

Filing cover & attestation

Petition #1 — (a) Suspension of an affiliate party

FILED BY

Jonathan McGee is a lifetime member of the Party.

ATTESTATION

This amicus brief was filed by Jonathan McGee on their own behalf, who is a lifetime member of the Party, and who adopts, incorporates, endorses, and accepts ownership of the material contained within as their own, has signed this document accordingly, and attests that it is accurate and not filed to harass, delay, or for any improper purpose.

Libertarian National Judicial Committee

**Petitioner: Libertarian Party of New Hampshire
(LPNH)**

vs

Respondent: Libertarian National Committee (LNC)

**In re: Revocation of Affiliate Status of the
Libertarian Party of New Hampshire**

**Amicus Brief of Jonathan
McGee in Support of the
Libertarian National Committee**

Introduction

Seven amici have now filed in this matter in support of the Petitioner. They are Hector Roos, Todd Hagopian, Stephan Kinsella, Jonathan M. Jacobs, Roger Roots, Ben Weir, and Nickolas Ciesielski. Caryn Ann Harlos also filed her fourth amicus in support of the Respondent. Where her filing corroborates or supplements the analysis below, it is adopted here. Where her framing differs from this brief's own, both are offered to the Judicial Committee as independently sufficient grounds reaching the same conclusion. While I am generally loathe to number my subsections, I felt it necessary to do so with this amicus. I have also chosen to respond to specific arguments individually as opposed to focusing on responding to each amicus seriatim.

1. The Disaffiliation Motion Satisfied the Specificity Requirement of Article 5.6

Reserving the argument that removal from office and disaffiliation are categorically different processes with unique procedures, the charges specified independently satisfy Article 5.6 on its own terms. As noted in the Roos Amicus, "and more" as used in the disaffiliation motion is not a specified cause, and nor was it intended to be. It indicates that further categories of offense were available which the LNC elected not to use. The actual charges, by contrast, are carefully separated in the disaffiliation motion as follows:

"The bylaws are clear that affiliate Parties shall not endorse the candidate of another Party. Despite this, the Libertarian Party of New Hampshire openly and publicly endorsed President Trump during the election.

Furthermore, they have crudely and repeatedly undermined our own candidates, and have espoused numerous anti-libertarian positions on a National level.

Be it Resolved that because of these reasons and more, the Libertarian National Committee moves to disaffiliate the Libertarian Party of New Hampshire, mandating that they cease and desist the use of the Party name and logo, until such a time as the LNC recognizes a new affiliate in New Hampshire that shares our Party's foundational values." [Emphasis added]

Article 5.6 states:

*“The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire National Committee. **A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation.** The affiliate party may challenge the revocation of its status by written appeal to the Judicial Committee within 30 days of receipt of notice of such revocation. Failure to appeal within 30 days shall confirm the revocation and bar any later challenge or appeal. The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention. The Judicial Committee shall set a date for hearing the appeal within 20 to 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and submit evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's revocation of affiliate party status or order reinstatement of the affiliate party. The Judicial Committee shall issue its ruling within 30 days of the hearing and in no case later than 90 days prior to a regular convention. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's revocation of affiliate party status except when the last day of the 30 day period falls within 90 days prior to a regular convention, in which case the Judicial Committee's non-action shall result in reinstatement of affiliate party status.”*
[Emphasis added]

The language that “[a] motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation.” Is conspicuously absent from Articles 6.7 and 7.5, which govern removal from office. Article 6.7 states:

“The National Committee may, for cause, suspend any officer by a vote of 2/3 of the entire National Committee, excepting the officer that is the subject of the vote who may not participate in that vote. The suspended officer may challenge the suspension by an appeal in writing to the Judicial Committee within seven days of receipt of notice of suspension. Failure to appeal within seven days shall confirm the suspension and bar any later challenge or appeal. The Judicial Committee shall set a date for hearing the appeal between 20 and 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and present evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's suspension of the officer or order the officer's reinstatement within 30 days of the hearing. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National

Committee's suspension of the officer. At such time as the suspension is final, the office in question shall be deemed vacant."

And Article 7.5 states:

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

Furthermore, Articles 6.7 and 7.5 explicitly incorporate RONR §63 by cross-reference through Policy Manual Section 1.01.4. Article 5.6 imports no such framework. It supplies its own, self-contained categorical standard. It requires only that the nature of the cause be identified. This is precisely the broad category of conduct standard RONR 63:24 recognizes even in the officer removal context, and even there RONR does not require that every instance of such conduct be individually itemized in the charge.

The Harlos (IV) Amicus offers a useful comparison the Judicial Committee should weigh alongside this analysis. Article 14.5, governing disqualification of a Presidential or Vice-Presidential nominee, requires that:

*"A candidate's nomination may be suspended by a 3/4 vote of the entire membership of the National Committee at a meeting. That candidate's nomination shall then be declared null and void unless the suspended candidate appeals the suspension to the Judicial Committee within seven days of receipt of notification of suspension. **The resolution of suspension must state the specific reasons for suspension** and must be signed by each member of the*

National Committee agreeing thereto. The Judicial Committee shall meet and act on this appeal within 30 days and before the election.” [Emphasis added]

Article 5.6 requires only that a revocation motion "specify the nature of the cause." The Bylaws' own drafters knew how to require itemized specific reasons. They did so, in the same Bylaws, for a different action. They chose different, less exacting language for affiliate disaffiliation. That choice should be respected. It should not be read out of the text by importing a standard the drafters evidently declined to write into Article 5.6.

The Jacobs Amicus proposes dictionary definitions of "specify" requiring that the LNC "name or state explicitly" what conduct is at issue. Those definitions are not at odds with the LNC's position. The motion names the conduct at issue explicitly. On one hand there is an Article 5.4 endorsement violation. On the other there is a pattern of conduct undermining Party candidates and inconsistent with the Statement of Principles. Nothing in "specify" or "state explicitly" requires the further action Mr. Jacobs's argument assumes, that being an itemized list of every social media post as evidence of that pattern.

The Roots Amicus advances a more ambitious version of this argument by way of the Sixth Amendment's guarantee that the accused be "informed of the nature and cause of the accusation," citing *Russell v. United States* and *United States v. Carll*. This analogy does not survive scrutiny. The Sixth Amendment governs criminal prosecutions by the state, where the consequence is loss of liberty and the constitutional text is addressed specifically to that context. Article 5.6 governs an internal party's decision whether to continue recognizing a voluntary affiliate. The shared word "cause" in two entirely different instruments does not import federal constitutional criminal procedure into a private association's bylaws.

The Ciesielski Amicus raises the same specification objection to the motion's second ground, but this brief's position, addressed further at Section 6 below, does not depend on resolving that objection either way. The first ground of the motion, the Article 5.4 endorsement, is specific in exactly the way Article 5.6 requires. That ground alone is independently sufficient to sustain the disaffiliation.

2. The May 25 Motion Was Not Duplicitous, and Division Was Available and Was Not Requested

The Roots Amicus constructs a hypothetical in which eight of the fifteen affirmative votes rested on the endorsement alone and seven rested solely on the second ground, such that neither ground independently commanded three-fourths of the entire LNC.

The premise does not survive examination of Article 5.6's actual text. The three-fourths threshold is for the motion as a whole. It does not pertain to each individually cited ground within it. Nothing in Article 5.6 requires that every member who votes in the affirmative agree on precisely the same theory among multiple grounds in a single motion. The criminal duplicity doctrine Mr. Roots imports protects a narrower interest. It exists to ensure a criminal jury's general verdict does not obscure whether the jury agreed on the same offense. That interest has no analog in a Bylaws provision that imposes a vote threshold requirement rather than an unanimity requirement.

As the Harlos (IV) Amicus observes, the motion is more properly understood as a resolution in the RONR sense [RONR 10:13-22]. The two grounds function as reasons preceding a single resolved clause containing the operative action. The applicable RONR provision is not division of a compound main motion under RONR §27. It is the structure of a resolution's preamble under RONR 10:16 and 10:19. Under either framing the result is the same. RONR's own mechanism for testing exactly the scenario Mr. Roots hypothesizes was available to any LNC member present at the May 25 meeting. It was not invoked. Mr. Shaw and Mr. Martin spoke at length in favor of a more rigorous process. They would have had every reason to test the vote's composition had they shared the concern Mr. Roots raises on their behalf.

3. The LNC Did Not Waive Disaffiliation as a Remedy for Previous Conduct

The waiver argument advanced by the Roos Amicus, and the closely related "second bite" argument advanced by the Hagopian Amicus, both treat every LNC action short of disaffiliation itself as preclusive of the disaffiliation motion. This directly contradicts the due process argument these same amici make elsewhere. If every intermediate, good-faith corrective measure necessarily precludes escalating further for the same conduct, the only way the LNC could ever validly disaffiliate would be to skip every intermediate step and move straight to disaffiliation on a first offense. As previously noted, the May 2025 voluntary agreement with LPNH was proposed by LPNH itself. Treating it as a waiver-triggering concession would mean an affiliate need only propose a toothless framework of its own design to immunize itself indefinitely. A censure that reserves, rather than exhausts, the possibility of escalation for continued conduct is the first rung of the graduated process these amici elsewhere argue the LNC should have used more of. It is not a prohibition.

The Weir Amicus offers a firsthand account that the LNC never raised the endorsement as a concern during his tenure. That account is an accurate report of Mr. Weir's own experience. It is consistent with, rather than contrary to, the LNC's position. A period of restraint does not extinguish a violation or forfeit the authority to act on it once restraint

no longer serves the purpose it was extended for. That inaction does not establish waiver for the reasons already given.

4. LPNH's June 2026 Repudiation Did Not Retroactively Erase the November 2024 Violation, and Entity Continuity Supplies Its Own Limiting Principle

The Jacobs Amicus argues that the November 2024 endorsement, as an ordinary main motion, "continues in force until it is rescinded" under RONR 10:26n4, that LPNH's June 4, 2026, resolution rescinded it, and that the endorsement therefore no longer exists as a cause for disaffiliation. This conflates a motion's continuing effect with the historical fact of its adoption and violation. RONR's rule that a main motion remains in force until rescinded describes whether the motion continues to bind an organization's present and future conduct. It does not describe whether a completed act taken in violation of the Bylaws at the time it occurred remains available as cause for discipline once the actor later reverses course. If it did, any officer or affiliate found to have violated the Bylaws could avoid all consequence simply by rescinding the offending motion before discipline could be imposed.

The Harlos (IV) Amicus reaches the same conclusion by a different and independently sufficient route. The endorsement was a valid violation "at the time of the determination." Any weight LPNH's later repudiation deserves is properly considered as a matter of equity, not as a legal mootness of the underlying violation. That equitable consideration does not favor an appellant whose conduct, as documented throughout this record, does not present the clean hands such relief would require.

The Ciesielski Amicus separately criticizes this LNC's corporate debt analogy for entity continuity, arguing that a corporation can pursue former officers who incurred a debt in excess of their authority, while LPNH has no comparable remedy against Mr. Wood, Ms. Susman, and Mr. Fletcher for the endorsement, and that this leaves any past violation available against any future leadership without limit. The analogy was offered to illustrate a single, narrow point. An organization remains responsible for its own past official acts regardless of later changes in who leads it. That point does not depend on whether the organization also has an internal remedy against the individuals who acted on its behalf. A corporation is bound by a contract its prior officers signed whether or not it can also sue those officers for exceeding their authority. The same is true of an affiliate and a bylaws violation. As for the concern that this leaves violations available without limit, Article 5.6 itself supplies the limiting principle Mr. Ciesielski's argument treats as missing. The Bylaws do not require the LNC to act on every violation immediately or not at all. They permit the graduated response actually used with respect

to LPNH, a censure and an offered opportunity to correct, followed by disaffiliation only after that opportunity was extended and the underlying conduct continued.

5. The New Mexico Precedent Was Cited for a Narrow Proposition, and It Establishes That Proposition

The LPNM precedent has been cited throughout for a single, narrow proposition. The most recent prior exercise of Article 5.6 proceeded without a Dixon-style investigatory committee. As the Harlos (IV) Amicus confirms, having been directly involved in the LPNM matter, that characterization is correct. The LPNM situation involved informal internal fact-finding on procedural and governance questions, not a formal investigatory committee with written findings. Any similarity between LPNM and the present matter runs in the LNC's favor on that narrow point.

The Ciesielski Amicus takes this comparison further, quoting the actual text of the 2022 LPNM motion, which cited "the cause of violating procedure and member rights (e.g., holding multiple illegal conventions with deficient notice and exclusion of members from attendance, and attempting to disaffiliate without the authority of its members assembled in convention)," and argues this language names concrete conduct in a way the second ground of the LPNH motion does not. This comparison confirms rather than undermines the position of the LNC. The first ground of the LPNH motion, the Article 5.4 endorsement, is precisely as specific as the LPNM motion Mr. Ciesielski quotes. It identifies a discrete, dateable act in violation of a named Bylaws provision, and it is independently sufficient to sustain the disaffiliation. The LPNM comparison has never been offered to defend the level of detail in the second ground. If anything, Mr. Ciesielski's own comparison sharpens the distinction between the LPNH motion's two grounds rather than establishing any distinction between LPNH and LPNM.

Mr. Ciesielski also describes a motion to end debate on the LPNM disaffiliation that initially failed, allowing further floor discussion before a later motion to end debate succeeded, and contrasts this with the rejection of an investigatory committee motion here. Extended floor debate on one occasion in a prior proceeding does not establish a bylaws requirement, and Mr. Ciesielski does not argue that it does. Article 5.6 imposes no minimum debate period, and the LNC's compliance with the Bylaws does not pivot on how long any particular session lasted.

The Harlos (IV) Amicus further corrects a factual error in the Hagopian Amicus. The Hagopian Amicus states that the LNC's June 4 notice letter "recited [ground one] and stopped." The Harlos (IV) Amicus independently reviewed the same primary source and confirms the letter "is exactly the same" as the full motion. Two independent reviews of

the same document reaching the same conclusion should resolve any doubt on this point.

The Harlos (IV) Amicus also corrects the Hagopian Amicus's characterization of the LPNM timeline as involving "[n]ine months of deliberation." The LNC's active involvement began in July 2022, following the 2022 convention. LPNM was disaffiliated in September 2022, just over two weeks after its final violation.

6. Article 5.2's Mandatory Chartering Language Does Not Foreclose Article 5.6's Revocation Power

The Hagopian Amicus argues that because Article 5.2 requires the LNC to charter any qualifying organization, chartering is a duty rather than a discretionary decision, and disaffiliation therefore cannot be understood as rescinding that "decision." However, Article 5.6 does not derive its authority from Article 5.2. Its validity does not depend on characterizing the original chartering as discretionary. Article 5.6 is its own express provision. A mandatory duty to grant recognition upon satisfaction of stated conditions is entirely compatible with a separate, express power to withdraw that recognition once an affiliate's later conduct violates the Bylaws.

The Harlos (IV) Amicus offers a further, independent answer the Judicial Committee should consider alongside the above. Article 5.2's mandatory language is properly read as defining which organizations are eligible for affiliation, like a qualification filter, rather than obligating the LNC to affiliate the first organization that meets those conditions regardless of circumstance. Under the Hagopian Amicus's reading, an organization disaffiliated for cause could simply satisfy the enumerated qualifications on paper and force its own immediate re-affiliation. This would effectively nullify Article 5.6's revocation power by making any revocation instantly reversible at the disaffiliated organization's own election. The Harlos (IV) Amicus's qualification-filter reading avoids exactly that result.

7. Entity Continuity, and the Comparison to Colorado, Do Not Establish LPNH's Defense

Organizational continuity cuts both ways. Later corrective acts by the same continuing entity are as attributable to LPNH as earlier violations. Applying that principle honestly to this record does not help LPNH, because the conduct at issue continued through the period the Roos Amicus treats as evidence of LPNH's "intervening self-government," under the same leadership that adopted the June 2026 repudiation.

The Hagopian Amicus's comparison to LPCO states that its full self-correction took roughly fourteen months against LPNH's roughly fifteen. That comparison does not account for what happened during the interval or who initiated it. The Harlos (IV) Amicus supplies the detail that answers this comparison. LPCO's membership pursued correction through repeated, obstructed attempts at a proper convention. There was a cancelled venue, a defectively noticed meeting, and a refusal by the former board to recognize a properly adjourned session. This reflects sustained member effort against active institutional resistance, not delay attributable to the membership's own inaction. LPNH's history, by contrast, involved a formal warning and an offered off-ramp that LPNH's own leadership declined, followed by continuation rather than cessation of the underlying conduct. The timeline's surface similarity does not reflect comparable circumstances. The Ciesielski Amicus raises the Colorado comparison as well, but adds nothing on this point beyond the treatment already given here.

8. The Kinsella Amicus Does Not Establish That Officer-Removal Procedure Sets a Procedural Floor for Disaffiliation

The Kinsella Amicus argues that the LNC's own prior briefs in *Phillies v. LNC* and *Harlos v. LNC* constitute admissions requiring at least as much process for disaffiliation as for officer removal, on the theory that the "greater" sanction cannot lawfully receive less process than the "lesser" one. As the Harlos (IV) Amicus notes, this framing has it all backwards. The heightened process required for officer removal in *Phillies* arose from specific standards placed in the Policy Manual that have no counterpart in Article 5.6. If anything, greater deliberateness is owed to decisions unmaking a choice the delegates themselves made at the immediately preceding convention. That description fits officer removal and nominee disqualification. It does not fit affiliate recognition, which is never itself a convention-level decision.

Article 5.6 specifies its own distinct architecture. There is a three-fourths vote, a specification requirement, and an appellate hearing before the Judicial Committee. These are different protections, not lesser ones, designed for a different kind of action. Nor do the LNC's filings in *Phillies* and *Harlos* bind its position here. The Kinsella Amicus's reliance on *Wagner v. LNC* warrants the same caution the Roos Amicus itself gives it. *Wagner* was later rescinded on jurisdictional grounds and is at most persuasive historical reasoning.

9. Party-Autonomy Doctrine Does Not Displace This Committee's Interpretation of Its Own Governing Text

The Roots Amicus argues that party-autonomy case law "cuts for the Petitioner" because such deference protects a member's right to be governed by an association's own rules rather than licensing a departure from them. The LNC's position has been that the May 25 motion complied with Article 5.6 as written. Party-autonomy doctrine confirms that this Judicial Committee, not an external court, is the proper body to make that determination. It does not resolve the determination itself.

Mr. Roots' related argument is that the burden of persuasion clause "presupposes a valid charge" and cannot permit the LNC to specify cause for the first time at the hearing. That describes precisely the sequence the LNC contends occurred. The motion specified two grounds. The amicus process has developed the evidentiary record in support of those grounds. They have not invented new ones.

10. The Judicial Committee's Composition Does Not Require Resolution Before This Appeal

The Roos Amicus argues that this Judicial Committee must resolve its own constitutional validity before reaching LPNH's appeal at all. Neither LPNH nor the LNC has requested that relief, and Article 8.2 does not permit it. The Judicial Committee's jurisdiction is expressly "limited to consideration of only those matters expressly identified" in an enumerated list of seven categories. The Judicial Committee's own composition is not among them. Even on the merits, the quorum requirement in Article 8.1 governs meetings by its own terms, and there is a substantial basis to conclude it does not extend to appointments conducted by email under Article 13. The specific over general canon otherwise resolves any conflict between the fixed quorum and the vacancy-filling clause in favor of the appointment power. This is consistent with RONR 56:68(3) and with avoiding the absurd result RONR 56:68(2) instructs the Judicial Committee to avoid.

The Harlos (IV) Amicus supplies a further, independent basis supporting this conclusion. The Harlos (IV) Amicus identifies documented institutional history. The 2010 convention minutes record the original intent behind the vacancy-filling clause. The 2020 Bylaws Committee report recommended the total-vacancy backstop in response to a prior instance in which the Judicial Committee was left with no members at all. Both confirm a consistent, contemporaneously recorded understanding that the Judicial Committee was never meant to be rendered inoperative so long as at least one member remained. This is direct evidence of original intent under RONR 56:68(1). It is independent of the structural and textual analysis this brief has already offered, and it corroborates rather than merely assumes the reading already advanced.

The Ciesielski Amicus takes a different approach to the composition question than the Roos Amicus. Rather than arguing that the fixed quorum controls the vacancy-filling clause as a textual matter, he argues that where the Judicial Committee's composition is genuinely in doubt, any resulting uncertainty should default in the appellant's favor, by analogy to Article 5.6's own provision that Judicial Committee inaction near a convention results in reinstatement rather than affirmance. He also emphasizes that five of seven seats, not one or two, were filled by appointment, and notes that the vacancy filling and total vacancy provisions were both added to the Bylaws after the original quorum requirement.

This analogy does not transfer to the present situation. Article 5.6's default rule for inaction addresses a specific and different problem, a validly constituted Judicial Committee that fails to rule within the time the Bylaws allow. It exists to prevent an affiliate's appeal from being defeated by simple delay on the part of a Judicial Committee everyone agrees is properly seated. It does not address a Judicial Committee that has acted, and that reached its composition through a specific, reasoned, and openly explained interpretation of an admittedly ambiguous provision. Extending a rule written for inaction to a case of reasoned action would rewrite Article 5.6 to say something it does not say. As for the number of seats filled by appointment, the vacancy-filling clause draws no distinction based on how many seats happen to be vacant at a given time, and the only textual line the Bylaws draw for degree of vacancy is total vacancy, which triggers the separate intervening convention provision. Nothing in the text suggests an intermediate category in which the clause applies to some vacancies but not to a larger number of them. As for the order in which the vacancy-filling and total-vacancy provisions were added to the Bylaws, that legislative history is addressed above, and it confirms rather than undermines the reading applied by the current Judicial Committee.

The Jacobs Amicus disputes certain factual characterizations offered elsewhere in this matter, but reaches a conclusion on this question that also supports the LNC's position. This Judicial Committee is not empowered under RONR 46:50 to correct any irregularity in its own formation. Such a question belongs to a future convention, not to this appeal. The proper venue to resolve the composition question authoritatively, if it is to be resolved at all, remains a future regular convention.

Conclusion

None of the seven amici filed in support of the Petitioner, examined on their own terms, supplies a basis to reverse the May 25 disaffiliation. The Harlos (IV) Amicus independently corroborates, corrects, and strengthens the record against several of

their central factual and legal premises. The motion specified two independent grounds with the particularity Article 5.6 requires, a standard sharpened by comparison to the more exacting language the drafters of the Bylaws chose for Article 14.5, and confirmed rather than undermined by close comparison to the actual text of the New Mexico motion. The duplicity and Sixth Amendment theories advanced by the Roots Amicus import doctrines addressed to interests and institutions Article 5.6 does not implicate. The officer removal procedural floor advanced by the Kinsella Amicus inverts, rather than supports, the relationship between convention-level decisions and administrative ones. The waiver and second bite theories advanced by the Roos and Hagopian Amici, and the account offered by the Weir Amicus, would together penalize the LNC for extending LPNH exactly the graduated warnings and opportunities to self-correct that due process is supposed to require. The rescission theory advanced by the Jacobs Amicus, and the entity continuity critique advanced by the Ciesielski Amicus, each conflate a motion's prospective effect or the absence of an internal remedy against former officers with the separate question of whether the organization remains responsible for its own completed violation, a question Article 5.6's structure already answers. The LPNM precedent, correctly limited to the proposition for which it was cited and now corrected on additional factual points, supports the LNC's position. Article 5.6 does not need Article 5.2's chartering language to sustain its own text, and Article 5.2 is in any event better read as a qualification filter than as a first-come mandate. Entity continuity, and the comparison to Colorado, each confirm an unbroken affiliate that received and declined the opportunity other affiliates used, against genuine institutional resistance, to correct course on their own. And the Judicial Committee's own composition is neither within its jurisdiction to decide, nor a matter properly resolved by a default rule written for a different problem, nor, on this now-corroborated record, a basis on which this appeal can be resolved. For these reasons, the Committee should affirm the disaffiliation of the Libertarian Party of New Hampshire.

Respectfully submitted,

Jonathan McGee