese that I attempted to pare down.

I'll also point out here that "explore" doesn't mean we'll commit to litigation. But I think that "sorry we've broke and can't do anything about it" won't play well at all with membership. We've got plenty of attorneys in the party.

Commented [CH5R4]: Let me simplify a bit

Commented [CH6R4]: Okay it removed pre-litigation and litigation and just made it "any legal procedure" which covers it all

Commented [GU7]: Meredith again - should we not include here WHY we aren't pursuing this on our own dime? Just an idea. For example: "...of the LNC, and the LNC is unlikely to recover the full amount without incurring costs above that which was (mis)appropriated, or other similar word), be it resolved that..."

Screenshot of June 9, 2025 LNC meeting minutes "final" version (Page 11)

According to the exchange recorded in these minutes, the person, likely Ms. Hays, responding to a request for an edit of the SIC resolution authorizing litigation states:

"Let me simplify a bit... Okay it removed pre-litigation and litigation and just made it "any legal procedure" which covers it all"

A reply from an unknown person states:

“Meredith again - should we not include here WHY we aren't pursuing this on our own dime? Just an idea. For example: "...of the LNC, and the LNC is unlikely to recover the full amount without incurring costs above that which was (misappropriated, or other similar word), be it resolved that..."”

To be clear, Vice Chair Paul Darr read out a pre-written version of this resolution that matches the language Ms. Harlos wrote live to the 2025 Motions and Ballots spreadsheet [202050609-05]. She even asked him to read it out loud a second time.¹⁴

The Ongoing SIC-based Disciplinary Actions

On August 18, 2025, At Large Representative Sam Bohler made a point of order on the notice violations of the SIC resolutions described in the *Jacobs v LNC* appeal. On the same day, the LNC Chair held Mr. Bohler’s point of order as well taken and voided the SIC resolutions. Mr. Nekhaila then called a special LNC meeting for August 24, 2025 to consider new SIC resolutions.¹⁵

These new SIC resolutions’ goals are the same as the SIC resolutions of June 9, 2025: to censure Ms. McArdle, seek the recovery of funds from her and authorize litigation against her, if necessary. These new SIC resolutions read as follows:

Resolution 1

Whereas, the Special Investigatory Committee has found that former Chair Angela McArdle engaged in actions that, in the LNC's view, violated fiduciary duties to the Libertarian Party, including concealing conflicts of interest and misusing donor funds;

Now, therefore, be it resolved, that the Libertarian National Committee censures Angela McArdle for conduct in violation of the fiduciary duties and ethical standards expected of Party leaders;

Be it further resolved, that the Libertarian National Committee expresses its opinion that Angela McArdle's conduct, as detailed in the Special Investigatory Committee report, reflects behavior inconsistent with the standards expected of those serving in leadership roles of the Libertarian Party or as a candidate representing it.

Resolution 2

Whereas, the Special Investigatory Committee finds that former Chair Angela McArdle financially benefitted from her deception of the Libertarian National Committee;

¹⁴ Video Clip of June 9, 2025 LNC Meeting (Excerpt of Vice Chair Paul Darr moving his 2nd SIC resolution). Youtube. <https://youtu.be/Ao0IqJLLMxo>.

¹⁵ Points of Order on June 9th Resolutions and August 10th Appointments (2025, August 18). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/rjnFVPnGS-w>.

Be it resolved, that the Libertarian National Committee shall explore fundraising and/or pro bono legal counsel to pursue the recovery of funds, under any legal procedures available, as outlined in this report and any supplemental report(s) produced by the Special Investigatory Committee.

These new SIC resolutions passed.¹⁶ There was a point of order raised that the SIC report should be voided for lack of proper notice in the August 24, 2025 special meeting but it was not considered.

The LNC Legal Strategy Towards Resolving the *Vest* Lawsuit

On July 21, 2025, the Judicial Committee received *Jacobs et al v LNC*, the appeal against the two SIC-related resolutions adopted on June 9, 2025 for notice violations.¹⁷

Soon after, on August 1, 2025, the LNC counsel filed a Motion to Dismiss in *Vest v LNC* lawsuit (DC Circuit) contradicting the LNC legal strategy established by the SIC report about pursuing legal action against Ms. McArdle through the *Vest* lawsuit. The Motion to Dismiss instead declares “Ms. McArdle’s debarment potentially in perpetuity fails because [] the Court lacks statutory authority to grant the requested relief.”¹⁸

During the August 10, 2025 LNC meeting, LNC General Counsel Oliver Hall stated that the LNC did not have the authority to ban McArdle from serving on the LNC as a condition to approve the filing of the motion to dismiss as follows.¹⁹

“The relief that Beth Vest is seeking is that Angela McArdle be removed as chair of the LNC and that no longer be permitted to serve as an officer of the Libertarian Party in any capacity. This has already happened, except for a measure prohibiting her serving as an officer in any capacity. We don’t think that can actually be effectuated; I mean, if the delegates reelect her then the LNC doesn’t have any power to prevent that.”

In its response submitted August 8, 2025, Jonathan McGee on behalf of the LNC admitted to the resolutions being original main motions subject to greater notice requirements provided in the LNC policy manual (page 4, LNC Respondent Brief). The LNC also admitted to a connection

¹⁶ No minutes have been produced for this meeting as of the time of this filing. See Agenda for LNC Special Meeting on August 24th 2025 (2025, August 18). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/nMjHnMpMfGhA/m/QwB33kZNBwAj>.

¹⁷ In re: Resolutions Adopted at June 9, 2025 Special Meeting (Jacobs et al. vs. LNC) (2025, July 21). Libertarian Judicial Committee (2022-2026) - LPedia. [https://lpedia.mywikis.org/wiki/In_re:_Resolutions_Adopted_at_June_9,_2025_Special_Meeting_\(Jacobs_et_al._vs._LNC\)](https://lpedia.mywikis.org/wiki/In_re:_Resolutions_Adopted_at_June_9,_2025_Special_Meeting_(Jacobs_et_al._vs._LNC)).

¹⁸ See *Vest v. McArdle et al.*, No. 2024-CAB-002804 (D.C. Super. Ct. 2024). Retrieved from <https://bit.ly/3JReiCP>. See Motion to Dismiss filed on August 1, 2025. See Exhibit 6.

¹⁹ Video Clip of August 10, 2025 LNC Meeting (Excerpt of LNC Counsel Oliver Hall discussing *Vest* lawsuit). Youtube. <https://youtu.be/e1qHbWX-NWA>.

between the language in the SIC report and the appurtenant resolutions with the *Vest v LNC* lawsuit in DC court (page 7, LNC Respondent Brief).²⁰

The LNC claimed in its response to the *Jacobs* appeal that it is “unreasonable to assume that the intent of adopting Resolution 1” was to support “a court order barring Ms. McArdle from the LNC”. This statement is contradicted by a series of emails exchanged between August 11-16, 2025 between Nick Sarwark and Steven Nekhaila which expresses the intent behind the language of the SIC report and resolutions.²¹

In his initial email, Mr. Sarwark claims that “before that [SIC] report was released, settlement discussions were proceeding” towards a legal settlement “to substitute the LNC in for Vest as a party with greater standing to pursue damages” against Ms. McArdle. Mr. Nekhaila replied rejecting the Sarwark proposal explaining that the Vest case was over because:

“1) McArdle is no longer Chair as she resigned and 2) the body has made a resolution that McArdle is unfit to serve as an officer thereby satisfying denial of any future position, she me [sic] seek on the board.”

The *Actually Independent* Financial Audit

The Audit Committee hired a CPA firm to conduct an independent financial audit. They had to revise their assessment to clarify the financial success of the 2024 national convention. This revision was requested by Ms. McArdle. The Audit Committee initially reported at the August 10, 2025 LNC meeting but were asked to revisit their report. The final revision was submitted on August 13, 2025.²²

The revisions made the Audit Committee and the independent financial audit are:

“After reviewing the initial 2024 Independent Audit results, it was noted by the Audit Committee that a substantial loss [of \$181,780] regarding the 2024 convention appeared in the Statement of Activities report”

Corrected to:

“Upon review of transactions in Quickbooks, the following revenue and expense amounts were noted [a substantial gain of \$101,878]”.

²⁰ LNC Respondent Brief to *Jacobs et al v LNC* (2025, August 8. Libertarian Judicial Committee (2022-2026). LPedia.

<https://mywikis-wiki-media.s3.us-central-1.amazonaws.com/lpedia/LNC-respondent-brief-jacobs-vs-LNC-2025-08-08.pdf>. See Exhibit 7.

²¹ Phillies, G. (2025, August 16). *A remarkable email thread – Sarwark and LNC. Third Party Watch.* <https://thirdpartywatch.com/2025/08/16/a-remarkable-email-thread-sarwark-and-lnc/>.

²² Audit Committee Reports (2025, August 13). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/JuswY8GH1Dw/m/xKS-KDqPGAAJ>. See Exhibit 8.

The initial loss reported was due to an inaccurate estimate of the accounting costs associated with staff time involved in the national convention. (Page 1, Audit Committee Supplemental Report for August 10, 2025 LNC meeting). The net change with the Audit report was +\$283,658.

The independent financial audit ultimately determined that “[e]xpenses are allocated on a reasonable basis that is consistently applied by management” (Page 11, Independent Financial Audit). This finding contradicts the SIC report that reported financial mismanagement and theft by Ms. McArdle.

Unlike the SIC members, members of the Audit Committee and the accountants who prepared the Independent Audit Report did not participate in the discussion or vote to adopt their own findings.

Public Rebuttals Indicate the LNC Acted with a Lack of Concern Toward Factual Integrity

According to publicly available and detailed factual rebuttals to the SIC report incorporated herein by reference, the SIC report’s contents were speculative and derivative of work performed by others rather than independently verified.^{23,24}

The SIC report was not the product of original investigation, but largely consisted of unverified, disputed claims published in a January 2025 blog post by Jake Porter.²⁵ Similarly, Adrian Malagon who was not a member of the SIC produced a performance audit of call center records (Kixie audit) incorporated into the SIC report. However, the SIC report did not integrate the Kixie audit meaningfully or analyze its significance. The Kixie audit shows that the call center’s performance could have been in line with industry standards, and several important details were either ignored or underreported in the SIC report. As a result, the Kixie audit contradicts key conclusions in the SIC report.

There were also complaints that the adoption of the SIC report was rushed and LNC members had less than 24 hours to read the long text, digest it and identify any concerns.

Kixie Audit Insufficiencies

The Kixie audit involved a review of call center data from Kixie, a software platform used by Freedom Calls LLC to manage calls and track progress which was under the control of the LNC. The audit was meant to evaluate the effectiveness of the call center and was crucial for oversight by the LNC. However, the SIC report did not properly incorporate or analyze the Kixie data. It is

²³ Roos, H. (2025, June 23). The LNC's SIC Report: A review of the LNC investigative report on LNC fundraising under former LNC chair Angela McArdle and an appeal to the LNC to do better. Deregulation Corner. <https://open.substack.com/pub/libertariansrus/p/the-lncs-sic-report>. See Exhibit 9.

²⁴ Chadderdon, A. (2025, June 14). Explanation of Vote Against Adoption of the Special Investigatory Committee Report. See Exhibit 10.

²⁵ Porter, J. (2025, January 21). Exclusive: Libertarian Party is Paying Chair's Domestic Partner Through Undisclosed [sic] Hidden Delaware LLC. Jake Porter's Analysis & Investigations. <https://jakeporter.substack.com/p/exclusive-libertarian-party-is-paying>. See Exhibit 11.

apparent that much of the call center data was not analyzed in the Kixie audit but rather was selectively chosen to support the SIC report’s pre-determined conclusion.

Key points from the Kixie audit:

1. **Call Center Performance Review is Incomplete or Contradicted:** The Kixie data contradicts the conclusion of the call center work presented in the LNC report. When only realistic connect rates and wait times are considered, the call center’s estimated hourly rate (\$23.73) is in line with industry norms. See Table 1. Comparison of Bid Responses to 2020-2022 Call Center Bids. However, the LNC report overlooked important factors like list quality, call attempts, and the dialing software settings used, which are essential for a fair assessment of the call center's performance. **The call software does not record calls under 30 seconds, so hundreds, if not thousands, of calls were not included in their assessment.**

RFP Call Center Services	S. Pernick & Associates Bid	Campaign Cabinet, LLC Bid	S. Pernick & Associates Bid inflation adjusted	Campaign Cabinet, LLC Bid inflation adjusted
Hourly Rate 2020	\$21/hour	\$22/hour	\$24.78	\$25.95
Hourly Rate 2022	\$25/hour	\$24/hour	\$26.05	\$24.99

Table 1. Comparison of Bid Responses to 2020-2022 Call Center Bids.

2. **Limited Sample of Call Data Metrics Included:** The SIC report did not include key details from the Kixie data, such as the total manhours spent on calls. Instead, the LNC focused on *call duration* and *call outcomes* (disposition). This omission seriously undermines the accuracy of the Kixie audit by only counting a fraction (10-20%) of the total number of manhours used by the call center.
3. **Call Center Costs, Reasonable Explanation:** The Kixie audit was based on select categories of call duration to calculate the total manhours deployed by the call center in order to arrive at the cost of call center services. However, the significant amount of time spent by callers waiting for calls to connect was not considered in the Kixie audit. The SIC report assumed a 40% connect rate, but this is wildly optimistic. Given the LNC payments to the call center and a more reasonable 5% connect rate, the call center’s effective hourly rate was \$23.73. This includes a calculation of the number of manhours that were required for the 95% of the time callers were spent on waiting before the call connected. This low connect rate can be explained with poor call lists that relate to cold calling strangers. However, to determine the true costs of the call center would require a release of all Kixie data, instead of the limited data made available in the Kixie audit that

is contained in the SIC report.

- 4. Missing Performance Factors:** The SIC report failed to discuss additional factors that could significantly affect call center performance. These factors include the quality of phone lists, the use of local vs toll free vs out of area phone numbers and power dialer settings (calling one vs three or more numbers automatically at the same time until there is a pick up substantially reduces wait time). The Kixie audit in the SIC report does not include any discussion on these factors. In addition, there was a limited discussion as to the effectiveness of call center management or feedback from the LNC to provide adequate performance review and corrective action, if needed. Ms. McArdle explains in her response that the poor data quality from the failed CiviCRM migration was a known factor that caused list quality for all callers (staff, contractor or volunteer) to be poor. This is the same issue that has plagued our mailers for the past 3 years.

In summary, the Kixie audit provides evidence that the call center's performance was within industry standards. The Kixie audit also failed to integrate the Kixie data meaningfully and did not address the impact of missing details. The SIC report did not adequately consider or explain any alternate conclusion, instead focusing on the conclusion that was clearly pre-determined.

Public Discussion with LNC Meredith Hays Confirms Evidence Missing from SIC Report

On June 24, 2025, LNC member Meredith Hays who voted to adopt the SIC report appeared on a live Internet discussion to discuss critiques of the SIC report.²⁶ Hays noted the lack of independently verified evidence in the SIC report. She also supported the release of all of the Kixie data available on Freedom Calls LLC call center performance which was missing the significant wait time of callers that are logged in Kixie.

Starting at 1:24:45 minutes, Ms. Hays notes that she was able to easily obtain Delaware corporate documents that were not obtained independently for the SIC report. On the other hand, the SIC did not make the effort to independently confirm evidence contained in the Porter report. When asked why her independently obtained documents were not included in the SIC report, she simply responded, "I don't know."

Starting at 1:52:30 minutes, Ms. Hays claims to support the idea of publicly sharing call center data, which was partially included in the Kixie audit that could provide exculpatory evidence to the conclusions made in the SIC report. However, no such disclosure has been made by the LNC weeks later by the date of this petition.

Since this discussion, the LNC has been unresponsive to calls to amend the SIC report with independently verified evidence or release additional data to supplement the Kixie audit. This inaction demonstrates a lack of concern by the LNC regarding the factual integrity of the SIC report.

LNC Resignations of Malagon and Yenishcavich Highlight SIC Dysfunctions

²⁶ LPALive!. (2025, June 24). *Is the LNC SICK? Time to read some anti-SIC opinions!* [Video]. YouTube. <https://youtu.be/wUCQaRcKXNI> (archived). <https://www.youtube.com/watch?v=JE3lgE1Ok1U> (original).

Within weeks of the SIC report release, three high-profile members of the LNC resigned, all of whom voted to adopt the SIC report and its related motions: Secretary Caryn Ann Harlos, the longest serving member of the LNC;²⁷ At-Large Representative Adrian Malagon;²⁸ and At-Large Representative Kathy Yeniscavich.²⁹ Mr. Malagon and Ms. Yeniscavich's involvement was vital to the report. Both provided the evidence that the SIC report claims supports their conclusions against Ms. McArdle. Mr. Malagon produced the Kixie audit that purported how LNC funds were not paid toward Freedom Calls LLC call center activities but instead diverted to Ms. McArdle. Ms. Yeniscavich, who was also a SIC member, provided copies of text messages with Ms. McArdle used in the SIC report to justify ownership interest in Freedom Calls LLC.

Without this evidence from Mr. Malagon and Ms. Yeniscavich, the SIC report cannot conclude that it has met the DC Code requirements to sue Ms. McArdle.³⁰ In other words, the SIC report attempts to fit the evidence to meet a forgone conclusion.

In Mr. Malagon's resignation letter, he shared his frustration that his efforts fell short of saving the Party, which includes his efforts with the SIC report:³¹

“I was one of five factionless Board members, tirelessly working to plug up leaks on a sinking ship.

The rest of the Board insists on finding obstacles to crash the ship into so long as it helps “their side,” depending on the issue or day, making the attempt to find land before the ship goes under completely a clearly futile effort...

The rest of you deserve each other and the consequences you'll reap in the coming weeks and months as a result of your fecklessness, incompetence, and noxious mediocrity.”

Mr. Malagon and Ms. Yeniscavich's involvement in the SIC report points to a concerted effort to save the Party by ensuring conclusions would paint the problems of the LNC to Ms. McArdle's leadership. As addressed earlier, Mr. Malagon produced a faulty Kixie audit that included enough information to exonerate McArdle despite conclusions in the SIC report. Ms. Yeniscavich's involvement on the SIC is problematic because of her known conflict of interest in

²⁷ Malagon, Adrian. NOTICE THREAD FOR 7/13/2025 MEETING (2025 June 28). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/RrNV014nh9Y/m/EAAIlaeeBAAJ>.; Harlos, Caryn Ann. Notice of Resignation (2025 June 29). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/fVDKHFbSqHs/m/P7IO6J30BAAJ>.

²⁸ Malagon, Adrian. LASCIATE OGNE SPERANZA, VOI CH'INTRATE (2025 July 15). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/bPm1jZsWGyl/m/h3UU2GriCQAJ>

²⁹ Yeniscavich, Kathy. Resignation (2025 July 14). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/jOd4PJ1t43k/m/N87WB4eBCQAJ>.

³⁰ To justify litigation against McArdle, the SIC report needed to satisfy that the Freedom Calls LLC contract is voidable (no legitimate service) under DC Code § 29–406.31 by demonstrating that the call center services were not “fair” to the LNC and that McArdle received a “financial benefit to which the director was not entitled” under DC Code § 29–406.80 to have a right to seek legal relief against her.

³¹ Malagon, Adrian. LASCIATE OGNE SPERANZA, VOI CH'INTRATE (2025 July 15). Libertarian National Committee Business List. <https://groups.google.com/g/lnc-public/c/bPm1jZsWGyl/m/h3UU2GriCQAJ>

working with Ms. McArdle and the Kennedy Victory Fund (KVF).³² More importantly, Ms. McArdle has publicized text messages that show Ms. Yeniscavich advising McArdle to accept a paid contract with KVF for her work with them.³³ Ms. Yeniscavich's involvement in the alleged actions of McArdle misrepresented that the SIC report effort was independent and above reproach. In actuality, Mr. Malagon and Ms. Yeniscavich are the principal participants identified in the SIC report as providing text messages, Signal chats and interviews which without there would be no investigation.³⁴

Angela McArdle Claims She Acted Appropriately, Honored Her Fiduciary Duty and Represented the Best Interests of the Libertarian Party

On August 25, 2025, Ms. McArdle released a public response to the SIC report's findings. See Exhibit 12.

She categorically denied owning Freedom Calls but encouraged its set up to outsource LNC functions "to get the party into a better spot financially" and protect the vendor from "party bureaucracy." She also rejects the notion that she violated her fiduciary duty, offering that she worked for a year as a full-time executive director without the typical "\$100,000+ salary". She claims to have made "the biggest political advances the party has ever seen" without assistance from LNC members. She denied that Freedom Calls made any profit and it would "likely be negative for revenue after the tax filing is paid/adjusted in October."

Ms. McArdle asserts that she "resign[ed] two weeks earlier than [she] intended to" because she was threatened that "the LNC would vote to remove [her] and make things up if they did not find good cause to remove". Instead of making the "whole thing would go away" with her resignation, LNC members continued to pursue her with an investigation and the appurtenant resolutions.

The purpose of Freedom Calls was described as:

"To turn Freedom Calls into an LP owned organization that retained a razor thin profit margin for unforeseen operational costs, and to keep it in the hands of the top leadership of the party, successively. This was supposed to be like a tech/outreach version of the LLCC. It was supposed to expand to provide low cost services to candidates and state affiliates."

The need for Freedom Calls was based on the following factors:

- The inability and refusal of the LNC to make fundraising calls - a critical part of their job (Ms. McArdle was the only LNC member consistently making fundraising calls. This

³² SIC Report, pg. 1. (2025, June 1). Libertarian National Committee. https://groups.google.com/g/lnc-public/c/9ECZc2f__jU. See Exhibit 4.

³³ <https://x.com/RealAngelaMc/status/1948449760710721955>

³⁴ SIC Report, pgs. 41-57, 60. (2025, June 1). Libertarian National Committee. https://groups.google.com/g/lnc-public/c/9ECZc2f__jU. See Exhibit 4.

claim is supported by the Consultants Report that generally only one LNC member was making these calls. See Exhibit 13.)

- The harassment the LNC's previous call staff had encountered from hostile former members and related legal concerns.
- The high turnover of staff and related legal concerns (harassment, accusations of gender discrimination, comments about disability, difficulty proving bonuses were earned).
- The inability to afford a different call center.

The SIC report is incorrect about the revenue Freedom Calls generated and minimized its value:

- The revenue brought in by FC was difficult to track per individual contribution because of the nature of donations made via phone. Some donors preferred to donate on the website or to use a different link.
- Despite poor donor data, callers made more calls than any LNC members have done and more than most of our fundraising staff has done.
- Revenue brought in by FC was at minimum comparable to revenue brought in by the two previous Fundraising Directors.
- The best features of FC were that the contractors made hundreds of calls consistently and callers that underperformed were dismissed quickly without any fuss or liability to the party.

Responses about the Kixie call software records:

- The call software does not log calls made that were under 30 seconds in length, so a large portion of calls made were not verifiable. This was a known factor, and a common issue on all calling software.
- Some call record data was manipulated by the SIC for political reasons (in agreement with the review of Adrian Malagon's Kixie audit presented elsewhere in this appeal).
- One calling project for the MC was accidentally performed on the LNC call software instead of the separate FC call software, hence the notes about MC calls. The MC calls were paid for by the MC.

Discussion about the agreement reached to resign rather than resist the removal effort:

- Kathy lied to me about the report. She knew I was going to resign to take a job that would require me to step down, but she pressured me to resign two weeks earlier than I intended to. She said if I did not resign that night, that the LNC would vote to remove me and make things up if they did not find good cause to remove me. She assured me that cause to remove me would be manufactured and written in a lengthy report and that they would start putting it out that very night. She assured me that if I just resigned ahead of time, the whole thing would go away.
- I also explained that many donations were lined up based on the work I performed in the party to free Ross and that seven months of work on our recruitment funnel would collapse and that the party would be in terrible shape financially if the LNC did this. She said the finances did not matter and that they all wanted me to resign. This was grossly irresponsible and a total dereliction of fiduciary duty, in my opinion.

Responses about conflicts of interest present on the SIC focused on group of LNC members that pressured Ms. McArdle to resign in January and unsuccessfully last year:

“The report was not independent; it relied entirely on testimony from conflicted parties directly involved with the events in question — who also got to sit on the SIC and vote on its contents. This is like the police investigating themselves — and finding it was all someone else’s fault.”

Adrian Malagon

“Adrian Malagon wanted me out because he wanted to be chair. This is the second time he manufactured a crisis against me in order to gain more political “power” for himself.

The first coup against me was right before the convention. Adrian ragequit the COC because I disagreed with him on pricing of convention items and probably a few other minor disagreements we had over the convention and how long it was taking to get speakers to commit.”

Kathy Yeniscavich

“Shortly after the election, Kathy began to press me on whether or not I would have an admin job and if I would leave and that the haters would go after me if I didn’t leave due to the Hatch Act. Adrian asked staff if they would work with him if he was chair. Shortly after I resigned, Adrian announced in a private meeting that he wanted to be chair. He was motivated to lie about me in order to take my place.

Kathy lied about Swing Vote Strategist. She knew I would get paid for doing work, and she said that I should get paid for doing all of this work and encouraged me to keep it confidential because the payment was NOT coming from the party and it was no one else's business.

Kathy knew all of the details of RTR and she was very supportive of it. She supported Trump, as well, as did many people on the LNC.”

Steven Nekhaila

“Obviously Steven wanted to be chair. He ran against me in 2024. I’ve tried to spare him from the brunt of criticism because I want to maintain a working relationship with him and it would be very good for the party for us to work together, but there was an obvious conflict of interest.”

Bill Redpath

“No one cared that Bill Redpath was paid by Team Kennedy for testifying on ballot access AND for signature gathering. No one pushed him to list it as a conflict of interest.

No one seemed willing to press the issue that Kathy Y was basically the treasurer for the term; not Bill Redpath.”

Doug Knebel

“Doug Knebel accused me falsely of embezzlement before being placed on the SIC committee. He had absolutely no evidence, but he disliked me. He did not join the national party until February of 2025, and he did not join his state party until May of 2025. Who is Doug Knebel? Is he an operative for a different organization? Can anyone vouch for him? No one knew him and no one looked into his political background. His rise to the LNC is highly suspicious.”

Meredith Hays

“Meredith came off the SIC because she had written attorney client privilege with me, which she violated, but she still participated behind the scenes and breached confidentiality with me on related matters.”

Ms. McArdle concluded her response stating:

“Since my departure, PDR, candidate support and fundraising have been gutted. The LNC spends all of its time bickering over policy manual changes and reports. Nothing gets done that furthers the cause of liberty.

The LNC’s motion to dismiss the Vest lawsuit is completely at odds with the SIC.

The audit is completely at odds with the SIC.

The consultant’s report is at odds with the SIC.

The SIC is a highly biased, political hit job done by people who STILL refuse to solve their fundraising problem.”

ARGUMENTS

SIC Report Was Not Independent and Instead Biased Against Angela McArdle

Of the seven member SIC, only Rich Bowen could be considered independent under the requirements mentioned in the SIC report. There were others involved that were not appointed to the SIC. As a result of not being independent, the SIC had an explicit bias against Ms. McArdle.

To support its legitimacy, the report claims it reached its conclusions independently defining “independent” in various contexts:

Pursuant to D.C. Code § 29-411.05(f), each member of the Special Investigative Committee (SIC) that produced the following report is independent, because **no member**

had a material interest in the outcome of the matters investigated, and no member had a material relationship with a person that has such an interest. Additionally, when the SIC was established and when it issued this report, each member of the Libertarian National Committee (LNC) was independent in that **no LNC member had a material interest in the outcome of the matters investigated or a material relationship with a person who had such an interest.** The SIC undertook a **diligent, thorough and exhaustive investigation** of the matters within its purview, conducted a reasonable inquiry of the facts and evidence obtained, and reached the findings and conclusions set forth below based upon a good faith determination as to the best interests of the LNC. (Emphasis mine) (Page 2, SIC report)

“Material interest” and “material relationship” are not ambiguous terms and are explicitly defined in D.C. Code (<https://code.dccouncil.gov/us/dc/council/code/sections/29-401.02>):

“Material interest” means an actual or potential benefit or detriment, other than one that would devolve on the nonprofit corporation or the members generally, that would reasonably be expected to impair the objectivity of an individual’s judgment when participating in the action to be taken. D.C. Code § 29-401.02 (22)

“Material relationship” means a familial, financial, professional, employment, or other relationship that would reasonably be expected to impair the objectivity of an individual’s judgment when participating in the action to be taken. D.C. Code § 29-401.02 (23)

The definitions for the terms “material interest” and “material relationship” presented in the SIC report fail the test defined in D.C. code.

The only way to have cured this lack of independence was to avoid the appointment in the first place, by resignation from the SIC or when the SIC report came up for a vote, the LNC members who were also on the SIC should have voluntarily recused themselves. RONR 12ed. 45:4–5, 47:10, 62:11n4 (No member should vote on a question in which he has a direct personal or pecuniary interest not common to other members of the organization).

The SIC report contradicts this statement by publishing a list of potential conflicts of interest which contain a disclosure by “Kathy Yeniscavich: Assisting with the Kennedy Victory Fund as a volunteer.” This was an ongoing “material relationship” affecting Ms. Yeniscavich’s involvement on the SIC.

The appointment of Doug Knebel to the SIC was not without controversy regarding conflicts of interest. Mr. Knebel had previously written to the LNC accusing Ms. McArdle of embezzlement before being considered to the SIC. The February 2, 2025 LNC meeting minutes read: “Mr. Knebel spoke regarding poor wording in his email to the LNC and assured the LNC that he has no pre-determined conclusions.”³⁵ Given Mr. Knebel’s public statements about Ms. McArdle, it is expected that his objectivity was impaired. He could not act independently on the SIC.

³⁵ February 2, 2025 LNC Meeting Minutes. Pages 13. Retrieved from https://mywikis-wiki-media.s3.us-central-1.amazonaws.com/lpedia/LNC-Meeting_2025-02-02_FINAL.pdf

Any LNC member who served on the SIC would have their objectivity impaired when the SIC report would be considered by the entire LNC.

The SIC report also relied on the work of then LNC At Large Representative Adrian Malagon, not a member of the SIC, to support the report's conclusions undermining its independence. Mr. Malagon's extensive involvement with the SIC report also would have created a material interest conflicting him from participating in the SIC report adoption.

As a result, at least six LNC members would have been in a conflicted position to defend and vote on the approval of their own work. These LNC members with conflicts of interest, as defined by the SIC report, were Mr. Darr, Mr. Nekhaila, Mr. Weir, Ms. Yeniscavich, Mr. Redpath and Mr. Malagon. If other LNC members contributed towards the SIC report, they too would have been conflicted at the time of the LNC's consideration of the report adoption.

Given the SIC accepted Jake Porter's report and Adrian Malagon's Kixie audit on its face, the SIC failed to perform a "diligent, thorough and exhaustive investigation" of their own.

In addition, it seems that other people not appointed to the SIC, such as then LNC Secretary Caryn Ann Harlos and Region 4 Representative Meredith Hays, were directly involved in the preparation of the SIC report's resolutions of June 9, 2025. This is demonstrated by the "final" version of the June 9, 2025 LNC meeting minutes discussed previously.

Not only was the SIC not independent, it was carefully manipulated by people not on the SIC. The only possible purpose for their involvement is to ensure Angela McArdle appears guilty of the accusations made in the report.

SIC Report Lacks Evidence To Support Its Conclusions

The SIC report presents its conclusions about Angela McArdle in two places: Key Findings and Conclusions section of the Executive Summary on Page 2-3 and Findings on Conflicting Interest Transactions on Page 8-10. All other findings are not directly related to McArdle.

See Appendix A at the bottom of this appeal for a line-by-line review of each finding and conclusion supporting this appeal on the basis of misrepresentation.

SIC Report Fails to Acknowledge or Assess Ms. McArdle's Overall Fundraising Role

Perhaps the most misleading feature of the SIC report is the failure to mention Ms. McArdle's significant role in LNC fundraising efforts. A fair analysis of her tenure should balance any perceived shortcomings with her demonstrated fundraising contributions and strategic leadership.

- Due to lack of board support, Ms. McArdle took it upon herself to organize the 2024 LP National Convention, which was profitable and an earned media success.
- Ms. McArdle helped coordinate a successful fundraising program, the Kennedy Victory Fund (KVF) Joint Fundraising Committee. KVF raised about \$2 million in funding for

the LNC and state affiliates that were involved according to Federal Election Commission filings.³⁶

- Without Ms. McArdle’s efforts, the LNC may have been required to substantially reduce its operations before the general election last November.
- Ms. McArdle was the only LNC member who consistently made fundraising calls.

By comparison, the worst allegations being characterized against Ms. McArdle are about the entirety of the LNC payments to Freedom Calls LLC of \$50,000 versus \$1,000,000 or twenty times that amount at least that Ms. McArdle has raised for the LNC itself.

GROUNDS FOR APPEAL

Petitioners respectfully request that the Judicial Committee (JC) declare the LNC's adoption of the SIC report and related motions to be null and void for the following reasons:

I. LNC APPROVED THE SIC REPORT IN VIOLATION OF THE STATEMENT OF PRINCIPLES (SoP) PROHIBITION AGAINST MISREPRESENTATION

The Libertarian Party Bylaws (Article 3) incorporates the Statement of Principles (SoP) first adopted at the party's founding in 1972 and amended only once in 1974.^{37,38}

The delegates provided the SoP to set a minimum standard of behavior for which the Libertarian Party should conduct itself. As the Judicial Committee held in *Epstein v. LNC* (2015) and reaffirmed in *McVay Hinds v. LNC* (2022), the Party may not take actions that conflict with its Statement of Principles, regardless of whether procedural formalities are observed.^{39,40} The JC in *Epstein* explicitly recognized that subjugating internal party affairs to illegitimate authority whether external or internal is contrary to Party values and thus invalid.

The SoP standard is binding on the LNC, and thereby an implicit element of any proceeding under Article 7.12 (“the Judicial Committee shall consider the question of whether or not a decision of the National Committee contravenes specified sections of the bylaws”).

³⁶ Search Kennedy Victory Fund 2024 Disbursements for LNC and affiliates. Federal Elections Commission. <https://www.fec.gov/data/committee/C00883751/?tab=about-committee>.

³⁷ Bylaws Article 3, Section 1 reads, “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.” See Libertarian Party National Bylaws: https://lpedia.mywikis.net/wiki/Document:National_Bylaws_and_Convention_Rules_2024_with_2022_Judicial_Rules#ARTICLE_3:_STATEMENT_OF_PRINCIPLES_AND_PLATFORM. See Exhibit 14.

³⁸ LPedia Article: Statement of Principles. https://lpedia.mywikis.net/wiki/Statement_of_Principles; See Also, Libertarian Party Website - Platform Page. <https://lp.org/platform-page/>. See Exhibit 15.

³⁹ *Epstein v. LNC* (2015) decision (2015 September 13). Libertarian National Committee. <https://hq.lp.org/pipermail/lnc-business/2015/021846.html>. See Exhibit 16.

⁴⁰ *McVay Hinds v. LNC* (2022) decision (2022 February 17). Libertarian National Committee. <https://groups.google.com/a/lp.org/g/lnc-business/c/bwJglf5yr9M/m/AIFPmugaAwAJ>. See Exhibit 17.

By presenting the SIC as an independent committee and unproven allegations as established fact, the LNC engaged in a misrepresentation that violated the SoP clause that the Party “support[s] the prohibition of robbery, trespass, fraud, and misrepresentation.” The SIC report’s adoption by the LNC constitutes a fundamental ethical violation that the SoP purports to oppose, not merely a procedural one.

In the more recent *Phillies* Decision (2024), the JC reviewed not simply the procedural process, but whether the definitions (for cause) were met.⁴¹ In this matter, the JC here is being asked to review whether the SIC report meets the minimum standard set forth in the SoP clause prohibiting misrepresentation. *Does the SIC report meet the definition for misrepresentation?*

II. MISREPRESENTATION OF FACTUAL FINDINGS

The SIC report overwhelmingly duplicates unsubstantiated accusations from an external publication and does not offer substantive new findings. Its adoption was based on:

- A flawed evidentiary standard (no verification or adversarial testing of facts);
- A failure to even look for exculpatory evidence or an alternate explanation to its conclusions (as mentioned in the discussion about the Kixie audit);
- A failure to demonstrate that any alleged misconduct was unauthorized or concealed from the LNC; and
- The report also claims a violation of DC code with evidence that is either unsubstantial, like a text message out of context or manipulated like the call center data analyzed in the Kixie audit. Further, this claim may be a misstatement of statute unrelated to the situation.

The SIC report evades the question of how supposedly unauthorized actions were allowed to continue openly for a year, suggesting that these actions were, in fact, known by LNC members at the time.

This creates a troubling precedent: that any committee may level serious charges based on hearsay, and that the LNC may adopt such a report without any concern to factual integrity or utilizing its public platform to misrepresent facts to the detriment of the organization, its board members and general membership.

Without a ruling of this JC, the implications of the SIC report decoupled from the minimum standard set in the SoP are severe and destabilizing for internal governance.

III. STRUCTURAL AND PROCEDURAL VIOLATIONS

Although not the primary basis for this appeal, Petitioners also note that:

⁴¹ *Phillies v. LNC* (2024) decision (2024 December 3). Libertarian National Committee. https://lpedia.org/wiki/In_re:_Judicial_Committee_Appeal_to_Void_LNC_Decisions_of_October_6,_2024. See Exhibit 18.

- The SIC exceeded its authority introducing new and unexpected material in its report surprising LNC members with less than 24-hour notice to read and consider the 94-page, 23,000-word report:
 - The purpose of the SIC was “to investigate issues of conflict of interest and business practices of the Libertarian National Committee”.
 - Compare to the previous authorization for the disciplinary investigatory committee that explicitly called for it to “investigate allegations of misconduct by our Chair, Angela McArdle, which, if true, cast doubt on her fitness to continue in office, and that the Committee be instructed, if it concludes that the allegations are well-founded, to report resolutions covering its recommendations.”
 - As a result, the adoption of the SIC report conflicts with the motion authorizing the creation of the SIC, a main motion previously adopted and still in force (RONR 12th ed. 10:26-1, 23:6-b). The adoption of the report and its purported appurtenant motions were “never in order, even if adopted by a unanimous vote”.⁴²
- The SIC report (like the now voided appurtenant motions of June 9, 2025), even if validly adopted, were not provided with sufficient previous notice for members:
 - Policy Manual Rule 1.02-1 reads:

“An LNC Member may satisfy the requirement of giving previous notice of their intention to introduce an original main motion at the next session by:

 1. Announcing this intention at the previous session in the presence of a quorum, providing an accurate and complete statement of purport, with such notice to be taken note of in the minutes; or
 2. Sending the complete language of the motion to the entire LNC by e-mail at least five (5) days prior to the session.”
 - To satisfy the notice requirement in writing, the motion required a copy of the SIC report to be provided in the motion to adopt it “at least five (5) days prior to the session.” The motion to adopt the SIC report did not contain the “complete language of the motion” with the SIC report.
 - To meet the notice requirement by purport, the June 1, 2025 LNC continuation meeting would need to be the “previous session”. Under LP Bylaws Article 13 and custom, the business email list is its own session. As a result, the LNC meeting was not the “previous session”, because the email list that followed was considered the “previous session” prior to June 9, 2025 LNC special meeting. If the previous session was the email list, then the previous notice requirement was not satisfied. If the RONR standard applied instead, without the SIC report

⁴² Cuesta, Lorenzo R.. Survival Tips on Robert's Rules of Order: Four Motions that are always Out of Order (last updated 2016). <http://www.roberts-rules.com/parl12.htm>

attached to the motion to adopt the report, the motion was not an “accurate and complete—as in ‘to raise the annual dues to \$20’—since it will determine what amendments are in order when the motion is considered.” (RONR 12th ed. 10:47).

- Typically, a motion to adopt a report is an incidental main motion, which would only require notice under RONR and not trigger the previous notice requirement. However, the SIC departed sufficiently from the instructions given to it in its authorizing main motion that the Motion to Adopt the SIC report is an original main motion. RONR 12ed. 10:52. Also, the LNC has recognized the motion to adopt the report as an original main motion subject to previous notice.

These procedural shortcuts deepen the underlying violation of the SoP clause.

CONCLUSION

The adoption of the SIC report by the LNC constitutes a grave breach of the Party’s Statement of Principles and governing Bylaws. The Judicial Committee has both the authority and the duty to ensure that Party decisions reflect not only proper form, but fidelity to our shared principles. Petitioners therefore respectfully request the relief outlined below.

RELIEF REQUESTED

Petitioners respectfully request that the Judicial Committee grant the following relief:

1. Declare that the LNC’s adoption of the Special Investigatory Committee report at its June 9, 2025 meeting was in violation of the Statement of Principles and Article 3 of the Bylaws.
2. Void the adoption of the SIC report as an official record or finding of the LNC and remanding its consideration to the LNC.
3. If those resolutions were validly adopted, void all motions and resolutions adopted by the LNC at the June 9, 2025 meeting and August 24, 2025 meeting that rely on or reference the SIC report or its conclusions.
4. Declare that Party actions based on material misrepresentation are null and void regardless of parliamentary compliance.
5. Declare that Angela McArdle did not violate her fiduciary duty or commit embezzlement.

Respectfully submitted,
Hector Roos
On behalf of Petitioners
Dated: September 8, 2025

Appendix A

SIC Report Claims and a Lack of Supporting Evidence

The SIC report presents its conclusions about Angela McArdle in several places: Key Findings and Conclusions section of the Executive Summary on Page 2-3 and Findings on Conflicting Interest Transactions on Page 8-10.

The following table compares these claims with supporting evidence mentioned therein:

SIC Report Claim	Supporting Evidence
1. Conflicted Transactions with Freedom Calls, LLC	
<p data-bbox="201 978 735 1125">○ McArdle engaged Freedom Calls—a Delaware LLC apparently owned by Padgett—for call center services, without LNC knowledge or approval.</p> <p data-bbox="201 1163 764 1346">FINDING 1a: McArdle entered into undisclosed conflicting interest transactions with Freedom Calls, LLC, a sole proprietor corporation apparently owned or controlled by her domestic partner Padgett.</p>	<p data-bbox="821 978 1414 1125">The SIC report bases Padgett’s ownership of Freedom Calls on three documents: only one, a W-9, is originally obtained by the LNC. SIC report, pg. 25-26.</p> <p data-bbox="821 1163 1422 1455">The first document is a Delaware incorporation document where Padgett’s name appears as the incorporator. This document was presented by a third party and not independently obtained. Even if it were legitimate, the incorporator is not necessarily an owner or have ownership interest in the company. SIC report, pg. 21-22.</p> <p data-bbox="821 1493 1411 1780">Two additional documents utilized to indicate ownership by Padgett are a W-9 clearly not signed by him and an IRS Form 8832 that the report infers upon but does not have. SIC report, pg. 26-29. As a consequence there is little or no supporting evidence in the SIC report to support a finding of Padgett’s ownership in Freedom Calls LLC.</p> <p data-bbox="821 1818 1411 1892">The claim that the LNC had no knowledge of the Freedom Calls, LLC transactions is</p>

	<p>contradicted by monthly reports, Kixie data, FEC filings and recorded discussions during meetings. According to Finding 2(4), Padgett’s role was disclosed as “a volunteer liaison”.</p> <p>The claim that the LNC had no approval over the call center services is contradicted by LNC authorization to McArdle acting as Executive Director and Chair to enter into vendor agreements. See LNC Policy Manual 1.06 (3) adopted thru 2024-02-04.</p> <p>The LNC approved the 2025 budget with a specific line item for call center services by Freedom Calls LLC (admitted as part of Finding 1e).</p>
<p>○ McArdle failed to disclose this financial conflict, did not execute a proper written contract, and bypassed required legal counsel review.</p> <p>FINDING 1c: The transactions with Freedom Calls violated internal policies, namely Policy Manual Section 1.06(3), which requires conflicting interest transactions to be approved by the Board, contracts to be in writing, and contracts over \$25,000 to be approved by Counsel.</p> <p>(1) McArdle appears to have knowingly violated a provision which requires a contract or arrangement for financial remuneration with a party closely related to an LNC member to be disclosed prior to execution and approved by either a 2/3 vote of the Executive Committee or majority vote of the LNC.</p> <p>(2) ... No written contract was provided to the Special Investigative Committee in response to multiple requests, and it appears that no written contract was executed between Freedom Calls and the LNC.</p>	<p>The claim of a McArdle “financial conflict” is based on the unsupported argument discussed above that Padgett owns or profits from Freedom Calls LLC contract with the LNC and that revenue then flows into the McArdle Household.</p> <p>The claim that McArdle did not execute a proper written contract or rather “no written contract” is contradicted by a statement of work from Freedom Calls LLC that was accepted in Finding 4b. It is an opinion or hearsay to consider whether this was not a “no written contract” when a statement of work is acceptable standard for call center agreements.</p> <p>There is no supporting evidence in the SIC report to indicate that Padgett or McArdle received a “financial remuneration” from the Freedom Calls LLC services agreement.</p> <p>The services agreement from Freedom Calls LLC in Finding 4b shows it to be a month to month agreement for about \$4,000 per month rather than a contract of “more than one (1)</p>

<p>(3) All contracts of more than one (1) year in duration or for more than \$25,000 shall be reviewed and approved by Counsel prior to signing by the Chair. LNC Counsel was not consulted regarding Freedom Calls LLC.</p> <p>Finding 4b: There was no proper stipulation of terms in the Freedom Calls offer letter (the only written documentation of Freedom Calls’ engagement by the LNC).</p> <p>Finding 4c: The initial agreement and subsequent relationship between Freedom Calls LLC and the LNC does not appear to have been negotiated and executed by objective parties operating at arms-length.</p>	<p>year” valued at “more than \$25,000” that would trigger Counsel review. If such a services agreement were to be held to the standard described in the SIC report, the Policy Manual would be written that way. Additionally, although these payments were known to the LNC, at no time did the LNC push to take a vote on the contract.</p> <p>It is a matter of opinion or hearsay to describe the agreement with Freedom Calls LLC as not appearing “negotiated and executed by objective parties operating at arms-length.” There is no evidence provided to support this accusation.</p>
<p>o LNC made payments to Freedom Calls totaling \$49,600 over the course of a year. An audit found that the return on investment was highly negative, with only \$2,468.57 raised, rendering the transaction grossly inefficient and outside of industry norms.</p> <p>FINDING 4: The LNC did not receive fair value from the Freedom Calls LLC transactions.</p> <p>Finding 4a: A total of 13,738 calls raised \$2,468.57 over the course of 366 days.</p> <p>Finding 4f: McArdle used Freedom Calls LLC agents, using Libertarian Party resources, to make 361 calls and send SMS messages for the Mises Caucus to increase membership and attendance at the Libertarian Party of California Annual Convention when it was originally scheduled for February 2025.</p>	<p>The SIC conducted a review of data hosted in Kixie, an Internet-based software that operates a virtual call center and text messaging platform (Kixie audit). This software is licensed by the LNC and data owned by the LNC. It was utilized by Freedom Calls LLC callers to facilitate progress monitoring and oversight. SIC report, pg. 31-32, 37 [FN 8], 41-57 (Kixie audit).</p> <p>In the SIC report critique, The LNC's SIC Report: A Review of the LNC Investigative Report on LNC Fundraising under Former LNC Chair Angela McArdle and an Appeal to the LNC to do Better, the SIC report data is shown to contradict the findings and points out the limited information is exculpatory to McArdle, as follows:</p> <p>“An analysis of Kixie call data contradicts the LNC report’s negative assessment of the call center. Factoring in realistic connect rates and wait times, the effective hourly rate paid for the calls (\$23.73/hour) falls within industry norms. The LNC report fails to discuss core metrics like list quality, call attempts, and</p>

	<p>dialing software configuration, which are essential for fair performance review.” SIC report, pgs. 41-54.</p> <p>In the response by LNC member Andrew Chadderdon offers an explanation that donations made due to the call center are not comprehensively tracked thus explaining why the number in the SIC report for earnings is so low. See Exhibit 6.</p> <p>The SIC report does not attempt to find alternative explanations to the claim that the call center was abused to promote the Mises Caucus. Recruiting for a state affiliate event is not inherently improper, and text message screenshots provided from November 13, 2024, show statements claiming that the calls were not related to the Mises Caucus. There is no mention of “Mises Caucus” or any variant in the SMS templates. There is a private exchange between McArdle and Malagon about him asking for help for a LP California membership drive towards that state’s convention. Rather than promote “Mises Caucus” members to turn out, McArdle’s reply to Malagon instead suggests a targeting toward Log Cabin Republicans. SIC report, pgs. 51 and 53.</p>
<p>○ McArdle directly approved for payment four of the 14 invoices submitted for Freedom Calls LLC, with the remainder approved by the Executive Director. The SIC found no evidence that the Executive Director was involved in hiring Freedom Calls LLC, was aware that Padgett owned Freedom Calls, or that she acted in an improper manner.</p> <p>FINDING 3: McArdle approved payment for four of the 14 Freedom Calls invoices submitted to the LNC, with the remainder approved by the Executive Director.</p>	<p>While McArdle was acting as Executive Director, she approved many invoices, including those for Freedom Calls LLC. SIC report, pg. 5 (Timeline shows McArdle acting as Executive Director from 08/09/2023 thru 06/21/2024) and pg. 37 (“At the time the payments began, McArdle had been serving as both the LNC Chair and Executive Director since August 2024, without a board vote.”). The Interim Executive Director Lanie Huston exited the role during a decline in LNC finances. The LNC met in person August 19-20, 2023 and adopted a written and verbal Chair’s report where the “LNC took no action” in reaction to the Chair temporarily</p>

	<p>assuming the Executive Director role.⁴³ While it is true, McArdle’s action was “without a board vote”, it is misleading to say it was done without board consent.</p>
<p>2. Concealment and Deception</p>	
<p>○ Freedom Calls’ Delaware registration and W-9 form were used to obscure Padgett’s ownership.</p> <p>FINDING 2: (1) Registering the LLC in Delaware, a state that does not publicly provide the identity of incorporators. (6) Allowing Freedom Calls LLC to complete the W-9 in a manner that concealed the owner by failing to identify Padgett as the sole incorporator, in violation of IRS instructions.</p>	<p>As discussed at the beginning of this section, there is little to no supporting evidence in the SIC report to support a finding of Padgett’s ownership in Freedom Calls LLC.</p> <p>If the Delaware incorporation document that is highlighted in the SIC report is real then its existence contradicts Finding 2 (1) since the public can obtain the identity of incorporators.</p> <p>Whether there exists a violation of IRS instructions or the participation of Ms. McArdle to have “concealed the owner” is a matter of opinion or hearsay.</p>
<p>○ McArdle gave misleading or false statements to LNC members, instructed removal of Padgett from her conflict disclosures, and referred to him as a “volunteer liaison.”</p> <p>FINDING 2: (2) Instructing the LP Secretary to remove Padgett from McArdle’s list of potential conflicts. (3) Withholding information when asked by staff or LNC members about Freedom Calls LLC. (4) Referring to Padgett as a volunteer liaison with Freedom Calls LLC. (5) Limiting written documentation about the transactions.</p>	<p>The SIC report does not discuss the possibility that McArdle honestly felt there was no conflict of interest with Mr. Padgett regarding Freedom Calls. She explained that neither she or he had any financial interest through Freedom Calls. She further states he was an unpaid volunteer.</p> <p>The SIC report does not credit that McArdle was forthcoming with answers about Freedom Calls LLC as evidenced by interview summaries and screenshots of text message responses.</p> <p>By virtue of McArdle communicating that Padgett was a “volunteer liaison”, this is clear communication. To describe a disclosure like this as misleading or false is an opinion or hearsay.</p> <p>Sufficient written documentation was</p>

⁴³ LNC Business List (2023, Sept. 22). Draft Minutes August 19-20, 2023 Meeting, pg. 9 and pgs. 25-30 (Chair’s Report). <https://groups.google.com/a/lp.org/g/inc-business/c/LcbuV7VLyxA/m/vARv4kbzBAAJ>

	<p>available. Invoices were submitted and paid. The Kixie data was available for review. Staff interviews indicated that they were in communication with callers. Referring to this level of documentation as “limited” makes this a matter of opinion or hearsay.</p>
<ul style="list-style-type: none"> ○ There was no clear evidence that Freedom Calls provided services of professional quality. 	<p>The SIC report claims the call center performed inefficiently based on expectations of “industry standards”. However, this is false equivalence when the LNC is not the equivalent of a for-profit business. The LNC operates as a political nonprofit, not a profit-seeking business, making such comparisons invalid. Outreach initiatives like this are expected to have a “net loss” in the short term, as demonstrated by the approval of similar efforts such as Project Archimedes.</p> <p>Even if the call center can be considered to have underperformed, the SIC report complains about callers being replaced abruptly and the lack of oversight on the program. The whole point of callers being replaced quickly was to keep up good performance which otherwise was hindered by LNC bureaucracy. However, the SIC report fails to discuss core metrics like list quality, call attempts, and dialing software configuration, which are essential for fair performance review.</p>
<p>3. Undisclosed Financial Interest in Swing Vote Strategist (SVS)</p>	
<ul style="list-style-type: none"> ○ SVS was another Delaware LLC created by Padgett and used to funnel \$32,000 in payments to McArdle from the Kennedy Victory Fund (KVF), where she was assisting with affiliate onboarding. ○ These payments were not disclosed as required under LNC policy. McArdle misled LNC members about the recipient and nature of the services rendered. 	<p>The Kennedy Victory Fund (KVF) was a Federal Elections Commission (FEC) regulated political committee that participated in a contractual relationship with the LNC. The contract does not provide for LNC oversight of KVF vendors.</p> <p>The allegation that Padgett owned SVS is again one reliant on a third party providing a Delaware incorporation document like in the case of Freedom Calls LLC. Similarly, even if</p>

<p>FINDING 5: McArdle violated Policy Manual Section 1.07(2) by failing to disclose her paid work for the Kennedy Victory Fund, through Swing Vote Strategist LLC, as a potential conflict of interest.</p> <ul style="list-style-type: none"> ○ Despite resigning as LNC Chair, McArdle continued communicating on behalf of the Party using her official title of LNC Chair, including after her resignation. <p>FINDING 6: McArdle continued to represent herself as being LNC Chair after resignation in at least six emails regarding the Kennedy Victory Fund.</p>	<p>this document were legitimate, the incorporator is not necessarily an owner or have ownership interest in the company.</p> <p>Aside from Padgett being named as incorporator, a handful of emails are briefly mentioned in the SIC report which “She used this email to complete transition tasks and for the SVS work”. No complete email record was displayed in the SIC report to demonstrate how these emails tie into a claim of SVS work that affected LNC business. It is clear from interviews that McArdle did work under SVS. However, these payments neither involved the LNC nor disadvantaged the Party. Policy Manual Section 1.07(2) requires disclosure of conflicts involving “business with the Party” or to its detriment, which KVF payments do not meet without further evidence. SIC report, pgs. 3, 10, 59-61.</p>
<p>4. Improper Use of Party Resources for Rescue the Republic Rally</p>	
<ul style="list-style-type: none"> ○ McArdle formed Rescue the West, a nonprofit that organized the RTR rally. She used her title and Party email resources to promote the event. ○ McArdle failed to submit communications for proper review and approval, potentially misleading members into believing the event was officially sanctioned by the LNC. ○ The rally included speakers, messaging and imagery closely aligned with Donald Trump, which further undermined Party neutrality. 	<p>Yes, she did and she has done so in the past with other events such as Rage Against the War Machine, scheduled that same weekend as back to back events. Any chair is welcome to use their title in association with public appearances that promote the party. Ms. McArdle informed the LNC multiple times, in advance, that RTR was planned to be a huge recruitment opportunity for the party.</p> <p>The SIC report shows that there was a back and forth communication between the APRC, McArdle and staff regarding one email that is being described as “communications” as in plural. To the extent that the SIC report states McArdle “failed to submit communications” is misleading. Rather, the email adhered to McArdle’s override authority under Policy Manual Section 1.06(6), as the APRC’s 2-2-1 vote was inconclusive. More importantly, the email addressed APRC concerns by focusing on LP outreach, not rally messaging, and did</p>

	<p>not constitute a conflict requiring prior disclosure, as it used minimal LNC resources and did not harm the Party. SIC report, pg. 65.</p> <p>The event website contains an event banner graphic with a small side profile image of Donald Trump’s face that is not prominent among the twenty or so other faces in the promotional graphic of the event. The event home page and social media was not required to be approved by APRC or subject to LNC oversight. Overall, another misleading issue.</p>
<p>FINDING 8: McArdle violated Policy Manual Section 1.07(2) by failing to timely disclose the Rescue the Republic rally as a potential conflict of interest, as disclosure occurred nearly weeks after the rally was held.</p> <p>FINDING 9: McArdle violated Policy Manual Section 1.07(2) for failing to disclose her Rescue the West non-profit and sponsor of the Rescue the Republic rally, as a potential conflict of interest.</p>	<p>While not the timeliest disclosure, the Policy Manual provision here provides for “Any such disclosure shall be made at the earliest opportune moment”. The SIC report does not discuss how a tumultuous election schedule may have caused this disclosure to be delayed. The SIC report does not fairly credit McArdle’s conflict of interest disclosure.</p>
<p>5. Repeatedly violated LNC internal policies, DC nonprofit law, and basic fiduciary duties.</p>	<p>The SIC report mentions DC nonprofit law in the context of reviewing liability concerns when Padgett’s contract was retroactively approved by the LNC because DC code provides for voiding such contracts that are not properly disclosed or approved upon despite a conflict of interest. The reality here is that the SIC report confirms that the LNC has approved contracts despite conflicts of interest involving McArdle. SIC report, pg. 5 (08/30/2023 and 11/03/2023 LNC approval of Padgett contracts).</p> <p>By comparison to the Padgett contracts, the SIC report attempts to link the Freedom Calls LLC contract as not being “fair” to the LNC and that McArdle received a “financial benefit to which the director was not entitled” in order to satisfy DC Code requirements to sue McArdle. In other words, the SIC report</p>

	<p>attempts to fit the evidence to meet a forgone conclusion.</p> <p>The Kixie audit, which was seriously incomplete, attempted to support the allegation that the call center services were not “fair.” References to a connection between Freedom Calls LLC to Padgett, McArdle’s domestic partner, fail to directly link McArdle to benefiting financially. Instead of an official document proving a relationship between Freedom Calls LLC and McArdle, a screenshot of a text message between McArdle and Yeniscavich is used to support this claim. This evidence is either unsubstantial, like a text message out of context or fabricated, like the Kixie audit.</p>
<p>FINDING 10: McArdle did not follow through obtaining a contract addendum from a contractor to address a potential conflict of interest.</p>	<p>Michael Heise had a non-exclusive contract with the LNC and also took on an additional contract with AV24, a FEC-regulated SuperPAC. The SIC report does not indicate that Heise’s contract with AV24 was so short that it precluded the need for a contract addendum.⁴⁴</p>
<p>FINDING 11: McArdle hired her neighbor to do contract work for the LNC without disclosing the relationship or considering other candidates.</p>	<p>The Policy Manual does not trigger a particular disclosure or special hiring requirement for a “neighbor” to be hired. Otherwise, the Policy Manual provided for the chair to hire contractors without further oversight. See LNC Policy Manual 1.06(3) adopted thru 2024-02-04.</p>

⁴⁴ Search American Values 2024 Disbursements for “Heise”. Federal Elections Commission. https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00821439&recipient_name=heise&two_year_transaction_period=2024.