

DECISION OF THE JUDICIAL COMMITTEE

Upon the written appeal of the Libertarian Party of New Hampshire (“LPNH”) from the revocation of its affiliate status by the Libertarian National Committee (“LNC”) on May 25, 2026, and upon the petition, the respondent’s brief, the amicus filings, the appellate hearing, and the evidence submitted, the Judicial Committee (“JC”) **AFFIRMS the revocation of affiliate party status from the Libertarian Party of New Hampshire** by a vote of 7 to 0.

OPINION OF THE CHAIR

Moellman, Judicial Committee Chair, delivers this opinion on September 7, 2026; members Dixon, Gingell, Goldstein, Moulton, Neale, and O’Brien join in this opinion. Members Gingell and Moulton also each submit a separate concurring opinion.

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I. THE FRAMEWORK

I.A THE ACTION UNDER REVIEW

I.A.1 The Motion

The Libertarian National Committee (“LNC”), consisting of eighteen members, adopted the following motion on May 25, 2026, at the meeting held after the close of the 2026 Regular Convention, disaffiliating the Libertarian Party of New Hampshire (“the affiliate”):

“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 President¹ 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.”

The motion was adopted by fifteen in favor, two against, one abstaining, none absent.² The threshold for passage was 14 in the affirmative.

This appeal arises under Article 5, Section 6 of the Bylaws, which permits an affiliate whose status has been revoked to challenge that revocation by written appeal to this Committee, and the Judicial Committee (“JC”) is limited to the items specifically outlined in Article 8, Section 2.

ARTICLE 5: AFFILIATE PARTIES

6. The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of 3/4 of the entire National Committee. A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation. The affiliate party may challenge the revocation of its status by written appeal to the Judicial Committee within 30 days of receipt of notice of such revocation. Failure to appeal within 30 days shall confirm the revocation and bar any later challenge or appeal. The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention. The Judicial Committee shall set a

¹ *The spoken motion and the written record of the motion differ between the use of “President Trump” versus “Donald Trump”. As these are equivalent, the discrepancy is ignored.*

² *The notice sent to LPNH noted a 15-2-0 vote, but the actual vote was 15-2-1. It has no substantive effect on the outcome, but is noted to ensure the record is correct.*

date for hearing the appeal within 20 to 40 days of receipt of the appeal and shall notify all interested persons, which persons shall have the right to appear and submit evidence and argument. At the hearing the burden of persuasion shall rest upon the appellant. The Judicial Committee shall either affirm the National Committee's revocation of affiliate party status or order reinstatement of the affiliate party. The Judicial Committee shall issue its ruling within 30 days of the hearing and in no case later than 90 days prior to a regular convention. Failure of the Judicial Committee to rule within 30 days shall constitute an affirmation of the National Committee's revocation of affiliate party status except when the last day of the 30 day period falls within 90 days prior to a regular convention, in which case the Judicial Committee's non-action shall result in reinstatement of affiliate party status.

ARTICLE 8: JUDICIAL COMMITTEE

2. The subject matter jurisdiction of the Judicial Committee is limited to consideration of only those matters expressly identified as follows: a. suspension of affiliate parties (Article 5, Section 6), b. suspension of officers (Article 6, Section 7), c. suspension of National Committee members-at-large (Article 7, Section 5), d. voiding of National Committee decisions (Article 7, Section 12), e. challenges to platform planks (Rule 5, Section 7), f. challenges to resolutions (Rule 6, Section 2), and g. suspension of Presidential and Vice-Presidential candidates (Article 14, Section 5).

I.A.2 Before the Hearing

The meeting. The LNC meeting was called to order on May 25, 2026, at 2:32 p.m. and adjourned at 4:43 p.m., as its minutes record; agenda item 4J for disaffiliation was reached about 3:14 p.m. and concluded about 3:33 p.m.

Notice of the revocation. The affiliate was notified by electronic mail and by certified mail on June 4, 2026. (Pet. Ex. A.) The notice recited all three paragraphs of the motion. (*Part II.C.4.*)

This appeal. The affiliate appealed revocation through submission of a petition by its legal counsel via electronic mail on July 2, 2026, at 4:56 p.m. Eastern Time.

Notifying LNC. The LNC was furnished with the petition by the Chair, delivered³ at 8 a.m. on July 3.

The Respondent Brief. The period closed on July 10 at 8 a.m., and the brief was received³ on July 10 by 8 a.m.

Notifying other named parties. Notice was sent via electronic mail to two entities named in the petition on July 4, well inside the seven days that Rule 6.1 requires. Notice was sent to the Libertarian Party of Colorado, an affiliate party named in the petition in their

³ An otherwise unscheduled transmission or event occurring after the regular close of business is treated as occurring at the opening of the next business day in Eastern Time.

organizational capacity, at chair@lpcolorado.org, and to the Chair of the Libertarian Party of North Carolina, named in the petition in his *individual* capacity, at chair@lpnc.org. They did not respond by July 11.

Parliamentary Authority. The Libertarian Party currently uses *Roberts Rules of Order Newly Revised 12th Edition* (“RONR”) as its parliamentary authority.

I.A.3 The Hearing

The hearing was held on August 11, 2026. A July 30 date had been originally set, but after negotiating with the appellant and respondent, it was determined that August 11 was the only date upon which a combined hearing could be held, so the Chair fixed it to August 11 under Rule 8.1. The Bylaws place the burden of persuasion upon the appellant, and, accordingly, the appellant had both the first and the last word at the hearing.

As determined before the hearing, fifteen minutes were allowed to each side to open, thirty minutes to the questioning of each by the Committee extendable by the committee, and five minutes to each in closing. Cross-examination was not part of the hearing.

Upon the appellant’s request, the Committee gave leave to extend its open time to 30 minutes to permit testimony from their witnesses. The appellant’s Reply Brief and its two exhibits were accepted in open hearing; the appellant had placed on the record an objection to their earlier rejection. The objection is accordingly spent as the material is in the record as evidence presented at the hearing.

Two further matters were raised from the floor. The appellant renewed its objection to the rejection of certain affiliate filings (*Part I.B.5.b; Part IV.B, prayer 7*), and requested that the Committee strike the material relied upon concerning the appellant’s social media (*Part IV.B, prayer 9*). It also asked again that the question of this Committee’s composition be decided before the merits (*Part I.B.5.a; Part IV.B, prayer 8*).

The committee questioned the appellant and the respondent through their designated representatives, who in turn could refer a question to any of their witnesses. The time for questioning by the committee was extended by motion of the committee.

I.A.4 After the Hearing

Deliberation by the JC occurred in Executive Session through electronic means, and a teleconference held on August 17, 2026.

A vote of the committee was taken on August 17, 2026, and notification of the decision of the JC was delivered to the parties on August 18, 2026.

This written opinion was released on September 7, 2026.

I.B STANDARD OF REVIEW AND SCOPE OF THIS PROCEEDING

I.B.1 The question presented

The JC may only decide whether the act of disaffiliation of the Libertarian Party of New Hampshire was executed in accordance with the Bylaws of the national party (“Bylaws”).

The JC does not sit to decide whether disaffiliation was wise, proportionate, or what the members of this Committee would have chosen. This committee may neither amend what the LNC has done, nor direct future action of the LNC. JC rulings do not express support or opposition for the actions of the LNC. If circumstances have changed since May 25, 2026, it is for the LNC to decide whether to act upon them. Where the Bylaws commit a judgment to the LNC, this Committee may not substitute its own.

Further, the JC cannot apply a process outside of the Bylaws. Regardless of any personal feelings any individual member may have toward the outlined process, only delegates in convention may amend the Bylaws. This Committee may only act in the specific ways outlined by the Bylaws.

When called into service, this Committee determines whether the LNC acted within the authority Article 5, Section 6 confers. The provision fixes both what the Committee decides and how.

I.B.2 The burden

Article 5, Section 6 provides that “[a]t the hearing the burden of persuasion shall rest upon the appellant.” The authors of RONR, advising this Party upon an identically-worded burden in a similarly-worded provision, read it to mean that this Committee “begins with a presumption in favor of the judgment of the LNC and is to give the benefit of the doubt to that judgment” (*Part II.B.3.c*). That reading is adopted here. That allocation governs throughout. Nothing in this ruling places on the LNC a burden to justify its action by any evidentiary standard; the appellant must persuade the Committee that the action exceeded the authority granted.

I.B.3 The seven criteria

Upon appeal of the petitioner from an action taken against it by the LNC under Article 5, Section 6, the examination which lies within the scope and authority of this JC is whether:

- the action was not taken within six months prior to a regular convention;
- any procedure the Bylaws require before the motion was observed;
- the motion specified the nature of the cause for revocation;
- the nature of the cause specified is capable of constituting cause;
- the conduct relied upon is attributable to the affiliate;
- the cause remained available to the LNC when it acted; and

- the motion was properly adopted by a vote of three-fourths of the entire LNC.

These seven criteria are conditions of the power, and they are cumulative. An issue is germane to this appeal only if it bears on one of those seven questions or on the disposition this Committee may order. The action is within the authority Article 5, Section 6 confers only if every one of them is satisfied, so a member of this Committee who differs upon a single criterion reaches a different disposition. They are stated in the order in which the conditions arise. Part II examines them in that order and Part III makes its findings in the same order.

I.B.4 The eighth head - not an eighth condition

Not every germane argument in the filings is directed at one of the seven criteria. Those that are not are collected under an eighth head. Nothing collected under it can, by itself, place the LNC's action outside the authority Article 5, Section 6 confers; the reason is given at the head of Part II and again at Part II.H. Those arguments are germane, in the sense that they are addressed to this action and to this Committee's disposition of it, and they are answered. They are collected as the eighth head, "other germane arguments," at Parts II.H and III.H.

I.B.5 Where ruling is improper or impossible

A number of matters pressed upon the Committee bear upon none of the seven criteria, upon no argument answering to the eighth head, and upon no disposition this Committee may order. These are dispensed with here.

I.B.5.a Ask of the committee to prove its legitimacy

It was argued by an amicus filer, and by the appellant in their final filings and during oral hearing, that the appointments by which this Committee filled its vacancies were irregular, and the appellant adopted the argument and moved that it be decided first. **This Committee cannot rule upon its own legitimacy**; the question is not germane to any of the seven criteria; and a separate document the chair of this Committee issued in his personal capacity outside of this opinion, titled *Procedure for Populating the Judicial Committee under Libertarian Party Bylaws*, explains how this JC was populated this term under the Bylaws. The decision as to legitimacy is left to the next convention delegates to determine.

Nothing in this opinion depends upon it. If the appointments were irregular, the remedy is not in this proceeding, and the findings in Part III rest upon the Bylaws and the record rather than upon who sits here. An inoperable JC results in an automatic finding for the LNC.

I.B.5.b The rules of appellate procedure, and what could not be filed

The Judicial Committee Rules of Appellate Procedure outline who may file documents in a particular appeal, and the timing thereof. Three categories of submission were not accepted, and the reasons differ.

Several other affiliates wished to be heard, and could not be. The Rules only permit amicus filings by sustaining members. An affiliate party is an organization, not a sustaining member. These filers were told that filing a personal amicus as a sustaining member, with this information attached, would qualify as a valid submission. (One affiliate tried to make their state party a sustaining member; that was also rejected because personhood is a requirement of membership.)

Other submissions were not briefs at all, but material tendered as evidence, outside of an amicus, by persons who are not parties to this appeal, and who have no entitlement to put evidence before the Committee. The rules of this Committee have no provision to allow this.

The final category was attempted additional filings by the appellant and the respondent. In each case, the party was informed that such filings were not permitted under the rules, and it was suggested to use the amicus process instead. The LNC submitted additional evidence through the personal amicus of McGee, its secretary, acting in his personal capacity as a sustaining member. The appellant did submit additional material during the hearing, as is permitted by the rules.

This Committee applies the Rules as it finds them. The Rules were amended within 90 days of a national convention, not vetoed by the LNC, and are now the rules until 2030. The committee cannot amend them in the course of a proceeding governed by them to admit filings in a matter already before it. Whether the Rules should provide otherwise is not a question this body can answer or effectuate at this time.

Declined submissions, either administratively by the Committee chair or under Rule 2.8, are registered with the accepted filings at Appendix B, with the vote of each member upon each where applicable. They are not recounted here.

I.B.5.c Convention votes

Filings addressed: Pet. ¶16; Roos section V.D, section VII.B; Harlos (7/20), “The Convention Heard a Motion and Declined to Act”; Schmidt.

This Committee decides nothing about the conduct of a convention and could not except as narrowly-defined in the Bylaws. What RONR provides is recorded, because the appellant has placed this episode in issue.

A contention that the LNC proceeded “contrary to the deliberative judgment of the 2026 Regular Convention” (Pet. Ex. D ¶9) is plainly incorrect. The convention body did not vote regarding the affiliation of the appellant and arguably could not have as the Bylaws do not empower the convention body to act as the LNC.

Revocation power lies solely with the LNC, and Article 5, Section 6 builds an appellate structure around that allocation.

Comparing the 2022 convention's voiding of the LNC's prior removal of its Secretary does not hold. That action required nothing further: a removal declared null and void is treated as never having taken effect, and engages no other provision. It was reached upon a point of order and an appeal from the ruling of the chair, and not by any motion to rescind.

One distinction should be stated plainly, because the filings blur it in both directions. The appellant relies upon one incident: that early on the afternoon of May 24 a motion to eject its Chair *as an individual delegate* from the convention body was made and, following a division and standing count, did not carry. That is accurate as far as it goes, and it is not the whole of what happened that day.

I.B.5.d Relief sought by those who are not parties

An amicus asked that the revocation and its consequences be declared null and void, and that this Committee urge the LNC not to enforce the Party's marks against current or former affiliates (Kinsella, section II.B and Conclusion). Relief is what a party asks for, and an amicus is not a party; the office of an amicus is to assist the Committee upon the questions the appeal raises, not to seek a disposition of its own. Neither request was entertained upon that ground. Nor could the second be reached upon its merits in any event: the LNC has chosen no means of enforcing Article 5, Section 1, so there is no act to review, and how it may hereafter proceed is not the subject of this appeal (*Part IV.A.2*).

I.C THE NATURE OF THIS PROCEEDING

I.C.1 Appeal vs hearing

Although styled an “appeal”, the duties of the JC are not merely that of a board limited to review of materials presented. Article 5, Section 6 provides an appellant a hearing before this Committee, the LNC to serve as respondent. Both parties “shall have the right to appear and submit evidence and argument,” and at which “the burden of persuasion shall rest upon the appellant.” Amicus briefs are permitted, and can introduce new arguments and evidence. Those are features of a hearing, not of appellate review; an appellate body does not receive evidence, and it allocates standards of review rather than burdens of persuasion. The word “appeal” in Article 5, Section 6 describes how the matter reaches this Committee. It does not describe the manner in which the matter is decided.

I.C.2 The Committee’s authority to inquire, and its limits

Where the Bylaws direct that this Committee *shall determine* whether an action was taken within the authority granted to the LNC in the Bylaws, the Committee must satisfy itself of the facts. It is therefore a finder of fact, and in that respect an investigative body as well as a deciding one. It is not confined to the contentions of the two parties, nor to the materials those parties elect to put before it. It examines and tests what is filed, and it inquires into related facts of its own volition where the questions before it require an answer the filings do not supply. It has considered the filings of the parties, the amicus filings, the Party’s own records, and other public records.

The only question this Committee asks of any fact is whether it is true, and how far the source of it may be relied upon. Where a fact came from decides nothing. A finding must be testable, and the registers at Appendix B list the materials so that a reader may test one; they are lists, and nothing turns upon which of them a given fact appears in. This Committee has a fealty to the Bylaws, and not to the appellant or the respondent.

Criteria are judged as of May 25, 2026, when the motion was made. That date fixes the whole of this proceeding and frames everything that follows. Conduct occurring after May 25, 2026 cannot constitute cause for a decision taken on that date.

The structure of this opinion follows from that. Part II examines the seven criteria in order and then the eighth head, based upon the May 25, 2026 decision as the facts existed that day. Part III is the ruling: it restates the question, makes a separate finding upon each of the seven and upon the eighth head, and states the conclusion. Part IV is the Order.

II. EXAMINATION OF THE SEVEN CRITERIA AND THE OTHER GERMANE ARGUMENTS

HOW THIS PART IS ARRANGED

Each of the seven criteria is examined in a single division of this Part, under the letter given to it here. Every division opens with what the criterion asks and how it is to be measured, and only then applies that measure to the evidence and states the holding. The eighth head follows at II.H. Part III states the findings and the conclusion.

II.A CRITERION 1: WHETHER THE ACTION WAS TAKEN OUTSIDE THE SIX MONTHS PRIOR TO A REGULAR CONVENTION

Filings addressed: Ciesielski, upon the ninety-day provision; and Resp. Br., that the six-month bar is the only temporal limit the provision contains.

Article 5, Section 6 provides that "[t]he National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention." It is a prohibition upon the LNC, and it is the only temporal restriction the provision imposes upon the power.

The blackout window for disaffiliation began November 22, 2025 and ended May 22, 2026.

The 2026 Regular Convention was called to order on May 22, 2026 and adjourned sine die on May 25, 2026.

The motion was adopted at the meeting of the LNC held after that adjournment, on May 25, 2026.

The action was not taken within the six months preceding a regular convention; it was taken upon the conclusion of one.

Criterion 1 is satisfied.

II.B CRITERION 2: WHETHER THE BYLAWS REQUIRED ANYTHING OF THE LNC BEFORE IT MOVED

Filings addressed: Reply Br. sections B, D and F and ¶¶3–8, 13–24; Kinsella section II.A.b; Roos section V and section VII.A; Jacobs, on RONR 63:24 and 63:33(e); Roots section III.A; Hagopian, upon the New Mexico precedent and upon graduated response; McGee, Part I

and section 5; Harlos (7/4), (7/13), (8/7) and (8/9); McArdle; O'Donnell (7/5); Madden section V.A; Leonard; Phillies (7/26). Seebeck, that the 2021 committee examined the conduct of the then Chair rather than the affiliate, and that RONR's disciplinary chapter addresses individuals and not organizations; Perry, that neither the Bylaws nor RONR requires a hearing before the vote, and that the remedy for that lies with the delegates.

II.B.1 What this criterion asks

This criterion looks at whether the motion was in order at the time it was moved. If procedural steps were missed in the making of the motion, it would cause that motion to be out of order.

To discover the requirements, an examination of the Bylaws, Policy Manual, and parliamentary authority is required.

II.B.2 Was proper procedure followed to bring the motion

The appellant says the LNC was obliged to do something before it moved: investigate, hold a trial, follow the model of a committee similar to one it formed in 2021, give notice and an opportunity to cure, or hear the affiliate first. The criterion asks whether any of that was required.

II.B.3 Who may impose a requirement upon the LNC

A requirement binds the LNC only if the delegates imposed it, or if the LNC imposed it upon itself.

The delegates act by Bylaws, which Article 17 commits to them.

The LNC binds itself by its standing rules and its special rules of order, which are the LNC Policy Manual; provided that such provisions do not violate the Bylaws.

RONR binds the LNC where applicable.

A JC may not impose additional rules upon the LNC.

II.B.3.a Bylaws Article 5, Section 6

The delegates imposed Article 5, Section 6 before the motion. It contains no extra requirements prior to action.

The Bylaws require that the motion itself include the "nature of the cause" and that the action is taken "for cause". These requirements are of the motion itself, not a pre-requisite, and are discussed later.

II.B.3.b The LNC Policy Manual in force on May 25, 2026

The LNC Policy Manual in effect on May 25, 2026 establishes an Affiliate Support Committee, provides for affiliate petitions, governs affiliate relations and data sharing with affiliates, and carries an affiliate petition form. It regulates the affiliate relationship in several respects, but imposes no procedure whatsoever for ending it.

LNC Policy Manual section 1.01(4) subjects the Party's officers and at-large members to removal upon a procedure the LNC adopted for itself, specifically attaching RONR's trial machinery to a Bylaws power. A body that imposed a trial upon itself for its officers, and imposed nothing for its affiliates, has made a choice.

The LNC knows how to bind itself, because it has done so in other instances. The LNC Policy Manual does not contain any procedure for disaffiliation.

II.B.3.c The parliamentary authority

An affiliate is not a "member". RONR 63:1 describes its subject as the removal of an officer for cause or the discipline of a member for improper conduct. Affiliate parties are neither. They have their own Bylaws Article, distinct from members (Article 4), officers (Article 6), and other members of the LNC (Article 7) and they are added, bound, and removed under provisions written for them.

RONR Chapter XX does not speak to discipline for affiliated organizations at all. An amicus suggested that the use of the phrase "persons or subgroups" in RONR's "Principles underlying Parliamentary Law" would add a requirement for the LNC to apply every right to affiliate parties. (Note: the term "subgroup" does not appear elsewhere in RONR)

The use of the term "subgroup" would infer a master-subordinate relationship between the national party and its affiliates; that the state affiliates are national-party-owned subsidiaries of the national party. But the national party owns no part of the state affiliates, and vice versa.

The nature of the relationship between the national party and state affiliates is that of two organizations signing an agreement to work together under certain parameters. It is closer to a franchiser-franchisee relationship where either party may terminate the relationship.

Each party is separately incorporated, and neither has an ownership stake in the other. To define the state affiliates as a "subgroup" would grossly mischaracterize the relationship between the national party and the affiliate parties.

Neither the Bylaws nor RONR provide any disciplinary measures between affiliated organizations.

Further, even if affiliated organizations were to be given the same rights as individual members or directors, the provisions of Article 5, Section 6 would override those rights.

Where the Bylaws provide a means, that means governs. Article 16 adopts RONR only so far as it is "not inconsistent with these bylaws." The Bylaws provide a means three times over: Article 6, Section 7 and Article 7, Section 5 for officers and at-large members, and Article 5, Section 6 for affiliates. None of the three requires a trial. Nor does the convention's treatment of the Secretary's suspension in 2022 supply a different rule; it engaged Article 6, Section 7, which requires no trial either (Part I.B.5.c).

And the authors of that authority have said so. Upon the removal of an at-large member, Henry M. Robert III and Thomas J. Balch – of the authorship team for the edition of the time

– advised that Chapter XX’s rules “are superseded by the specific procedures” the Bylaws provide, and that apart from the supermajority and the subsequent appeal, “no special procedural requirements are applicable”: “no notice of intent to move to suspend is required, no investigating committee need be appointed or report, and no trial need be held.” (Opinion of Robert and Balch, 2008)

Bylaws have been renumbered and new editions of RONR have been released since this opinion was provided in 2008, and the Robert opinion addresses the removal of an At-Large Representative from the LNC. Substantively, the Bylaws use equal language for the removal of an LNC At-Large as disaffiliation, and the language in the Bylaws and RONR Chapter XX have not substantively changed. What it establishes is narrower and sufficient: that where this Party’s Bylaws state a procedure, Chapter XX does not add to it.

II.B.4 Investigative Committee

II.B.4.a The investigative committee formed in 2021

During the discussion on the disaffiliation of LPNH, investigation was considered as an alternative. An amendment to refer the matter to an investigatory committee was moved upon the floor, and failed. (*Minutes of the LNC, May 25, 2026.*)

It has been asserted that the motion creating the so-called “Dixon Committee”, an ad-hoc investigative committee, in 2021 constituted a “promise” to affiliate parties.

The motion made at the June 19, 2021 meeting of the LNC as ballot 20210618-04 was adopted as follows:

“The LNC shall appoint three members to lead an ad hoc investigative committee which shall provide an independent and thorough investigation into the events which lead to the splintering of the Libertarian Party of New Hampshire affiliate. The Libertarian National Committee shall vote on the three members immediately following the passage of this motion.

No LNC members shall be eligible to serve on this Committee. Anyone selected must be a member in good standing of the National Party for a minimum of the past five (5) years.

The purpose of the committee will be to provide recommendations to the LNC, JC, and Bylaws committee to resolve any revealed issues. As well as set forth a model of investigating internal matters.

The committee shall form a timeline of events starting at the LP New Hampshire’s 2021 state convention until present; determine the involvement of LNC members and LPNH leadership, interview pertinent members of both organizations; review any pertinent party run or personal electronic communications of the parties involved; and set forth a model of investigating internal issue not covered by the Judicial Committee, Bylaws, and Policy Manual.

The investigative committee shall be granted access to and review any Party emails and communications, the LNC shall direct Executive Director Tyler Harris to assist in the procurement process.

During the course of the investigation, the investigative committee may seek permission to access any LPNH assets they deem pertinent by the appropriate local affiliate officials.

The investigative committee shall report back to the LNC for a debriefing of the findings, recommendations, and final thoughts upon the investigation being determined complete by the committee. The committee shall disband upon its final report.”

As emphasized above, the motion specified “a model of investigating” twice; the first generally and the second more specifically. Therefore, the standard by which this claim must be judged is using the latter phrase: “*a model of investigating internal issues not covered by the Judicial Committee, Bylaws, and [LNC] Policy Manual*”.

The investigative committee’s overall charge was to “report back to the LNC for a debriefing of the findings, recommendations, and final thoughts” which it did.

After the final report of that committee was presented to the LNC on September 4, 2021, ballot 20210904-04 was conducted to “consider this the final report of the Investigatory Committee which would disband the committee” which passed 10-5-0.

Despite the report containing six recommendations, nothing was actually adopted by the LNC. The LNC could have adopted a requirement of itself by amending the LNC Policy Manual, just as it did later by adopting requirements for removing members of the LNC. It did not. The convention bodies in 2022, 2024, and 2026 could have adopted amendments to the Bylaws affecting the disaffiliation process. They did not.

The only recommendation from that committee germane to the issue of disaffiliation was a proposal to alter the Bylaws to either supplement or replace the post-disaffiliation process, as follows:

RECOMMENDATION B: Disaffiliation of a state affiliate should only occur following a vote of state Chairs, or by delegates assembled in convention. The Chair of the LNC can and should act to immediately suspend affiliation with a state affiliate, subject to the approval by a supermajority of the LNC, and then subject to a vote by a super majority of state Chairs. In all cases such votes may occur either in person, electronically, remotely, or by some combination of the above approved by the delegates, Chairs, or relevant body. In no case should the LNC Chair act unilaterally to recognize a new affiliate.

The report did not ask for an investigatory process to be codified. The LNC did not adopt the recommendation as an additional gate, and likely it would require an amendment to the Bylaws due to Bylaws-specific timing for appeals to this committee, the JC.

Additional proposals have been through the Bylaws Committee that, if they had been adopted, would have altered the disaffiliation process as well. None of these proposals have been adopted by a convention body.

But this investigative committee process was used only one time. A one-time occurrence is, unless codified, inherently a one-time practice. It does not establish a pattern of behavior and cannot reasonably create an expectation of a repeat occurrence. The committee report itself did not recommend that such committees become the standard practice.

An inquiry into the conduct of an officer, by a committee charged with matters the Bylaws do not cover and disbanded upon reporting, whose report the LNC received without adopting, is not a promise to anyone about anything. Nor is reliance asserted: no filing states that the appellant knew of the report, considered it, or did or refrained from doing anything because of it.

Without a requirement in the LNC Policy Manual or the Bylaws, the formation of an investigative committee remains an option for, but is not a requirement upon, the LNC.

II.B.4.b The New Mexico matter, as example

During hearing testimony, the LNC Chair from the time admitted that there was no investigative committee during the disaffiliation of New Mexico. The rationale provided was that since the state party had already voted to disaffiliate, no investigation was required.

But that also assumes that the LNC should have simply accepted the disaffiliation initiated by the former New Mexico affiliate. Instead, the LNC moved and passed a motion to disaffiliate by a vote of 14-1-2 (Ballot 20220911-10):

Miguel Duque moved to disaffiliate the Libertarian Party of New Mexico (LPNM) as per Bylaws Article 5.6 for 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). The LNC further directs the Executive Committee to take actions necessary to begin trademark protection on our name and symbols and consider other legal action recommended by LNC counsel.

There is a difference between the act of disaffiliating a party and the act of voting to accept that a state had voted to disaffiliate. Similarly, there's a difference between removing someone who has resigned versus accepting a resignation.

In the case of New Mexico, no appeal was filed. The relevance of discussing New Mexico is only to show that an investigative committee was not used in the New Mexico disaffiliation.

Hagopian notes that New Mexico received months of deliberation, written charges and correspondence in both directions, and was told what to correct, while the appellant was not. First, any process received by New Mexico was the prerogative of the LNC at that time and under those circumstances (which were not the same as the current circumstances with regard to LPNH) and not required of Article 5, Section 6. Second, there were 12

months of process attuned to the situation: a procedurally-failed motion to censure, negotiation, negotiation breakdown, and censure (*Part II.F.3*).

II.B.4.c No regular practice arose from any of it

Besides New Mexico, the committee faced situations of “constructive disaffiliation” in Delaware and Massachusetts in recent history. In the latter case, the LNC declined a sub-affiliate’s request that it investigate, and resolved the matter by recognizing one of two groups. Evidence of the creation of an investigative committee for either affiliate was not found. (*Minutes, November 21, 2021; January 23 and June 5, 2022; and Harlos (7/13).*)

II.B.4.d Summary of Investigative Committee

It is said that the appellant may reasonably have relied upon the LNC creating an investigative committee into their activities, so that the practice was in the nature of a promise. (*Jacobs.*) A submission tendered on behalf of affiliate parties, numbering somewhere between six and ten, also touched upon this concept. That submission was not accepted, upon the ground that an affiliate party may not file here (*Parts I.B.5.b and Appendix B.2*). Its recitals were in several respects inaccurate.

It is clear that an investigative committee is not a requirement in the Bylaws, LNC Policy Manual, or RONR. The investigative committee formed in 2021 was not related to disaffiliation. Nothing was codified from that investigative committee, and the LNC did not form an investigative committee in subsequent disaffiliations.

Promissory estoppel requires a promise to actually be made. The 2021 investigative committee did not establish a precedent, and did not create such a promise.

II.B.5 Notice

Prior notice to the affected party is a requirement the delegates did not adopt, nor did the LNC impose it upon themselves; such a requirement on behalf of either cannot be adopted. Article 5, Section 6 confers a power to revoke for cause upon a specified motion and a supermajority. It does not condition that power upon a warning, a demand to cure, a graduated response, or an opportunity to be heard beforehand.

Prior notice to the LNC is accordingly not required. Article 5, Section 6 fixes the threshold itself at three-fourths of the entire LNC, and imposes no requirement of previous notice. Where the Bylaws supply both, the general rules upon notice add nothing to them. Previous notice bears upon a threshold only where a rule so provides, as in the amendment of special rules of order; an original main motion requires no notice at all.

II.B.6 Opportunity to cure

II.B.6.a The first charge

The appellant says the affiliate has cured what it did: at its convention of March 2025 it elected officers none of whom had supported the endorsement, and in June 2026 it formally repudiated the endorsement.

It is questionable how an organization could cure a violation of the prohibition on extra-party endorsement, especially after the election, where the endorsement would have any real-world effect, has already occurred. Even an act taken prior to the general election may not be able to fully cure an extra-party endorsement, and such an endorsement is irreversible upon the conclusion of the particular election cycle for which it is made.

II.B.6.b The second charge

Attempts to provide an opportunity for cure on the messaging charge were made by the LNC. There was negotiation in 2025. There was a censure later in 2025. Once the disaffiliation blackout period began, LPNH continued with messaging that is arguably even more extreme, by endorsing political violence.

And the dates are against the argument on its own terms. The formal repudiation of June 2026 cannot be a cure, because the LNC's action is judged upon the date it was taken, May 25, 2026, and upon what was known and done before the motion was made. A step taken in June cannot bear upon the power exercised in May (*Part I.B*). The change of officers of March 2025 preceded the vote, but the conduct did not stop: it continued under the officers elected then, and to the night before the vote (*Part II.E.5*). A cure which does not end the conduct is not a cure.

II.B.6.c Bylaws do not provide for cure

Article 5, Section 6 conditions the power upon cause. It does not provide that cause is extinguished by subsequent remediation. A violation already complete is not undone by later correction; repudiation bears upon what the LNC may sensibly do next, not upon whether it had the power to act. Allowing for cure is a requirement the delegates did not adopt, and this Committee cannot adopt it on their behalf

II.B.7 Hearing

There seems to be a fundamental misunderstanding of how this process works under the Bylaws. The LNC takes an action, which must be “for cause” and the motion must state “the nature of the cause.”

The objection to the lack of a hearing prior to the motion being adopted is a misunderstanding of the process codified in the Bylaws. Upon a motion passed by three-fourths of the entire LNC to disaffiliate, the affected party is then afforded the option to “challenge the revocation of its status”. They are afforded up-to 30 days to appeal from the date of official notice. Upon exercising this challenge, the affected party becomes the appellant. After the appeal is submitted, a hearing is scheduled to occur 20-40 days later.

In this case, the action took place on May 25, 2026 and the appellant knew of the action immediately, as evidenced by the less-than-polite email sent by the chair of LPNH to the LNC that same day (Kauffman, email to LNC May 25, 2026). Official notice was sent by the LNC to LPNH ten days later. LPNH officially appealed July 2, 2026. The hearing was held on August 11, 2026. LPNH had a total of 78 days to prepare a case for the hearing.

The appellate hearing is not a gap in the procedure. It is the procedure.

The objection that this proceeding cannot supply what a trial would afford is a constraint of the Bylaws. The JC cannot add or remove requirements from the process. Article 8 confines it to deciding whether an action conformed to the Bylaws.

This process for disaffiliation is neither new nor inconspicuous, having been codified for decades. The process itself is found in some form from the origin of the organization. In 1972, the relevant sections read as follows:

CHARTER OF AFFILIATE PARTIES

Section 1. The Executive Committee of the Party shall charter affiliate parties from those organizations requesting such status in each state and the District of Columbia. No organization shall be so chartered which does not ratify the Statement of Principles of the Party. No affiliate party shall endorse a candidate for President or Vice-President of the United States other than those elected to candidacy at a Regular Convention of the Party. The autonomy of the affiliate parties shall not be abridged by the Executive Committee or other committee of the Party except as provided herein.

Section 2. Suspension of Affiliate Parties: The Executive Committee shall have the power to suspend affiliate party status from any organization by a two-thirds vote of the Committee. Such notification of suspension is subject to written appeal within thirty days of notification of suspension. Failure to appeal shall be interpreted as an act of accession by the affiliate party. The Executive Committee shall not suspend any affiliate party within a period of six months prior to a Regular Convention.

Section 3. Appeal – Upon appeal by the affiliate party, the Judicial Committee shall set a date for a hearing between twenty and forty days from receipt of the appeal. This hearing shall be adjudicated by a quorum of the Judicial Committee with representatives from the Executive Committee acting for the interests of the Party, and those members of the affiliate party as selected by that party acting in its defense. The Judicial Committee shall rule to either revoke the charter of the affiliate party or to reinstate the charter, with all rights and privileges pertaining thereto, no later than ninety days prior to a Regular Convention. Should the Judicial Committee fail to rule, the affiliate party's charter shall be reinstated with all rights and privileges pertaining thereto.

While changes have been made over time, the core of the process has remained unchanged: Disaffiliate, notice, opportunity to appeal within 30 days, and a hearing between 20 and 40 days after that. These rules were in place prior to the affiliation of LPNH in 1973.

The process was substantively the same in 1973, when LPNH became an affiliate party, as it is today.

Nor is there a record wanting. Article 5, Section 6 does not contemplate that the record is made in the motion. It contemplates that it is made here, upon the filings, the evidence and the hearing this appeal affords.

II.B.8 The two arguments that cannot both be right

The equitable estoppel argument requires that the LNC be continuous, so that the earlier body's knowledge binds the present one. The cure argument requires that the affiliate be discontinuous, so that a new board makes the violation another body's. Set beside one another, the appellant's positions pull against each other.

The criterion is not decided upon that tension, and a party may argue in the alternative. But the principle the appellant invokes against the LNC is the principle that answers its own case on cure: an organization is the same organization whoever presently holds its offices (*Part II.E.4*). Applied evenly, as it must be, continuity leaves the power intact and leaves the violation the affiliate's.

II.B.9 Holding

The motion was placed on the agenda prior to the opening of the meeting. It would be considered new business without previous notice, which is a standing agenda item codified in the LNC Policy Manual in 1.02(2). Nothing in the LNC Policy Manual prevented the motion from being made.

Article 5, Section 6 imposes no procedure before the motion. It imposes procedure on the motion (that it specify the nature of the cause), the vote (three-fourths of the entire LNC), the timing (the six-month bar), and what follows (notice of the revocation, and this appeal).

A parliamentary authority adopted subject to the Bylaws, a committee's recommendation never adopted, and a single past decision are none of them instruments of obligation.

The relationship between the national party and affiliate parties is voluntary in nature. Either side can terminate within the rules of their particular organization.

The process has been substantively the same from the time LPNH became an affiliate party through the present.

Criterion 2 is satisfied.

II.C CRITERION 3: WHETHER THE MOTION SPECIFIED THE NATURE OF THE CAUSE FOR REVOCATION

Filings addressed: Pet. ¶¶32–33; Reply Br.; Jacobs and Jacobs (8/8), on the meaning of “specify” and on RONR 63:24 and 63:33(e); Kinsella section II.A.a; Roos section IV.B and section IV.G; Roots section III.A, on duplicity; O'Donnell (7/5); Harlos (8/7), on Article 15, Section 5 and on the structure of the motion; McGee (8/9) section 1.

II.C.1 What this criterion asks

Article 5, Section 6 requires the motion to “specify the nature of the cause”. It does not require particulars, instances, dates, or a schedule of charges. Had the delegates intended a bill of particulars they could have required one.

Two questions live in the phrase “for cause,” and this opinion keeps them apart. Whether the motion said enough is a question about the motion, and is decided here.

II.C.2 “Nature” is not “particulars”

The delegates showed elsewhere what they write when they want particulars. Article 14, Section 5, governing the suspension of the Party’s own Presidential and Vice-Presidential candidates, provides that the resolution “must state the specific reasons.” (*Harlos (8/7), n.18.*) They wrote no such words in Article 5, Section 6. A requirement stated in one place and omitted in another was omitted deliberately. Reading the instrument against itself in this way is the method an amicus commends, and it is the method applied here (*Kinsella section II.A.b*).

RONR demands no more, even where it demands most. In the trial of an individual member – the most protective procedure it contains – it permits a charge as general as conduct tending to injure the good name of the organization, disturb its well-being, or hamper it in its work. (*RONR 63:24.*) A decision upon the recognition of an affiliate, for which the Bylaws require no trial, cannot demand a greater particularity than a trial demands.

The reductio is accepted, and it marks the line rather than erasing it. It is asked whether a motion reciting “just because,” or merely “because the affiliate violated the Bylaws,” would be affirmed. It would not. A recital that identifies nothing is not a specification of the nature of a cause, which is precisely why “and more” is given no effect. The line is not between the general and the particular. It is between a statement which identifies the character of the conduct complained of and one which identifies nothing at all. The motion here is on the first side of that line: it names a prohibited act, and it describes a course of conduct by its character.

II.C.3 Cause and evidence are different things

Evidence received upon appeal may prove or disprove a cause the motion specified. It cannot supply a cause the motion did not specify.

The rule binds both sides and is applied to both. It is why post-hoc particulars cannot rescue an unspecified cause; it is equally why the amicus filings, which range far wider than the motion, are read only so far as they bear upon the two charges recited. This is the rule that governs the examination at Parts II.D and II.E, and it is stated here because it follows from what specification is for.

II.C.4 What this motion specified

The motion recited two causes. The first, that the affiliate “openly and publicly endorsed Donald Trump during the election,” contrary to the Bylaws. The second, that the affiliate had “crudely and repeatedly undermined our own candidates, and [had] espoused numerous anti-libertarian positions on a National level.”

Both were recited in the notice. The notice of June 4, 2026 set out all three paragraphs of the motion, so the contention that the affiliate learned of the second charge only afterwards does not arise based on the documents. (*Pet. Ex. A.*)

Those two charges are the whole of what is under review. Nothing else recited, argued, or later discovered enlarges them.

II.C.5 “And more” is given no effect

The resolving clause moved to revoke “because of these reasons and more.” Words announcing that further unspecified reasons exist do not specify them. The affiliate cannot answer what it has not been told, and this Committee cannot determine whether something unidentified was proved.

A filing supporting the respondent reaches the same conclusion from the drafter’s side. It states that “and more” “is not a specified cause, and nor was it intended to be,” but indicates only that further categories were available which the LNC elected not to use. (*McGee (8/9) section 1.*) On that reading the words are not a reservation at all, and nothing turns on the difference: either way they add nothing to what must be tested.

The phrase “and more” is given no effect. The revocation is sustained, if at all, only upon the two causes specified in the motion.

II.C.6 The objection to the specification based on floor remark

The floor remark of a member is not the motion. Weight is placed on a member’s statement in debate that he “might not have a list of particulars” but that “everyone knows what has been going on.” (*Kinsella section II.A.a.*)

First, the claim is based on an off-hand remark of an LNC member during debate. That the speaker noted that he “might not have a list of particulars” might mean he does not have one to present, not that such a list does not exist or could not be produced. His second part of the comment, that “everyone knows what has been going on” suggests that he is aware of the situation and the issues germane to the motion, and is expressing that he believes everyone else on the committee does, as well.

Second, the LNC does not speak through its members individually; it acts by motion, as a body, and one member’s account of his own reasoning cannot subtract from the motion a specification the motion contains.

Third, the point fails even when taken at its highest. The LNC has eighteen members; three-fourths of the entire membership is thirteen and one-half, and therefore fourteen; the motion carried with fifteen. Set that member’s vote aside entirely and fourteen remain. The objection would have to unseat two votes before it reached the outcome, and it offers a reason to doubt none.

The consequence of a failure need not be decided. It is submitted that a motion failing this requirement would be void *ab initio*, upon *Wagner v. LNC* (2011). The requirement having been satisfied, the question does not arise, and nothing is decided about it.

II.C.7 The two charges could not be divided

The reasons stated in a motion are separately assessable, but they were never separately votable, because there is one act to vote upon.

If divided, upon passage of the first motion, the second motion would become dilatory, as the act of disaffiliation would have occurred in the passage of the first motion. It is not possible to take the same action that has already been taken. In parliamentary procedure, the only way to list multiple charges is to place them together in one motion.

And that is what the LNC did. The objection that the motion was duplicitous therefore does not arise. The motion is a resolution with a preamble, in the ordinary form: recitals stating the nature of the cause for each item, then a resolving clause stating the act. The specification Article 5, Section 6 requires is accomplished in the preamble, which is what a preamble is for.

II.C.8 Holding

The motion specified the nature of the cause for revocation. It named a prohibited act and described a course of conduct by its character; the motion recited both. The words “and more” are given no effect and have no effect.

Criterion 3 is satisfied.

II.D CRITERION 4: WHETHER THE NATURE OF THE CAUSE SPECIFIED IS CAPABLE OF CONSTITUTING CAUSE

Filings addressed: Pet. ¶¶4–5, 44–45, 54–55; Reply Br. sections B and F; Roos section V.A and section V.D; Kinsella section II.A.b; Roots, on surplusage; Hagopian, “Ideological Revocation”; Leonard section F and the brand-harm submission; Madden section V.A; Jacobs; Harlos (8/7); Phillies (7/4). Seebeck, that the endorsement is cause upon the face of Article 5, Section 4; Schmidt, to the same effect; Perry, that the duty of good faith relied upon by the appellant runs in both directions.

II.D.1 What this criterion asks

This Part decides if what the motion, as stated, can amount to cause. The subject is fixed: the two causes the motion specified, and no others.

This criterion does not carry with it the requirement to prove cause was met, only that the listed “cause” would, if found to be the case, constitute cause. It is the specification of the nature of the cause, not the cause itself.

II.D.2 Definition of “for cause”

The Bylaws nowhere define “for cause,” as the phrase pertains to an organization. RONR qualifies “for cause” regarding officers as “neglect of duty in office or misconduct”, and regarding members as “improper conduct”. Those definitions could be accepted, and either could be properly applied.

While the conduct cited in the motion would qualify under either of these definitions, they do not describe the relationship between the national party and its affiliates, and an occasion for interpretation therefore arises.

Article 16 adopts RONR in all cases not inconsistent with the Bylaws, and it prescribes the method. An ambiguous bylaw is to be interpreted, if possible, in harmony with the other Bylaws, and in accordance with the intention of the society at the time the bylaw was adopted, so far as that can be determined. (*RONR 56:68(1).*)

The intent behind the adoption of the phrase is difficult to discern, and the record is thin. From what can be pieced together from partial records that are over 40 years old, the triggering event may have been the unilateral firing of a national director, causing the next convention body to add “for cause” to all items related to the JC. This cannot be verified or relied upon.

What is certain is that the “for cause” provision was added to the Bylaws in 1983, and to the section on revocation of affiliation, which after amendment read:

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. 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.

Longevity is evidence of acquiescence, not of original meaning: it shows the phrase has been left alone, not what the delegates meant by it. Without definition within the Bylaws or parliamentary authority, the method of defining “for cause” rests on finding a definition in harmony with the Bylaws (which the same provision in RONR requires). This search for a harmonious definition results in an investigation into the nature of the relationship between the national party and its state affiliates.

II.D.3 Harmony with the other bylaws supplies the content

The closest relationship found outside of the party’s Bylaws, while not perfect, would be a franchiser-franchisee relationship. The restriction in Article 5, Section 1 limits the use of the name “Libertarian Party” and “any confusingly similar designation” in a way that would be commonly seen in a franchise agreement: name use rights. Article 5, Section 1 states:

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

Article 5, Section 4 states the only substantive obligations Article 5 imposes upon an affiliate.

No affiliate party shall endorse any candidate who is a member of another party for public office in any partisan election. No affiliate party shall take any action inconsistent with the Statement of Principles or these bylaws.

A power to revoke “for cause” must be read in harmony with Bylaws. The alternative is untenable: the Bylaws would forbid an affiliate to do a thing and withhold from the LNC any

means of answering when it did. A construction that makes Article 5, Section 4 unenforceable is not a harmonious reading, and RONR 56:68(1) forecloses it.

II.D.4 What law this Committee applies

The filings cite a considerable body of civil authority: *Polin v. Kaplan*, *Campbell v. Loew's*, *Taboada*, *Hackethal*, *Pinsker*, the Restatement of Contracts, *Hoffman v. Red Owl Stores*, *Cousins v. Wigoda*, *Stromberg* and others.

This Committee can only examine actions of the LNC through the lens of the Bylaws, the Convention Rules and RONR. This Committee is an internal tribunal constituted by Article 8. Where the Bylaws supply the rule of decision, there is no occasion to look beyond them.

It follows that this Committee has no equitable jurisdiction. The doctrines which belong to equity – laches and estoppel among them – are not within what Article 8 gives this Committee to apply, and they are therefore unavailable in this forum. That is a statement of what this Committee is; not a judgment upon those doctrines, which cannot be made (*Parts II.F.2 and II.F.5*).

The proposition running through them is that a voluntary association is bound by its own governing documents and must afford the procedures those documents promise. That proposition is the premise of this proceeding, and it is applied by holding the LNC to every condition Article 5, Section 6 imposes and examining each expressly.

That is not a refusal of those authorities, but none of this Committee are officers of the court. The Bylaws do not stipulate it as a qualification to be elected to this Committee; those judgments of law are therefore outside this Committee's purview. What it may apply and what it may not is stated plainly.

II.D.5 What “for cause” excludes, and why the appeal is not hollow

II.D.5.a Germane to this decision

It is argued that if the LNC may act upon grounds of its own choosing, the appeal this provision affords is “structurally hollow.” (*Pet. ¶¶44–45*.) The argument deserves an answer, and the answer is that the requirement excludes a good deal. “For cause” is not satisfied by:

1. Conduct not attributable to the affiliate or condition as an affiliate (*Part II.E*), conduct occurring after the vote, or a cause the motion did not specify (*Part II.C*). The cause must bear upon the relationship the power governs.
2. A reason that is no reason, which is why the words “and more” are given no effect (*Part II.C.5*).
3. A pretext for what Article 5, Section 5 forbids. The power could not properly be used to accomplish an abridgment of autonomy the Bylaws otherwise prohibit. The burden of showing pretext lies on the appellant and this Committee attributes motive to no deliberative body, but the principle is real and available in a case where it is proved.

The structure of the provision makes the same point. Because Article 5, Section 6 requires this Committee to choose between affirming and ordering reinstatement, the choice presumes a standard against which to make it. A Committee obliged to affirm in every case would make the appeal surplusage, and every provision is entitled to its full effect. (*Madden section V.A.*)

II.D.5.b Addressing affiliate concerns

While not necessarily germane to the issue at hand, a number of affiliate parties expressed concern about the LNC's ability to control the messaging of state affiliates, including through rejected amicus briefs (which they were not entitled to file). This is important to make very clear to help prevent a future repetition of how this situation arose. The critical distinction the Bylaws draw is between *how* an affiliate expresses libertarian principles and *what* it expresses.

Article 5, Section 5 protects the “how.” The autonomy of affiliate parties is not to be abridged except as the Bylaws provide, and how an affiliate organizes itself, whom it elects, and the manner and style in which it conducts its advocacy are its own.

Article 5, Section 4 sets limits on the “what.” An affiliate shall not endorse the candidate of another party for public office in a partisan election, and shall take no action inconsistent with the Statement of Principles or the [national party] Bylaws.

Applied to this motion, the distinction disposes of the concern. The revocation was taken upon two matters squarely within the “what”: the endorsement of a candidate of another party, which Article 5, Section 4 prohibits in specific terms; and the espousal of positions inconsistent with the Statement of Principles.

The affiliation agreements upon which the relationship between the affiliate and the national party began have included, and are required to include, an affirmation of the Statement of Principles as a condition of affiliation.

The party's prohibition on endorsing presidential candidates of another party has been in place since 1972, before most or all state parties were affiliated.

This is, in no uncertain terms, what an affiliate party agreed to when it became an affiliate party, and remains in force as part of the agreement to remain an affiliate party, under Bylaws Article 5, Section 4.

And the distinction disposes of the objection to the operative clause as well. It has been argued that conditioning any future recognition upon an organization “that shares our Party's foundational values” converts a change of control within an affiliate into an occasion for removal. It does not, because the measure of cause is Article 5, Section 4 - the “what” - and nothing else.

II.D.6 The prior decisions of this Committee

Previous decisions of the JC are not binding, but can often help provide historical guidance. They are considered, and none of them decides this question. No previous decision of this

Committee construes what suffices as cause under Article 5, Section 6, and none holds that a trial or an investigation must precede a revocation.

After searching the historical archive of the party, it appears that most instances of disaffiliation involved rival groups seeking to be recognized after some event causing a split of a recognized affiliate into factions that each claimed to be the legitimate faction. Usually this has been seen as a “constructive disaffiliation” of the group not recognized. There is no such split here.

In this case, there were not rival bodies claiming to be the Libertarian Party of New Hampshire, and the affiliate’s leadership was not in question.

The closest example is the New Mexico disaffiliation. In that case, the LNC disaffiliated the New Mexico affiliate for “improper” meetings and conventions. In the next-closest instance, involving Arizona in 2002, the LNC found it was easier to disaffiliate the entire state party rather than to help them navigate re-merger of a factional split. There was no appeal made to the JC in either of these cases.

In a number of ways, this particular disaffiliation is the cleanest under the Bylaws as written. The LNC found fault with the affiliate’s conduct, and it proceeded by the express power of Article 5, Section 6: upon the three-fourths vote, outside the six-month bar, and upon the nature of the cause stated in the motion itself.

Three prior JC decisions concern this Section, and they form a single line. In *Wagner v. LNC* (August 25, 2011) the LNC and its Executive Committee purported to recognize one of two contending groups as the Libertarian Party of Oregon; this Committee held that action void, upon the ground that such a party may be disaffiliated only “if 3/4ths of its members vote in favor of a motion of disaffiliation for stated cause,” and that “no cause for disaffiliation was ever formally stated.” In *McVay/Hinds v. LNC* (February 13, 2022) it held, without a dissenting vote, that the LNC’s actions had constructively disaffiliated the rightful Delaware affiliate, and it ordered that affiliate reinstated. In *Cordio v. LNC* (May 6, 2022) an appeal touching the Massachusetts affiliate failed upon an equal division of three to three; a second appeal in that matter was declined for want of jurisdiction on May 17, 2022, upon Article 5, Section 6 itself.

What unites those matters is the thing this appeal does not contain. Each arose from a split within the affiliate, in which rival claimants each asserted the right to be the State party. In each the complaint was that the LNC had achieved the effect of a disaffiliation without using this Section, by recognizing one of the contending groups or by declining to recognize either. What those decisions condemn is the evasion of Article 5, Section 6, not its exercise.

So far as that line bears upon this appeal, it supports the course taken. *Wagner* describes revocation upon a three-fourths vote for stated cause as the course the Bylaws provide, and contemplates the affiliation of another State party afterwards (*Part IV.A.3*). An affiliate reinstated because the Section was avoided is no authority for an affiliate revoked because the Section was followed. (*The distinction between recognition and revocation is drawn at Part II.B.4.c.*)

One of them bears directly upon the posture of this opinion. In *D’Orazio v. LNC* (October 13, 2024) this Committee declined to supplant the judgment of the LNC with its own, and said so in terms. That is the course taken here, and it is taken upon the same ground: Article 5, Section 6 commits the judgment to that body, and this Committee decides whether the conditions of the power were met.

The remainder are considered and reach nothing in this appeal. *Ploeger v. LNC*, *Harlos v. LNC* (2024) and *LPWI v. LNC* (August 15, 2024) concern other powers and other questions; none construes Article 5, Section 6, and none is cited in this opinion for any proposition.

And the weight they carry is limited by what they are. A decision of this Committee binds the parties to it. It does not amend the delegates’ instrument, which Article 17 commits to the delegates alone. A construction adopted by a former Committee is persuasive so far as its reasoning persuades, and no further.

Nor do the LNC’s positions in litigation amend the Bylaws. What a body has argued elsewhere is not an instrument, and has no interpretive weight.

II.D.7 The first cause – the endorsement

The prohibition on endorsing presidential candidates of another party has been in the national party Bylaws since 1972:

CHARTER OF AFFILIATE PARTIES

Section 1. The Executive Committee of the Party shall charter affiliate parties from those organizations requesting such status in each state and the District of Columbia. No organization shall be so chartered which does not ratify the Statement of Principles of the Party. **No affiliate party shall endorse a candidate for President or Vice-President of the United States other than those elected to candidacy at a Regular’ Convention of the Party.** The autonomy of the affiliate parties shall not be abridged by the Executive Committee or other committee of the Party except as provided herein.

A cause consisting of conduct the Bylaws expressly prohibit is capable of constituting cause, or the prohibition would be unenforceable.

II.D.8 The second cause – undermining candidates, and anti-libertarian positions

Article 5, Section 4 also imposes that an affiliate party shall “take no action inconsistent ... with these bylaws.” The phrase “these bylaws” in Article 5, Section 4 may reasonably be read to mean that an affiliate party which works counter to the national party’s ability to achieve the goals outlined in Article 2 takes action inconsistent with the Bylaws.

Article 2 outlines the purposes of the national party, which inherently requires that the national party actively works to achieve them.

ARTICLE 2: PURPOSES

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

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

Article 2 specifically speaks to giving “voice to the principles embodied in the Statement of Principles” which states:

We, the members of the Libertarian Party, challenge the cult of the omnipotent state and defend the rights of the individual. We hold that all individuals have the right to exercise sole dominion over their own lives, and have the right to live in whatever manner they choose, so long as they do not forcibly interfere with the equal right of others to live in whatever manner they choose.

Governments throughout history have regularly operated on the opposite principle, that the State has the right to dispose of the lives of individuals and the fruits of their labor. Even within the United States, all political parties other than our own grant to government the right to regulate the lives of individuals and seize the fruits of their labor without their consent.

We, on the contrary, deny the right of any government to do these things, and hold that where governments exist, they must not violate the rights of any individual: namely, (1) the right to life — accordingly we support the prohibition of the initiation of physical force against others; (2) the right to liberty of speech and action — accordingly we oppose all attempts by government to abridge the freedom of speech and press, as well as government censorship in any form; and (3) the right to property — accordingly we oppose all government interference with private property, such as confiscation, nationalization, and eminent domain, and support the prohibition of robbery, trespass, fraud, and misrepresentation.

Since governments, when instituted, must not violate individual rights, we oppose all interference by governments in the areas of voluntary and contractual relations among individuals. People should not be forced to sacrifice their lives and property for the benefit of others. They should be left free by government to deal with one another as free traders; and the resultant economic system, the only one compatible with the protection of individual rights, is the free market.

Statements made contrary to the Statement of Principles would therefore qualify as a violation of bylaw Article 5, Section 4.

Other actions taken by an affiliate which hamper the national party's ability to achieve the outlined purposes of the party, would also qualify as a violation of bylaw Article 5, Section 4.

II.D.9 Holding

Each of the two causes the motion specified is independently capable of constituting cause. The first is conduct Article 5, Section 4 prohibits in terms. The second is conduct inconsistent with the Statement of Principles, published under the Party's name by an organization holding that name by the Party's grant.

Criterion 4 is satisfied.

II.E CRITERION 5: WHETHER THE CONDUCT RELIED UPON IS ATTRIBUTABLE TO THE AFFILIATE

Filings addressed: Pet. ¶¶4–5, 16, 20, 38, 41–49, 54–62, and Exs. A, B-1 and D; Resp. Br. and Exs. C and D; Jacobs and his Exhibit 1 (minutes of the appellant's Executive Committee, November 4, 2024); Roos section IV.B, section IV.G, section V.A, section VIII; Ciesielski Arguments 1 and 5; Weir section II and section III.A–B; Hagopian; Moore; Reale; Harlos (7/13); McGee, Part II; O'Donnell (7/5). Seebeck and Perry, that the endorsement is the organization's act and not its officers'; Schmidt, upon the terms of the affiliate's published statement of November 4, 2024.

II.E.1 What this criterion asks

Whether the conduct charged in the motion is the affiliate's, as distinct from the conduct of individuals who hold office in it. Whether that conduct can amount to cause is decided at Part II.D. Whether the motion said enough about it is decided at Part II.C. Neither question is reopened here.

A second question is answered in the same place, because it cannot be separated from the first: whether the course of conduct the second charge describes in fact occurred.

II.E.2 The provisions

Article 2: Purposes:

The Party is organized to implement and give voice to the principles embodied in the Statement of Principles by, among other things, functioning as a libertarian political entity separate and distinct from all other political parties or movements; electing Libertarians to public office; and nominating candidates for President and Vice-President and supporting Party and affiliate party candidates for political office.

Article 5, Section 4:

No affiliate party shall endorse any candidate who is a member of another party for public office in any partisan election. No affiliate party shall take any action inconsistent with the Statement of Principles or these bylaws.

II.E.3 The rule of attribution

II.E.3.a Separation of organization and individual actors

An affiliate is an entity distinct from its officers, and the distinction runs in both directions. A rule permitting an organization to be charged with whatever its officers say in their own names would be no rule at all. That principle is adopted, as urged by filings supporting the appellant.

Conduct is attributable to the affiliate where it is undertaken in an official capacity, and is not repudiated by it. That respects the distinction while preventing it from swallowing Article 5, Section 4, which would otherwise bind no affiliate whose officers were careful to speak in their own names.

Repudiation bears upon attribution going forward. It does not undo a violation already complete (*and see Part II.B.6, upon cure*).

Applied to what was actually charged, the objection largely misses its target. The motion charges that “they have crudely and repeatedly undermined our own candidates, and have espoused numerous anti-libertarian positions on a National level.” It charges the affiliate. It does not charge the conduct of any individual, and an objection that individual conduct is not institutional is directed at a charge the LNC did not make.

II.E.3.b LPNH is the same LPNH that affiliated in 1973

LPNH is the same organization that chose to affiliate in 1973. The national party’s records place the acceptance of appellant’s affiliation petition as having occurred on November 24, 1973, at a meeting of the Party’s executive committee held that day, together with the petitions of five other States. (*LPedia, citing LP News, January–February 1974.*)

The first record of this organization in the State’s registry is a trade name of July 31, 2019. The two trade-name registrations of 2019 expired in 2024; the affiliate therefore held no live registration of any kind in the State on November 4, 2024, when the endorsement was adopted; and it did not incorporate until March 10, 2025.

The registry records a Domestic Nonprofit Corporation of that name, business ID 874035, with a creation date of March 10, 2025 (two days after the convention of March 8, 2025, as the amicus states) and its status is Good Standing. The officers recorded upon it are Ben Weir as Chairman of the Board of Directors, Jeremy Kauffman as Secretary, Patrick Binder as Treasurer, and Nick Hubbard and Josh Elbahrawy as other officers.

Regardless of state recognition, this was the same organization as it was in 1973; otherwise a new petition for affiliation would have been required.

The registry shows the corporate existence lapsing and resuming while the affiliation continued unbroken. Throughout all of it, it remained the official affiliate in New

Hampshire, no one suggests otherwise, and to suggest otherwise would mean that new affiliation agreements would have been required with every change in status.

That is the strongest available demonstration of what this subsection holds. The organization which was the Party's affiliate in 2019, remained its affiliate through a period in which its state registrations were created and then had lapsed entirely, and was still its affiliate when it incorporated in 2025.

That organization cannot owe its affiliate status to any of those filings. Affiliate status is conferred by Article 5, Section 2 and by nothing else, and the record proves it by showing the affiliate status persisting while the state filings did not.

An organization does not become a different affiliate by electing new officers, by incorporating, or by amending its corporate filings. Otherwise, a new petition for affiliation would be necessary after every election of a new board.

II.E.4 The first charge – the endorsement is the affiliate's act

The conduct is admitted. The petition admits the act. The endorsement is recorded in the affiliate's own minutes and the petition admits it (*Pet.* ¶¶4–5, 54–55). What is disputed is what follows from the act, not whether it occurred.

The appellant put in its 2024 bylaws and adduced testimony that endorsements were not legal under their bylaws, because endorsements are made by the party in convention. But the provision relied upon by the appellant governs *nominations*, and this was an *endorsement*.

Endorsement is the general act by which it commends any candidate regardless of party or the process. Nomination is the specific act by which a party puts forward its own candidate.

A nomination would normally imply an endorsement, but not always; this case shows that statement to be true. The national party nominated Chase Oliver for its presidential candidate at its national convention, while LPNH endorsed Donald Trump. Both of these things happened.

Even if LPNH bylaws are interpreted as expressly prohibiting such an endorsement, any condition is rendered moot outside of that organization by its actual actions. This Committee has no authority to interpret the bylaws of LPNH and does so only to examine the claim by the appellant. But the practical, real-world occurrence of the endorsement of Donald Trump negates any claim that the LPNH bylaws prevented LPNH from violating the national party Bylaws. Clearly the event happened regardless of LPNH bylaws.

The act is institutional on any view of the test. The endorsement was adopted by the affiliate's Executive Committee on November 4, 2024, at a meeting opened at 7:01 p.m. and adjourned at 7:41 p.m. Upon new business the interim chair raised the question; the treasurer moved to endorse; an at-large member seconded; the motion carried, three voting in favor and one against. (*Minutes of the affiliate's Executive Committee, November 4, 2024.*)

Using official party channels, LPNH used social media to circulate their endorsement of Donald Trump. That post remained online until JC member O'Brien inquired about it at the hearing on this matter, where, asked whether it had been removed, Kauffman voluntarily undertook to delete it during the hearing. (*Hearing of August 11, 2026, at approximately 1:44 of the Party's recording.*)

The prohibition in the Bylaws Article 5, Section 4 is upon *endorsement* of a candidate who is a member of another party for public office in a partisan election, and what the Executive Committee did was to endorse.

LPNH became an affiliate of the national party in 1973, and this prohibition was in effect at that time, prior to their affiliation.

Such endorsement would be very difficult to cure before the occurrence of the relevant election, and is fatal after the occurrence of that election. Reputational damage occurs either way.

Prior to the election, measures such as removal of those responsible and public repudiation may be enough. The circumstances would need to be judged at that time, and that hypothetical is not currently before this Committee.

After the election, where the endorsement has any real-world effect, it is difficult to see any realistic way to cure an extra-party endorsement. Endorsements affect elections. Reversing an endorsement, an act that seeks to affect the outcome of the election, has no real-world effect or meaning after the election has occurred.

Finding attribution requires no chain of construction. One provision forbids the act; the affiliate's Executive Committee did the act. One provision, one act, and nothing between them.

That the endorsement occurred is an undisputed historical act. The post announcing it stood upon the affiliate's own account from the day it was made until well after the LNC acted. On May 25, 2026 the endorsement was therefore not a spent act but a subsisting publication of the affiliate, in its own name and on its own channel.

The attribution rule is satisfied upon the face of it.

II.E.5 The second charge – the publications are the affiliate's

A large quantity of content was submitted through the amicus briefs, including a website lpthfiles.com which catalogs LPNH content.

Conduct	Where it appears
Posts on the affiliate's official account concerning the Party's own presidential nominee during the 2024 cycle, including derogatory characterizations published while endorsing the candidate of another party	Resp. Br. Exs. C-D; Harlos (7/13) Ex. E; McGee, Part II

Conduct	Where it appears
The affiliate's own statement that the candidate of another party was the better choice for libertarians – its own words, contrary to the account at Pet. ¶8	Schmidt
The September 2024 post concerning a major-party candidate, and the national press coverage it drew	Moore
Posts concerning named public officials, including that killing one would be “permissible”	Reale; Harlos (7/13); Moore
A documented instance in which a \$40,000 donation to another affiliate was withdrawn following the appellant's conduct, and the conduct continued after notification	Harlos (7/13) Ex. C; McGee, Part II
The written undertaking of May 2025, proposed by the affiliate itself, against “aggressive language, slurs, or insults” toward Party members – and its breach within weeks	McGee, Part II; Harlos (7/13) Ex. D
Statements that the killing of a named public official would be permissible or deserved	Reale; Harlos (7/13) Ex. C; Moore
The September 2024 post concerning a major-party candidate, and the affiliate's own published explanation of its deletion	Moore
Statements condoning the use of violence for political ends, including in March 2026 and upon the eve of the vote in May 2026	Moore (press report); Harlos (7/13)
Statements that persons who are not citizens are not entitled to rights the Statement of Principles affirms for all individuals	Harlos (7/13) Ex. C
Statements framing political questions in collective rather than individual terms	Harlos (7/13); O'Donnell (7/5)

To avoid a very lengthy examination and commentary, the focus will be placed upon the least subjective and most egregious violations which provide the clearest path to a decision. The amount of data provided was immense, and not without merit. The limiting of discussion on this item is not meant to discount those contributions in any way, and the lack of discussion here does not invalidate them.

The practice is institutional, and the affiliate's own account of it establishes as much. In a recorded interview of June 16, 2021 the person who now chairs the affiliate describes himself as “being on its communications committee” and as “the guy who did the tweets.” In offering to explain “why [LPNH] did them”, he states that the posts were “calculated,” in that he took the plan to a group chat beforehand, “basically saying we’re gonna do this on purpose”. Through introduction of that association, the interviewee changes in nature from that of an individual party member to that of a party representative.

In the interview, he states the object is to *intentionally* post an unpopular statement because of the distribution the reaction produces – known as being “ratioed”. The affiliate’s own exhibit corroborates the role: the investigative committee’s 2021 report filed with the petition records that the affiliate’s then Chair could not bring its Communications Committee to heel. In the eyes of many, the inflammatory nature of the posts increased since that time. Eventually, this escalated to endorsing physical violence against politicians.

A public statement on social media, using the LPNH account, suggested support for initiating physical violence for political purposes was made in August 2024. The affiliate published on its own account a statement that it would be moral and just to lynch the then Vice President of the United States, framing the statement as an application of *Brandenburg v. Ohio*. A month later the affiliate republished its own statement upon the same account with the words “Still true.” The reaffirmation drew reporting the following day, as reported by multiple outlets (*New Hampshire Public Radio, September 16, 2024; WBUR, September 17; carried by Maine Public, Vermont Public and Cape & Islands; and nationally by TIME, ABC News, The Daily Beast and AOL*), and the response of four separate authorities: the United States Secret Service, which stated that it “investigates all threats related to our protectees”; the New Hampshire Department of Safety and the Attorney General’s office, which stated that they were “in communication with our federal law enforcement partners”; and the United States Attorney for New Hampshire, who stated that “threatening violence is a crime and those who do this will be investigated, prosecuted, and held to account in a court of law.” The chairs of both major parties in the State condemned the publication, one “in the strongest possible terms” and the other as “disgusting, dangerous and wrong.”

The Party’s own nominee for President condemned it. Chase Oliver, then the Libertarian Party’s candidate for that office, stated: “I 100% condemn the statement from LPNH regarding Kamala Harris. It is abhorrent and should never have been posted.” He added that “as Libertarians, we condemn the use of force, whether committed by governments, individuals, or other political entities,” and that the Party is “dedicated to the principle of non-aggression and to peaceful solutions to conflict.” (*ABC News, September 16, 2024.*) That is the Party’s own candidate measuring the affiliate’s publication against the Statement of Principles and finding it wanting, in the same week the publication was made.

LPNH removed the publication, gave as its reason that the post violated the terms of use of the platform, and defended the substance: that it “would never advocate for the assassination of a tyrannical President – that’s illegal,” and was “merely acknowledging how some members would react to one.”

This incident occurred prior to the negotiation between the LNC and LPNH regarding its messaging.

On September 23, 2025, in response to a social media post by LPNH, the LNC issued a formal censure due to publishing “posts on social media depicting a Jewish person piloting a plane in connection to the September 11 attacks, and the use of homophobic slurs, which reasonable people would consider antisemitic and bigoted” that “diminishes the Libertarian Party’s image on the national stage, damaging not only our reputation but also our ability to grow” while recognizing “a previous attempt to censure was dismissed, yet

the pattern of behavior has only escalated” and censured LPNH “for [their] despicable conduct, and [invited] them to disaffiliate and cease its use of the Libertarian Party name.” LPNH did not voluntarily disaffiliate, as had been suggested by the LNC.

The disaffiliation “blackout” period began two months later, on November 22, 2025, and continued through May 22, 2026. The actions following occurred during the period in which the LNC could not take action to disaffiliate.

Another call for political violence occurred on March 3, 2026. A former member of the State’s Executive Council, who would enter the race for Governor of the State the following month, was among those advancing a proposal for a State income tax to fund public education. On that day the affiliate published, on its own account, a statement that under libertarian ethical theory it was permissible to kill him. He is a public figure who answered publicly, whose name was carried in the reporting, and who states that he contacted law enforcement. It was the affiliate that identified a real, living, identifiable person, and that identification, rather than any repetition of it here, is the feature which distinguishes the material from abstract advocacy.

It was reported at once, first by a State news service on March 3 and then, over the days following, across the region and nationally.

The affiliate’s response to that reporting was to continue. On the morning of March 4 it published on the same account a poll of its own composition, asking at what point violence against a politician proposing a State income tax becomes legitimate; it reposted that poll; and it then published a further statement, in answer to a member of the public who had mocked the first, generalizing the proposition from that individual to any politician who might introduce such a tax. The affiliate did not withdraw when its statement became public. It restated it in wider terms.

What followed the same day is a matter of public record.

- The statements were reported at once and widely, attributed in every account to the affiliate’s official account and naming their subject, as reported by multiple outlets (*InDepthNH*, March 3, 2026; *New Hampshire Public Radio*, March 4; *Valley News*, March 5; *WBUR*, March 13; carried across the regional public broadcasting network by *Maine Public*, *Vermont Public*, *Connecticut Public* and the *New England News Collaborative*; and nationally by *People* and *AOL*).
- The office of the Attorney General confirmed that it was aware of the matter, stating that it takes “any allegation involving potential threats of violence seriously,” while declining to comment upon the existence or status of any investigation.
- The leader of the House Democratic caucus condemned the statements as dangerous and unacceptable.
- The New Hampshire Department of Justice asked the affiliate to take the post down, and it was taken down.

The affiliate's own account of that is the part set out, because it is the affiliate's institutional voice and because it is not in dispute. That afternoon the affiliate published on the same account a statement confirming that it was "in contact with the NHDOJ regarding a recent post"; that "the NHDOJ requested [LPNH] take this post down"; and that it had "complied voluntarily." It directed the public to harass instead the man the earlier post had named. And it concluded: "LPNH remains committed to turning New Hampshire into a place where it is illegal for anyone who wants to enact an income tax to live."

And this was still not the final act to advocate the initiation of physical violence. At 11:03 p.m. on Sunday, May 24, 2026, upon the account which bears its name, the affiliate published, in reply to another user:

"Sure go use violence against the people responsible for us not having a free market in money

Full support"

Both the incident from March and the May 24 posting are of the affiliate's own publication. They appear upon the channel the affiliate uses as its institutional voice. (*Part II.E.3*).

The threats are documented and were made from the LPNH account. The attribution rule is satisfied.

II.E.6 What is not relied upon, and why

The incident at the 2026 Regular Convention, in which an LPNH delegate struck another delegate and was arrested, was not among the causes the motion specified; the conduct is an individual's. Individual actions not made in an official capacity are not considered. This includes delegate conduct on the convention floor.

Conduct after May 25, 2026, on either side, may not be considered. The examination requires a decision of this Committee based on the facts as they existed at the moment the motion passed. The rule is applied evenhandedly and that is stated where it operates.

No finding is made about any affiliate not before the Committee. Colorado and Wyoming are named in the filings; neither is before this Committee, and no decision is made about either.

Assertions for which no filing supplies a source. Several are made on both sides. They are not relied upon.

II.E.7 Holding

The conduct relied upon is attributable to the affiliate. The endorsement was an act of its Executive Committee, recorded in its own minutes and maintained upon its own account for eighteen months. The threats of violence were made on the LPNH social media account. The publications relied upon were made upon its own channels, by the member of its communications committee charged with making them, in the course of that function.

Criterion 5 is satisfied.

II.F CRITERION 6: WHETHER THE CAUSE REMAINED AVAILABLE TO THE LNC WHEN IT ACTED

Filings addressed: Pet. ¶60; Roos section VI.A, section VI.C, section VI.D; Jacobs, that the endorsement was a main motion in force until rescinded and that eighteen months' silence made the matter "water under the bridge"; Harlos (8/7) and (8/9); McGee (8/9) sections 3–4; Hagopian, "Second Bite" and "The Timing Defeated the Purpose"; Weir section III.A–B; Brown, that an oversight body's evidentiary burden grows heavier the further back it looks. Seebeck, Perry and Schmidt, that a change in the affiliate's officers does not answer conduct of the affiliate.

II.F.1 What this criterion asks

Whether anything that happened between the conduct and the vote deprived the LNC of the power to act upon the conduct: by lapse of time, by waiver, by an act affirming the affiliate's status, or by the affiliate having cured what it did. Cure is decided at Part II.B.6 and is not reopened here; this Part takes that decision as it stands.

II.F.2 The Bylaws contain no limitation period; laches

Neither prohibition in Article 5, Section 4 is qualified by time. Article 5, Section 6 imposes only one temporal restriction upon the revocation power: that it not be exercised within six months prior to a regular convention (*Part II.A*). The only provision in the Section which extinguishes a right through inaction operates against the affiliate: failure to appeal within thirty days confirms the revocation and bars any later challenge. Laches is likewise not available, and for a reason which does not decide anything about the doctrine itself: this Committee has no equitable jurisdiction (*Part II.D.4*). The same answer disposes of the equitable estoppel argument (*Part II.F.5*). Whether the record would make laches out, were it available, is a separate question, and it is answered upon the facts at Parts II.F.3 and II.F.4.

Creating a limitation period would change the character of the power granted in the Bylaws. Article 5, Section 6 provides that the LNC "shall have the power to revoke." That is the conferral of a power, not the imposition of a duty, and a body holding a discretionary power does not lose it by declining to exercise it at the first opportunity.

The delegates knew how to constrain the timing of this power, and how to create repose by the passage of time. Article 5, Section 6 supplies the rule and supplies no limitation. Limitations cannot be read into the Section where the delegates adopted none.

One further point is recorded in the alternative, upon the assumption that laches were available. It could then be examined only through the lens of the first charge. The second charge is attributed through the disaffiliation blackout window, as late as one day prior to the disaffiliation.

II.F.3 LNC did not sleep upon the matter

Disaffiliation is not a light matter. The national party's goal is to promote the growth of its affiliates. The LNC must balance individual affiliate autonomy against the growth of the other affiliates.

Twelve months before the vote a censure of the affiliate was moved upon its own floor. It was moved upon previous notice at the meeting of May 17–18, 2025 and continued to June 1, 2025. It recited both of the causes afterwards relied upon – the character of the material published upon the affiliate's accounts, and the violation of Article 5, Section 4 by the endorsement. It invited the affiliate to disaffiliate voluntarily and to cease using the Party's name: the same thing the LNC would require of it twelve months later.

The merits of that motion were never reached. An objection to consideration of the question was raised and sustained upon a roll call of five to ten with two abstaining, two-thirds being required to prevent consideration. (*Minutes of the LNC, May 17–18 and June 1, 2025; Ballot 20250601-04.*) The motion was blocked at that time by members of the LNC rather than abandoned by it, and the Chair recorded that it might be renewed at a later time. This series of events directly refutes any claim that the endorsement was never raised as a ground of concern before the revocation, or, given that the Chair of LPNH at the time was seated on the LNC as well, that LPNH was unaware of these events.

The motion was not immediately renewed; the Chair engaged with the affiliate instead. The affiliate's then-chair, who sat upon the LNC as the alternate for his Region and disclosed both capacities upon that body's own record, met with the Chair of the LNC and afterwards with others. Out of those conversations the affiliate proposed rules for its own communications: no intra-party attacks, disagreement kept to sophisticated disagreement, and context supplied where a statement would be controversial. Its board settled what it would submit, and its chair reduced the undertaking to a letter to the LNC.

The undertaking held for a time and then did not (*Part II.E.5*). On September 23, 2025, in response to another social media post by LPNH, the LNC issued a formal censure due to publishing content "which reasonable people would consider antisemitic and bigoted" which harms the party, and recognized "a previous attempt to censure was dismissed, yet the pattern of behavior has only escalated" and invited LPNH "to disaffiliate and cease its use of the Libertarian Party name."

From November 22, 2025 the LNC was forbidden to disaffiliate LPNH during the six-month disaffiliation blackout window; the 2026 Regular Convention was called for May 22 (*Part II.A*). Time during which a body is forbidden to act cannot be counted against it as delay.

Any perceived delay prior to the blackout window was the LNC working in good faith to attempt to help cure the problems, without needing to resort to disaffiliation, followed by a warning and invitation for LPNH to disaffiliate of their own accord.

Instead, LPNH escalated again within the blackout period. The publications of March 3 and 4, 2026 fall squarely inside the months in which the delegates had prevented the LNC from

acting; that of May 24, 2026 came during the convention itself, on the eve of the first meeting at which the LNC could act (*Part II.E.5*).

A body which has a censure before it twelve months in advance, whose Chair negotiates rather than presses it, which censures when the conduct resumes, which is then forbidden to act for six months while the conduct worsens, and which acts at its first lawful opportunity, has not slept upon its rights.

The objection is also pressed from the other direction: that the action, though outside the six months, defeated the purpose of the restriction, because the LNC acted an hour after the convention adjourned and so at the moment furthest from the delegates' next opportunity to review it. The restriction is expressed as a period of time rather than as a matter for judgment, and a motion adopted outside that period satisfies it whatever the interval's practical effect. The delegates chose a rule rather than a standard, and this Committee cannot convert the one into the other. That a body barred from acting acts as soon as the bar is lifted is what the bar requires of it.

Whether it should have acted sooner or later is not a question Article 5, Section 6 poses. For six of the months complained of, it could not have.

Nor does the failure of the earlier motion assist the affiliate. That members of the LNC declined to consider a censure is not a determination that the cause was spent, and a body is not disabled from acting by having once declined to act (*Part II.F.4*). An affiliate takes nothing from a motion made against it.

It was not that the LNC was asleep; it was that the LNC was doing everything reasonable within its power to avoid the position in which the Party now finds itself.

The LNC took action at their first opportunity, after the gravest actions associated with the second charge; the first meeting after the close of convention. The LNC was entitled to treat it as within the charge it specified.

II.F.4 Waiver, and the record upon delay

Whether laches is available has been answered at Part II.F.2, and is not reopened. What follows is the answer upon the facts, given because the appellant presses them and because a finding that rested only upon the want of jurisdiction would leave the record unanswered.

The argument assumes what the record denies. It is said that the LNC knew of the endorsement from the moment it was made, and took no action for eighteen months.

What the appellant claims as laches was the LNC working, in a way that could be characterized as desperately working, to avoid disaffiliation of LPNH.

The issue was never dropped, and never forgotten. From the censure motion that was not heard in March 2025, to the censure motion passed in September 2025 which referenced the March 2025 motion, the claim survived.

Because the six months preceding the 2026 Regular Convention were a period in which the LNC was forbidden to revoke, that period cannot be counted as delay. It is compelled inaction.

There is a contention that the national party “accepted the benefits of affiliation throughout” the period. This is the appellant’s characterization and it is not adopted: what an affiliate provides the national Party in the ordinary course is largely the use of its ballot line for the Party’s nominees, and a structure to promote that candidate. In New Hampshire, the state party does not control its ballot line, and in 2024 this affiliate endorsed and promoted another party’s candidate instead.

Nor was the cause waived. Waiver requires the relinquishment of a known right. The LNC asserted its concerns, obtained an undertaking, and censured – the opposite of relinquishment.

The argument that the interval as a whole extinguished the cause is a different argument, directed at a different criterion, and it is answered at Part II.B.8.

II.F.5 Equitable estoppel, and continuity applied evenly

An entity cannot be treated as continuous for the purpose of inculcation and discontinuous for the purpose of everything that followed. This principle is applied to both bodies alike. Equitable estoppel does not produce the consequence urged by the appellant, for a reason that has nothing to do with either body’s continuity.

Article 5, Section 6 contains no limitation period, and this Committee has no equitable jurisdiction (*Part II.D.4*). A continuous LNC that could have acted earlier is an LNC that retained the power it declined to exercise sooner. Continuity preserves the power; it does not spend it.

The seating of the appellant’s delegation at the 2026 regular convention is argued to have been a positive act affirming that the endorsement did not disqualify it, upon which it relied in expending resources to attend. And more broadly: the respondent justifies the revocation by organizational continuity, but the LNC is a continuing body by the same principle; it cannot wield continuity as a sword and discontinuity as a shield. Either both bodies are continuous, and the earlier Committee’s inaction binds this one; or neither is.

Across 2025, the LNC attempted to censure, negotiated with, and then did censure LPNH. There was continual action until the disaffiliation blackout window began.

The LNC had not passed a motion to disaffiliate LPNH prior to the convention, and was forbidden from disaffiliating LPNH between November 22, 2025 and the convention. LPNH was still recognized as an affiliate party through the convention, and therefore the delegates from LPNH were entitled to be seated under the Bylaws. The Credentials Committee is bound by the Bylaws just as the LNC is bound.

The equitable estoppel argument fails because the Section contains no limitation period and this Committee has no equitable jurisdiction (*Part II.D.4*), and it would fail on those grounds whatever the Credentials Committee had decided (*disclosure, Appendix A.1.a*).

The LNC is the same organization as that which was created in December 1971, just as LPNH is the same organization that applied to become, and was accepted as, an affiliate party of the national party in 1973.

II.F.6 Holding

The cause remained available to the LNC when it acted. At the time the LNC passed the motion to disaffiliate: no limitation period bound it; it did not sleep upon the matter; nothing it did affirmed the affiliate's status so as to bar the exercise of the power; and the conduct was not cured (*Part II.B.6*).

Criterion 6 is satisfied.

II.G CRITERION 7: WHETHER THE MOTION WAS PROPERLY ADOPTED BY A VOTE OF THREE-FOURTHS OF THE ENTIRE LNC

Filings addressed: the contention that the motion was made without notice and at a meeting convened within little more than an hour of the convention's adjournment; Kinsella section II.A.b and Harlos (8/7), upon whether the motion was one to rescind; Jacobs; Roots section III.A. The threshold itself is disputed by no one. Seebeck, upon the characterization of the motion as one to rescind and upon the thresholds that follow from it.

II.G.1 The requirement

The threshold is the one condition of Article 5, Section 6 capable of arithmetical proof, and the working is set out notwithstanding, because a condition that goes unexamined for want of a contestant has not been examined.

Article 5, Section 6 permits revocation "by a vote of 3/4 of the entire LNC." The denominator is fixed by the words the delegates used: the entire LNC, not the members present and not the members voting. Abstentions and absences therefore tell against the motion rather than dropping out of the calculation – the ordinary consequence of a threshold expressed as a fraction of a fixed membership, and the reason the delegates expressed it that way.

II.G.2 No previous notice was required

The meeting held on May 25, 2026 was a "regular meeting" of the LNC, meaning that unnoticed items are permitted. The LNC Policy Manual in force provides: "Previous notice is not required unless specified by the Party Bylaws or its parliamentary authority though vote thresholds may change based upon whether or not notice was given." (*LNC Policy Manual section 1.02(1)*.) Article 5, Section 6 imposes no requirement of notice before the vote. Previous notice within the LNC is the same question examined at Part II.B.5, and what is said there is not repeated here.

The LNC Policy Manual in force on May 25, 2026 provides that "the proposed agenda and all reports shall be distributed to the LNC at least five (5) days prior to the session." (*LNC Policy Manual section 1.11(1), as adopted August 10, 2025*.)

Section 1.02(2) outlines the format of the proposed agenda for each meeting, and “New Business” has a bullet for “without Previous Notice”. The standard proposed agenda creates a standing placeholder for new business without previous notice. (*LNC Policy Manual section 1.02(2), as adopted August 10, 2025.*)

II.G.3 What is said

Two things are said: (1) that the motion was sprung – the LNC convening little more than an hour after the regular convention adjourned, with the affiliate’s delegation dispersing or dispersed; and (2) that a motion of this consequence required previous notice, which was not given.

Neither the Bylaws nor RONR requires previous notice for this motion, and the second clause states the principle exactly: previous notice potentially increases voting thresholds. A main motion may be introduced as new business without previous notice.

The same provision supplies the method by which a member gives previous notice when it matters: announcing the intention at the previous session, or sending the complete language of the motion to the entire LNC at least five days beforehand. That is how notice is given, but it is not a requirement that it be given as evidenced by the standing agenda item of new business without previous notice.

And this was not the discipline of a person. The trial procedure of RONR Chapter XX, which does require notice of charges, governs members and officers when it applies. An affiliate party is neither and RONR Chapter XX does not apply to the national party in any case (*Part II.B.3.c*).

Article 5, Section 6 imposes no requirement of notice. What it requires is that the motion specify the nature of the cause (*Part II.C*), and that notice of the revocation be given afterwards, from which the appeal period runs. Both occurred.

The convention adjourned *sine die* at 1:20 p.m. on May 25, 2026. The LNC was called to order at 2:32 p.m. the same day – an interval of one hour and twelve minutes.

The subject was named upon the agenda. The Chair’s proposed agenda carried as item 4J “Disaffiliation of the Libertarian Party of New Hampshire for Cause,” allotted fifteen minutes; upon adoption of the agenda a member moved to take that item immediately after item 4A, and the amendment carried.

The agenda item alone cannot suffice as an answer to the objection, and it should not be mistaken for one. The minutes record that the Chair “previously submitted” the proposed agenda and do not record when it was circulated. What can be said is that the whole interval between the convention’s adjournment and the meeting’s opening was less than ninety minutes. Whether a member saw the item five minutes before the session or fifty, that is not notice in any sense the word ordinarily bears, and an opinion which said otherwise would be trading on an ambiguity.

The objection is therefore taken at its highest: that the affiliate had no meaningful warning that the motion was coming. It fails nonetheless.

The rules for notice run to the LNC's own members, not to affiliates. They require distribution to the LNC. It is a rule of internal housekeeping for the body's own deliberations, and an affiliate is not within its protection. The appellant could not complain of a breach of it even if one were shown.

And no member of the LNC raised a timely point of order upon the distribution of the agenda; the body adopted the agenda, amended it, and proceeded. A standing rule is the rule of the body that adopted it, which may suspend or waive it – and a breach of a standing rule does not, in any event, void action taken at the session.

II.G.4 The characterization of the motion does not matter

It is argued that the revocation was in substance a motion to rescind the affiliate's chartering, and so subject to RONR's requirements for rescinding something previously adopted.

A filer who succeeds in that recharacterization gains nothing by it. Rescinding something previously adopted may be accomplished by a majority with previous notice, or without previous notice by two-thirds of those voting or a majority of the entire membership. Article 5, Section 6 exacts three-fourths of the entire LNC, which is higher than any of them and was obtained.

Threshold	Required	Met?
Article 5, Section 6 — $\frac{3}{4}$ of the entire LNC	14	Yes (15)
Rescission — two-thirds of those voting	12 of 18	Yes
Rescission — majority of the entire membership	10 of 18	Yes
Rescission — majority with previous notice	10 of 18	Yes

The threshold is satisfied upon any view of the question, and the notice argument falls with it: notice could only have mattered by lowering a bar the LNC cleared at its highest setting.

II.G.5 The arithmetic

The LNC consists of eighteen members. Three-fourths of eighteen is thirteen and one-half. A fraction of a vote cannot be cast, and a threshold is not met by approaching it, so the requirement is fourteen.

The motion of May 25, 2026 was adopted fifteen in favor; two against, one abstaining, none absent – one vote above the threshold.

II.G.6 The two versions of the tally

The record contains two, and neither changes the answer. The notice of revocation of June 4, 2026 records the result as "15-2-0-0," omitting the abstention. Transcripts of the meeting find the tally to be 15-2-1-0. On either version fifteen members voted in favor, and fifteen exceeds fourteen. The discrepancy is immaterial to the holding.

II.G.7 Holding

The motion was properly adopted. No previous notice was required, and the subject was in any event named upon the agenda before the meeting; the motion carried fifteen votes where fourteen were needed; and the threshold is met upon any characterization of the motion.

Criterion 7 is satisfied.

II.H THE EIGHTH HEAD: OTHER GERMANE ARGUMENTS

Filings addressed: Pet. ¶¶1–3, ¶62; Hagopian, “Double Standard” and “The Penalty Lands on Members Who Did Nothing”; Ciesielski Argument 6; Brown; McArdle, naming a second affiliate; Roos section VIII. Seebeck and Schmidt, upon the treatment of a second affiliate; Schmidt, upon freedom of association.

The arguments under the eighth head are generally procedural in nature. They are collected here because they are addressed to this action and to this Committee's disposition of it, and they are answered. None of them, if accepted, would place the LNC's action outside the authority Article 5, Section 6 confers, which is why they are not an eighth condition.

II.H.1 The LNC'S discretion

II.H.1.a Two arguments, and the root they share

The first is that the LNC has enforced Article 5, Section 4 against this affiliate and not against others. Another affiliate is said to have done worse and to have suffered nothing; a second is named in the same way.

The second is that revocation was disproportionate: that lesser measures were available, that one of them had been used in September 2025, and that the LNC should have gone further down a ladder before reaching the last rung.

They are different arguments with one root. The first supposes a duty as to whom the power is exercised against. The second supposes a duty as to what is done. The provision imposes neither. Article 5, Section 6 provides that the LNC “shall have the power to revoke.” That is the conferral of a power, not the imposition of a duty (*established at Part II.F.2*).

II.H.1.b What the discretion covers

A discretionary power to act for cause includes the choice of whom to proceed against. A body holding such a power does not forfeit it by having declined to exercise it elsewhere, and nothing in Article 5, Section 6 conditions its use upon uniformity. Were it otherwise, the power would be exercisable only against all offenders at once or against none, which is not a rule the delegates wrote, and not one they can be supposed to have intended.

The discretion covers what is done as well as against whom. Article 5, Section 6 conditions the power upon cause, specification, a three-fourths vote and the timing bar. It contains no criterion of proportionality, and this Committee does not supply one (*Part II.B.5*).

Nor is there a ladder in the Bylaws from which such a criterion might be derived. The argument assumes a graduated scheme with revocation at the end of it. The Bylaws contain no such scheme, and censure is not a rung of one: it is an expression of the LNC's opinion, available to it as to any deliberative body, and neither a precondition to revocation nor a step that must precede it. That the LNC censured before it revoked is a fact about what it chose to do, not evidence of a requirement it satisfied (*Part II.F.3*).

II.H.1.c No findings are made about affiliates not before the Committee

Two other affiliates are named in the filings, and competing accounts are given of what each did. These affiliates are not the subject of this appeal, and this decision makes no finding upon them.

The question before this Committee is whether this action against LPNH conformed to the Bylaws. What another affiliate did does not bear upon it. Any finding regarding another affiliate would be prejudgment of an LNC action not taken and an appeal nobody has brought. If the LNC hereafter proceeds against either, that affiliate may appeal and this Committee will decide then whether the action conformed to the Bylaws.

II.H.2 Affiliate leadership

It is suggested that if the difficulty lay with particular officers, measures directed at them should have been used instead. Both the LNC and this Committee are bound by the Bylaws, which do not provide any such measure.

The officers of a state affiliate are not officers of the LNC by the nature of being a state party officer. Articles 6 and 7, and the trial procedure the LNC Policy Manual attaches to them, reach only those who are officers or at-large representatives of the LNC (*Part II.D.8*).

For the LNC to discipline, suspend or remove an officer of an affiliate would be to reach into the affiliate's internal governance, which is the very thing Article 5, Section 5 forbids, and the very autonomy the appellant invokes against it elsewhere.

Article 5, Section 6 gives this Committee two things to do: affirm the revocation, or order the affiliate reinstated. It provides nothing between them; no power to substitute a lesser sanction, to suspend, to remit, or to impose conditions.

A revocation found disproportionate could therefore not be moderated here. It could only be affirmed or undone. A criterion this Committee has no remedy to enforce is not one it can usefully find.

II.H.3 The members within the state

Disaffiliation of a state affiliate is not the taking of a member's right, it is a severing of the relationship between the national party and a state party.

Membership arises under Article 4 and is not conditioned upon the existence of an affiliate. Membership exists outside of the existence of a state affiliate. This is clearly evidenced in the affiliate petition process outlined in Article 5 Section 2.

Article 10, Section 3 entitles each affiliate party to send delegates to a national convention. That entitlement is granted to affiliate parties. Unless overturned by this body, there is not a recognized affiliate party in New Hampshire at present. Delegates cannot be seated from an unrecognized party. That is the actual consequence in this act of disaffiliation.

State party membership and national party membership are not the same. State affiliates determine who participates in their state conventions - many exclude those who are national party members but are not members of the state affiliate. State affiliates decide at those state conventions who is eligible to be a delegate to a national convention to represent that state affiliate.

There is no guarantee that national party members have a right to participate in a national convention, under national or state affiliate bylaws.

In the specific case of LPNH, delegates to the national convention from New Hampshire must meet the same requirements as being an officer in the party (LPNH Constitution Article V, Article IV). Being a national party member with residency in New Hampshire is part of that equation, but additional requirements also exist. The LPNH constitution also requires dues paid to the state party, and a specific duration of membership in the state party (commonly referred to as a “seasoning period”). In this case, national membership is a restriction upon who may be a delegate from New Hampshire; it is not a right provided to national party members.

Further, the participants in the selection process for delegates to a national convention are not limited to national party members. Being a national member does not automatically allow participation, and participation is not restricted based on national party membership. The process is limited to those who are state party members in attendance and eligible to participate at the state convention at which such delegates are selected.

Finally, the disaffiliation of LPNH does not preclude members from New Hampshire from being delegates. At the 2026 national convention, national party members who reside in New Hampshire were seated as delegates from other state parties.

The relationship affected is between the national party and the affiliate party. That relationship is what grants delegate allocation. A national party member in New Hampshire held no guaranteed access to a convention through his or her affiliate before May 25, 2026, and holds none now. What has lapsed is an organizational entitlement, not a personal one.

National party members residing in New Hampshire, regardless of the existence of an affiliated state party, retain the rights membership carries. The rights of membership are not dependent on recognition of a state affiliate. Article 5, Section 2 is open to any qualifying organization of Party members in New Hampshire with whom the LNC decides to associate.

III. THE RULING

THE QUESTION, RESTATED

This Committee does not decide whether revoking the appellant's affiliate status was wise, proportionate, or what this Committee would have chosen. It decides whether the LNC acted within the authority Article 5, Section 6 confers, and the burden of persuasion rests upon the appellant. (*Part I.B.*)

The findings are made as of May 25, 2026, upon what was known and done before the motion was made. Nothing done or learned afterwards enters them, in either direction: it neither supplies a cause the motion did not specify nor removes one that existed when the LNC acted. No finding is made as to what that body could have done instead, and nothing here directs what it may do hereafter. If circumstances have since changed, it is for the LNC to decide whether to act upon them, upon a petition under Article 5, Section 2 or otherwise; and if it acts, an aggrieved affiliate may appeal, and this Committee will decide then whether that action conformed to the Bylaws. (*Part I.B.*)

In the findings that follow, where this Part records what the LNC did, each determination is made upon the evidence; it does not adopt the LNC's characterization of its own act.

III.A FINDINGS ON THE SEVEN CRITERIA AND ON THE EIGHTH HEAD

Criterion 1 – Blackout period. Article 5, Section 6 prevents the LNC from “[revoking] the status of any affiliate party within six months prior to a regular convention.” The action was taken immediately following a national convention. (*Minutes of the LNC, May 25, 2026*).

Satisfied. (*Part II.A.*)

Criterion 2 – Prior process. Article 5, Section 6 required nothing of the LNC before the motion was made: no investigation, no trial, no advance notice to the affiliate, no demand for correction, and no opportunity to respond beforehand. The LNC Policy Manual, being the LNC's own standing rules and special rules of order, imposed none either; it contains no procedure for disaffiliation, though it imposes a trial procedure upon the LNC for its own officers. Nothing that any instrument required before the motion was omitted. An amendment to refer the matter to an investigatory committee was moved upon the floor of the meeting, considered by the body, and declined by it (*Minutes of the LNC, May 25, 2026*).

Satisfied. (*Part II.B.*)

Criterion 3 – Specification. The motion was required to “specify the nature of the cause for revocation.” It recited two causes: that the affiliate “openly and publicly endorsed Donald Trump during the election” contrary to the prohibition it quoted, and that the affiliate had “crudely and repeatedly undermined our own candidates, and [had] espoused numerous anti-libertarian positions on a National level.” The first identifies conduct, actor, and the provision violated. The second identifies a course of conduct, its character, and the level at which it occurred, which is the *nature* of a cause. The words “and more” specify nothing and are given no effect, so that the causes are two and no more. The notice of June 4, 2026 recited both in the words adopted. **Satisfied.** (*Part II.C.*)

Criterion 4 – Capacity of the cause. Each cause specified is capable of constituting cause. The first is the violation of an express prohibition in Article 5, Section 4; conduct the Bylaws forbid an affiliate to engage in is capable of being cause for revocation, or the prohibition would be unenforceable. The second is conduct inconsistent with the Statement of

Principles, published under the Party's name by an organization holding that name by the Party's grant – the confusion Article 5, Section 1 legislates against, aggravated rather than cured by the publisher being entitled to the name. **Satisfied.** (*Part II.D.*)

Criterion 5 – Attribution. The conduct specified is attributable to the affiliate. The endorsement was an act of the affiliate's Executive Committee, recorded in its own minutes, and stood published upon the affiliate's own account until after the LNC acted. The second charge is laid against the affiliate and is proved by material published upon its own channels, by the member of its communications committee charged with publishing it. No individual's personal speech is relied upon as institutional cause, and material tendered from personal accounts by either side is excluded. **Satisfied.** (*Part II.E.*)

Criterion 6 – Availability. The cause remained available when the LNC acted. The Bylaws contain no limitation period, and the only repose created by inaction runs against an affiliate that fails to appeal within thirty days. The LNC did not sleep upon the matter: a censure reciting both causes was moved upon its floor twelve months before the vote and blocked by its own members; its Chair obtained a voluntary undertaking from the affiliate rather than renew it; it censured when the undertaking was not kept; it was then forbidden to revoke for roughly six months, during which the conduct was at its gravest; and it acted at its first lawful opportunity. No motion relinquishing the ground was ever adopted, and the Bylaws provide no mechanism by which cause is extinguished by subsequent remediation. The repudiation of June 2026 postdates the decision under review; the change of officers of March 2025 preceded it, but the conduct did not stop, and continued to the night before the vote. **Satisfied.** (*Part II.F.*)

Criterion 7 – Adoption. No previous notice of the motion was required: Article 5, Section 6 requires none, RONR requires none for an original main motion, and the LNC Policy Manual provides that previous notice is not required unless the Bylaws or RONR specify it. The subject was named upon the Chair's proposed agenda as an item of business, and was taken earlier in the order by an amendment the body adopted. The presiding officer relinquished the chair in order to move the question and did not preside upon it. A roll call was demanded and taken. (*Minutes of the LNC, May 25, 2026.*)

The LNC consists of eighteen members; three-fourths of the entire LNC is thirteen and one-half and therefore fourteen. The motion was adopted fifteen in favor, two against, one abstaining, none absent. The notice of June 4, 2026 recites the tally as "15-2-0-0," omitting the abstention; the tally on recorded audio was 15-2-1-0, and the threshold is exceeded upon either figure. **Satisfied.** (*Part II.G.*)

The eighth head – other germane arguments. The arguments collected at Part II.H are answered upon their merits and none of them succeeds. None could in any event alter the disposition, because Article 5, Section 6 states the conditions upon which the power depends, and neither evenhandedness of enforcement as between affiliates nor proportionality is among them. The argument that revocation falls upon members who did nothing is accurate so far as it goes, and is answered at Part II.H.3 where what the revocation does not touch, and what remains open to those members, is also set out.

These findings are recorded separately so that a member of this Committee who takes a different view of any of those arguments may say so without disturbing the findings upon the seven, and so that a reader may see that the arguments were reached rather than avoided. (*Part II.H.*)

III.B CONCLUSION ON THE APPEAL

Each of the seven conditions Article 5, Section 6 imposes upon the exercise of the revocation power is satisfied. It follows that the action taken on May 25, 2026 was within the authority Article 5, Section 6 confers, and the appellant has not carried the burden of persuasion that provision places upon it.

This conclusion is not a finding that revocation was the best course, the proportionate course, or the course this Committee would have taken had the choice been its own; Article 5, Section 6 commits that judgment to the LNC.

Nor is it an adoption of everything said about the appellant in the filings of interested persons, much of which this opinion has expressly declined to rely upon.

And it is not a finding upon any matter this opinion has marked as ancillary, as this Committee lacks the authority to decide on those matters.

IV. ORDER OF THE JUDICIAL COMMITTEE

The Judicial Committee AFFIRMS the revocation of affiliate party status from the Libertarian Party of New Hampshire by a vote of 7 to 0.

IV.A WHAT IS AFFIRMED

The action taken has been affirmed, and nothing else. The motion did two things: it revoked the appellant's affiliate status under Article 5.6 for the cause of Article 5.4 violations, and it directed the appellant to cease using the Party's name and logo under Article 5.1. Both are affirmed, construed as follows. An opinion which affirmed the motion without construing its operative clause would leave the most consequential words in it undecided.

The limits of that power are not newly stated here. In *McVay/Hinds v. LNC* this Committee held that where a disaffiliation has occurred "the only options for the JC under LP Bylaws Article 5.6 are to either affirm the revocation, or to reinstate the affiliate," and that it is "not authorized to fashion a different remedy" – adding that a ruling to reinstate is self-executing, requiring no further motion of the LNC.

IV.A.1 The revocation

The appellant is no longer an affiliate party of the Libertarian Party. That is the substance of the action and the whole of what the first branch effects.

IV.A.2 The direction to cease using the name and logo

Article 5, Section 1 permits use of the name “Libertarian Party,” and of any confusingly similar designation, only by the Party or by an organization to which the Party has granted affiliate status. The grant was conditional and the condition has failed: upon revocation the appellant is no longer such an organization, and continued use falls outside what Article 5, Section 1 permits.

Enforcement of that provision rests with the LNC under Article 7, Section 1, which commits control and management of the Party’s properties to it. No other body of the Party has that authority, and a construction under which Article 5, Section 1 could be enforced by no one would render it a nullity. The direction is therefore within the authority the Bylaws confer, and the manner and timing of any further enforcement remain with the LNC.

One objection said that a direction to cease using the name can be enforced only “by resorting to state force” and that enforcement of the name is itself aggression, and so contrary to the Party’s own Platform. What has been directed at this time is that the appellant cease using the name. Nothing more has been directed, and no means of enforcing it has been specified or chosen. The objection therefore assumes a step that has not been taken. Whether any particular means would be within the Bylaws or outside them is not a question this appeal presents, and no view is expressed upon it. If the LNC hereafter selects a means of enforcing Article 5, Section 1, and that choice is challenged under Article 7, Section 12, this Committee will consider it then.

IV.A.3 The condition upon future recognition

The motion provided that the revocation should stand “until such a time as the LNC recognizes a new affiliate in New Hampshire that shares our Party’s foundational values.”

Objection to this phrase claims that a condition framed in those terms makes ideological conformity the price of recognition, and converts every change of control within an affiliate into an occasion for removal.

The answer is in the words “for cause,” and it is short. Article 5, Section 6 confers no power to revoke at will. A revocation must rest upon cause, and this opinion has held both what that requires and what it excludes (*Part II.D.5*): a reason unconnected to the affiliate’s conduct or condition as an affiliate is not cause; a recitation identifying nothing is not cause; and a pretext for what Article 5, Section 5 forbids is not cause. No clause of this kind can supply a ground the Section withholds.

So the clause construed is narrower than the objection assumes. Whatever weight a future LNC may give those words when an organization applies under Article 5, Section 2, the clause cannot supply cause for a revocation. No future application can be placed before this Committee, and the scope of the chartering power is reserved to the LNC (*Part II.D*). The objection is answered without reaching it.

IV.A.4 What affirmance does not decide

It does not enlarge the clause concerning future recognition beyond what Article 5, Section 2 permits, and makes no determination upon any application under that Section.

It is not a finding that revocation was the wise, the proportionate, or the necessary course. Article 5, Section 6 commits that judgment to the LNC.

It is not an adoption of everything said about the appellant in the filings, much of which this opinion has expressly declined to rely upon.

It is not a finding upon any matter this opinion has marked as ancillary, nor upon any affiliate not before this Committee.

And it does not affect the membership of any person. What the revocation does not touch, and what remains open to members of the Party resident in New Hampshire, is set out at Part II.H.3 and is not repeated here.

IV.B DISPOSITION OF EACH PRAYER FOR RELIEF

#	Requested	Disposition
1	Acknowledge receipt of the petition and confirm the date of docketing in writing	Satisfied, and no further order is required. The petition was received July 2, 2026 and considered as transmitted to the LNC on July 3, 2026; the appellant was notified.
2	Preserve the status quo pending decision	Refused for want of any power to grant it. No provision of the Bylaws empowers this Committee to suspend, stay, or hold in abeyance a decision of the LNC while an appeal is pending.
3	Set the matter for hearing within the time prescribed by Article 5, Section 6	Satisfied. The hearing was set for and held on August 11, 2026. The Committee sought an earlier date throughout. The hearing was originally set for July 30, but after multiple alternate dates were suggested, the parties found August 11 was the only date mutually available. The Chair, in whom Rule 8.1 vests the setting of the time, accordingly moved the date to August 11 in deference to that availability. The sequence is recorded so that the date is not mistaken for delay on the Committee's part: every earlier date was offered and the outer bound was reached in order to give both parties the single joint hearing each asked for
4	Reverse the revocation and order reinstatement, with all incidental relief	Refused, for the reasons in Parts III.A and III.B: the action was within the authority Article 5, Section 6 confers and the appellant has not carried its burden

#	Requested	Disposition
5	In the alternative, order a Dixon-style investigatory committee to report to the LNC before any disaffiliation takes effect	Refused on the merits, and refused for want of authority. <i>Merits:</i> the 2021 committee was charged with examining the conduct of the then national Chair, not disaffiliation; it is not a model for a determination under Article 5, Section 6 (<i>Part II.B.4</i>). <i>Authority:</i> Article 5, Section 6 permits affirmance or reinstatement and nothing else; and the relief as framed would additionally require this Committee to suspend the operation of a revocation, which no provision empowers it to do
7	<i>(Reply Br.)</i> Specify the grounds on which affiliate amicus briefs were declined; reconsider any decision to deny affiliates the right to file; and accept such briefs as pleadings on behalf of the filing affiliates as persons with distinct interests	Satisfied in part; otherwise refused. The grounds were stated to each filer at the time, and the complete register of every filing and determination is at Appendix B. The remainder is refused, for the reasons at Part I.B.5.b. Nothing turns upon it for this appeal: the substance of the six-affiliate submission was filed by two individual sustaining members, is in the record, and is answered at Part II.B.4
8	<i>(Reply Br.)</i> First consider the merits of Amicus Ciesielski's argument upon the selection of this Committee, before addressing the substance of the appeal	Refused, and the ground is jurisdictional. Article 8, Section 2 confines this Committee to seven enumerated matters and its own composition is not among them; a motion made within an Article 5, Section 6 appeal cannot confer a jurisdiction the delegates withheld. The Committee has not passed the argument over: the Committee cannot rule upon it under RONR.
9	<i>(At the hearing)</i> Strike, under Rule 2.8, the written and verbal content relying upon the appellant's social media as a basis for the revocation, as never having been noticed	Refused, and the ground is that the Committee has already given the appellant the substance of what it asks. Rule 2.8 is a provision for excluding content from the record based upon specific criteria, which does not include notice. A cause not specified in the motion cannot be supplied afterwards, whether by a brief, by an amicus or at a hearing (<i>Parts II.C.5, II.C.2</i>); material published after May 25, 2026 is not cause (<i>Part I.B</i>); and the second charge is sustained, if at all, only by material answering to what the motion specified and published on the affiliate's own channels before the vote (<i>Part II.E.5</i>). Striking the material would in addition deprive the appellant of matter it is entitled to have answered, since the Committee's

#	Requested	Disposition
		reasons for confining it can only be given if it is described. The motion is refused; the limits the appellant seeks are imposed by Part I.B and Part II.C and are imposed whether or not it moved for them
6	Such further relief as the Committee deems just and proper	Refused. The Committee has no residual or general remedial power. Article 5, Section 6 states its authority exhaustively, and a request for unspecified further relief cannot enlarge it

A note upon the prayer refused for want of authority. It is added so that the answer is not mistaken for an evasion. The substantive question raised – whether the motion specified cause sufficiently – has been considered fully and decided upon the merits (*Parts II.C and II.D*). Had it been decided the other way, the remedy in this proceeding would have been reinstatement, which is within this Committee’s power and which it would have ordered. The limit goes to the form of the relief requested, not to any unwillingness to reach the question.

APPENDIX

APPENDIX A — DISCLOSURES

This opinion relies in places upon the Party's own records — the minutes of past conventions, the roll call of an LNC ballot, the proceedings of the 2026 Regular Convention — and the author of this opinion appears in several of them. Two members of this Committee are named in the record for other reasons, and filers are named in matters this opinion sets out.

Each such fact is disclosed here, in one place. Earlier drafts disclosed them where they arose, which interrupted the reasoning at exactly the points where the reasoning mattered most. Collecting them is not a way of burying them.

A.1 THE AUTHOR'S PARTICIPATION IN MATTERS THIS OPINION RELIES UPON

A.1.a The 2026 Credentials Committee — an act upon which an argument depends

The author chaired the Credentials Committee of the 2026 Regular Convention, which credentialed the appellant's delegation.

An argument in this appeal is built upon that seating. It is said that seating the delegation affirmed that the endorsement did not disqualify the affiliate, so that the LNC is estopped in equity from acting upon it (*Part II.F.5*).

The answer given to that argument does not depend upon the seating, and that is deliberate. Whether the delegation was properly credentialed is not among the seven criteria, no party asks this Committee to decide it, and no finding is made upon it. The argument fails because Article 5, Section 6 contains no limitation period and this Committee has no equitable jurisdiction (*Part II.D.4*) — and it would fail upon those grounds whatever that committee had decided.

A.1.b The Delaware matter of November 2021 — votes of the author's own in records this opinion uses

Part II.B relies upon the minutes of the LNC's special meeting of November 21, 2021, and Part II.C upon the ruling recorded at that meeting that a motion to disaffiliate requires cause to be given. The author was a member of the LNC then and voted in the divisions those minutes record — in favor of the appeal from the ruling of the chair; in favor of the motion to recognize one of the two contending boards, which failed; and in favor of the motion to disaffiliate that affiliate, which also failed for want of the three-fourths Article 5, Section 6 requires.

A second vote bears disclosing. The members of the 2021 investigatory committee were elected upon Ballot 20210626-02, conducted by approval voting, and the author voted in that election. The author nominated and voted for Mr. Dixon, who was elected, who chaired that committee, and who is now a member of this Committee (*A.2*). The author did not serve upon that committee; no member of the LNC was eligible to.

The motion creating the committee was adopted upon Ballot 20210618-04 at the meeting of June 19, 2021, which the author chaired; as is tradition where there is no tie, he did not vote upon it. Part II.B.4.a construes the terms of that motion, and the construction rests upon its words rather than upon anything said or done from the chair.

Three things are to be said. These records are used for what the LNC did — a matter of record, verifiable by any reader against the same documents. No finding is made about the Delaware matter, no view is expressed upon whether that affiliate should have been disaffiliated. And nothing in this opinion turns upon who sat upon the 2021 committee: the reasoning rests upon the terms of the motion that created it and upon what the LNC did with its report, neither of which depends upon its membership.

That an author once voted upon a question is a reason to disclose the fact, not a reason to decide the present appeal by it.

A.1.c The suspension of the Secretary in 2021 — a vote of the author's own upon the question this opinion decides

Part I.B.5.c relies upon the convention of 2022 and its voiding of the removal of the Secretary of the LNC. The removal began with a suspension the LNC adopted upon September 5, 2021, and the author was a member of that body, as its Vice-Chair, when it did so.

Upon the suspension itself the author abstained; it was adopted eleven to two with one abstention (Ballot 20210905-08). Upon an amendment to strike "suspend" and insert "censure" he voted in favor, and it failed five to eight with two abstaining (Ballot 20210905-12).

One vote requires more than recording. The Secretary raised a point of order that RONR 62:16 required a trial before the removal of an officer whose term ends at a fixed occasion. The chair ruled it not well-taken, upon the opinion of Robert and Balch and upon the ground that Article 6, Section 7 places the matter outside RONR. The author voted to overturn that ruling. The ruling was sustained, nine to four with two abstaining (Ballot 20210905-09).

Part II.B.3.c adopts the reading the author voted against, and upon the same authority. It is adopted here because the Bylaws state a procedure three times over and none of the three imports a trial, and not because of how any member of this Committee once voted. A vote cast five years ago upon a question now before this Committee is a reason to disclose it, and not a reason to decide the present appeal by it — or to decide it the other way in recompense.

The suspension was afterwards declared null and void by the convention of 2022, and it is that voiding, and not the suspension, upon which Part I.B.5.c relies.

A.2 OTHER MEMBERS OF THIS COMMITTEE NAMED IN THE RECORD

Patrick Dixon, a member of this Committee, chaired the 2021 investigatory committee whose report is the foundation of the appellant's alternative prayer for relief and of the

“Dixon model” argument (*Part II.B.4*). The point is properly raised and is disclosed on the face of the Party’s own record. No party has moved to disqualify any member.

Avens O’Brien, a member of this Committee, served as vice chair of the appellant affiliate from 2006 to 2008. She also served as a floor teller at the 2026 Regular Convention and assisted with standing counts.

The first of those facts is disclosed although it is nearly twenty years old, although it long predates any conduct this appeal concerns, and although no filing raises it. A member of this Committee having held office in the organization whose appeal is before it is a thing the parties should learn from this opinion rather than after it.

A.3 FILERS WHO SOUGHT ELECTION TO THIS COMMITTEE

Eight persons who sought election to this Committee at the 2026 Regular Convention, and were not elected, have filed in this proceeding: Nolan Schmidt, Nickolas Ciesielski, Caryn Ann Harlos, Nathan Madden, Hector Roos, Stephan Kinsella, Roger Roots and Michael Seebeck.

The fact is recorded and no inference is drawn from it. Their filings are considered upon their merits like every other, and nothing in this opinion turns upon who sought a seat here. No party has suggested otherwise.

A.4 DISCLOSURES MADE BY FILERS THEMSELVES

These are the filers’ own, and they are recorded as they were made.

Jonathan McGee filed the Respondent Brief as Secretary of the LNC and separately filed amicus briefs in his own capacity as a sustaining member; the dual role is disclosed on the face of his filings.

Nickolas Ciesielski discloses that he serves as Vice Chair of the Libertarian Party of Pennsylvania and files in no official capacity.

Jonathan M. Jacobs states that he is a professional parliamentarian; that he has advised the LNC on disciplinary action and helped draft the disciplinary rules for LNC members upon which the respondent relies; that he appeared for the LNC in *Kosin v. LNC* (2025); that he is retained by a Party caucus; and that he has previously served as convention parliamentarian for the appellant.

Angela McArdle writes as a former Chair of the LNC upon a matter she presided over.

Nicholas Conrad disclosed that he is Chair of the Alaska Libertarian Party; his submissions were not accepted (*Appendix B*).

APPENDIX B — REGISTER OF MATERIALS BEFORE THE COMMITTEE

Everything relied upon in this opinion is listed here, whatever its source. Rule 5.1 requires the documents and materials the Committee receives to be posted and publicly available. Rule 2.8 permits the Committee, “by a vote of five or more members and without reaching

the merits,” to reject, refuse to publish, exclude or strike content, and requires it to “state the ground(s) for any rejection in writing.” In addition to materials received and discovered, this Appendix includes the records of what was not accepted, so that the record of this proceeding is complete on its face and no reader need reconstruct it.

Where the Committee determined not to receive a submission, the ground was stated in writing to the submitter by electronic mail at the time of the determination, as Rule 2.8 requires. The reasons given by individual members in the course of voting are their own; the Committee’s act is the vote, and it is the vote that is recorded here.

B.1 AMICUS FILINGS ACCEPTED

Twenty-nine amicus filings were accepted and are part of the case. They are listed in the order received and accepted. This list is in addition to the petition of July 2, 2026 and the Respondent Brief of July 10, 2026, which are the filings of the parties and are not amici.

Filer	Accepted
Michael Seebeck	July 2, 2026
Jake Leonard	July 3, 2026
George Phillies	July 4, 2026
Caryn Ann Harlos	July 4, 2026
Justin O'Donnell	July 5, 2026
Nolan Schmidt	July 6, 2026
Darryl W. Perry	July 7, 2026
Caryn Ann Harlos	July 13, 2026
Caryn Ann Harlos	July 20, 2026
Dan Reale	July 21, 2026
Justin O'Donnell	July 21, 2026
Carol Moore	July 25, 2026
George Phillies	July 26, 2026
Hector Roos	July 29, 2026
Jonathan McGee	July 29, 2026
Todd Hagopian	August 1, 2026
Ben Weir	August 3, 2026
Nathan Gage Madden	August 4, 2026
Norman Stephan Kinsella	August 5, 2026
Jonathan M. Jacobs	August 6, 2026
Caryn Ann Harlos	August 7, 2026
Nickolas Ciesielski	August 8, 2026

Filer	Accepted
Jonathan M. Jacobs	August 8, 2026
Roger Roots	August 8, 2026
Caryn Ann Harlos	August 9, 2026
Jonathan McGee	August 9, 2026
Adam Balling	August 10, 2026
Ryan Brown	August 10, 2026
Angela McArdle	August 11, 2026

Amicus briefs acceptance was temporarily suspended on the evening of July 13 through end-of-day July 19 for the implementation of an electronic filing system listed under Rule 2.9.

Rule 2.3 makes a submission part of the case if it is received prior to the hearing; the hearing was held on August 11, 2026. August 9 was the administrative date by which the Committee could assure itself of time to review a filing before the hearing, fixed by a motion of July 19 “to effectuate rule 2.8.” The two are not the same, and a filing received after August 9 was not excluded on that account — six of the twenty-nine above were received on August 9 or later, and the last of them was received on the day of the hearing itself and before it. All are part of the case. What a late-but-timely filer loses is a Committee already informed by the brief at the hearing, not consideration: the members vote afterwards and the opinion issues later still.

B.2 SUBMISSIONS NOT ACCEPTED — DETERMINATIONS UNDER RULE 2.8

Several attempted submissions received outside the document management system did not conform to the Judicial Committee Rules of Appellate Procedure. These were rejected administratively, rather than under Rule 2.8. Because there was no documentation system, a best-effort has been placed on providing the full list:

- Austin Martin and the “six state amicus” – Rejected due to state affiliates not being sustaining members. Repeated attempts to file the same defective document, eventually ruled dilatory and ignored. 7/10/2026 through 7/24/2026; eventually submitted by 2 other sustaining members and accepted
- “John Ponty” - Rejected due to being an alias and not a real name that can be traced to a national party sustaining membership. 7/13/2026; later re-filed by Harlos and accepted
- Alfa Shaw and affiliate resolutions – A number of individual emailed documents rejected due to not being in amicus form, being state resolutions some of which specifically said were not about LPNH in their content. Could have been accepted in amicus form, or as evidence by either party. 7/15/2026

- Ryan Brown as NC State Chair – Rejected due to being filed by Mr. Brown in his official capacity of Chair speaking for his affiliate, and not as an individual sustaining member. 7/15/2026; later refiled in his individual capacity and accepted
- LNC Respondent - Attempted supplemental respondent brief; no mechanism. 7/29/2026; later refiled and accepted as amicus brief
- Roger Roots - Duplicate submission; original accepted. 8/8/2026
- Huyett Appellant - Attempted reply brief; no mechanism. 8/9/2026; later submitted as evidence at the hearing

Upon creation of the document submission system, the entire committee was empowered to easily weigh-in on matters of acceptance and the need for administrative rejections by the Chair became moot for amicus filers, and all rejections are now handled under Rule 2.8 thereafter.

All filers who had been rejected or who had been placed on hold prior were informed on 7/20/2026 that the new system had been created under Rule 2.9 and were invited to participate in that system.

Five submissions were the subject of a determination under Rule 2.8. Rule 2.8 requires a vote of five or more members, and each of the five determinations below carried exactly five votes against — the threshold, and no more.

Submitter	Received	Determination	For	Against
Nicholas Nelson Conrad	August 8, 2026	Struck after publication	2	5
Nickolas Ciesielski	August 9, 2026	Refused	0	5
Nickolas Ciesielski	August 9, 2026	Refused	2	5
Nicholas Nelson Conrad	August 9, 2026	Refused	1	5
Ryan Brown	August 10, 2026	Refused	0	5

The vote of each member upon each determination, recorded by name.

For	Against	Not voting
Geoffrey Neale, Patrick Dixon	Sam Goldstein, Mary Gingell, Charles Moulton, Kenneth Moellman, Avens O'Brien	—
—	Sam Goldstein, Charles Moulton, Kenneth Moellman, Geoffrey Neale, Patrick Dixon	Mary Gingell, Avens O'Brien
Patrick Dixon, Kenneth Moellman	Charles Moulton, Sam Goldstein, Geoffrey Neale, Mary Gingell, Avens O'Brien	—
Patrick Dixon	Sam Goldstein, Charles Moulton, Kenneth Moellman, Geoffrey Neale, Mary Gingell	Avens O'Brien
—	Mary Gingell, Sam Goldstein, Charles Moulton, Kenneth Moellman, Avens O'Brien	Geoffrey Neale, Patrick Dixon

B.2.1 The consequence for this opinion, stated plainly

Nicholas Nelson Conrad has no filing of record: his submission of August 8 was struck after publication and his submission of August 9 was refused. This opinion therefore cites no filing of his, and rests nothing upon one.

Four arguments which those rejected submissions contained are nevertheless answered in Parts II and III, and that is noted here rather than left to be noticed: that the Party is an association of associations, so that an affiliate is a “member” entitled to the protections of RONR 63:5 (*Part II.B.3.c*); that “for cause” is a term of art which the respondent’s reading would reduce to surplusage (*Part II.D*); that a national member resident in the State loses three identified rights (*Part II.H.3*); and that laches, equitable estoppel and an argument from equality bar the revocation (*Part II.F*).

They are answered because the Committee reaches them of its own motion, and for two reasons. Each bears directly upon a criterion this Committee must decide, and a criterion is not satisfied merely because the argument against it arrived in a document the Committee could not receive. And each was pressed in substance by filers whose submissions are of record: the parliamentary-authority argument by Kinsella and Roos, the surplusage argument by Roos and by the appellant, the delay arguments by Jacobs, Hagopian, Roos and Weir.

The distinction must be drawn. The committee cannot receive the struck and refused submissions, does not quote them, and attributes nothing to their authors. The committee decides the questions before it upon the whole of the material properly before it, which is what it would have had to do had those submissions never been tendered at all.

B.3 THE PARTIES’ PLEADINGS AND EXHIBITS

- Petition of the appellant, July 2, 2026, with its exhibits, among them Exhibits A, B-1, D, and G (the report of the 2021 investigatory committee).
- Respondent’s Brief of the LNC, July 10, 2026, with Exhibits B, C and D.
- Reply Brief and Motion of the appellant, August 8, 2026, with Exhibits A and B (the letters of August 9 and August 25, 2022).
- The appellant’s bylaws as in force in 2024.

B.4 THE PARTY’S OWN RECORDS

1. The Bylaws and Convention Rules, and the Judicial Committee Rules of Appellate Procedure.
2. The LNC Policy Manual, in the versions adopted August 10, 2025 and July 2, 2026.
3. Minutes of the LNC — May 25, 2026; the meeting of May 17-18, 2025, continued to June 1, 2025; September 4-5, November 21 and December 4, 2021; and January 17 and 23, April 18, May 29, June 5, July 3, 23 and 30-31, August 11, September 1, 11 and 18, October 2, November 5-6 and December 11, 2022.

4. Minutes of the Executive Committee — August 17, 2021; and January 7, April 5 and 15, May 18, June 9, July 12 and 25, August 25, October 6, November 20 and December 11, 2022.
5. Minutes of regular conventions — 1983, 2010, 2014, 2016, 2018, 2020, 2022, 2024, and the draft minutes of 2026.
6. Minutes of this Committee, July 19, 2026, in draft.
7. The LNC's logs of motions and ballots for 2021, 2022 and 2025 — among them Ballot 20210618-04, Ballot 20210626-02 and Ballot 20210904-04 (the investigative committee, its formation, the election of its members, and its final report); Ballot 20220911-10 (the New Mexico disaffiliation); and Ballot 20250601-04 (the objection to consideration of the censure).
8. The email ballot of September 2025 censuring the appellant.
9. The Bylaws of the Party as they stood in 1972, 1983, and 1985.
10. LPedia, and *LP News*, January–February 1974, for the acceptance of the appellant's affiliation petition on November 24, 1973.
11. Minutes of the appellant's Executive Committee, November 4, 2024.
12. The appellant's own instruments — its Constitution, and its bylaws as in force in 2024.

B.5 RECORDINGS AND TRANSCRIPTS

1. The hearing of August 11, 2026, with transcripts.
2. The LNC's meeting of May 25, 2026.
3. The LNC's meeting of June 18, 2021.
4. The 2026 Regular Convention.
5. A recorded interview of June 16, 2021 — *Lions of Liberty*, "Electric Libertyland," published upon that program's YouTube channel.

B.6 PUBLIC RECORDS AND CONTEMPORANEOUS REPORTING

1. The business registry of the State of New Hampshire — trade-name registrations 824465 and 824865 (2019, expired 2024); Domestic Nonprofit Corporation 874035 (March 10, 2025).
2. Reporting of March 2026 — InDepthNH (March 3), New Hampshire Public Radio (March 4), Valley News (March 5), WBUR (March 13), and the same report carried by Maine Public, Vermont Public, Connecticut Public and the New England News Collaborative, and nationally by *People* and AOL.

3. Reporting of September 2024 — New Hampshire Public Radio (September 16), WBUR (September 17), carried by Maine Public, Vermont Public and Cape & Islands, and nationally by *TIME*, ABC News, The Daily Beast and AOL. The statement of the Party's nominee for President is at ABC News, September 16, 2024.
4. The statements of public authorities recorded in that reporting — the United States Secret Service; the New Hampshire Department of Safety; the Office of the Attorney General of New Hampshire, upon the publications of September 2024 and of March 2026; the United States Attorney for New Hampshire; the leader of the House Democratic caucus; and the chairs of both major parties in the State. The request of the New Hampshire Department of Justice that the publication of March 3, 2026 be taken down is not recorded in that reporting but is known from the appellant's own statement of the afternoon of March 4, 2026, announcing the request and the compliance with it, which is listed at paragraph 5 below.
5. The publications of the appellant upon its own accounts — the endorsement published November 4, 2024; the statement of September 2024 and its republication a month later; the statement of March 3, 2026; the poll published on the morning of March 4, 2026, its republication, and the statement generalizing it; the statement of the afternoon of March 4, 2026 announcing compliance with the request of the New Hampshire Department of Justice; the republication of national coverage on March 13, 2026; and the reply published at 11:03 p.m. on May 24, 2026.
6. A public compilation of the appellant's social-media publications.

B.7 PRIOR DECISIONS OF THIS COMMITTEE

Wagner v. LNC (August 25, 2011); *Phillies v. LNC*; *McVay/Hinds v. LNC* (February 13, 2022); *Cordio v. LNC* (May 6, 2022); *Ploeger v. LNC*; *D'Orazio v. LNC*; *Harlos v. LNC* (2024), with the opinion upon the appeal of the Secretary; and *LPWI v. LNC* (August 15, 2024).

A second appeal touching the Massachusetts affiliate was declined for want of jurisdiction on May 17, 2022. The decision itself is not among the Party's published rulings; its date and disposition are taken from the minutes of the LNC's special meeting of June 5, 2022.

APPENDIX C — CITATIONS

Every Part of this opinion opens with a register of the filings it answers. Every filing properly before this Committee has been read, and a filing that is answered briefly has not been read briefly. Where an argument is made by several filers it is answered once, and every filer who made it is named at that place.

The complete register of filings, accepted or not, is at Appendix B. Twenty-nine amicus filings were accepted. Further submissions were not accepted administratively, not being permitted by the Rules. Five submissions were the subject of a determination under Rule 2.8, and the vote of each member upon each of them is recorded there by name.

This Appendix gives the short form by which each thing is cited in the text, and where it may be found. The filings of the parties come first, then the amicus filings, and then

everything else relied upon. Filings are cited by the name under which they were submitted.

C.1 THE PARTIES

Short form	Filing
Pet. ¶, Pet. Ex.	Petition of the Libertarian Party of New Hampshire, July 2, 2026, with its exhibits, among them Exhibits A, B-1, D and G — the filing of the appellant. lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf
Resp. Br., by heading	Respondent Brief of the Libertarian National Committee, July 10, 2026, with Exhibits B, C and D — the filing of the respondent. Filed by Jonathan McGee as Secretary of the LNC; his separate filings in his own capacity are at C.2. lpedia.org/wiki/File:Brief-LNC-Respondent_2026-07-10_LPNH.pdf
Reply Br. section __, ¶ __, Ex. A–B	Petitioner’s Reply Brief and Motion, August 8, 2026, by Ian B. Huyett, Esq., counsel for the appellant — a filing of a party, not an amicus. It replies to the Respondent Brief, brings two further motions (<i>Part IV.B, prayers 7 and 8</i>), and files two exhibits: Ex. A, the letter of August 9, 2022 from the Chair of the LNC to the Executive Committee of the Libertarian Party of New Mexico; Ex. B, that affiliate’s letters and announcement of August 25, 2022. The Reply Brief supersedes Petition n.5 upon the composition question (<i>Part I.B.5.a</i>). lpedia.org/wiki/File:Reply-Brief_Petitioner_2026-08-08_LPNH_w_exhibits.pdf

C.2 AMICUS FILINGS

Listed alphabetically by the surname of the filer. The order in which the twenty-nine accepted filings were received is at Appendix B.1. Each is published under Rule 5.1 upon the page of this proceeding at

lpedia.org/wiki/In_re:_Revocation_of_Affiliate_Status_of_the_Libertarian_Party_of_New_Hampshire, and the file at which each is to be found is given below.

Short form	Filing
Balling	Amicus of Adam Balling, August 10, 2026, in support of the respondent. A sustaining member and a national delegate in 2020, 2022, 2024 and 2026, writing on the conduct of individuals at and after the 2026 Regular Convention. The material is not relied upon; the grounds are at Part II.E.6. lpedia.org/wiki/File:Amicus_Balling_2026-08-10_LPNH.pdf
Brown	Amicus of Ryan Brown, August 10, 2026, in support of the

Short form	Filing
	appellant. His brief of July 15, re-tendered on his own attestation as a sustaining member, which cured the defect of a refused submission recorded at Part I.B.5.b (<i>Appendix B.2</i>); he is Chair of the Libertarian Party of North Carolina and the brief is written in that voice. lpedia.org/wiki/File:Amicus_Brown3_2026-08-11_LPNH.pdf
Ciesielski Argument __	Amicus of Nickolas Ciesielski, August 8, 2026 (Arguments 1–7) — in support of reinstatement. This is the filing cited in this opinion; two other submissions by him on August 9 were refused under Rule 2.8 (<i>Appendix B.2</i>). Filed in his individual capacity as a life member; he discloses that he serves as Vice Chair of the Libertarian Party of Pennsylvania and files in no official capacity. He is also a participant in the events recounted at Part I.B.5. lpedia.org/wiki/File:Amicus_Ciesielski_2026-08-08_LPNH.pdf
Hagopian, by heading	Amicus of Todd Hagopian, August 1, 2026 (headings in capitals). lpedia.org/wiki/File:Amicus_Hagopian_2026-08-01_LPNH.pdf
Harlos (7/4), (7/13), (7/20), (8/7), (8/9), by heading or exhibit	Five amici of Caryn Ann Harlos — July 4, July 13, July 20, August 7 and August 9, 2026. The fourth replies to Hagopian, Weir, Roos, Kinsella and Jacobs in turn. The fifth answers Jacobs upon rescission under RONR 35:6(b) and upon what was known of the New Mexico correspondence. lpedia.org/wiki/File:Amicus-CAH_2026-07-04_LPNH.pdf, lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf, lpedia.org/wiki/File:Amicus_Caryn_Ann_Harlos_2026-07-20.pdf, lpedia.org/wiki/File:Amicus_Harlos4_2026-08-07_LPNH.pdf and lpedia.org/wiki/File:Amicus_Harlos5_2026-08-09_LPNH.pdf
Jacobs (8/6), (8/8)	Two amici of Jonathan M. Jacobs, August 6 and August 8, 2026, in support of the petitioner in part. He states that he is a professional parliamentarian, that he has advised the LNC on disciplinary action and helped draft the disciplinary rules for LNC members upon which the respondent relies, that he appeared for the LNC in <i>Kosin v. LNC</i> (2025), that he is retained by a Party caucus, and that he has previously served as convention parliamentarian for the appellant. Those disclosures are his own and are recorded as he made them. lpedia.org/wiki/File:Amicus_Jacobs_2026-08-06_LPNH.pdf and lpedia.org/wiki/File:Amicus_Jacobs2_2026-08-08_LPNH.pdf
Kinsella section __	Amicus of Norman Stephan Kinsella, August 5, 2026 (sections I–III) — filed in his own capacity as a sustaining member. lpedia.org/wiki/File:Amicus_Kinsella_2026-08-05_LPNH.pdf

Short form	Filing
Leonard section __	Amicus of Jake Leonard, July 3, 2026 (sections A–F). lpedia.org/wiki/File:Amicus-Leonard_2026-07-03_LPNH.pdf
Madden section __	Amicus of Nathan Gage Madden, August 4, 2026 (sections I–VII). An officer of another affiliate, writing on the structure of the governing instruments. lpedia.org/wiki/File:Amicus_Madden_2026-08-05_LPNH.pdf
McArdle	Amicus of Angela McArdle, August 11, 2026, in support of the appellant — prior Chair of the LNC, writing on the New Mexico matter, on the 2021 committee, and on notice and cure. A life member, filing in her own capacity. Her account is treated as the fullest first-hand record (<i>Parts II.B.4.a, II.B.4.b</i>). lpedia.org/wiki/File:Amicus_McArdle_2026-08-11_LPNH.pdf
McGee, Part __	Amicus of Jonathan McGee, July 29, 2026. First tendered as a Supplemental Respondent Brief and administratively declined as outside the period for respondent briefs, then filed by him in his own capacity as a sustaining member (<i>Part I.B.5.b</i>). He also filed the Respondent Brief as Secretary — the dual role is disclosed on its face. lpedia.org/wiki/File:Amicus_McGee_2026-07-29_LPNH.pdf
McGee (8/9)	Second amicus of Jonathan McGee, August 9, 2026, in support of the respondent (sections 1–10). lpedia.org/wiki/File:Amicus_McGee2_2026-08-10_LPNH.pdf
Moore	Amicus of Carol Moore, July 25, 2026. lpedia.org/wiki/File:Amicus_Moore_2026-07-25_LPNH.pdf
O'Donnell (7/5), (7/21) section __ / App.	Two amici of Justin O'Donnell, July 5 and July 21, 2026; the July 21 Appendix reproduces the six-affiliate submission. lpedia.org/wiki/File:Amicus-ODonnell_2026-07-05_LPNH.pdf and lpedia.org/wiki/File:Amicus_ODonnell2_2026-07-21_LPNH.pdf
Perry	Amicus of Darryl W. Perry, July 7, 2026. lpedia.org/wiki/File:Amicus-Perry_2026-07-07_LPNH.pdf
Phillies (7/4), (7/26)	Two amici of George Phillies, July 4 and July 26, 2026; the July 26 reproduces the six-affiliate submission. lpedia.org/wiki/File:Amicus-Phillies_2026-07-04_LPNH.txt and lpedia.org/wiki/File:Amicus_Phillies2_2026-07-26_LPNH.pdf
Reale, by heading	Amicus of Dan Reale, July 21, 2026. lpedia.org/wiki/File:Amicus_Reale_2026-07-21_LPNH.pdf

Short form	Filing
Roos section __	Amicus of Hector Roos, July 29, 2026 (sections I–IX, subsections A–G). lpedia.org/wiki/File:Amicus_Roos_2026-07-29_LPNH.pdf
Roots	Amicus of Roger Roots, dated August 6 and filed August 8, 2026 — in support of the petitioner, filed in his own capacity as a life member. lpedia.org/wiki/File:Amicus_Roots_2026-08-09_LPNH.pdf
Schmidt	Amicus of Nolan Schmidt, July 6, 2026. lpedia.org/wiki/File:Amicus-Schmidt_2026-07-06_LPNH.pdf
Seebeck, by heading	Amicus of Michael Seebeck, July 2, 2026. lpedia.org/wiki/File:Amicus-Seebeck_2026-07-02_LPNH.pdf
Weir	Amicus of Ben Weir, August 3, 2026 — LPNH Chair March–September 2025 and concurrently LNC Region 6 Alternate. lpedia.org/wiki/File:Amicus_Weir_2026-08-04_LPNH.pdf

C.3 OTHER MATERIALS CITED

The Party’s own records, the recordings and transcripts, the public records and the contemporaneous reporting are registered in full at Appendix B.3 through B.7. What follows gives the short form for each thing cited in the text outside the filings, and the place at which a reader may obtain it.

Short form	Material, and where it is to be found
Bylaws	Bylaws and Convention Rules of the Libertarian Party, together with the Judicial Committee Rules of Appellate Procedure 2026–2030 — the instruments in force on May 25, 2026 and governing this proceeding. The Bylaws are cited by Article and Section, the Convention Rules by Rule and Section, and the Rules of Appellate Procedure by number. lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules
Bylaws (1972)	Articles of Incorporation, Constitution, Bylaws and Convention Rules adopted at the 1972 Regular Convention. Sections 1, 2 and 3 of the Charter of Affiliate Parties are set out at Part II.B.7, and Section 1 again at Part II.D.7 for the prohibition upon endorsement. lpedia.org/wiki/Document:National_Articles_of_Incorporation,_Constitution,_Bylaws,_and_Convention_Rules_1972
Bylaws (1983)	Bylaws and Convention Rules adopted at the 1983 Regular Convention — the amendment which added “for cause” to the

Short form	Material, and where it is to be found
	power of revocation, then Article 5, Section 5. The Section as it read after that amendment is set out at Part II.D.2. lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_1983
Bylaws (1985)	Bylaws and Convention Rules adopted at the 1985 Regular Convention. lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_1985
Earlier Bylaws generally	Every edition of the Bylaws and Convention Rules from 1972 to the present, indexed by convention. lpedia.org/wiki/National_Bylaws
RONR	<i>Robert's Rules of Order Newly Revised</i> , 12th edition (2020), the parliamentary authority of the Party. Cited by paragraph, in the form RONR 63:5
Robert & Balch (2008)	Professional opinion of Henry M. Robert III, P.R.P., and Thomas J. Balch, P.R.P., both of the authorship team of <i>Robert's Rules of Order Newly Revised</i> , addressed to William Redpath, Chair of the Party, and dated November 30, 2008, upon the procedure for removing an at-large member of the LNC. Cited at Part II.B.3.c for what it says about the supersession of RONR's Chapter XX by specific Bylaws procedures, and again at Appendix A.1.c. Filed as Exhibit 39 in <i>Harlos v. LNC</i> (2024). lpedia.org/wiki/File:Ex_39_Robert_opinion.pdf
LNC Policy Manual	In the versions adopted August 10, 2025 and July 2, 2026, cited by section. Both, with every earlier version, at lpedia.org/wiki/LNC_Policy_Manual
<i>Wagner v. LNC</i>	August 25, 2011, with the clarification of September 23, 2011. lpedia.org/wiki/Special:Redirect/file/Decision_in_Wagner_vs_LNC.pdf and lpedia.org/wiki/Special:Redirect/file/Clarification_of_Wagner_vs._LNC.pdf
<i>Ploeger v. LNC</i>	April 21, 2012. lpedia.org/wiki/Special:Redirect/file/Opinions_in_Ploeger_vs_LNC.pdf
<i>McVay/Hinds v. LNC</i>	February 13, 2022. lpedia.org/wiki/Special:Redirect/file/2022_02_13_JC_Ruling_McVay_Hinds_v_LNC.pdf , with the record of the matter at lpedia.org/wiki/Libertarian_Party_of_Delaware_Leadership_Contr

Short form	Material, and where it is to be found
	oversy_2021
<i>Cordio v. LNC</i>	May 6, 2022. lpedia.org/wiki/Special:Redirect/file/2022_05_08_JC_Ruling_Cordio_vs_LNC.pdf. The second appeal in that matter was declined for want of jurisdiction on May 17, 2022; the record of the matter is at lpedia.org/wiki/Libertarian_Association_of_Massachusetts_Leadership_Controversy_2022
<i>Phillies v. LNC</i>	December 3, 2024. lpedia.org/wiki/File:Judicial-Committee-Phillies-vs-LNC.pdf, with the record of the matter at lpedia.org/wiki/In_re:_Judicial_Committee_Appeal_to_Void_LNC_Decisions_of_October_6,_2024
<i>Harlos v. LNC</i> (2024)	lpedia.org/wiki/In_re:_Suspension_of_LNC_Secretary_Caryn_Ann_Harlos_(2024). The earlier opinion upon the appeal of the Secretary, November 13, 2021, is at lpedia.org/wiki/File:JC_Opinion_in_the_Matter_of_the_JC_Appeal_of_Secretary_Harlos.pdf, with the record of the matter at lpedia.org/wiki/In_re:_Suspension_of_LNC_Secretary_Caryn_Ann_Harlos_(2021)
<i>LPWI v. LNC</i>	August 15, 2024. lpedia.org/wiki/In_re:_Libertarian_Party_of_Wisconsin_Region_1_Agreement_Dispute
<i>D'Orazio v. LNC</i>	October 13, 2024. lpedia.org/wiki/In_re:_Joint_Fundraising_Committee_Request_for_Voidance_Due_to_Drastically_Changed_Circumstances
Prior decisions generally	Indexed by term at lpedia.org/wiki/National_Party_Judicial_Committee
The affiliation of the appellant	The acceptance of the appellant's affiliation petition on November 24, 1973, together with the petitions of five other States, cited at Part II.E.3.b. Minutes of that meeting at lpedia.org/wiki/File:LNC_MINUTES_1973-11-24.pdf, summarized at lpedia.org/wiki/LNC_Meeting_24_November_1973; the report in <i>LP News</i> , January–February 1974, Issue 18, at lpedia.org/wiki/LP_News_1974_January-February_Issue_18; affiliation dates generally at lpedia.org/wiki/List_of_Affiliation_Dates_of_State_Parties
The appellant's	The Constitution of the Libertarian Party of New Hampshire, and its bylaws as in force in 2024. The bylaws of January 20, 2024,

Short form	Material, and where it is to be found
instruments	filed as an exhibit in this proceeding, are at lpedia.org/wiki/File:NH-Bylaws-2024-01-20.pdf ; earlier versions are indexed at lpedia.org/wiki/Index_of_New_Hampshire_State_Party_Bylaws
The New Mexico matter	The disaffiliation of 2022 and the re-affiliation that followed, cited at Parts II.B.4 and II.D.6. lpedia.org/wiki/Libertarian_Party_of_New_Mexico_2022_Disaffiliation_and_Re-Affiliation
The record of this proceeding	The filings, the determinations under Rule 2.8 and the minutes of this Committee, published under Rule 5.1 at lpedia.org/wiki/In_re:_Revocation_of_Affiliate_Status_of_the_Libertarian_Party_of_New_Hampshire , under the headings “Filings of Appellant,” “Filings of Appellee,” “Filings of Amicus Curiae and Related Documents” and “Rejected Amicus Curiae and Related Documents,” and at lpedia.org/wiki/National_Judicial_Committee_(2026-2030)
Business registry of the State of New Hampshire	The trade-name and corporate registrations cited at Appendix B.6.1, searchable at quickstart.sos.nh.gov
Minutes of the LNC	The meetings registered at Appendix B.4.3, indexed at lpedia.org/wiki/Index_of_LNC_Minutes and lpedia.org/wiki/List_of_LNC_Meetings . The post-convention meeting of May 25, 2026 is at lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf , and the meeting of May 17–18, 2025 at lpedia.org/wiki/File:LNC-Meeting_2025-05-17-18_FINAL.pdf
Minutes of the Executive Committee	The meetings registered at Appendix B.4.4, indexed at lpedia.org/wiki/List_of_LNC_Executive_Committee_Meetings
Minutes of regular conventions	The conventions registered at Appendix B.4.5, indexed at lpedia.org/wiki/National_Convention_Minutes , and the conventions themselves at lpedia.org/wiki/List_of_National_Conventions
Motions and ballots of the LNC	A motion taken at a meeting appears in the minutes of that meeting. The email ballots registered at Appendix B.4.7 and B.4.8, among them the censure ballot of September 2025, are in the LNC’s public discussion-list archive at groups.google.com/g/lnc-public
Recordings	The hearing of August 11, 2026 — “JC Hearing LPNH vs LNC (2026 Disaffiliation),” youtube.com/watch?v=QpS0Ygvy4k8 —

Short form	Material, and where it is to be found
	and the recordings of the LNC's meetings, upon the channel of the Libertarian Party Historical Preservation Committee at youtube.com/channel/UCMmsqvu-FJJWnviMjBEXNsQ . The 2026 Regular Convention was carried in ten parts upon the channel of the Party at youtube.com/channel/UCcCicSfSLjc8AD46Zvo_zYA . The interview of June 16, 2021 is <i>Lions of Liberty</i> , "Electric Libertyland," at youtube.com/watch?v=w7uIpqUjli0
Publications of the appellant	The publications registered at Appendix B.6.5, and the public compilation registered at Appendix B.6.6, are at lpthfiles.com ; a single publication is named there by its identifier, thus the reply of 11:03 p.m. on May 24, 2026 at lpthfiles.com/exhibits/2058745760846434450.png
Reporting of March 2026	Registered at Appendix B.6.2. InDepthNH, March 3 — indepthnh.org/2026/03/03/plan-seeking-nh-income-tax-to-fund-schools-lower-property-taxes-spawns-death-threat-2/ . New Hampshire Public Radio, March 4 — nhpr.org/nh-news/2026-03-04/nh-libertarian-party-political-violence-over-income-tax-volinsky-democrat-x , and the same report carried that day by Maine Public at www.mainepublic.org/2026-03-04/nh-libertarian-party-political-violence-over-income-tax-volinsky-democrat-x , by Vermont Public at vermontpublic.org/2026-03-04/nh-libertarian-party-political-violence-over-income-tax-volinsky-democrat-x , by Connecticut Public at ctpublic.org/2026-03-04/nh-libertarian-party-political-violence-over-income-tax-volinsky-democrat-x , and by the New England News Collaborative at nenc.news/2026-03-04/nh-libertarian-party-political-violence-over-income-tax-volinsky-democrat-x . Valley News, March 5 — vnews.com/2026/03/05/new-hampshire-libertarian-threats/ . WBUR, March 13 — wbur.org/news/2026/03/13/new-hampshire-income-tax-death-threat-libertarian . <i>People</i> , March 13 — people.com/new-hampshire-democrat-tax-idea-got-him-death-threats-from-state-libertarian-party-11925637 , and the same report carried by AOL at aol.com/articles/n-h-democrats-tax-idea-192216632.html
Reporting of September 2024	Registered at Appendix B.6.3. New Hampshire Public Radio, September 16 — nhpr.org/nh-news/2024-09-16/nh-libertarian-partys-post-on-ass

Short form	Material, and where it is to be found
	assassination-of-harris-attracts-attention-of-state-federal-law-enforcement, and the same report carried that day by Maine Public at www.mainepublic.org/2024-09-16/nh-libertarian-partys-post-on-assassination-of-harris-attracts-attention-of-state-federal-law-enforcement, by Vermont Public at vermontpublic.org/2024-09-16/nh-libertarian-partys-post-on-assassination-of-harris-attracts-attention-of-state-federal-law-enforcement, and by Cape & Islands at www.capeandislands.org/2024-09-16/nh-libertarian-partys-post-on-assassination-of-harris-attracts-attention-of-state-federal-law-enforcement. WBUR, September 17 — wbur.org/news/2024/09/17/new-hampshire-libertarian-party-kamala-harris-tweet. <i>TIME</i>, September 17 — time.com/7021909/libertarian-party-new-hampshire-social-media-jeremy-kauffman-kamala-harris/. The Daily Beast, September 16 — thedailybeast.com/new-hampshire-political-par-blasted-for-sick-post-glorifying-kamala-harris-death-threat/. AOL, September 16 — aol.com/news/hampshire-libertarian-party-shares-deletes-170926574.html. The statement of the Party's nominee for President is at ABC News, September 16 — abcnews.com/Politics/libertarian-party-candidate-president-condemns-abhorrent-post-harris/story?id=113716428
United States Secret Service	That the Service “investigates all threats related to our protectees” — New Hampshire Public Radio, September 16, 2024, at nhpr.org/nh-news/2024-09-16/nh-libertarian-partys-post-on-assassination-of-harris-attracts-attention-of-state-federal-law-enforcement, and WBUR, September 17, 2024, at wbur.org/news/2024/09/17/new-hampshire-libertarian-party-kamala-harris-tweet; and that it “is aware of the social media post made by the Libertarian Party of New Hampshire, and as a matter of practice, we do not comment on matters involving protective intelligence” — <i>TIME</i>, September 17, 2024, at time.com/7021909/libertarian-party-new-hampshire-social-media-jeremy-kauffman-kamala-harris/
New Hampshire Department of Safety	That it was “in communication with our federal law enforcement partners” — the same two reports, at nhpr.org/nh-news/2024-09-16/nh-libertarian-partys-post-on-assassination-of-harris-attracts-attention-of-state-federal-law-enforcement and wbur.org/news/2024/09/17/new-hampshire-libertarian-party-k

Short form	Material, and where it is to be found
	amala-harris-tweet
Office of the Attorney General of New Hampshire	Upon the publications of September 2024, that it was in communication with its federal law enforcement partners — nhpr.org/nh-news/2024-09-16/nh-libertarian-party-s-post-on-assassination-of-harris-attracts-attention-of-state-federal-law-enforcement and wbur.org/news/2024/09/17/new-hampshire-libertarian-party-kamala-harris-tweet . Upon those of March 2026, by Michael Garrity, its communications director: “We take any allegation involving potential threats of violence seriously but would not comment on the existence or status of any potential investigations at this time” — New Hampshire Public Radio, March 4, 2026, at nhpr.org/nh-news/2026-03-04/nh-libertarian-party-political-violence-over-income-tax-volinsky-democrat-x , and Valley News, March 5, 2026, at vnews.com/2026/03/05/new-hampshire-libertarian-threats/
New Hampshire Department of Justice	Its request that the publication of March 3, 2026 be taken down is recorded in the appellant’s own statement of the afternoon of March 4, 2026, at lpmhfiles.com/exhibits/2029296562304614713.png
United States Attorney for New Hampshire	The Office: “threatening violence is a crime and those who do this will be investigated, prosecuted, and held to account in a court of law” — <i>TIME</i> , September 17, 2024, at time.com/7021909/libertarian-party-new-hampshire-social-media-jeremy-kauffman-kamala-harris/
Leader of the House Democratic caucus	Representative Alexis Simpson: “This kind of rhetoric is dangerous and unacceptable. Calling for the murder because of political disagreement crosses a clear line” — New Hampshire Public Radio, March 4, 2026, at nhpr.org/nh-news/2026-03-04/nh-libertarian-party-political-violence-over-income-tax-volinsky-democrat-x , and Valley News, March 5, 2026, at vnews.com/2026/03/05/new-hampshire-libertarian-threats/
Chairs of both major parties in the State	Chris Ager, Chair of the New Hampshire Republican State Committee: “I condemn them in the strongest possible terms. There is no room for this type of dialogue.” Raymond Buckley, Chair of the New Hampshire Democratic Party: the endorsement of violence against the Vice President “was disgusting, dangerous and wrong” — New Hampshire Public Radio, September 16, 2024, at

Short form	Material, and where it is to be found
	nhpr.org/nh-news/2024-09-16/nh-libertarian-partys-post-on-assassination-of-harris-attracts-attention-of-state-federal-law-enforcement , and WBUR, September 17, 2024, at wbur.org/news/2024/09/17/new-hampshire-libertarian-party-kamala-harris-tweet