

Libertarian Party Judicial Committee

Libertarian Party of New Hampshire vs. Libertarian National Committee

Concurring Opinion authored by Dr. Chuck Moulton, joined by Mary Gingell, Sam Goldstein, Geoff Neale, and Avens O'Brien

## 1. Ruling

The Judicial Committee affirms respondent Libertarian National Committee's revocation of affiliate party status of the Libertarian Party of New Hampshire (disaffiliation).

## 2. Disaffiliation Motion

### 2.1 Relevant Bylaw

Bylaw 5.6 says in part "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."<sup>1</sup>

This same clause later notes, "At the hearing the burden of persuasion shall rest upon the appellant."<sup>2</sup>, which means some deference is given to respondent national committee. The Judicial Committee is not a super-LNC that can substitute its own judgement for the LNC's. Rather, we are charged with the narrow duty of making sure the disaffiliation was done in accordance with the rules. Here, that means we need the following: 1) a disaffiliation motion, 2) valid cause specified in the motion, and 3) a 3/4 vote of the entire committee. Nothing else is required.

### 2.2 The Motion

On May 25, 2026 at the post-convention in person LNC meeting, the national committee put "Disaffiliation of the Libertarian Party of New Hampshire for Cause" on its agenda<sup>3</sup> and during that item passed the following motion by a vote of 15-2-1<sup>4</sup>:

*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*

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<sup>1</sup> Libertarian Party. "Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure." (2026), art. 5 § 6.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>2</sup> Libertarian Party. "Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure." (2026), art. 5 § 6.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>3</sup> Libertarian National Committee. "Post-Convention Minutes in Grand Rapids, MI." (May 25, 2026), p. 2.

[https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

<sup>4</sup> Libertarian National Committee. "Post-Convention Minutes in Grand Rapids, MI." (May 25, 2026), pp. 9-10.

[https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

*publicly endorsed Donald 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.*

### 2.3 Meeting Notice

The LNC meeting was validly noticed and called to order. Its date was known for years (since the convention was scheduled), as it has been the custom of the national committee for decades to have an LNC meeting immediately following the national convention on the site of the national convention. The time of the meeting was listed in the convention agenda for months<sup>5</sup> and was noticed on the LNC business email list over a week in advance<sup>6 7</sup>.

### 2.4 Motion Notice

There is no notice requirement for disaffiliation motions in the LP bylaws. Specifically, Bylaw 5.6 dealing with disaffiliation does not have any notice requirement for the motion; Bylaw 7.1 says in part "The National Committee shall adopt rules of procedure for the conduct of its meetings and the carrying out of its duties and responsibilities."

There is no notice requirement for disaffiliation motions in the LNC policy manual. "Previous notice [of an original main motion] 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."<sup>8</sup> "A Special Rule of Order may be adopted, amended, rescinded, or suspended. Adoption, amendment, or rescission requires (a) a two-thirds (2/3) vote with previous notice, or (b) a vote of a majority of the entire membership of the LNC. Suspension requires a two-thirds (2/3) vote of the LNC."<sup>9</sup> "A Standing Rule may be adopted, amended, rescinded, or suspended. Adoption requires a majority vote. Amendment or rescission requires (a) a majority vote with previous notice, (b) without notice a two-thirds (2/3) vote, or (c) a majority of the entire

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<sup>5</sup> 2026 Libertarian National Convention. "Agenda, Day 5." <https://www.lnc2026.com/#/agenda?day=5&lang=en>

<sup>6</sup> LNC Discussion List. "Reminder Pre and Post Convention LNC Meetings." (May 17, 2026). [https://groups.google.com/g/lnc-public/c/ddjE\\_kIRISo](https://groups.google.com/g/lnc-public/c/ddjE_kIRISo)

<sup>7</sup> Libertarian Party. "Party Notifications: Notice of LNC Regular Meeting May 25, 2026 at 2:30pm Eastern." <https://lp.org/notice-of-lnc-regular-meeting-may-25-2026-at-230pm-eastern/>

<sup>8</sup> Libertarian National Committee. "LNC Policy Manual." (August 10, 2025), 1.02.1, p. 9. [https://lpedia.org/wiki/File:LNC\\_Policy\\_Manual-Adopted\\_thru\\_2025-08-10.pdf](https://lpedia.org/wiki/File:LNC_Policy_Manual-Adopted_thru_2025-08-10.pdf)

<sup>9</sup> Libertarian National Committee. "LNC Policy Manual." (August 10, 2025), 1, p. 7. [https://lpedia.org/wiki/File:LNC\\_Policy\\_Manual-Adopted\\_thru\\_2025-08-10.pdf](https://lpedia.org/wiki/File:LNC_Policy_Manual-Adopted_thru_2025-08-10.pdf)

membership of the LNC.”<sup>10</sup> Contrast this with motions to suspend officers or at-large, which require previous notice of 14 days: “At least fourteen (14) days’ notice shall be given to the accused.”<sup>11</sup>

There is no notice requirement for disaffiliation motions under Robert’s Rules. This would be true even if a motion to revoke the status of an affiliate party were considered a motion to rescind the acceptance of a petition for affiliation. RONR 10:45 says in part “Motions that have the effect of changing or nullifying previous action of the assembly – such as a motion to *Amend Something Previously Adopted* (35), the motion to *Discharge a Committee* (36), or a motion to postpone an event already scheduled – require previous notice if they are to be adopted by only a majority vote.”<sup>12</sup> RONR 35.2(7) states in part “In an assembly, except when applied to a constitution, bylaws, or special rules of order, require (a) a two-thirds vote, (b) a majority vote when notice of intent to make the motion, stating the complete substance of the proposed change, has been given at the previous meeting within a quarterly time interval or in the call of the present meeting, or (c) a vote of a majority of the entire membership – any one of which will suffice.”<sup>13</sup>

Under the LP bylaws, the LNC policy manual, and Robert’s Rules there is no notice requirement for disaffiliation votes. The plain language of the bylaw establishes a special procedure for our organization and has no notice requirement. Even if there were a distinction between a vote with notice and a vote without notice under the LNC Policy Manual or Robert’s Rules, vote thresholds to avoid notice requirements in both are cleared. In particular, a 2/3 vote is sufficient to not require notice for amending or rescinding standing rules under the Policy Manual and for amending something previously adopted under Robert’s. Additionally, a majority vote of the entire membership is sufficient to not require notice for amending or rescinding special rules of order and standing rules under the Policy Manual and for amending something previously adopted under Robert’s. The bylaw 5.6 requirement of “a vote of 3/4 of the entire National Committee”<sup>14</sup> exceeds the thresholds of a majority, a 2/3 vote, and a majority of the entire membership.

### 2.3 *Vote Threshold*

The vote of 15-2-1 means that 15/18 (83.3%) of the entire LNC voted in favor, which cleared the required bylaw 5.6 threshold of 3/4 (75%). This also exceeds the threshold of a majority of the entire membership – which would be 10/18 (55.6%) – to amend (or rescind) something

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<sup>10</sup> Libertarian National Committee. “LNC Policy Manual.” (August 10, 2025), 1, p. 7.

[https://lpedia.org/wiki/File:LNC\\_Policy\\_Manual-Adopted\\_thru\\_2025-08-10.pdf](https://lpedia.org/wiki/File:LNC_Policy_Manual-Adopted_thru_2025-08-10.pdf)

<sup>11</sup> Libertarian National Committee. “LNC Policy Manual.” (August 10, 2025), 1.01.4.1, p. 8.

[https://lpedia.org/wiki/File:LNC\\_Policy\\_Manual-Adopted\\_thru\\_2025-08-10.pdf](https://lpedia.org/wiki/File:LNC_Policy_Manual-Adopted_thru_2025-08-10.pdf)

<sup>12</sup> RONR (12<sup>th</sup> ed.) 10:45.

<sup>13</sup> RONR (12<sup>th</sup> ed.) 35.2(7).

<sup>14</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 5 § 6.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

previously adopted, such as an agreement in a petition for affiliation, and 15/17 (88.2%) of those voting exceeds the threshold of a 2/3 (66.7%) vote required by the policy manual for changing standing rules without notice.

### **3. Cause**

Having already addressed the motion and the vote threshold, all that remains to analyze is cause. Our bylaws do not define “cause”. The LNC Policy Manual does not define “cause”.

#### *3.1 History of “Cause” in the Bylaws*

In 1972 the bylaws had a threshold of two-thirds without any “cause” at all: “The Executive Committee shall have the power to suspend affiliate party status from any organization by a two-thirds vote of the Committee.”<sup>15</sup> This was amended in 1983 to add “cause” and raise the threshold to three-fourths of the entire committee: “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.”<sup>16 17 18 19</sup>

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<sup>15</sup> Libertarian Party. “Articles of Incorporation and Constitution.” (1972), art. X § 2.  
[https://lpedia.org/wiki/Document:National\\_Articles\\_of\\_Incorporation,\\_Constitution,\\_Bylaws,\\_and\\_Convention\\_Rules\\_1972](https://lpedia.org/wiki/Document:National_Articles_of_Incorporation,_Constitution,_Bylaws,_and_Convention_Rules_1972)

<sup>16</sup> Libertarian Party. “Bylaws and Convention Rules.” (1983), art. 6 § 5.  
[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_1983](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_1983)

<sup>17</sup> Libertarian Party. “Records of the 1983 National Convention of the Libertarian Party in New York, NY.” (September 1-4, 1983), D.3, pp. 3-4. [https://lpedia.org/wiki/File:CONVENTION\\_MINUTES\\_1983.pdf](https://lpedia.org/wiki/File:CONVENTION_MINUTES_1983.pdf)

<sup>18</sup> LP Bylaw VI.3 in 1981 (old): “The National Committee shall have the power to suspend affiliate party status from any organization by a 2/3 vote of the Committee. [...]”

<sup>19</sup> LP Bylaw 6.5 in 1983 (new): “The National Committee shall have the power to revoke the status of any affiliate party, for cause, by a vote of three-fourths of the entire National Committee. [...]”

Simultaneously<sup>20 21</sup>, “cause” was added to the suspension of LNC officers<sup>22 23 24</sup> and LNC at-large members<sup>25 26 27</sup>; LNC regional representatives could only be removed by their states<sup>28 29 30</sup>; selection of the Judicial Committee moved from a LNC appointment to election by convention delegates<sup>31 32 33</sup>; and the LNC chair was made subject to LNC oversight<sup>34 35 36</sup>. Due process protections were increased for all four categories: state affiliates, LNC officers, at-large LNC members, and LNC regional representatives. LP News noted the bylaws changes to the Judicial Committee and the Chair authority in an article on the 1983 national convention<sup>37</sup>, omitting mention of the other due process amendments.<sup>38</sup> Looking at party history, one possible impetus for many of these changes was the unilateral firing of the national director Eric O’Keefe by LNC

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<sup>20</sup> Libertarian Party. “Bylaws and Convention Rules.” (1981).

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_1981](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_1981)

<sup>21</sup> Libertarian Party. “Bylaws and Convention Rules.” (1983).

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_1983](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_1983)

<sup>22</sup> Libertarian Party. “Records of the 1983 National Convention of the Libertarian Party in New York, NY.” (September 1-4, 1983), D.6, p. 5. [https://lpedia.org/wiki/File:CONVENTION\\_MINUTES\\_1983.pdf](https://lpedia.org/wiki/File:CONVENTION_MINUTES_1983.pdf)

<sup>23</sup> LP Bylaw VII.9 in 1981 (old): “An officer may be suspended, that is, denied the authority to perform his or her specific functions, by a two-thirds vote of the entire National Committee. [...]”

<sup>24</sup> LP Bylaw 7.8 in 1983 (new): “The National Committee may, for cause, suspend any officer by a vote of two thirds of the entire National Committee. [...]”

<sup>25</sup> Libertarian Party. “Records of the 1983 National Convention of the Libertarian Party in New York, NY.” (September 1-4, 1983), D.7, p. 5. [https://lpedia.org/wiki/File:CONVENTION\\_MINUTES\\_1983.pdf](https://lpedia.org/wiki/File:CONVENTION_MINUTES_1983.pdf)

<sup>26</sup> LP Bylaw VIII.5 in 1981 (old): “A National Committee member-at-large may be suspended, that is, denied authority to perform his or her specific functions, by a 2/3 vote of the entire National Committee. [...]”

<sup>27</sup> LP Bylaw 8.5 in 1983 (new): “The National Committee may, for cause, suspend any member-at-large by a vote of two-thirds of the entire National Committee. [...]”

<sup>28</sup> Libertarian Party. “Records of the 1983 National Convention of the Libertarian Party in New York, NY.” (September 1-4, 1983), D.9, p. 5. [https://lpedia.org/wiki/File:CONVENTION\\_MINUTES\\_1983.pdf](https://lpedia.org/wiki/File:CONVENTION_MINUTES_1983.pdf)

<sup>29</sup> LP Bylaw VIII.6 in 1981 (old): “a. A majority of the State Chairs in the Region must request of the Chair [...] c. If 2/3 of the entire National Committee vote to suspend the Regional Representative, that office shall be deemed vacant [...] d. The suspension of a Regional Representative is not appealable to the Judicial Committee.”

<sup>30</sup> LP Bylaw 8.7 in 1983 (new): “A National Committee Regional Representative may be removed and replaced only be the act of the affiliate parties which constitute the subject region. [...]”

<sup>31</sup> Libertarian Party. “Records of the 1983 National Convention of the Libertarian Party in New York, NY.” (September 1-4, 1983), D.12, p. 6. [https://lpedia.org/wiki/File:CONVENTION\\_MINUTES\\_1983.pdf](https://lpedia.org/wiki/File:CONVENTION_MINUTES_1983.pdf)

<sup>32</sup> LP Bylaw IX.1 in 1981 (old): “There shall be a standing Judicial Committee which shall be appointed by, and exclusive of, the National Committee, [...]”

<sup>33</sup> LP Bylaw 9.1 in 1983 (new): “The Judicial Committee shall be composed of five Party members elected at each Regular Convention [...]”

<sup>34</sup> Libertarian Party. “Records of the 1983 National Convention of the Libertarian Party in New York, NY.” (September 1-4, 1983), D.4, pp. 4-5. [https://lpedia.org/wiki/File:CONVENTION\\_MINUTES\\_1983.pdf](https://lpedia.org/wiki/File:CONVENTION_MINUTES_1983.pdf)

<sup>35</sup> LP Bylaw VII.4 in 1981 (old): “[...] [The Chair] shall be the chief executive officer of the Party.”

<sup>36</sup> LP Bylaw 7.4 in 1983 (new): “[...] The Chair is the chief executive officer of the Party with full authority to direct its business and affairs subject to express National Committee policies and directives issued in the exercise of the National Committee’s plenary control and management of Party affairs, properties and funds.”

<sup>37</sup> Judicial Committee member Mary Gingell was elected Vice-Chair of the LNC at the 1983 convention.

<sup>38</sup> Staff. *LP News*. “Nominating Convention.” (September/October 1983), p. 4. [https://mywikis-wiki-media.s3.us-central-1.amazonaws.com/lpedia/LPNews\\_1983-9.pdf](https://mywikis-wiki-media.s3.us-central-1.amazonaws.com/lpedia/LPNews_1983-9.pdf) (more generally: [https://lpedia.org/wiki/LP\\_News#1983](https://lpedia.org/wiki/LP_News#1983))

chair Alicia Clark on August 8, 1982<sup>39</sup>, which triggered an appeal to the Judicial Committee<sup>40</sup> and prompted introspection about structural checks and balances.

The next shift came in 2002, when a “must specify the nature of the cause” sentence was appended: “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.”<sup>41</sup> This change did not happen in a vacuum. It was the first amendment put to the delegates: “Proposal 1 specified that the following sentence be added after the first sentence of Article 8: A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation.”<sup>42</sup> Ordinarily this implies the bylaws committee either considered the change very important or very popular.

What was meant by “must specify the nature of the cause”? We have further evidence. In 2001 the Libertarian Party established a Strategic Planning Team. Its magnum opus – the Strategic Plan – was published in 2001 after 23 team members and 45 other participants attended 7 workshops across the country within 6 months.<sup>43</sup> This ambitious document consisted of 6 goals and 20 strategies for their implementation.<sup>44</sup> Each goal and strategy was to have a champion for ownership and quantifiable metrics for accountability. LNC Secretary Steve Givot spearheaded “Goal 6: Remain the Party of Principle as we grow”; in pursuit thereof, he proposed the metric “Completion of a review of internal governance and election issues [...] by June 2002”.<sup>45</sup> <sup>46</sup> To that end, a Governance Task Force was convened, which later proposed bylaws and considered the Carver governance model.<sup>47</sup> Among its bylaws recommendations was “...require the LNC to state in writing – the cause for any disaffiliation of an affiliate party at the time of

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<sup>39</sup> Libertarian National Committee. “Meeting Minutes in Billings, MT.” (August 7-8, 1982), ¶ 26, p. 7.

[https://lpedia.org/wiki/Document:LNC\\_Minutes\\_7-8\\_August\\_1982](https://lpedia.org/wiki/Document:LNC_Minutes_7-8_August_1982)

<sup>40</sup> *Johnston & Herbert vs. LNC (1982)*, “Petition for Appeal.”

[https://lpedia.org/wiki/Document:Brief\\_filed\\_to\\_Judicial\\_Committee\\_4\\_December\\_1982\\_Regarding\\_the\\_Dismissal\\_of\\_National\\_Director](https://lpedia.org/wiki/Document:Brief_filed_to_Judicial_Committee_4_December_1982_Regarding_the_Dismissal_of_National_Director)

<sup>41</sup> Libertarian Party. “Bylaws and Convention Rules.” (2002), art. 8 § 6.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2002](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2002)

<sup>42</sup> Libertarian Party. “2002 Libertarian National Convention Minutes in Indianapolis, IN.” (July 4-7, 2002), p. 2.

[https://lpedia.org/wiki/File:CONVMIN\\_2002.pdf](https://lpedia.org/wiki/File:CONVMIN_2002.pdf)

<sup>43</sup> Libertarian Party. “Strategic Plan.” (December 20, 2001), pp. 3-4. [https://lpedia.org/wiki/File:Strategic-Plan\\_2001-12-20.pdf](https://lpedia.org/wiki/File:Strategic-Plan_2001-12-20.pdf)

<sup>44</sup> Libertarian Party. “Strategic Plan.” (December 20, 2001), pp. 5-7. [https://lpedia.org/wiki/File:Strategic-Plan\\_2001-12-20.pdf](https://lpedia.org/wiki/File:Strategic-Plan_2001-12-20.pdf) [strategic\\_plan\\_20011220.pdf](https://lpedia.org/wiki/File:Strategic-plan_20011220.pdf)

<sup>45</sup> Libertarian Party. “Strategic Plan.” (December 20, 2001), p. 23. [https://lpedia.org/wiki/File:Strategic-Plan\\_2001-12-20.pdf](https://lpedia.org/wiki/File:Strategic-Plan_2001-12-20.pdf)

<sup>46</sup> Libertarian National Committee. “Meeting Minutes in Washington, D.C.” (December 8-9, 2001), pp. 16, 18, 19.

[https://lpedia.org/wiki/Document:LNC\\_Minutes\\_8-9\\_December\\_2001](https://lpedia.org/wiki/Document:LNC_Minutes_8-9_December_2001)

<sup>47</sup> Libertarian National Committee. “Meeting Minutes in Evergreen, CO.” (March 16-17, 2002), p. 25.

[https://lpedia.org/wiki/LNC\\_Meeting\\_16-17\\_March\\_2002](https://lpedia.org/wiki/LNC_Meeting_16-17_March_2002)

disaffiliation.”<sup>48</sup> The LNC voted on each idea, giving the disaffiliation procedure tweak its highest vote total of 11-1.

The secretary said he would “forward a letter to the Bylaws Committee showing the sentiment of the LNC”.<sup>49</sup> Members of that Governance Task Force included Steve Givot (chair), Don Gorman\*, Mike Dixon, Mark Nelson\*, Darryl Martin, Jim Lark, and Dan Karlan\*. <sup>50</sup> There was broad intersection with the 2002 Bylaws Committee, which consisted of Mark Nelson (chair)\*, Marianne Volpe, Ken Bisson, Sam Goldstein, Don Gorman\*, Tim Hagen, Dana Johansen, Dan Karlan\*, Rich Moroney, and Geoff Neale.<sup>51</sup> <sup>52</sup> When ascertaining the meaning of an ambiguous phrase, “The interpretation should be in accordance with the intention of the society at the time the bylaw was adopted, as far as can be determined.”<sup>53</sup> In the context of “require the LNC to state in writing – the cause for any disaffiliation of an affiliate party at the time of disaffiliation”, it is clear that “specify nature of the cause” means the LNC can’t just have a cause in its head when it disaffiliates; it must state that cause explicitly in the motion.

We see *how* the change was made in 2002, but *why*? Again, Party history provides context. On August 15, 1999 the National Committee disaffiliated the Libertarian Party of Arizona amid a schism between two competing groups.<sup>54</sup> “The main motion [by Givot] was thereby restated to be that the LNC disaffiliates its Arizona affiliate [...] The motion on disaffiliation passed with 14 affirmative votes [...]”<sup>55</sup> <sup>56</sup> Nothing in the disaffiliation motion mentioned “cause”. Earlier in the meeting several motions used the proper language “hereby revokes the state affiliate status of the Arizona Libertarian Party for cause”; however, they failed to specify what cause or reach the vote threshold.<sup>57</sup> Some debate recorded in the minutes danced around the issue: “[John] Buttrick said that LP ByLaws require that disaffiliation must be for cause. [Joe] Dehn said that he believes that past incompetence by [the Arizona Libertarian Party] constitutes cause – specifically the manner in which their conventions have been run in recent years. [David] Bergland said that he believes that the circumstance before the Committee document the

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<sup>48</sup> Libertarian National Committee. “Meeting Minutes in Evergreen, CO.” (March 16-17, 2002), p. 28.  
[https://lpedia.org/wiki/LNC\\_Meeting\\_16-17\\_March\\_2002](https://lpedia.org/wiki/LNC_Meeting_16-17_March_2002)

<sup>49</sup> Libertarian National Committee. “Meeting Minutes in Evergreen, CO.” (March 16-17, 2002), p. 28.  
[https://lpedia.org/wiki/LNC\\_Meeting\\_16-17\\_March\\_2002](https://lpedia.org/wiki/LNC_Meeting_16-17_March_2002)

<sup>50</sup> Libertarian National Committee. “Meeting Minutes in Evergreen, CO.” (March 16-17, 2002), p. 28.  
[https://lpedia.org/wiki/LNC\\_Meeting\\_16-17\\_March\\_2002](https://lpedia.org/wiki/LNC_Meeting_16-17_March_2002)

<sup>51</sup> Libertarian Party. “2002 Libertarian National Convention Minutes in Indianapolis, IN.” (July 4-7, 2002), p. 2.  
[https://lpedia.org/wiki/File:CONVMIN\\_2002.pdf](https://lpedia.org/wiki/File:CONVMIN_2002.pdf)

<sup>52</sup> Judicial Committee members Sam Goldstein and Geoff Neale, who both served on that Bylaws Committee, have signed onto this opinion.

<sup>53</sup> RONR (12<sup>th</sup> ed.) 56:68(1).

<sup>54</sup> Libertarian National Committee. “Meeting Minutes in Anaheim, CA.” (August 14-15, 1999), p. 12-27.  
[https://lpedia.org/wiki/Document:LNC\\_Minutes\\_14-15\\_August\\_1999](https://lpedia.org/wiki/Document:LNC_Minutes_14-15_August_1999)

<sup>55</sup> Libertarian National Committee. “Meeting Minutes in Anaheim, CA.” (August 14-15, 1999), p. 25.  
[https://lpedia.org/wiki/Document:LNC\\_Minutes\\_14-15\\_August\\_1999](https://lpedia.org/wiki/Document:LNC_Minutes_14-15_August_1999)

<sup>56</sup> Judicial Committee member Geoff Neale and Joe Dehn (husband of Judicial Committee member Mary Gingell) were active participants in the Arizona disaffiliation discussion and vote.

<sup>57</sup> Libertarian National Committee. “Meeting Minutes in Anaheim, CA.” (August 14-15, 1999), pp. 18-19, 23.  
[https://lpedia.org/wiki/Document:LNC\\_Minutes\\_14-15\\_August\\_1999](https://lpedia.org/wiki/Document:LNC_Minutes_14-15_August_1999)

existence of cause for disaffiliation.”<sup>58</sup> There is no record of either Arizona group appealing its disaffiliation to the Judicial Committee.

Arizona continued to be a mess. The LNC sent out a mail ballot to LP members in Arizona getting guidance on which group to affiliate.<sup>59</sup> Based on the results of that mailing (735 ballots mailed, 350-400 ballots returned, 65%-35% vote split), it chose which affiliation petition to accept.<sup>60</sup> Unfortunately, litigation continued between the two competing groups.<sup>61</sup> Ultimately, the Arizona group recognized by the LNC was not the same group that had ballot access. This resulted in L. Neil Smith appearing as the presidential candidate in Arizona instead of Harry Browne.<sup>62</sup> The main takeaway from this tangent was the LNC did not clearly specify a cause when it passed the Arizona disaffiliation motion. This left a sour taste in the mouths of some activists, setting off the chain of events previously outlined.

To summarize: Initially (1972-1983), revocation of affiliate status could be for any reason or no reason. Bylaws were amended as due process was beefed up across the board in response to the unilateral firing of the national director by the LNC chair, raising the bar to require some “cause” exist (1983-2002). In reaction to the 1999 Arizona disaffiliation where “cause” was never stated, the bylaws were again amended to require that the LNC “specify the nature of the cause” (2002-present), which coupled with the recommendation (“require the LNC to state in writing – the cause for any disaffiliation of an affiliate party at the time of disaffiliation”) to the bylaws committee prompting the 2002 change (that corrected for the sloppy Arizona disaffiliation), meant henceforth the LNC must actually *state* the cause instead of just *having* a cause.

### 3.2 Member Discipline

In the context of member discipline, the LNC Policy Manual expressly defined “cause” as “failure to perform the duties of office or gross malfeasance”<sup>63</sup> with an amendment passed in July of 2022: “No Party Officer or At-Large Member shall be subject to removal from office except for failure to perform the duties of office or gross malfeasance.”<sup>64</sup>, which was later amended on December 7, 2024 to “Any Party Officer or At-Large member may be removed by motion for any

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<sup>58</sup> Libertarian National Committee. “Meeting Minutes in Anaheim, CA.” (August 14-15, 1999), p. 20.  
[https://lpedia.org/wiki/Document:LNC\\_Minutes\\_14-15\\_August\\_1999](https://lpedia.org/wiki/Document:LNC_Minutes_14-15_August_1999)

<sup>59</sup> LNC Executive Committee. “Meeting Minutes by teleconference.” (November 22, 1999), p. 2.  
[https://lpedia.org/wiki/LNC\\_Executive\\_Committee\\_Meeting\\_22\\_November\\_1999](https://lpedia.org/wiki/LNC_Executive_Committee_Meeting_22_November_1999)

<sup>60</sup> Libertarian National Committee. “Meeting Minutes by teleconference.” (November 30, 1999), p. 5.  
[https://lpedia.org/wiki/Document:LNC\\_Minutes\\_30\\_November\\_1999](https://lpedia.org/wiki/Document:LNC_Minutes_30_November_1999)

<sup>61</sup> LNC Executive Committee. “Meeting Minutes by teleconference.” (August 15, 2000), pp. 3-9.  
[https://lpedia.org/wiki/LNC\\_Executive\\_Committee\\_Meeting\\_15\\_August\\_2000](https://lpedia.org/wiki/LNC_Executive_Committee_Meeting_15_August_2000)

<sup>62</sup> LNC Executive Committee. “Meeting Minutes by teleconference.” (September 26, 2000), p. 5.  
[https://lpedia.org/wiki/LNC\\_Executive\\_Committee\\_Meeting\\_26\\_September\\_2000](https://lpedia.org/wiki/LNC_Executive_Committee_Meeting_26_September_2000)

<sup>63</sup> Libertarian National Committee. “LNC Policy Manual.” (July 31, 2022), 1.01. 5, pp. 10-11.  
[https://lpedia.org/wiki/File:LNC\\_Policy\\_Manual-Adopted\\_thru\\_2022-07-31.pdf](https://lpedia.org/wiki/File:LNC_Policy_Manual-Adopted_thru_2022-07-31.pdf)

<sup>64</sup> Libertarian National Committee. “Meeting Minutes in Alexandria, VA.” (July 30-31, 2022), pp. 23-24.  
[https://lpedia.org/wiki/File:LNC-MINUTES\\_2022-07-30-31\\_FINAL.pdf](https://lpedia.org/wiki/File:LNC-MINUTES_2022-07-30-31_FINAL.pdf)

cause the National Committee deems potentially harmful to the Party.”<sup>65</sup>, and subsequently amended again a few weeks later on December 26, 2024 by email ballot to “A Party Officer or At-Large Member may be disciplined as per the Bylaws Article 6.7 and 7.5, for cause, by the trial procedure outlined in the parliamentary authority.”<sup>66</sup> Thus, in the context of member discipline “cause” began as undefined, was defined as “failure to perform the duties of office or gross malfeasance”, was later relaxed to “[potential harm] to the party”, and was finally returned again to without definition.

This is against the backdrop of the Judicial Committee grappling with the definition of “cause” in Harlos vs. LNC (2021) and Harlos vs. LNC (2024). I served on the Judicial Committee during the 2021 suspension and wrote the majority opinion, which stated (after a lengthy analysis): “There seems to be no perfect or authoritative definition of ‘for cause’. For the purposes of this analysis, an appropriate ‘for cause’ standard that seems to fit the character of the organization best is ‘conduct injurious to the organization or its purposes’ (from RONR 61:1).”<sup>67</sup> <sup>68</sup> This decision was later overturned by the convention delegates at the 2022 national convention: “Ms. Harlos should have had full due process, including a trial, for her removal as Secretary. Ms. Harlos’ removal from the position of Secretary is null and void for that reason.”<sup>69</sup> The convention motion to overturn the decision addressed lack of a trial rather than the definition of cause. The later reprise in Harlos vs. LNC (2024) referred back to analysis in Phillies vs. LNC (2024), which adopted the policy manual definition then in effect: “to comply with the Bylaws, each allegation comprising the Specifications must violate both some standard of ‘cause’ to remove an officer as expressed in Robert’s, in addition to one of the two additional standards of ‘failure to perform the duties of office’ or ‘gross malfeasance’ as set forth in the Policy Manual.”<sup>70</sup>

Effectively in the member discipline context, the Judicial Committee initially defined “cause” as “conduct injurious to the organization or its purposes” (from RONR), deferred to the LNC policy manual when it defined “cause” as “failure to perform the duties of office or gross malfeasance”, and now would return to its previous RONR definition of “conduct injurious to the organization or its purposes” with the policy manual definition removed.

But revocation of affiliate status is not the same as member discipline. There is no reason “cause” should have the same definition across two radically different entities: a member and an affiliate.

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<sup>65</sup> Libertarian National Committee. “Meeting Minutes in Providence, RI.” (December 7, 2024), pp. 15-17. <https://lpedia.org/wiki/File:LNC-Meeting-Minutes-Providence-Rhode-Island.pdf>

<sup>66</sup> LNC Discussion List. “Email Ballot 20241229-01.” December 29, 2024. <https://groups.google.com/g/lnc-public/c/nY7MEZVPaz4> <https://groups.google.com/g/lnc-public/c/b2dtXM9JiX0>

<sup>67</sup> Harlos vs. LNC (2021), “Moulton opinion,” 5.5, p. 5.

[https://lpedia.org/wiki/File:JC\\_Opinion\\_in\\_the\\_Matter\\_of\\_the\\_JC\\_Appeal\\_of\\_Secretary\\_Harlos.pdf](https://lpedia.org/wiki/File:JC_Opinion_in_the_Matter_of_the_JC_Appeal_of_Secretary_Harlos.pdf)

<sup>68</sup> RONR (12<sup>th</sup> ed.) 61:1.

<sup>69</sup> Libertarian Party. “2022 Libertarian National Convention minutes in Sparks, NV.” (May 27-29, 2022), p. 29. [https://lpedia.org/wiki/File:CONVENTION-MINUTES\\_2022-FINAL.pdf](https://lpedia.org/wiki/File:CONVENTION-MINUTES_2022-FINAL.pdf)

<sup>70</sup> Phillies vs. LNC (2024), “Tarnoff opinion,” p. 6. <https://lpedia.org/wiki/File:Judicial-Committee-Phillies-vs-LNC.pdf>

### 3.3 Franchise Termination

A better framework to analyze “cause” is the termination of a franchise agreement.<sup>71 72</sup> Here the franchisor (owns the brand) has an agreement with the franchisee (runs the local store). The national Libertarian Party as run by the National Committee organizes the national affairs, holds national conventions, facilitates selection of a presidential candidate, owns the trademarks, and recognizes state affiliates in an orderly manner. State affiliates license the trademarks, get data from national, and run affairs within their own states.

In the legal lexicon, many states require franchise terminations to be for “good cause”. This meaning is well defined. However, there are “[n]o statutory good cause, notice, and/or cure requirements in New Hampshire”.<sup>73</sup>

For example, see Minnesota § 80C.14.3.b:<sup>74</sup>

*No person may terminate or cancel a franchise except for good cause. "Good cause" means failure by the franchisee to substantially comply with the material and reasonable franchise requirements imposed by the franchisor including, but not limited to:*

*(1) the bankruptcy or insolvency of the franchisee;*

*(2) assignment for the benefit of creditors or similar disposition of the assets of the franchise business;*

*(3) voluntary abandonment of the franchise business;*

*(4) conviction or a plea of guilty or no contest to a charge of violating any law relating to the franchise business; or*

*(5) any act by or conduct of the franchisee which materially impairs the good will associated with the franchisor's trademark, trade name, service mark, logotype or other commercial symbol.*

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<sup>71</sup> Petitioner implicitly nods to this framework in ¶ 62 by using the word “disenfranchise” as a substitute for “disaffiliate”.

<sup>72</sup> *LPNH vs. LNC (2026)*, “Petition for Appeal,” ¶ 62, p. 18.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>73</sup> Lieberstein, M. & Medrozo, N., “Franchise Termination State Law Survey,” p. 9. <https://ktslaw.com/-/media/Feature/Franchise-Termination-Statutes-State-Law-Survey.ashx>

<sup>74</sup> Minn. Stat. § 80C.14.3.b (2025). <https://www.revisor.mn.gov/statutes/cite/80c.14>

A law review article on the meaning of “good cause” in the context of franchise terminations explains:<sup>75</sup>

*Most legislatures and courts define ‘good cause’ narrowly as the failure of a franchisee or dealer to comply substantially with the requirements under a franchise agreement. If challenged, a franchisor must prove it had good cause to terminate the franchise relationship. This burden includes showing that the franchisee failed or refused to comply substantially with material and reasonable terms in the franchise contract. Some states provide a partial list of what is considered to be ‘good cause’ (and sometimes what is not to be considered ‘good cause’) in the statute itself.*

According to that article, “The following constitutes the principal reasons that courts have accepted as good cause for the termination of franchise agreements:” [bulleted list condensed to save space]<sup>76</sup>

*Failure to Pay, Misuse of Trademark, Franchisor's Failure to Do Business, Failure to Cure Defaults, Criminal Conduct, Transfer Without Consent, Misrepresentation, Termination at Will, Failure to Comply with Agreement, Violation of Covenant Not to Compete, Disclosure of Confidential Information, Failure to Meet Performance Standards, Franchise Premises Are Closed, Franchise Premises Are Taken Over by Others, Franchise Premises Are Foreclosed, Failure to Maintain Hours or Conduct Business over a Specified Period, Failure to Abide by the ‘Obey All Laws’ Provision, Conduct Reflecting Adversely on System, Public Danger to Health or Safety, Failure to Submit Records, Competitive Conduct, Death or Disability of Franchisee*

In the context of the Libertarian Party, three categories of valid “cause” are suggested by the above noted franchise “good cause” reasons: 1) violations of specific bylaws provisions, 2) violations of the original affiliate agreement, and 3) actions that harm the LP brand.<sup>77 78</sup>

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<sup>75</sup> Emerson, Robert W., “Franchise Terminations: ‘Good Cause’ Decoded.” (May 9, 2016). *Wake Forest Law Review*, Vol. 51, No. 1, 2016, p. 108. <https://www.wakeforestlawreview.com/wp-content/uploads/2025/11/51WakeForestLRev103.pdf>

<sup>76</sup> Emerson, Robert W., “Franchise Terminations: ‘Good Cause’ Decoded.” (May 9, 2016). *Wake Forest Law Review*, Vol. 51, No. 1, 2016, pp. 111-112. <https://www.wakeforestlawreview.com/wp-content/uploads/2025/11/51WakeForestLRev103.pdf>

<sup>77</sup> In particular, 1) violations of specific bylaws provisions analogizes to principal reasons “Failure to Meet Performance Standards”, “Failure to Abide by the ‘Obey All Laws’ Provision”, and “Violation of Covenant Not to Compete”; 2) violations of the original affiliate agreement analogizes to principal reason “Failure to Comply with Agreement”; and 3) actions that harm the LP brand analogizes to principal reasons “Misuse of Trademark: Adulterating the Company’s Product”, “Misrepresentation: With Regard to the Franchise”, and “Conduct Reflecting Adversely on System”.

<sup>78</sup> “adulterating – a product that has been debased or corrupted, resulting in something of inferior quality” from Michigan State University, Center for Anti-Counterfeiting and Product Protection glossary. <https://a-capp.msu.edu/glossary/adulterated-goods/>

Even if the member discipline definition of “conduct injurious to the organization or its purposes” were (wrongly) adopted, there would still be valid “cause” here.

### 3.4 *Bylaws Violations*

There are several bylaws implicated by the motion to revoke the status of an affiliate party.

The bylaws prohibit endorsement of candidates of other parties. “No affiliate party shall endorse any candidate who is a member of another party for public office in any partisan election.”<sup>79</sup> Correspondingly, the disaffiliation motion alleges “the Libertarian Party of New Hampshire openly and publicly endorsed Donald Trump during the election”.<sup>80</sup>

The bylaws prohibit violations of the statement of principles. “No affiliate party shall take any action inconsistent with the Statement of Principles or these bylaws.”<sup>81</sup> More specifically, the Statement of Principles says in part “we support the prohibition of the initiation of physical force against others”.<sup>82</sup> This is reinforced by the membership pledge rejecting political violence: “Members of the Party shall be those persons who have certified in writing that they oppose the initiation of force to achieve political or social goals.”<sup>83</sup> Additionally, the Statement of Principles says in part “We hold that all individuals 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.”,<sup>84</sup> which broadly reflects a cosmopolitan tolerance of anyone who lives peacefully – irrespective of their social identity. Correspondingly, the disaffiliation motion alleges “they [...] have espoused numerous anti-libertarian positions on a National level”.<sup>85</sup>

The bylaws outline the purposes of the Party, which include “functioning as a libertarian political entity separate and distinct from all other political parties or movements”<sup>86</sup> (no

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<sup>79</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 5 § 4.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>80</sup> Libertarian National Committee. “Post-Convention Minutes in Grand Rapids, MI.” (May 25, 2026), pp. 9-10.

[https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

<sup>81</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 5 § 4.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>82</sup> Libertarian Party. “Statement of Principles.” [https://lpedia.org/wiki/Document:National\\_Platform\\_2022](https://lpedia.org/wiki/Document:National_Platform_2022)

<sup>83</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 4 § 1.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>84</sup> Libertarian Party. “Statement of Principles.” [https://lpedia.org/wiki/Document:National\\_Platform\\_2022](https://lpedia.org/wiki/Document:National_Platform_2022)

<sup>85</sup> Libertarian National Committee. “Post-Convention Minutes in Grand Rapids, MI.” (May 25, 2026), pp. 9-10

[https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

<sup>86</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 1.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

fusionism with Republicans or Democrats), “electing Libertarians to public office to move public policy in a libertarian direction”<sup>87</sup> (running big-L Libertarians rather than supporting Republicans or Democrats), “nominating candidates for President and Vice-President of the United States”<sup>88</sup> (running a national coordinated ticket). Correspondingly, the disaffiliation motion alleges “the Libertarian Party of New Hampshire openly and publicly endorsed Donald Trump during the election”.<sup>89</sup>

### 3.5 *Affiliate Agreement*

The Libertarian Party formed in 1971. Each affiliate submitted a petition for affiliation, which contained several conditions constituting an affiliate agreement. Most of these affiliate agreements have been lost to time (in part due to a flood of the storage locker when the Libertarian party had its national headquarters at the Watergate building in the 1990’s and early 2000’s). At present the petition for affiliation from New Hampshire, which was approved by the LNC on November 24, 1973,<sup>90</sup> cannot be located. However, several original petitions for affiliation from other states still exist. All 8 have identical language, so it can be reasonably inferred that New Hampshire signed an equivalent agreement.

Affiliate agreements within petitions for affiliation (Delaware<sup>91</sup>, District of Columbia<sup>92</sup>, Idaho<sup>93</sup>, Maine<sup>94</sup>, Montana<sup>95</sup>, North Dakota<sup>96</sup>, Rhode Island<sup>97</sup>, Wyoming<sup>98</sup>):

*We hereby certify that if recognized by the National Libertarian Party as an affiliate, we will not endorse or in any other manner support, any candidates*

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<sup>87</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 2.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>88</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 4.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>89</sup> Libertarian National Committee. “Post-Convention Minutes in Grand Rapids, MI.” (May 25, 2026), pp. 9-10.

[https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

<sup>90</sup> Libertarian National Committee. “Meeting Minutes in Denver, CO.” (November 24, 1973), ¶ 18, p. 3.

[https://lpedia.org/wiki/File:LNC\\_MINUTES\\_1973-11-24.pdf](https://lpedia.org/wiki/File:LNC_MINUTES_1973-11-24.pdf)

<sup>91</sup> Libertarian Party. “LPDE Petition for Affiliation.” (1975). [https://lpedia.org/wiki/File:LPDE\\_1975-07-21\\_Petition\\_for\\_Affiliation.pdf](https://lpedia.org/wiki/File:LPDE_1975-07-21_Petition_for_Affiliation.pdf)

<sup>92</sup> Libertarian Party. “LPDC Petition for Affiliation.” (1975). [https://lpedia.org/wiki/File:LPDC\\_1975-07-21\\_Petition\\_for\\_Affiliation.pdf](https://lpedia.org/wiki/File:LPDC_1975-07-21_Petition_for_Affiliation.pdf)

<sup>93</sup> Libertarian Party. “LPID Petition for Affiliation.” (1975). [https://lpedia.org/wiki/File:LPID\\_1975-07-11\\_Petition\\_for\\_Affiliation.pdf](https://lpedia.org/wiki/File:LPID_1975-07-11_Petition_for_Affiliation.pdf)

<sup>94</sup> Libertarian Party. “LPME Petition for Affiliation.” (1979). <https://lpedia.org/wiki/File:Maine-Affiliation-Petition.pdf>

<sup>95</sup> Libertarian Party. “LPMT Petition for Affiliation.” (1976). [https://lpedia.org/wiki/File:LPMT\\_1976-09\\_Petition\\_for\\_Affiliation.pdf](https://lpedia.org/wiki/File:LPMT_1976-09_Petition_for_Affiliation.pdf)

<sup>96</sup> Libertarian Party. “LPND Petition for Affiliation.” (1975). [https://lpedia.org/wiki/File:LPND\\_1975-07-11\\_Petition\\_for\\_Affiliation.pdf](https://lpedia.org/wiki/File:LPND_1975-07-11_Petition_for_Affiliation.pdf)

<sup>97</sup> Libertarian Party. “LPRI Petition for Affiliation.” (1979). <https://lpedia.org/wiki/File:Rhode-Island-Affiliation-Petition.pdf>

<sup>98</sup> Libertarian Party. “LPWY Petition for Affiliation.” (1977). [https://lpedia.org/wiki/File:LPWY\\_1977-01-03\\_Petition\\_for\\_Affiliation.pdf](https://lpedia.org/wiki/File:LPWY_1977-01-03_Petition_for_Affiliation.pdf)

*running in opposition to the National Libertarian Party's nominees for President and Vice President of the United States. We also certify that we have endorsed in open convention the national Party's Statement of Principles and will take no stands that are inconsistent therewith.*

Supporting this language, see also documentation from the minutes of a national committee meeting in 1974:<sup>99</sup>

*Westmiller reported that constitution required a petition signed by 10 members, the endorsement of the national Statement of Principles and the stipulation that affiliates not endorse any candidates for President and Vice President other than those elected at a national convention.*

This mirrors language regarding affiliation criteria from the 1972 bylaws:<sup>100</sup>

*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.*

In the petitions for affiliation consistently signed by every new affiliate, affiliates agreed in what is analogous to their “franchise agreement” that they would not endorse any candidates running in opposition to the party’s candidates for President and Vice-President and that they would not take actions inconsistent with the Statement of Principles. This is broadly consistent with Bylaw 5.4 “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.”<sup>101</sup>, except that the affiliate agreements more narrowly refer to presidential candidates rather than all partisan offices.

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<sup>99</sup> Libertarian National Committee. “Meeting Minutes in Rosslyn, VA.” (November 30, 1974), ¶ 5, p. 2.  
[https://lpedia.org/wiki/File:LNC\\_MINUTES\\_1974-11-30.pdf](https://lpedia.org/wiki/File:LNC_MINUTES_1974-11-30.pdf)

<sup>100</sup> Libertarian Party. “Articles of Incorporation and Constitution.” (1972), art. X § 1.  
[https://lpedia.org/wiki/Document:National\\_Articles\\_of\\_Incorporation,\\_Constitution,\\_Bylaws,\\_and\\_Convention\\_Rules\\_1972](https://lpedia.org/wiki/Document:National_Articles_of_Incorporation,_Constitution,_Bylaws,_and_Convention_Rules_1972)

<sup>101</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 5 § 4.  
[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

Correspondingly, the disaffiliation motion alleges “the Libertarian Party of New Hampshire openly and publicly endorsed Donald Trump during the election”<sup>102</sup> and “they [...] have espoused numerous anti-libertarian positions on a National level”<sup>103</sup>.

### 3.6 *Harm the LP Brand / Injurious to the Organization*

The franchise definition of “good cause” including actions that harm the brand (goodwill associated with the trademark or name) and the Robert’s definition of “cause” as “conduct injurious to the organization or its purposes” are implicated by the same subject matter.

Every four years, our presidential candidate is the standard bearer of the Libertarian Party who engages in outreach across the country to spread the libertarian message, generate new leads for party donors and volunteers, and secure ballot access for other races current and future. This supports the party purposes “functioning as a libertarian political entity separate and distinct from all other political parties or movements”<sup>104</sup> (no fusionism with Republicans or Democrats), “nominating candidates for President and Vice-President of the United States”<sup>105</sup> (running a national coordinated ticket), and “supporting Party [...] candidates for political office”<sup>106</sup> (in this context “Party [...] candidates” are just President/VP). Attacking our presidential candidate and/or supporting his opponent would be detrimental to the organization and impair the ability of the campaign to carry out those goals.

Libertarian affiliates across the country run federal, state, county, and local candidates for a wide range of partisan offices. This electoral activity directly supports party purposes such as “functioning as a libertarian political entity separate and distinct from all other political parties or movements”<sup>107</sup> (no fusionism with Republicans or Democrats), “electing Libertarians to public office to move public policy in a libertarian direction”<sup>108</sup> (not only running candidates, but also winning elections and governing), and “supporting [...] affiliate party candidates for political

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<sup>102</sup> Libertarian National Committee. “Post-Convention Minutes in Grand Rapids, MI.” (May 25, 2026), pp. 9-10. [https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

<sup>103</sup> Libertarian National Committee. “Post-Convention Minutes in Grand Rapids, MI.” (May 25, 2026), pp. 9-10. [https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

<sup>104</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 1.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>105</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 4.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>106</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 4.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>107</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 1.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>108</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 2.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

office”<sup>109</sup> (in this context “affiliate party candidates” are all down-ticket races). Disparaging lower-level candidates damages the brand similarly to indignities heaped upon our standard bearer.

Correspondingly, toxic social media posts hamper the goal of “entering into public information activities”<sup>110</sup>. Messaging that goes beyond bold and radical to be offensive, racist, homophobic, and/or inciting violence would do substantial harm to the organization, repelling activists and donors, and poisoning the brand to the general public.

A state affiliate that makes no effort to advance any party purposes – such as by failing to run “affiliate party candidates for political office”<sup>111</sup> (down-ticket races), failing to engage in “public information activities”<sup>112</sup> (spread the libertarian message), and failing to “[promote affiliate] growth and activities”<sup>113</sup> (increase membership, vote totals, events, outreach) – does injury to the LP brand by its mere inaction. In such a circumstance, the LNC has a fiduciary duty to ensure affiliates are aligned with the LP’s article 2 goals, giving cause to wrest control from officers who tolerate atrophy in pursuit of self-perpetuation, bestowing that recognition instead on fresh leadership with fidelity for the mission and the wherewithal to implement it.

### 3.7 *Presidential Endorsement*

The LNC alleges that the Libertarian Party of New Hampshire “openly and publicly endorsed Donald Trump during the election”<sup>114</sup>. Do the facts support that allegation?

On June 14, 2024 – two and a half weeks after Chase Oliver received the Libertarian Party nomination at the Libertarian National Convention in Washington D.C. – LPNH tweeted a long list of grievances disparaging him (many of which were demonstrably false), beginning with “The Libertarian Party of New Hampshire (LPNH) rejects the [sic] Chase Oliver as the Libertarian

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<sup>109</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 4.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>110</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 5.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>111</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 4.

<sup>112</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 5.

<sup>113</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 2 § 3.

<sup>114</sup> Libertarian National Committee. “Post-Convention Minutes in Grand Rapids, MI.” (May 25, 2026), pp. 9-10. [https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

Party nominee.”<sup>115</sup> <sup>116</sup> The next week on June 23, 2024, LPNH tweeted “We endorse Donald J Trump for President”.<sup>117</sup> <sup>118</sup> <sup>119</sup>

On November 4, 2024 (one day before the election) the executive committee of the LPNH endorsed Donald Trump for President of the United States. The meeting minutes provided by petitioner LPNH in exhibit C admits this fact. They say in relevant part:<sup>120</sup>

*New business: The Interim Chair raised the topic of potentially endorsing Donald Trump for the office of President of the United States. Lengthy discussion ensued following which Treasurer Wood moved to endorse and At-Large Susman seconded. Wood, Susman, Fletcher voted aye, Hubbard voted no. Motion carried.*

Petitioner further admits the endorsement of Trump in ¶ 4 and ¶ 55 of its Petition for Appeal.

Petition ¶ 4:<sup>121</sup>

*On November 4, 2024, former leaders of the Libertarian Party of New Hampshire (“LPNH”) held a meeting of the LPNH Executive Committee at which they wrongly and invalidly purported to endorse Donald Trump for President.*

Petition ¶ 55:<sup>122</sup>

*The unfortunate vote to endorse Trump was the action of a previous group of leaders who have had no role in LPNH governance for two full election cycles. See supra ¶¶ 9–13; Exhibit D.*

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<sup>115</sup> @LPNH (June 14, 2024 at 8:44 AM). “The Libertarian Party of New Hampshire (LPNH) rejects the [sic] Chase Oliver as the Libertarian Party nominee. [...]” X (Twitter). <https://x.com/LPNH/status/1801596698956857767>

<sup>116</sup> *The LPNH Record*. “Screenshot of @LPNH (June 14, 2024 at 8:44 AM).”

<https://lpnhfiles.com/exhibits/1801596698956857767.png>

<sup>117</sup> @LPNH (June 23, 2024 at 9:55 am). “We endorse Donald J Trump for President. #lpnhporcfest” X (Twitter). [subsequently deleted] <https://x.com/LPNH/status/1804906212187578682>

<sup>118</sup> *LPNH vs. LNC* (2026), “Moore Amicus Brief,” p. 3. [https://lpedia.org/wiki/File:Amicus\\_Moore\\_2026-07-25\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Moore_2026-07-25_LPNH.pdf)

<sup>119</sup> Supposedly this was a “sponsored” tweet in exchange for a donation at PorcFest. However, it still went out in the name of the organization and LPNH is responsible for its contents.

<sup>120</sup> *LPNH vs. LNC* (2026), “Petition for Appeal,” Exhibit C: “November 2024 LPNH EC Meeting Minutes”, p. 42. [https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendicies.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf)

<sup>121</sup> *LPNH vs. LNC* (2026), “Petition for Appeal,” ¶ 4, p. 4.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendicies.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf)

<sup>122</sup> *LPNH vs. LNC* (2026), “Petition for Appeal,” ¶ 55, p. 17.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendicies.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf)

This official endorsement was communicated to the public on Twitter / X by the following tweet (which also disparaged Libertarian nominee Chase Oliver with demonstrable falsehoods about his positions):<sup>123 124 125 126</sup>

*LPNH Endorses Donald Trump for President*

*Donald Trump is officially endorsed by the Libertarian Party of New Hampshire for President.*

*This was not a light decision. But we feel it is the right one for ourselves, for our children, and for the best future of a Free State of New Hampshire.*

*Donald Trump is not a libertarian. Nonetheless, Trump is the best candidate for libertarians. He has:*

- 1. Promised to free Ross Ulbricht.*
- 2. Started no new wars, a first in over three decades.*
- 3. Pledged to end the importation of anti-liberty migrants.*
- 4. Indicated he will appoint Elon Musk, Ron Paul, and Vivek Ramaswamy to shrink the federal government.*
- 5. Received endorsements from the greatest libertarians in America, including Thomas Massie.*
- 6. Committed to ending the Department of Education.*
- 7. Endorsed Bitcoin and cryptocurrency.*
- 8. Flirted with ending the income tax entirely.*

*The list of Trump promises could continue. We don't take them as a given. Trump promises much and we are skeptical of promises from politicians. However, we know for certain what the Democrat alternative is: more socialism, more censorship, more taxes, more authoritarianism.*

*There is, technically, a Libertarian on the ballot. This Libertarian spends his time supporting tax-funded trans surgery for prisoners, advocating for literal murderers, and trying to kick our members out of the Libertarian Party entirely. We cannot support him, and he cannot win.*

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<sup>123</sup> @LPNH (November 4, 2024 at 8:52 PM). "LPNH Endorses Donald Trump for President[:] Donald Trump is officially endorsed by the Libertarian Party of New Hampshire for President. [...]" X (Twitter). [subsequently deleted] <https://x.com/LPNH/status/1853616374267965550>

<sup>124</sup> Archive.Today. "Webpage Capture of @LPNH (November 4, 2024 at 8:52 PM)." <https://archive.ph/tVO3G>

<sup>125</sup> The LPNH Record. "Screenshot of @LPNH (November 4, 2024 at 8:52 PM)." <https://lpnhfiles.com/exhibits/1853616374267965550.png>

<sup>126</sup> LPNH vs. LNC (2026), "Moore Amicus Brief," p. 4. [https://lpedia.org/wiki/File:Amicus\\_Moore\\_2026-07-25\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Moore_2026-07-25_LPNH.pdf)

*Endorsing Donald Trump is in the best interests of our ultimate goal: creating a Free New Hampshire. As Free Staters, another term for libertarians who live in New Hampshire, our mission is to create a state so radically free that both Donald Trump and Kamala Harris look like communists.*

*We're only part of the way there. The barbarians are at the gates. We must make sure that New Hampshire continues to repel progressives, socialists, communists, and leftists of all stripes. New Hampshire being the only red state in a blue New England helps achieve that goal.*

*For these reasons and more, the most popular Libertarian state affiliate in the country is endorsing Donald Trump for President.*

*Now get out there and vote!*

Following that tweet, which both endorsed Donald Trump, a presidential candidate of another party, and disparaged the nominated Libertarian Party candidate Chase Oliver, LPNH tweeted a screenshot of a mass-texting ostensibly by the Trump campaign:<sup>127 128</sup>

*Libertarian Party (NH) endorses Donald J. Trump for President*

*Stand with the Libertarian Party – Vote TRUMP!*

*Sent by Thomas on behalf of Donald J. Trump for President 2024, Inc.*

*Find your polling place:*

*[URL omitted]*

*Stop 2 End*

On January 22, 2025 – two days after Donald Trump was inaugurated – the LPNH tweeted “Worth it.”<sup>129 130</sup> referencing the earlier endorsement tweet.

This presidential endorsement of Donald Trump was in the name of the Libertarian Party of New Hampshire organization, not an individual. These meeting minutes and subsequent tweets clearly and unambiguously violate LP Bylaw 5.4, the LPNH affiliate agreement, and Party

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<sup>127</sup> @LPNH (November 5, 2024 at 1:14 PM). “The Trump campaign is mass texting New Hampshire residents with this message. [...]” X (Twitter). <https://x.com/LPNH/status/1853863561417605209>

<sup>128</sup> The LPNH Record. “Screenshot of @LPNH (November 5, 2024 at 1:14 PM).” <https://lphfiles.com/exhibits/1853863561417605209.png>

<sup>129</sup> @LPNH (January 22, 2025 at 8:19 AM). “Worth it.” X (Twitter). <https://x.com/LPNH/status/1882055599950811640>

<sup>130</sup> The LPNH Record. “Screenshot of @LPNH (January 22, 2025 at 8:19 AM).” <https://lphfiles.com/exhibits/1882055599950811640.png>

purposes 2.1 and 2.4. This satisfies “cause” and is independently enough to affirm revocation of affiliate status (disaffiliation) of LPNH.

### 3.8 *Espousing Anti-Libertarian Positions*

The LNC alleges that the Libertarian Party of New Hampshire has “espoused numerous anti-libertarian positions on a National level”<sup>131</sup>. Do the facts support that allegation?

LPNH repeatedly tweeted approval of political violence, some of which may even rise to the level of incitement of violence. This violates the Libertarian Party Statement of Principles and membership certification, as outlined in section 3.4 of this opinion.

Examples of LPNH condoning violence: “Libertarians should not decry ‘political violence’. Plenty of politicians deserve to be shot. That’s the purpose of the Second Amendment.”<sup>132 133</sup>, “@reason it’s never murder to kill a communist”<sup>134 135</sup>, “We will kill all the communists in America for half this price”<sup>136 137</sup>, “It’s ridiculous that a left-wing government employee and union member was killed with our tax money. We would have done it for free.”<sup>138 139</sup>, “In 1744 in New Hampshire, the government paid £ 100 for a male Abenaki scalp, and £ 50 for a woman or child[.] The problem of incompatible residents can be solved without a standing army.”<sup>140 141</sup>, “Under libertarian theory, it is perfectly permissible to kill [governor candidate Andru

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<sup>131</sup> Libertarian National Committee. “Post-Convention Minutes in Grand Rapids, MI.” (May 25, 2026), pp. 9-10. [https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

<sup>132</sup> @LPNH (Sep 10, 2025 at 8:12 PM). “Libertarians should not decry ‘political violence’. Plenty of politicians deserve to be shot. That’s the purpose of the Second Amendment. Charlie Kirk wasn’t a politician and he wasn’t a leftist.” X (Twitter). <https://x.com/LPNH/status/1965916252012163257>

<sup>133</sup> LPNH vs. LNC (2026), “Moore Amicus Brief,” p. 10. [https://lpedia.org/wiki/File:Amicus\\_Moore\\_2026-07-25\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Moore_2026-07-25_LPNH.pdf)

<sup>134</sup> @LPNH (January 18, 2026 at 6:58 PM). “it’s never murder to kill a communist” X (Twitter). <https://x.com/LPNH/status/2013038388304130396>

<sup>135</sup> The LPNH Record. “Screenshot of @LPNH (January 18, 2026 at 6:58 PM).” <https://lpnhfiles.com/exhibits/2013038388304130396.png>

<sup>136</sup> @LPNH (March 20, 2026 at 8:07 AM). “We will kill all the communists in America for half this price.” X (Twitter). <https://x.com/LPNH/status/2034965053254877436>

<sup>137</sup> The LPNH Record. “Screenshot of @LPNH (March 20, 2026 at 8:07 AM).” <https://lpnhfiles.com/exhibits/2034965053254877436.png>

<sup>138</sup> @LPNH (January 24, 2026 at 10:05 PM). “It’s ridiculous that a left-wing government employee and union member was killed with our tax money. We would have done it for free.” X (Twitter). <https://x.com/LPNH/status/2015259728285233531>

<sup>139</sup> LPNH vs. LNC (2026), “Harlos (II) Amicus Brief,” Appendix C, p. 14. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>140</sup> @LPNH (January 25, 2026 at 6:20 PM). “In 1744 in New Hampshire, the government paid £100 for a male Abenaki warrior’s scalp, and £50 for a woman or child[.] The problem of incompatible residents can be solved without a standing army” X (Twitter). <https://x.com/LPNH/status/2015565446485799373>

<sup>141</sup> LPNH vs. LNC (2026), “Harlos (II) Amicus Brief,” Appendix C, p. 16. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

Volinsky]"<sup>142</sup> <sup>143</sup> <sup>144</sup> (they were proud of the media attention<sup>145</sup>), "Yes. It is morally legitimate to kill any politician who poses a credible threat of introducing an income tax for New Hampshire."<sup>146</sup> <sup>147</sup> <sup>148</sup> <sup>149</sup> <sup>150</sup>, "Violence should only be used in self-defense. (Like if a politician tried to enact an income tax.)"<sup>151</sup> <sup>152</sup>, "If killing Trump would somehow result in a libertarian country it would obviously be morally legitimate."<sup>153</sup> <sup>154</sup> <sup>155</sup> <sup>156</sup>, "Reminder that absolutely anything done to [NH state representative] David Meuse is morally permissible. He is as evil as a

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<sup>142</sup> @LPNH (March 3, 2026 at ?). "Governor candidate Andru Volinsky is threatening the forced conscription of millions of hours of labor. Under libertarian ethical theory, it is perfectly permissible to kill him. (not an encouragement to do so, as we wish to follow the X TOS)" X (Twitter). [subsequently deleted]  
<https://x.com/LPNH/status/2028807438489526783>

<sup>143</sup> *LPNH vs. LNC* (2026), "Harlos (II) Amicus Brief," Appendix C, p. 18. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>144</sup> Kile, Meredith. *People*. "N.H. Democrat's Tax Idea Made a Lot of People Mad. The State Libertarian Party Said It Was 'Perfectly Permissible to Kill Him'" (March 13, 2026). <https://people.com/new-hampshire-democrat-tax-idea-got-him-death-threats-from-state-libertarian-party-11925637>

<sup>145</sup> @LPNH (March 4, 2026 at 10:12 PM). "The plan was to have an income tax." X (Twitter).  
<https://x.com/LPNH/status/2029394603158176111>

<sup>146</sup> @LPNH (March 4, 2026 at 9:33 AM). "Yes. It is morally legitimate to kill any politician who poses a credible threat of introducing an income tax for New Hampshire." X (Twitter).  
<https://x.com/LPNH/status/2029203595111858403>

<sup>147</sup> *The LPNH Record*. "Screenshot of @LPNH (March 4, 2026 at 9:33 AM)."  
<https://lpnhfiles.com/exhibits/2029203595111858403.png>

<sup>148</sup> *LPNH vs. LNC* (2026), "Harlos (II) Amicus Brief," Appendix C, p. 17. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>149</sup> *LPNH vs. LNC* (2026), "McGee (I) Amicus Brief," p. 6. [https://lpedia.org/wiki/File:Amicus\\_McGee\\_2026-07-29\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_McGee_2026-07-29_LPNH.pdf)

<sup>150</sup> *LPNH vs. LNC* (2026), "Moore Amicus Brief," p. 11. [https://lpedia.org/wiki/File:Amicus\\_Moore\\_2026-07-25\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Moore_2026-07-25_LPNH.pdf)

<sup>151</sup> @LPNH (March 16, 2026 at 2:31 PM). "The Libertarian Party of New Hampshire stands resolutely against the initiation of violence. Violence should only be used in self-defense. (Like if a politician tried to enact an income tax.)" X (Twitter). <https://x.com/LPNH/status/2033612168621420907>

<sup>152</sup> *The LPNH Record*. "Screenshot of @LPNH (March 16, 2026 at 2:31 PM)."  
<https://lpnhfiles.com/exhibits/2033612168621420907.png>

<sup>153</sup> @LPNH (April 26, 2026 at 10:58 AM). "If killing Trump would somehow result in a libertarian country it would obviously be morally legitimate. All attempts to kill Trump have been to make America more left-wing and communist, thus are bad." X (Twitter). <https://x.com/LPNH/status/2048416400268538088>

<sup>154</sup> *The LPNH Record*. "Screenshot of @LPNH (April 26, 2026 at 10:58 AM)."  
<https://lpnhfiles.com/exhibits/2048416400268538088.png>

<sup>155</sup> *LPNH vs. LNC* (2026), "Harlos (II) Amicus Brief," Appendix C, p. 18. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>156</sup> *LPNH vs. LNC* (2026), "McGee (I) Amicus Brief," p. 6. [https://lpedia.org/wiki/File:Amicus\\_McGee\\_2026-07-29\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_McGee_2026-07-29_LPNH.pdf)

rapist or murderer, and deserves the same treatment.”<sup>157</sup> <sup>158</sup> <sup>159</sup> <sup>160</sup>, “In America, it is completely legal to say that it would be moral and just to lynch [Vice-President] Kamala Harris.”<sup>161</sup> <sup>162</sup> (reposted a month later)<sup>163</sup> <sup>164</sup>, “Under libertarian ethics this is a violent threat to violate rights and deserves the appropriate response. [in response to Vice-President Harris supporting an assault weapons ban]”<sup>165</sup> shortly followed by “Anyone who murders Kamala Harris would be an American hero.”<sup>166</sup> <sup>167</sup> <sup>168</sup> <sup>169</sup> (leading to an FBI investigation<sup>170</sup>, condemned by both the Republican and Democrat party chairs in NH<sup>171</sup> <sup>172</sup>, and condemned by LP presidential nominee Chase Oliver<sup>173</sup>), “By the standards of the American Revolution, every President for at least a

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<sup>157</sup> @LPNH (May 22, 2026 at 7:33 AM). “Reminder that absolutely anything done to David Meuse is morally permissible.” X (Twitter). <https://x.com/LPNH/status/2057786852254335431>

<sup>158</sup> *The LPNH Record*. “Screenshot of @LPNH (May 22, 2026 at 7:33 AM).” <https://lpnhfiles.com/exhibits/2057786852254335431.png>

<sup>159</sup> *LPNH vs. LNC* (2026), “Harlos (II) Amicus Brief,” Appendix C, p. 20. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>160</sup> *LPNH vs. LNC* (2026), “McGee (I) Amicus Brief,” p. 6. [https://lpedia.org/wiki/File:Amicus\\_McGee\\_2026-07-29\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_McGee_2026-07-29_LPNH.pdf)

<sup>161</sup> @LPNH (August 11, 2024 at 9:14 AM). “Brandenburg v. Ohio is one of the most based court rulings in the entire world. In America, it is completely legal to say that it would be moral and just to lynch Kamala Harris. Britbongs can't even begin to understand America.” X (Twitter). <https://x.com/LPNH/status/1822622673995719061>

<sup>162</sup> *The LPNH Record*. “Screenshot of @LPNH (August 11, 2024 at 9:14 AM).” <https://lpnhfiles.com/exhibits/1822622673995719061.png>

<sup>163</sup> @LPNH (September 15, 2024 at 2:09 PM). “Still true.” X (Twitter). <https://x.com/LPNH/status/1835380415986880811>

<sup>164</sup> *The LPNH Record*. “Screenshot of @LPNH (September 15, 2024 at 2:09 PM).” <https://lpnhfiles.com/exhibits/1835380415986880811.png>

<sup>165</sup> @LPNH (September 15, 2024 at 2:44 AM). “Under libertarian ethics this is a violent threat to violate rights and deserves the appropriate response.” X (Twitter). <https://x.com/LPNH/status/1835207933417910559>

<sup>166</sup> @LPNH (September 15, 2024 at 2:47 AM). “Anyone who murders Kamala Harris would be an American hero.” X (Twitter). [subsequently deleted] <https://x.com/LPNH/status/1835308230488273307>

<sup>167</sup> @LPNH (September 15, 2024 at 9:32 AM). “We deleted a tweet because we don't want to break the terms of this website we agreed to. It's a shame that even on a ‘free speech’ website that libertarians cannot speak freely. Libertarians are truly the most oppressed minority.” X (Twitter). <https://x.com/LPNH/status/1835310685095628880>

<sup>168</sup> Ewe, Koh. *Time*. “Libertarian Party of New Hampshire Digs In Amid Backlash and Law Enforcement Scrutiny After Appearing to Glorify Political Violence” (September 17, 2024). <https://time.com/7021909/libertarian-party-new-hampshire-social-media-jeremy-kauffman-kamala-harris/>

<sup>169</sup> *LPNH vs. LNC* (2026), “Moore Amicus Brief,” p. 7. [https://lpedia.org/wiki/File:Amicus\\_Moore\\_2026-07-25\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Moore_2026-07-25_LPNH.pdf)

<sup>170</sup> @LPNH (September 17, 2024 at 8:57 AM). “One of several LPNH comms admins was visited by the FBI yesterday[.] The FBI made no explicit statement of why they were visiting in this video. Unless the FBI releases more details about why they were visiting, anyone stating a specific reason for the visit is speculating.” X (Twitter). <https://x.com/LPNH/status/1836026740113654088>

<sup>171</sup> See the *Boston Globe* article, which included the following quotes: NH GOP Chair Chris Ager: “There is no room for this type of dialogue. PERIOD.” NH Democratic Party Chair Ray Buckley: “The Libertarian Party of NH encouraging the assassination [sic] of Vice President Harris must be condemned in the strongest possible terms. Political violence is never acceptable, and their statement was disgusting, dangerous and wrong.”

<sup>172</sup> Gross, Samantha J. and Porter, Steven. *Boston Globe*. “N.H. Libertarian Party shares, deletes post on X endorsing the assassination of VP Harris” (September 15, 2024). <https://www.bostonglobe.com/2024/09/15/metro/kamala-harris-libertarian-new-hampshire/>

<sup>173</sup> Chase Oliver @ChaseForLiberty (September 15, 2024 at 8:35 PM). “I 100% condemn the statement from LPNH regarding Kamala Harris. It is abhorrent and should never have been posted. As Libertarians, we condemn the use

century has deserved to be shot.”<sup>174 175</sup>, “Official Statement from The Libertarian Party of New Hampshire on Political Assassinations [...] Libertarians are against the initiation of force, but threats to property rights and self-determination exist everywhere. It is morally correct to use violence to stop aggression. [...]”<sup>176 177</sup>, “Why doesn't someone simply shoot [a woman who threw tomato juice at a TPUSA table]?”<sup>178 179</sup>, “Sure go use violence against the people responsible for us not having a free market in money. Full support”<sup>180 181</sup>, “John McCain was a tyrant deserving of death by the hands of the people he enslaved. The tragedy of his life was that cancer caught up to him before liberty did.”<sup>182 183</sup>, “[over a picture of Congress during the State of the Union] Why would anyone need a magazine with 30 or more rounds?”<sup>184 185</sup>, “Arguing over which governor was the best during Covid is dumb. Let's just agree that all fifty deserve to be sent to Gitmo.”<sup>186</sup>

In addition to these direct calls for violence, the LPNH has tweeted numerous racist, antisemitic, homophobic, transphobic, and anti-immigrant statements that were incendiary and offensive. Section 3.4 of this opinion outlined the plea for cosmopolitan tolerance implicit in the

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of force, whether committed by governments, individuals, or other political entities. We are dedicated to the principle of non-aggression and to peaceful solutions to conflict. This is also something we pledge as part of attaining party membership. LPNH’s statement should rightfully be condemned by all people.” X (Twitter). <https://x.com/ChaseForLiberty/status/1835477641517748462>

<sup>174</sup> @LPNH (April 18, 2025 at 7:12 AM). “By the standards of the American Revolution, every President for at least a century has deserved to be shot.” X (Twitter). <https://x.com/LPNH/status/1913203882198524338>

<sup>175</sup> *The LPNH Record*. “Screenshot of @LPNH (April 18, 2025 at 7:12 AM).” <https://lpnhfiles.com/exhibits/1913203882198524338.png>

<sup>176</sup> @LPNH (September 16, 2024 at 11:17 AM). “Official Statement from The Libertarian Party of New Hampshire on Political Assassinations [...] 2) Libertarians are not pacifists. We are not ‘non-violent.’ Libertarians are against the initiation of force, but threats to property rights and self-determination exist everywhere. It is morally correct to use violence to stop aggression. [...]” X (Twitter). <https://x.com/LPNH/status/1835699573391581357>

<sup>177</sup> *The LPNH Record*. “Screenshot of @LPNH (September 16, 2024 at 11:17 AM).” <https://lpnhfiles.com/exhibits/1835699573391581357.png>

<sup>178</sup> @LPNH (October 23, 2024 at 10:41 PM). “Why doesn't someone simply shoot her?” X (Twitter). <https://x.com/LPNH/status/1849280031916237042>

<sup>179</sup> *The LPNH Record*. “Screenshot of @LPNH (October 23, 2024 at 10:41 PM).” <https://lpnhfiles.com/exhibits/1849280031916237042.png>

<sup>180</sup> @LPNH (May 24, 2026 at 11:03 PM). “Sure go use violence against the people responsible for us not having a free market in money Full support” X (Twitter). <https://x.com/LPNH/status/2058745760846434450>

<sup>181</sup> *The LPNH Record*. “Screenshot of @LPNH (May 24, 2026 at 11:03 PM).” <https://lpnhfiles.com/exhibits/2058745760846434450.png>

<sup>182</sup> @LPNH (October 19, 2024 at 12:48 AM). “John McCain was a tyrant deserving of death by the hands of the people he enslaved. The tragedy of his life was that cancer caught up to him before liberty did.” X (Twitter). <https://x.com/LPNH/status/1847499990089732123>

<sup>183</sup> *The LPNH Record*. “Screenshot of @LPNH (October 19, 2024 at 12:48 AM).” <https://lpnhfiles.com/exhibits/1847499990089732123.png>

<sup>184</sup> @LPNH (August 13, 2023 at 5:48 PM). “ ‘Why would anyone need a magazine with 30 or more rounds?’ ” X (Twitter). <https://x.com/LPNH/status/1690842800005255169>

<sup>185</sup> *LPNH vs. LNC* (2026), “Moore Amicus Brief,” p. 6. [https://lpedia.org/wiki/File:Amicus\\_Moore\\_2026-07-25\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Moore_2026-07-25_LPNH.pdf)

<sup>186</sup> @LPNH (May 22, 2023 at 7:59 AM). “Arguing over which governor was the best during Covid is dumb. Let's just agree that all fifty deserve to be sent to Gitmo.” X (Twitter). <https://x.com/LPNH/status/1660616474602373123>

Statement of Principles: “We hold that all individuals 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.”<sup>187</sup>

The Party Platform<sup>188</sup> is in large part an “implementation of those principles in the form of planks”<sup>189</sup>; therefore, the Platform can bring clarity to the meaning of the phrase “individuals have the right [...] to live in whatever manner they choose”.<sup>190</sup> Notably, plank 3.5 (Rights and Discrimination) says in part “We uphold and defend the rights of every person, regardless of their race, ethnicity, or any other aspect of their identity.”<sup>191</sup>; plank 1.2 (Expression and Communication) says in part “We favor the freedom to engage in or abstain from any religious activities that do not violate the rights of others.”<sup>192</sup>; plank 1.4 (1.4 Personal Relationships) says in part “Sexual orientation, preference, gender, or gender identity should have no impact on the government’s treatment of individuals, [...] Consenting adults should be free to choose their own sexual practices and personal relationships.”<sup>193</sup>; and plank 3.4 (Free Trade and Migration) says in part “Economic freedom demands the unrestricted movement of human as well as financial capital across national borders.”<sup>194</sup> Although the stronger language “We condemn bigotry as irrational and repugnant.”<sup>195</sup> – enshrined in the platform when it was revamped in 2008<sup>196 197</sup> – was substituted out of plank 3.5 in 2022,<sup>198</sup> that sentiment remains an accurate reflection of libertarian principles. Juxtapose these excerpts from the Statement of Principles and the Party Platform with public statements of the Libertarian Party of New Hampshire documented in the following paragraphs.

Racism examples: “Ron Paul was right: ending apartheid was a mistake”<sup>199 200</sup>, “Anarcho-capitalist state representative @travis4nh [said] he would wear black because ‘violence isn't

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<sup>187</sup> Libertarian Party. “Statement of Principles.” [https://lpedia.org/wiki/Document:National\\_Platform\\_2022](https://lpedia.org/wiki/Document:National_Platform_2022)

<sup>188</sup> The 2022 Platform is current as of August 2026; no platform amendments passed in convention 2024 or 2026.

<sup>189</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 3 § 2.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>190</sup> Libertarian Party. “Statement of Principles.” [https://lpedia.org/wiki/Document:National\\_Platform\\_2022](https://lpedia.org/wiki/Document:National_Platform_2022)

<sup>191</sup> Libertarian Party. “2022 Platform,” § 3.5. [https://lpedia.org/wiki/Document:National\\_Platform\\_2022](https://lpedia.org/wiki/Document:National_Platform_2022)

<sup>192</sup> Libertarian Party. “2022 Platform,” § 1.2. [https://lpedia.org/wiki/Document:National\\_Platform\\_2022](https://lpedia.org/wiki/Document:National_Platform_2022)

<sup>193</sup> Libertarian Party. “2022 Platform,” § 1.4. [https://lpedia.org/wiki/Document:National\\_Platform\\_2022](https://lpedia.org/wiki/Document:National_Platform_2022)

<sup>194</sup> Libertarian Party. “2022 Platform,” § 3.4. [https://lpedia.org/wiki/Document:National\\_Platform\\_2022](https://lpedia.org/wiki/Document:National_Platform_2022)

<sup>195</sup> Libertarian Party. “2018 Platform,” § 3.5. [https://lpedia.org/wiki/Document:National\\_Platform\\_2018](https://lpedia.org/wiki/Document:National_Platform_2018)

<sup>196</sup> Libertarian Party. “2008 Platform,” § 3.5. [https://lpedia.org/wiki/Document:National\\_Platform\\_2008](https://lpedia.org/wiki/Document:National_Platform_2008)

<sup>197</sup> Libertarian Party. “2008 Libertarian National Convention Minutes in Denver, CO.” (May 23-26, 2008), pp. 33-33. [https://lpedia.org/wiki/File:CONVMIN\\_2008.pdf](https://lpedia.org/wiki/File:CONVMIN_2008.pdf)

<sup>198</sup> Libertarian Party. “2022 Libertarian National Convention Minutes in Sparks, NV.” (May 27-29, 2022), p. 37. [https://lpedia.org/wiki/File:CONVENTION-MINUTES\\_2022-FINAL.pdf](https://lpedia.org/wiki/File:CONVENTION-MINUTES_2022-FINAL.pdf)

<sup>199</sup> @LPNH (February 23, 2026 at 9:59 AM). “Ron Paul was right: ending apartheid was a mistake” X (Twitter). <https://x.com/LPNH/status/2025948524563542211>

<sup>200</sup> *The LPNH Record*. “Screenshot of @LPNH (February 23, 2026 at 9:59 AM).” <https://lpnhfiles.com/exhibits/2025948524563542211.png>

associated with the presence of guns, but with the presence of African Americans’ ”<sup>201</sup> <sup>202</sup>, “No guns for blacks. That is sensible gun control. [...] Now let's talk about sensible voter control.”<sup>203</sup>, “Every libertarian believes it is okay to say the word nigger.”<sup>204</sup> <sup>205</sup> <sup>206</sup>, “Nigger.”<sup>207</sup> <sup>208</sup>, “Black Americans who want reparations should be offered a one-way ticket to South Africa[.] Otherwise they should shut the fuck up forever”<sup>209</sup> <sup>210</sup>, “reminder that you are taxed to subsidize chimp factories [referring to historically black colleges]”<sup>211</sup>, “low-IQ Africans aren't welcome in New Hampshire”<sup>212</sup> <sup>213</sup>.

Antisemitic examples: “Did Israel do 9-11? [over a cartoon of a Jewish man giving the thumbs up piloting a plane hurling toward the World Trade Center]”<sup>214</sup> <sup>215</sup>, “NH is always #1! Now let's see if we can't revisit that law... The jew could not hold office in these states until: [...] New Hampshire: 1877 [the latest of any state in the list]”<sup>216</sup> <sup>217</sup>, “We were the last state to

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<sup>201</sup> @LPNH (June 3, 2025 at 6:28 AM). “Anarcho-capitalist state representative @travis4nh was asked to wear orange to honor victims of gun violence. He responded by saying he would wear black because ‘violence isn't associated with the presence of guns, but with the presence of African Americans’.” X (Twitter).

<https://x.com/LPNH/status/1929847726939787617>

<sup>202</sup> *The LPNH Record*. “Screenshot of @LPNH (June 3, 2025 at 6:28 AM).”

<https://lpnhfiles.com/exhibits/1929847726939787617.png>

<sup>203</sup> @LPNH (December 17, 2025 at 8:54 AM). “No guns for blacks. That is sensible gun control. If you're not willing to start there, by tackling the biggest problem first, you're not serious about gun control. Now let's talk about sensible voter control.” X (Twitter). <https://x.com/LPNH/status/2001289904152609202>

<sup>204</sup> @LPNH (May 22, 2026 at 8:03 AM). “Every libertarian believes it is okay to say the word nigger. Every libertarian believes violence is not justified in response to insults. These are classic and undisputed libertarian positions.” X (Twitter). <https://x.com/LPNH/status/2057794566481199207>

<sup>205</sup> *The LPNH Record*. “Screenshot of @LPNH (May 22, 2026 at 8:03 AM).”

<https://lpnhfiles.com/exhibits/2057794566481199207.png>

<sup>206</sup> *LPNH vs. LNC (2026)*, “Harlos (II) Amicus Brief,” Appendix C, p. 29. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>207</sup> @LPNH (April 9, 2026 at 8:27 PM). “nigger” X (Twitter). <https://x.com/LPNH/status/2042399061383270521>

<sup>208</sup> *LPNH vs. LNC (2026)*, “Harlos (II) Amicus Brief,” Appendix C, p. 23. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>209</sup> @LPNH (May 16, 2025 at 8:41 AM). “Black Americans who want reparations should be offered a one-way ticket to South Africa[.] Otherwise they should shut the fuck up forever” X (Twitter).

<https://x.com/LPNH/status/1923358259764756840>

<sup>210</sup> *The LPNH Record*. “Screenshot of @LPNH (May 16, 2025 at 8:41 AM).”

<https://lpnhfiles.com/exhibits/1923358259764756840.png>

<sup>211</sup> @LPNH (September 25, 2025 at 9:24 AM). “reminder that you are taxed to subsidize chimp factories” X (Twitter). <https://x.com/LPNH/status/1971204111942156529>

<sup>212</sup> @LPNH (May 26, 2026 at 11:35 AM). “low-IQ Africans aren't welcome in New Hampshire” X (Twitter). <https://x.com/LPNH/status/2059297271317934532>

<sup>213</sup> This tweet was after the disaffiliation vote. Therefore, it is evidence that the pattern of behavior continued without remorse rather than evidence supporting cause.

<sup>214</sup> @LPNH (September 11, 2025 at 10:06 AM). “Did Israel do 9-11?” X (Twitter).

<https://x.com/LPNH/status/1966141381325516995>

<sup>215</sup> *Archive.Today*. “Webpage Capture of @LPNH (September 11, 2025 at 10:06 AM).” <https://archive.is/Vnq9e>

<sup>216</sup> @LPNH (April 20, 2026 at 9:01 PM). “NH is always #1! Now let's see if we can't revisit that law...” X (Twitter). <https://x.com/LPNH/status/2046393933744226314>

<sup>217</sup> *The LPNH Record*. “Screenshot of @LPNH (April 20, 2026 at 9:01 PM).”

<https://lpnhfiles.com/exhibits/2046393933744226314.png>

emancipate the Jews politically. Until 1877 they were banned from office. [...] New Hampshire, eventually followed the path of every failed state we are escaping... It just held on longer.”<sup>218 219</sup>, “6 million dollar minimum wage or you're antisemitic. [referring to the holocaust]”<sup>220 221</sup>, “Deport anyone in America with Israeli citizenship and declare #Israel an enemy of the United States of America, immediately.”<sup>222 223</sup>.

Homophobia examples: “civil rights aren't real and NH AG John Formella is a faggot”<sup>224 225</sup>, “It is perfectly reasonable to respect a charismatic soccer star but not respect an effeminate lying faggot, even if they have the same policies.”<sup>226 227 228</sup>, “Chase Oliver is a lying, infiltrating, leftist faggot. And we will continue to say this for as long as the account is controlled by Free Staters.”<sup>229</sup>, “[to Chase Oliver:] Fuck off and read any book on libertarianism, you infiltrating leftist faggot”<sup>230</sup>, “[to Brad Polumbo:] Liberal faggot supports big government when its purpose is to help foreign blacks with AIDS.”<sup>231</sup>, “[to Minnesota governor Tim Walz:] You're a CCP asset

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<sup>218</sup> @LPNH (December 16, 2025 at 7:57 PM). “New Hampshire earned its reputation as the freest, safest state through centuries of unapologetic free association. We were the last state to emancipate the Jews politically. Until 1877 they were banned from office. [...] New Hampshire, eventually followed the path of every failed state we are escaping... It just held on longer. [...]” X (Twitter). <https://x.com/LPNH/status/2001094252961382859>

<sup>219</sup> *The LPNH Record*. “Screenshot of @LPNH (December 16, 2025 at 7:57 PM).”

<https://lpnhfiles.com/exhibits/2001094252961382859.png>

<sup>220</sup> @LPNH (August 25, 2022 at 2:36 PM). “6 million dollar minimum wage or you're antisemitic.” X (Twitter). [subsequently deleted] <https://x.com/LPNH/status/1562871533412192256>

<sup>221</sup> Jerusalem Post Staff. *The Jerusalem Post*. “New Hampshire Libertarian Party mocks Holocaust in now-deleted antisemitic tweet” (August 28, 2022). <https://www.jpost.com/diaspora/antisemitism/article-715795>

<sup>222</sup> @LPNH (September 13, 2025 at 6:32 PM). “Deport anyone in America with Israeli citizenship and declare #Israel an enemy of the United States of America, immediately.” X (Twitter).

<https://x.com/LPNH/status/1966993442682400893>

<sup>223</sup> *The LPNH Record*. “Screenshot of @LPNH (September 13, 2025 at 6:32 PM).”

<https://lpnhfiles.com/exhibits/1966993442682400893.png>

<sup>224</sup> @LPNH (July 17, 2026 at 10:50 AM). “Hitting someone in the face is obviously wrong, but civil rights aren't real and NH AG John Formella is a faggot” X (Twitter). <https://x.com/LPNH/status/2078130110821970114>

<sup>225</sup> This tweet was after the disaffiliation vote. Therefore, it is evidence that the pattern of behavior continued without remorse rather than evidence supporting cause.

<sup>226</sup> @LPNH (July 15, 2025 at 7:32 AM). “Politics has more to do with people than policy. It is perfectly reasonable to respect a charismatic soccer star but not respect an effeminate lying faggot, even if they have the same policies. (They don't btw)” X (Twitter). <https://x.com/LPNH/status/1945084159279440094>

<sup>227</sup> *LPNH vs. LNC (2026)*, “Harlos (II) Amicus Brief,” Appendix E, p. 29. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>228</sup> *LPNH vs. LNC (2026)*, “McGee (I) Amicus Brief,” p. 5. [https://lpedia.org/wiki/File:Amicus\\_McGee\\_2026-07-29\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_McGee_2026-07-29_LPNH.pdf)

<sup>229</sup> @LPNH (April 28, 2025 at 8:26 AM). “Chase Oliver is a lying, infiltrating, leftist faggot. And we will continue to say this for as long as the account is controlled by Free Staters.” X (Twitter). <https://x.com/LPNH/status/1916831461375725846>

<sup>230</sup> @LPNH (September 15, 2024 at 8:39 PM). “Fuck off and read any book on libertarianism, you infiltrating leftist faggot” X (Twitter). <https://x.com/LPNH/status/1835478567951491098>

<sup>231</sup> @LPNH (July 17, 2025 at 8:53 AM). “Liberal faggot supports big government when its purpose is to help foreign blacks with AIDS.” X (Twitter). <https://x.com/LPNH/status/1945829142592684509>

and a known faggot.”<sup>232</sup>, “the homosexuals running LP National are really mad this post got more likes than anything Chase Oliver posted during his campaign”<sup>233 234</sup>.

Transphobia examples: “We didn’t propose tolerating transgenderism in your community. [...] Just deport the people from your community trying to transition children out of NH. Problem solved.”<sup>235 236</sup>, “Republicans are preparing to murder every transgender person in New Hampshire. Please get somewhere safe like Massachusetts before the death squads come.”<sup>237 238</sup>, “Trans people and other mentally ill collectives of society should not have the right to vote.”<sup>239 240</sup>, “Conservative Christians should be able to live in communities free of gays or transgenders”<sup>241 242</sup>, “New Hampshire is not a safe state for trans people.”<sup>243</sup>, “One of the biggest wins this year. By creating an ‘anti-trans’ reputation for New Hampshire, regardless of reality, we mark our state as one where leftists aren’t welcome.”<sup>244</sup>

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<sup>232</sup> @LPNH (December 24, 2025 at 4:29 PM). “You’re a CCP asset and a known faggot.” X (Twitter).

<https://x.com/LPNH/status/2003941170007978408>

<sup>233</sup> @LPNH (June 16, 2026 at 11:44 AM). “the homosexuals running LP National are really mad this post got more likes than anything Chase Oliver posted during his campaign” X (Twitter).

<https://x.com/LPNH/status/2066909769701400880>

<sup>234</sup> *The LPNH Record*. “Screenshot of @LPNH (June 16, 2026 at 11:44 AM).”

<https://lphfiles.com/exhibits/2066909769701400880.png>

<sup>235</sup> @LPNH (October 22, 2024 at 8:53 AM). “We didn’t propose tolerating transgenderism in your community. Why would you, as a conservative, want to tax people in New Hampshire to police transgenderism in California? Just deport the people from your community trying to transition children out of NH. Problem solved.” X (Twitter).

<https://x.com/LPNH/status/1848709362551783741>

<sup>236</sup> *The LPNH Record*. “Screenshot of @LPNH (October 22, 2024 at 8:53 AM).”

<https://lphfiles.com/exhibits/1848709362551783741.png>

<sup>237</sup> @LPNH (August 17, 2024 at 7:52 AM). “Republicans are preparing to murder every transgender person in New Hampshire. Please get somewhere safe like Massachusetts before the death squads come.” X (Twitter).

<https://x.com/LPNH/status/1824776261312430362>

<sup>238</sup> *The LPNH Record*. “Screenshot of @LPNH (August 17, 2024 at 7:52 AM).”

<https://lphfiles.com/exhibits/1824776261312430362.png>

<sup>239</sup> @LPNH (August 11, 2025 at 11:38 PM). “Trans people and other mentally ill collectives of society should not have the right to vote. Democracy is cabal worship.” X (Twitter).

<https://x.com/LPNH/status/1955111646713545030>

<sup>240</sup> *The LPNH Record*. “Screenshot of @LPNH (August 11, 2025 at 11:38 PM).”

<https://lphfiles.com/exhibits/1955111646713545030.png>

<sup>241</sup> @LPNH (August 4, 2025 at 7:21 AM). “Fine, we’ll bite. Show us a ‘left libertarian’ or an ‘LGBTQ+ allied libertarian’ who has no problem with ideas like: - Some people are better than other people - Conservative Christians should be able to live in communities free of gays or transgenders - Black people are more inclined to violence than white people - Genetics are real and human populations differ in politics and inclinations[.] Right-wing libertarians either agree with all of these or will at least entertain them. Left-wing ‘libertarians’ just call these people fascists and attempt to cancel them. We’d be happy to learn of exceptions.” X (Twitter).

<https://x.com/LPNH/status/1952328920746913860>

<sup>242</sup> *The LPNH Record*. “Screenshot of @LPNH (August 4, 2025 at 7:21 AM).”

<https://lphfiles.com/exhibits/1952328920746913860.png>

<sup>243</sup> @LPNH (May 3, 2026 at 9:49 AM). “New Hampshire is not a safe state for trans people.” X (Twitter).

<https://x.com/LPNH/status/2050935787852530137>

<sup>244</sup> @LPNH (October 2, 2024 at 8:45 AM). “One of the biggest wins this year. By creating an “anti-trans” reputation for New Hampshire, regardless of reality, we mark our state as one where leftists aren’t welcome.” X (Twitter).

<https://x.com/LPNH/status/1841459458179772593>

Anti-immigrant examples: “You can’t have a functional democratic society unless you’re homogenous founding stock Americans.”<sup>245</sup> <sup>246</sup>, “Our ultimate goal is to create a libertarian nation in New Hampshire. This means an immigrant must not just be an ‘economic contributor’, but they must be culturally, psychologically, and behaviorally compatible. Otherwise, we are sowing the seeds of our own destruction.”<sup>247</sup>, “In 1744 in New Hampshire, the government paid £ 100 for a male Abenaki scalp, and £ 50 for a woman or child[.] The problem of incompatible residents can be solved without a standing army.”<sup>248</sup> <sup>249</sup>, “Ground zero for needles and illegal immigrants. ICE please start here.”<sup>250</sup> <sup>251</sup>

This is just a taste of the poison that has been spewing from LPNH. There is much, much more.

These abhorrent tweets espoused numerous anti-libertarian positions, violating both the platform and the Statement of Principles – especially the calls for political violence. They clearly and unambiguously violate LP Bylaw 5.4, the LPNH affiliate agreement, the membership certification in LP Bylaw 4.1, and Party purposes 2.2 and 2.5. This satisfies “cause” and is independently enough to affirm revocation of affiliate status (disaffiliation) of LPNH.

### 3.9 Harm to the Brand

It is impossible to catalog all of the harm done to the Libertarian Party brand by continued association with the LPNH affiliate. However, it is worth noting that several amicus briefs made

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<sup>245</sup> @LPNH (February 12, 2026 at 8:49 AM). “This is essentially the final nail in the coffin of the neo liberal worldview. You can’t have a functional democratic society unless you’re homogenous founding stock Americans. (Btw this is why NH works so well)” X (Twitter). <https://x.com/LPNH/status/2021944687435952446>

<sup>246</sup> *The LPNH Record*. “Screenshot of @LPNH (February 12, 2026 at 8:49 AM).”

<https://lpnhfiles.com/exhibits/2021944687435952446.png>

<sup>247</sup> @LPNH (January 26, 2026 at 9:06 AM). “Our ultimate goal is to create a libertarian nation in New Hampshire. This means an immigrant must not just be an ‘economic contributor’, but they must be culturally, psychologically, and behaviorally compatible. Otherwise we are sowing the seeds of our own destruction.” X (Twitter).

<https://x.com/LPNH/status/2015788369523974561>

<sup>248</sup> @LPNH (January 25, 2026 at 6:20 PM). “In 1744 in New Hampshire, the government paid £100 for a male Abenaki warrior’s scalp, and £50 for a woman or child[.] The problem of incompatible residents can be solved without a standing army” X (Twitter). <https://x.com/LPNH/status/2015565446485799373>

<sup>249</sup> *LPNH vs. LNC (2026)*, “Harlos (II) Amicus Brief,” Appendix C, p. 16. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>250</sup> @LPNH (Jun 9, 2026 at 9:06 PM). “Ground zero for needles and illegal immigrants. ICE please start here.” X (Twitter). <https://x.com/LPNH/status/2064514490796831000>

<sup>251</sup> *The LPNH Record*. “Screenshot of @LPNH (Jun 9, 2026 at 9:06 PM).” <https://lpnhfiles.com/exhibits/2064514490796831000.png>

reference to a \$40,000 donation lost due to the NH affiliate's toxic messaging<sup>252 253 254</sup>, citing a LPNH tweet responding to Phil Rein.<sup>255 256 257 258</sup> Numerous longtime activists, candidates, and elected officials have also left the Party.<sup>259 260 261 262 263</sup>

#### 4. Frivolous Argument Speedrun

Everything above is already enough to affirm the respondent Libertarian National Committee's revocation of affiliate party status of the Libertarian Party of New Hampshire (disaffiliation).

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<sup>252</sup> While Rein characterized the messaging leading to the lost donation as “toxic”, others have used more colorful language to describe New Hampshire’s communication style, including “edgelord” and “shitposting”: “The edgelords have made libertarians less attractive to voters, and Libertarian Party members even less attractive than that.” (Harper), “The party is nothing more than a shitposting Twitter account led by people who want nothing more than to appeal to the reactionary conservative right for social media clout that translates to nothing in the real world.” (Borysenko).

<sup>253</sup> Harper, Jim. *The New Hampshire Union Leader*. “The Free State Project sacks an ‘edgelord’ ” (October 6, 2023). [https://www.unionleader.com/opinion/op-eds/jim-harper-the-free-state-project-sacks-an-edgelord/article\\_44bf5186-b38b-5d11-be30-78d9a56d62fc.html](https://www.unionleader.com/opinion/op-eds/jim-harper-the-free-state-project-sacks-an-edgelord/article_44bf5186-b38b-5d11-be30-78d9a56d62fc.html)

<sup>254</sup> Borysenko, Karlyn. *Independent Political Report*. “Eyewitness Account: Karlyn Borysenko on LPNH Events” (May 16, 2023), p. 35. <https://independentpoliticalreport.com/wp-content/uploads/2023/05/borysenko.pdf>

<sup>255</sup> *LPNH vs. LNC (2026)*, “Harlos (II) Amicus Brief,” p. 5. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>256</sup> *LPNH vs. LNC (2026)*, “McGee (I) Amicus Brief,” p. 6. [https://lpedia.org/wiki/File:Amicus\\_McGee\\_2026-07-29\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_McGee_2026-07-29_LPNH.pdf)

<sup>257</sup> @LPNH (Mar 20, 2026 at 4:18 PM). “Men are taller than women. Men are more violent than women. Whites are smarter than blacks. Blacks are more violent than whites. These are all equally true and equally uncontroversial statements. LPNH will continue to refuse to tell lies.” X (Twitter).

<https://x.com/LPNH/status/2035088576312979787>

<sup>258</sup> Phil Rein @Phillotines (Mar 20, 2026 at 12:04 AM). “One affiliate lost a donor who was giving \$40k because of the messaging coming out of LPNH. The account carries the name that extends beyond New Hampshire. I've had to personally defend myself and my career once someone asked if I was a libertarian. I had to explain that I when I say I'm a libertarian, that I am not a racial supremacist when talking to professionals in my research field that grew up in NH. [...]” X (Twitter). <https://x.com/Phillotines/status/2034843565759606911>

<sup>259</sup> For example, Sasha Cohen (City Clerk, City of Dekalb): “If at the conclusion of this weekends meeting there has not been a major step taken to rectify this situation (disaffiliation of NH), I will be issuing a press release on Monday morning informing the local media that this elected official is no longer a member of the national Libertarian Party. We can have bigots, or we can have elected officials, the choice is yours.”

<sup>260</sup> *LNC Discussion List*. “Elected Libertarian leaves ths LP.” June 18, 2021. <https://groups.google.com/a/lp.org/g/lnc-business/c/mrdg833Zo8s/m/NhUAX0rzBQAJ>

<sup>261</sup> Longtime donor Michael Chastain left the LP due to the Mises takeover generally; however, New Hampshire’s rhetoric was the most extreme version of the messaging he deplored: “Two former significant donors to the L.P., Kyle Varner and Michael Chastain, both with decades long history in the party, did say in phone interviews that the Mises turn, which they see as importing a level of racist edgelording they have no taste for, has made them stop funding L.P. candidates.” (*Reason*). Chastain regularly donated 5 figure amounts to Libertarian candidates and ballot access efforts all over the country, repeatedly maxed out to the national LP, and arranged a 7-figure bequest: “In 2017, Chastain was revising his estate plan, seeking to make the LNC a contingent beneficiary in the amount of \$500,000 - \$1,000,000 to be spent without restriction.” (*LNC vs. FEC*).

<sup>262</sup> Doherty, Brian. *Reason*. “Mises Caucus Takes Control of Libertarian Party” (May 29, 2022). <https://reason.com/2022/05/29/mises-caucus-takes-control-of-libertarian-party/>

<sup>263</sup> *LNC vs. FEC*, No. 18-5227 (D.D.C. 2018), “Plaintiff’s Opening Brief,” pp. 21-22.

<https://www.courthousenews.com/wp-content/uploads/2018/11/LibertarianBrief.pdf>

In my first day of law school while listening to an orientation speech, I was told when the facts are on your side, you argue the facts; when the facts aren't on your side, you argue the law; and when neither the facts nor the law are on your side, you argue public policy. Here the facts and the law were overwhelmingly against petitioner LPNH, so its counsel argued public policy: even though the facts unambiguously prove LPNH is a rogue affiliate toxic to the Libertarian brand and the rules show the LNC followed all requirements to disassociate from them by the book, somehow petitioner deserves a get-out-of-jail-free card or a do-over because different rules would supposedly lead to better long-term outcomes. Many frivolous arguments were raised by petitioner, in amicus briefs, and by interested observers. They are briefly addressed below.

#### *4.1. Turnover of Leadership*

LPNH claims the executive committee has completely turned over since the endorsement of Donald Trump in 2024.<sup>264</sup> Setting aside whether that is factually true (Justin O'Donnell<sup>265</sup> provides strong evidence current LPNH chair Jeremy Kauffman was driving decision-making earlier), it is completely irrelevant. Under basic agency law, an organization is responsible for resolutions passed by its board and social media communications sent out in its name. Musical chairs of executive committee composition do not evade accountability for past actions of the organization.

More fundamentally, petitioner and its supporters do not understand fiduciary duty<sup>266</sup>. Officers of the Party and spokesmen of the Party have an obligation to work in the best interests of the Party. Your individual opinion becomes the Party's position when it is released in the name of the Party. Jeremy Kauffman's tweets as himself are different from his tweets as LPNH – the latter reflects on the organization; the former does not. If the executive committee of LPNH does not like presidential candidate Chase Oliver, it has a few options: 1) say nothing, 2) suck it up and support the team, or 3) resign. Working against the nominated candidate is not acceptable behavior in a political organization.

Back in 2008 when Bob Barr won the presidential nomination, some state parties didn't mention his campaign and focused on down-ticket candidates, some state parties held their noses and promoted Barr, and many activists resigned their positions – only returning after the campaign was over. What we didn't see in 2008 were immature temper tantrums from rogue affiliates because back then leaders understood fiduciary duty.

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<sup>264</sup> *LPNH vs. LNC (2026)*, "Petition for Appeal," V.b, ¶¶ 7-14, pp. 5-6; VI, ¶ 39, p. 12; VI.B, ¶¶ 54-62, pp. 17-18. [https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>265</sup> *LPNH vs. LNC (2026)*, "O'Donnell (I) Amicus Brief." [https://lpedia.org/wiki/File:Amicus-ODonnell\\_2026-07-05\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-ODonnell_2026-07-05_LPNH.pdf)

<sup>266</sup> "fiduciary duty – A fiduciary duty is a legal obligation bestowed upon a person (called a 'fiduciary') who has been given the authority to act on behalf of another person or entity. [...] This obligation requires fiduciaries to act in the best interests of that person, and not for their own personal gain." from Cornell Law School, Legal Information Institute legal dictionary. [https://www.law.cornell.edu/wex/fiduciary\\_duty](https://www.law.cornell.edu/wex/fiduciary_duty)

#### 4.2. *Passage of Time / Statute of Limitations*

LPNH claims too much time has passed since the endorsement of Donald Trump for LPNH to be held accountable.<sup>267</sup> Supposedly the previous term's LNC could have contemporaneously punished LPNH with disaffiliation; however, the November 2024 endorsement was far attenuated from the May 2026 motion to revoke affiliate status, so the LNC missed its chance. This argument is specious. Nothing in the bylaws or parliamentary rules puts a time bar on disaffiliation.

On the other hand, from a due process point of view, it seems unfair to have the specter of disaffiliation hanging as an albatross over the heads of an affiliate for decades. Petitioner LPNH believes 18 months is too long. Respondent LNC argued during the hearing that disaffiliation could rightly occur after any length of time. Justice and fairness suggest splitting the baby down the middle. A reasonable compromise rule to adopt could be considering any action time-barred after an intervening election of the relevant office. For example, affiliates who endorsed Donald Trump over 2024 Libertarian nominee Chase Oliver could not be disaffiliated for that action if the motion were introduced after the 2028 general election.

#### 4.3. *What about Colorado?!*<sup>268</sup>

LPNH claims the LNC is treating it differently from other affiliates; that it can't disaffiliate New Hampshire unless it also disaffiliates Colorado, which similarly endorsed another candidate for President.<sup>269</sup> The error here is that disaffiliation is inherently a political decision. The National Committee is a political body within a political party. Bylaw 7.1 clarifies "The National Committee shall have control and management of all the affairs, properties and funds of the Party consistent with these bylaws. The Libertarian National Committee shall establish and oversee an organizational structure to implement the purposes of the Party as stated in Article 2."<sup>270</sup> This gives the LNC wide discretion in the decisions they make. Disaffiliation is not mandatory – even when there are clear violations under Bylaw 5.4 – rather, it is permissive. Indeed, a vocal minority sought to disaffiliate LPNH since 2021. It is no surprise that a National Committee with different composition came to a different consensus about disaffiliation. The LNC seemingly has come to the conclusion that it is in the best interests of the organization to sever its relationship with LPNH while continuing its relationship with LPCO – probably in no small part due to LPNH repeatedly doubling down on its transgressions while LPCO exhibits genuine contrition.

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<sup>267</sup> *LPNH vs. LNC (2026)*, "Petition for Appeal," V.b, n. 4, pp. 10-11; VI.B, ¶ 62, p. 18.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendicies.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf)

<sup>268</sup> "Whataboutism," *Wikipedia*. <https://en.wikipedia.org/wiki/Whataboutism>

<sup>269</sup> *LPNH vs. LNC (2026)*, "Petition for Appeal," V, ¶¶ 1-3, pp. 3-4; Exhibit E, pp. 50-51.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendicies.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf)

<sup>270</sup> Libertarian Party. "Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure." (2026), art. 7 § 1.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

#### 4.4. Specificity / Evidence in Charge

LPNH claims the LNC should have listed what tweets were problematic<sup>271</sup> rather than leveling the general charge “Furthermore, they have crudely and repeatedly undermined our own candidates, and have espoused numerous anti-libertarian positions on a National level.”<sup>272</sup> Bylaw 5.6 not only requires that revocation of affiliate status be “for cause”, but also goes on to require “A motion to revoke the status of an affiliate party for cause must specify the nature of the cause for revocation.”<sup>273</sup> Here “the nature of the cause” does not mean respondent is required to provide a list of each problematic tweet. It merely requires that the broad cause be stated in the motion rather than left implicit, which occurred. Section 3.1 of this opinion details the reasoning for that interpretation with historical examples.

As additional support for that position, compare the language<sup>274</sup> of Bylaw 14.5 on suspension of presidential candidates (“resolution of suspension must state the specific reasons for suspension”)<sup>275</sup> with the language of Bylaw 5.6 on revocation of affiliate status (“must specify the nature of the cause for revocation”)<sup>276</sup>. There is a principle of interpretation: “If a bylaw is ambiguous, it must be interpreted, if possible, in harmony with the other bylaws.”<sup>277</sup> At first blush, 5.6 seems broad; while 14.5 seems narrow. The Presumption of Consistent Usage, a canon of construction, tells us “A word or phrase is presumed to bear the same meaning throughout a text; a material variation in terms suggests a variation in meaning.”<sup>278</sup> Different words were presumably chosen by the drafters with a purpose; therefore, they should not be read as equivalent.

Petitioner further argues that it has a due process right to know what tweets it needs to defend or disavow. It is true that the LNC motion would have been cleaner if it had included evidence in the form of citations to particular tweets. Best practice should not be confused with a requirement though. Nothing in the bylaws or parliamentary rules requires that level of

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<sup>271</sup> *LPNH vs. LNC (2026)*, “Petition for Appeal,” V, ¶ 38, p. 12; V.A, ¶¶ 41-53, pp. 13-16.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendicies.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf)

<sup>272</sup> Libertarian National Committee. “Post-Convention Minutes in Grand Rapids, MI.” (May 25, 2026), pp. 9-10.

[https://lpedia.org/wiki/File:LNCMIN-PostConvention\\_2026-05-25.pdf](https://lpedia.org/wiki/File:LNCMIN-PostConvention_2026-05-25.pdf)

<sup>273</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 5 § 6.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>274</sup> See *LPNH vs. LNC (2026)*, “Harlos (IV) Amicus Brief,” p. 13, n. 18.

[https://lpedia.org/wiki/File:Amicus\\_Harlos4\\_2026-08-07\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Harlos4_2026-08-07_LPNH.pdf)

<sup>275</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 14 § 5.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>276</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 5 § 6.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>277</sup> RONR (12<sup>th</sup> ed.) 56:68(1).

<sup>278</sup> Bryan A. Garner, Bryan A. and Scalia, Antonin. “A Dozen Canons of Statutory and Constitutional Text Construction,” *Judicature*, Vol. 99, No. 2 (2015) <https://judicature.duke.edu/wp-content/uploads/sites/3/2022/04/Lastly-scalia.pdf>

granularity with the charges. It would make deliberations of the Judicial Committee easier if the National Committee would provide a cleaner motion including evidence in the future. However, that lack of evidence contemporaneously packaged with the charges is not a procedural defect in the current case.

If lack of specificity were a flaw at all, that defect was cured by several amicus briefs pointing to the worst offenses of calls for political violence posted on social media. See Harlos (II)<sup>279</sup>, McGee (I)<sup>280</sup>, and Moore<sup>281</sup>. Petitioner, who was aware of these briefs<sup>282 283 284</sup>, made no attempt to defend any of the noted tweets during the JC hearing.

#### 4.5. *RONR Trial*

LPNH claims the Party's bylaws and rules require a RONR trial before the disaffiliation vote.<sup>285</sup> There is no foundation whatsoever for that procedural Hail Mary. Revoking the status of an affiliate party is not similar to suspending an officer or at-large member. They follow completely different bylaws (5.6 vs. 6.7 / 7.5). Revoking the status of an affiliate party is a franchise model, not member discipline. A RONR trial is not appropriate for a franchisor separating from a franchisee.

Even if this were analogous to member discipline (which it isn't), neither the bylaws nor the policy manual would require a trial. Henry M. Robert, III and Thomas J. (Burke) Balch, two of the co-authors of Robert's Rules of Order, wrote in 2008 that our bylaw on suspension of officers and at-large LNC members does not require using the RONR chapter XX trial framework.<sup>286</sup> However, the LNC policy manual adds a RONR trial requirement for member discipline not present in the bylaws: "A Party Officer or At-Large Member may be disciplined as per the Bylaws Article 6.7 and 7.5, for cause, by the trial procedure outlined in the parliamentary authority."<sup>287</sup>

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<sup>279</sup> *LPNH vs. LNC (2026)*, "Harlos (II) Amicus Brief." [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>280</sup> *LPNH vs. LNC (2026)*, "McGee (I) Amicus Brief." [https://lpedia.org/wiki/File:Amicus\\_McGee\\_2026-07-29\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_McGee_2026-07-29_LPNH.pdf)

<sup>281</sup> *LPNH vs. LNC (2026)*, "Moore Amicus Brief." [https://lpedia.org/wiki/File:Amicus\\_Moore\\_2026-07-25\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Moore_2026-07-25_LPNH.pdf)

<sup>282</sup> All amicus briefs were timely posted to LPedia for the public to see. Petitioner referred to several amicus briefs in subsequent filings.

<sup>283</sup> *LPNH vs. LNC (2026)*, "In re: Revocation of Affiliate Status of the Libertarian Party of New Hampshire," Filings of Amicus Curiae and Related Documents.

[https://lpedia.org/wiki/In\\_re:\\_Revocation\\_of\\_Affiliate\\_Status\\_of\\_the\\_Libertarian\\_Party\\_of\\_New\\_Hampshire#Filings\\_of\\_Amicus\\_Curiae\\_and\\_Related\\_Documents](https://lpedia.org/wiki/In_re:_Revocation_of_Affiliate_Status_of_the_Libertarian_Party_of_New_Hampshire#Filings_of_Amicus_Curiae_and_Related_Documents)

<sup>284</sup> *LPNH vs. LNC (2026)*, Reply Brief, II.E, ¶ 30, p. 9; III, ¶¶ 40, 44-47, pp. 11-13. [https://lpedia.org/wiki/File:Reply-Brief\\_Petitioner\\_2026-08-08\\_LPNH\\_w\\_exhibits.pdf](https://lpedia.org/wiki/File:Reply-Brief_Petitioner_2026-08-08_LPNH_w_exhibits.pdf)

<sup>285</sup> *LPNH vs. LNC (2026)*, "Petition for Appeal," VI.A.1, ¶¶ 46-49, pp. 14-15.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>286</sup> *Harlos vs. LNC (2024)*, "Exhibit 39: Robert opinion." [https://lpedia.org/wiki/File:Ex\\_39\\_Robert\\_opinion.pdf](https://lpedia.org/wiki/File:Ex_39_Robert_opinion.pdf)

<sup>287</sup> Libertarian National Committee. "LNC Policy Manual." (August 10, 2025), 1.01.4, p. 8.

[https://lpedia.org/wiki/File:LNC\\_Policy\\_Manual-Adopted\\_thru\\_2025-08-10.pdf](https://lpedia.org/wiki/File:LNC_Policy_Manual-Adopted_thru_2025-08-10.pdf)

<sup>288</sup> <sup>289</sup> Here the policy manual is quite explicit: the provision applies “as per the Bylaws Article 6.7 and 7.5”, making no mention of Bylaw 5.6.

Although the formality of a RONR trial was not required, seeking feedback from a representative of the Libertarian Party of New Hampshire (such as the LPNH chair) during discussion of the disaffiliation motion may have been a good idea.

#### 4.6. *Investigatory Committee*

LPNH claims the Party’s bylaws and rules require an investigatory committee before the disaffiliation vote.<sup>290</sup> Again, revoking the status of an affiliate party follows completely different bylaws from suspending an officer or at-large member (5.6 vs. 6.7 / 7.5). An investigatory committee is not required for a franchisor separating from a franchisee.

The policy manual references an investigatory committee for discipline of LNC members: “The LNC may act on the report of an investigatory committee at any point prior to the final adjournment of the next Libertarian National Convention.”<sup>291</sup> Although the LNC may raise the floor for discipline by adding requirements, it may not lower the floor. Here the policy manual is quite explicit: this provision applies “as per the Bylaws Article 6.7 and 7.5”<sup>292</sup>, making no mention of Bylaw 5.6.

Forming an investigatory committee to draft more detailed charges which referenced particular tweets as evidence may have been a good idea. However, not every good idea is a requirement.

References to the so-called “Dixon Committee”<sup>293</sup> by petitioner were a misunderstanding of history.<sup>294</sup> In 2021, an investigatory committee was formed in order to gather evidence of misconduct by an officer who allegedly interfered with affiliate autonomy, not to gather evidence for disaffiliation. One of its tasks was setting forth “a model of investigating internal issue not covered by the Judicial Committee, Bylaws, and Policy Manual”<sup>295</sup>. That is irrelevant for three reasons: first, disaffiliation is already covered by the Judicial Committee and Bylaws;

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<sup>288</sup> This policy manual language was added December 29, 2024 – after the Robert & Balch opinion.

<sup>289</sup> *LNC Discussion List*. “Email Ballot 20241229-01.” December 29, 2024. <https://groups.google.com/g/lnc-public/c/nY7MEZVPaz4> <https://groups.google.com/g/lnc-public/c/b2dtXM9JiX0>

<sup>290</sup> *LPNH vs. LNC (2026)*, “Petition for Appeal,” VI.A.1, ¶¶ 46-49, pp. 14-15.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>291</sup> Libertarian National Committee. “LNC Policy Manual.” (August 10, 2025), 1.01.4.5, p. 8.

[https://lpedia.org/wiki/File:LNC\\_Policy\\_Manual-Adopted\\_thru\\_2025-08-10.pdf](https://lpedia.org/wiki/File:LNC_Policy_Manual-Adopted_thru_2025-08-10.pdf)

<sup>292</sup> Libertarian National Committee. “LNC Policy Manual.” (August 10, 2025), 1.01.4, p. 8.

[https://lpedia.org/wiki/File:LNC\\_Policy\\_Manual-Adopted\\_thru\\_2025-08-10.pdf](https://lpedia.org/wiki/File:LNC_Policy_Manual-Adopted_thru_2025-08-10.pdf)

<sup>293</sup> Pat Dixon, chair of the “Dixon Committee”, serves on this Judicial Committee and can explain that investigatory committee’s function in his own opinion.

<sup>294</sup> *LPNH vs. LNC (2026)*, “Petition for Appeal,” VI.C, ¶¶ 63-78, pp. 19-22.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>295</sup> Libertarian National Committee. “Special Meeting Minutes via Zoom.” (June 19, 2021), pp. 4-8.

[https://lpedia.org/wiki/File:LNC\\_2021-06-19\\_FINAL.pdf](https://lpedia.org/wiki/File:LNC_2021-06-19_FINAL.pdf)

second, no investigatory model was proposed as a recommendation<sup>296 297 298</sup>; and third, no such model was subsequently adopted as an amendment to the LNC Policy Manual or the Bylaws. The New Mexico disaffiliation process in 2022 did not establish an investigatory committee procedure either, as outlined in Harlos (IV)<sup>299</sup>.

Another reason convening an investigatory committee was not necessary is that all of the facts were a matter of public record – there was nothing to investigate! Charges in the disaffiliation motion mostly concerned tweets which were broadcast to the public and available for anyone to see. In contrast, the investigation of 2021 required a series of interviews to piece together the drama.

#### 4.7. *Judicial Committee Composition*

LPNH claims the Judicial Committee was not properly populated, which supposedly means LPNH wins by default.<sup>300 301 302</sup> This is, of course, ridiculous. Judicial Committee chair Moellman has analyzed the Judicial Committee’s election and its procedure to fill vacancies.<sup>303</sup> Such an exploration is unnecessary here. The bylaws explain in relevant part: “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.”<sup>304</sup> With no JC, there can be no appeal. With no appeal, the revocation is confirmed, meaning LPNH immediately loses. Period.

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<sup>296</sup> Six recommendations were proposed. None concerned investigation of affiliates. Recommendation B concerned the voting process for disaffiliation of affiliates; however, that recommendation bears no resemblance to the revocation of affiliate status process laid out on our bylaws, as it integrates convention delegates and/or state chairs. 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. [...]”

<sup>297</sup> Libertarian National Committee. “Meeting Minutes in Louisville, KY.” (September 4-5, 2021), Appendix N, pp. 112-141 (see pp. 115-117). [https://lpedia.org/wiki/File:LNC-Meeting\\_2021-09-04-05\\_FINAL.pdf](https://lpedia.org/wiki/File:LNC-Meeting_2021-09-04-05_FINAL.pdf)

<sup>298</sup> Ken Moellman, who chairs this Judicial Committee, was acting chair of the LNC when the investigatory committee was formed.

<sup>299</sup> *LPNH vs. LNC* (2026), “Harlos (IV) Amicus Brief,” pp. 3-4. [https://lpedia.org/wiki/File:Amicus\\_Harlos4\\_2026-08-07\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Harlos4_2026-08-07_LPNH.pdf)

<sup>300</sup> *LPNH vs. LNC* (2026), “Petition for Appeal,” V, n. 5, p. 11.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>301</sup> *LPNH vs. LNC* (2026), Reply Brief, III.B, ¶¶ 45-47, p. 13. [https://lpedia.org/wiki/File:Reply-Brief\\_Petitioner\\_2026-08-08\\_LPNH\\_w\\_exhibits.pdf](https://lpedia.org/wiki/File:Reply-Brief_Petitioner_2026-08-08_LPNH_w_exhibits.pdf)

<sup>302</sup> *LPNH vs. LNC* (2026), “Ciesielski Amicus Brief,” pp. 12-16. [https://lpedia.org/wiki/File:Amicus\\_Ciesielski\\_2026-08-08\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Ciesielski_2026-08-08_LPNH.pdf)

<sup>303</sup> Moellman, Ken. *Third Party Watch*. “Procedure for Populating the Judicial Committee under Libertarian Party Bylaws.” <https://thirdpartywatch.com/wp-content/uploads/2026/08/Procedure-for-Populating-the-Judicial-Committee.pdf>

<sup>304</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 5 § 6.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

Petitioner's tortured, upside-down reading of the bylaws on this point is so manifestly absurd that its attorney could be sanctioned under FRCP 11(b)(2)<sup>305</sup> if this were a legal proceeding.

#### 4.8. Filings

LPNH claims state affiliate parties should have been allowed to file briefs.<sup>306</sup> This is incorrect. The Judicial Committee followed the properly adopted JC Rules of Appellate Procedure ("Sustaining members may file amicus briefs in support of the petitioners or respondents.")<sup>307</sup>, which lack any provision for affiliates filing briefs, except the petition itself. Any person who could follow basic directions had no issue filing an amicus brief as a sustaining member of the LP.<sup>308</sup>

#### 4.8. Repudiation

LPNH claims its repudiation of the Trump endorsement and deletion of several offensive tweets cures and remediates any violation.<sup>309 310</sup>

Unfortunately, the damage had already been done; they cannot un-ring the bell. For example, the Trump endorsement was featured in mass-texting by the Trump campaign to New Hampshire libertarian voters.<sup>311 312 313</sup> The endorsement was such an egregious betrayal that even rescinding it days after the election would not have mitigated much of the harm. Moreover, the endorsement was not withdrawn until July 2, 2026, which was 38 days after the

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<sup>305</sup> Fed. R. Civ. Proc. 11(b)(2). [https://www.law.cornell.edu/rules/frcp/rule\\_11](https://www.law.cornell.edu/rules/frcp/rule_11)

<sup>306</sup> *LPNH vs. LNC (2026)*, Reply Brief, III.A, ¶¶ 40-44, pp. 11-12. [https://lpedia.org/wiki/File:Reply-Brief\\_Petitioner\\_2026-08-08\\_LPNH\\_w\\_exhibits.pdf](https://lpedia.org/wiki/File:Reply-Brief_Petitioner_2026-08-08_LPNH_w_exhibits.pdf)

<sup>307</sup> Libertarian Party. "Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure." (2026), JC Rule 7.1.

<sup>308</sup> *LPNH vs. LNC (2026)*, "In re: Revocation of Affiliate Status of the Libertarian Party of New Hampshire," Filings of Amicus Curiae and Related Documents. [https://lpedia.org/wiki/In\\_re:\\_Revocation\\_of\\_Affiliate\\_Status\\_of\\_the\\_Libertarian\\_Party\\_of\\_New\\_Hampshire#Filings\\_of\\_Amicus\\_Curiae\\_and\\_Related\\_Documents](https://lpedia.org/wiki/In_re:_Revocation_of_Affiliate_Status_of_the_Libertarian_Party_of_New_Hampshire#Filings_of_Amicus_Curiae_and_Related_Documents)

<sup>309</sup> *LPNH vs. LNC (2026)*, "Petition for Appeal," VI.B, ¶ 60, p. 18.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>309</sup> *LNC Discussion List*. "Email Ballot 20210616-01." June 19, 2021. <https://groups.google.com/a/lp.org/g/lnc-business/c/WwG42nnAewa/m/luqbQlxCBgAJ>

<sup>310</sup> *LPNH vs. LNC (2026)*, "Petition for Appeal," Exhibit D, pp. 45-49.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>311</sup> @LPNH (November 5, 2024 at 1:14 PM). "The Trump campaign is mass texting New Hampshire residents with this message." X (Twitter). <https://x.com/LPNH/status/1853863561417605209>

<sup>312</sup> @LPNH (November 5, 2024 at 1:14 PM). Photo: "Libertarian Party (NH) endorses Donald J. Trump for President. Stand with the Libertarian Party - Vote TRUMP! Sent by Thomas on behalf of Donald J. Trump for President 2024, Inc. Find your polling place: i.djtfp24.co/Vgcr9FX Stop to End" X (Twitter).

<https://x.com/LPNH/status/1853863561417605209/photo/1>

<sup>313</sup> *The LPNH Record*. "Screenshot of @LPNH (November 5, 2024 at 1:14 PM)." <https://lpnhfiles.com/exhibits/1853863561417605209.png>

LNC's vote to revoke LPNH's affiliate status.<sup>314</sup> LPNH's tweet trumpeting the Trump endorsement was not deleted until the middle of the Judicial Committee hearing.<sup>315</sup>

Although some of LPNH's most offensive tweets have been deleted over the last several years<sup>316</sup>, the negative media they generated endures. New Hampshire's few retractions were a drop in the ocean, leaving the full gamut of racist, antisemitic, homophobic, transphobic, and anti-immigrant statements for the public to choke on.

Intermittent insincere apologies coupled with a continuation (sometimes even escalation) of the same pattern of behavior do not shield LPNH of accountability for its past actions.

#### 4.9. *Affiliate Autonomy*

Although LPNH does not hang its hat on so-called "affiliate autonomy" and "free speech" canards, it has no shortage of supporters making that contention<sup>317</sup>. They believe LPNH should have free reign with its messaging strategy even if it offends the milquetoast because, they remind us: "The autonomy of the affiliate and sub-affiliate parties shall not be abridged by the National Committee"<sup>318</sup>. Although we Libertarians believe in freedom of speech, we also believe in freedom of association. The remainder of that quoted provision admits the remedy for those who wear out their welcome: "except as provided by these bylaws."<sup>319</sup> Disassociation is codified in bylaw 5.6 and this revocation of affiliate status is the very procedure to implement it.

### 5. **That Came Out of Nowhere!**

#### 5.1. *Advance Notice*

LPNH implicitly claims it should have been given advance notice of the disaffiliation motion:<sup>320</sup>

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<sup>314</sup> *LPNH vs. LNC (2026)*, "Petition for Appeal," Exhibit D, p. 49.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendicies.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf)

<sup>315</sup> Judicial Committee vice-chair Avens O'Brien asked during the JC hearing (held on August 11, 2026) why the November 4, 2024 Trump endorsement was still up on X (Twitter). Jeremy Kauffman agreed leaving it online was inappropriate in light of LPNH's repudiation resolution (adopted June 4, 2026); therefore, he deleted the tweet live.

<sup>316</sup> Whenever a tweet was mentioned in this opinion and the footnote referenced a screenshot or archive without the original, the tweet had been deleted.

<sup>317</sup> *LPNH vs. LNC (2026)*, "Brown (III) Amicus Brief," pp. 6-7. [https://lpedia.org/wiki/File:Amicus\\_Brown3\\_2026-08-11\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Brown3_2026-08-11_LPNH.pdf)

<sup>318</sup> Libertarian Party. "Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure." (2026), art. 5 § 5.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>319</sup> Libertarian Party. "Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure." (2026), art. 5 § 5.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>320</sup> *LPNH vs. LNC (2026)*, "Petition for Appeal," V, ¶ 34, p. 11.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendicies.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf)

*At no point before May 25, 2026 did the National Committee (a) provide LPNH advance notice that revocation was being considered, (b) identify with particularity the specific conduct alleged to constitute cause—not even the Trump endorsement—or (c) invite LPNH to respond*

Notice (a) was not required, as explored in 2.3 and 2.4 of this opinion. Particularity (b) was not required, as explored in 3.1 and 4.4 of this opinion. What about (c) an opportunity to be heard? Seeking feedback from a representative of the Libertarian Party of New Hampshire (such as the LPNH chair) during discussion of the disaffiliation motion may have been a good idea even though it was not strictly necessary.

The Libertarian Party's disaffiliation procedure *does not* require notice and an opportunity to be heard *before* the motion. Instead, it provides for notice and an opportunity to be heard *after* the motion. Bylaw 5.6 states "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. [...] The Judicial Committee shall set a date for *hearing* the appeal within 20 to 40 days of *receipt of the appeal* and shall *notify all interested persons, which persons shall have the right to appear and submit evidence and argument.*"<sup>321</sup> [emphasis added] Notice of revocation of affiliate status was sent to LPNH on June 4, 2026.<sup>322</sup> LPNH petitioned for appeal on July 2, 2026.<sup>323</sup> LPNH was invited to a Judicial Committee hearing held on August 11, 2026 at which it could present evidence and argue on its behalf.<sup>324</sup> Further written evidence and arguments were accepted at the hearing.<sup>325</sup>

More importantly, it strains credulity for LPNH to feign ignorance of the new LNC's desire to disaffiliate. The remainder of this section highlights recent history of interactions between LPNH and the LNC.

## 5.2. *The Prags Shoot Their Shot*

On June 19, 2021 the LNC unsuccessfully (2-12-3) voted "To disaffiliate the New Hampshire Libertarian Party organization of which Mr. Pelletier is interim chair based on their violating the Statement of Principles."<sup>326</sup>

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<sup>321</sup> Libertarian Party. "Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure." (2026), art. 5 § 6.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>322</sup> LPNH vs. LNC (2026), Petition for Appeal, Exhibit A, pp. 26-28.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>323</sup> LPNH vs. LNC (2026), Petition for Appeal.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendices.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendices.pdf)

<sup>324</sup> YouTube: Libertarian Party Historical Preservation Committee. "JC Hearing LPNH vs LNC (2026 Disaffiliation)."

<https://www.youtube.com/watch?v=bBulAzRlsqw>

<sup>325</sup> LPNH vs. LNC (2026), Reply Brief. [https://lpedia.org/wiki/File:Reply-Brief\\_Petitioner\\_2026-08-08\\_LPNH\\_w\\_exhibits.pdf](https://lpedia.org/wiki/File:Reply-Brief_Petitioner_2026-08-08_LPNH_w_exhibits.pdf)

<sup>326</sup> LNC Discussion List. "Email Ballot 20210616-01." June 16, 2021. <https://groups.google.com/a/lp.org/g/lnc-business/c/WwG42nnAewA/m/luqbQlxCBgAJ>

The LNC did not elaborate on what exactly violated the Statement of Principles in the voting thread<sup>327</sup>. However, during public comments at the June 5-6, 2021 LNC meeting<sup>328</sup> a few weeks earlier, LNC regional alternate David Valente condemned a tweet<sup>329</sup> about sending Fauci and governors to Gitmo (a call for political violence). Contemporaneous accounts from Fox News<sup>330</sup> and Reason<sup>331</sup> reference LPNH tweets to “legalize child labor”<sup>332 333</sup> (deleted, but later repeatedly reposted)<sup>334 335 336 337 338 339 340 341</sup>, keep Gitmo open “so that Anthony Fauci and every governor that locked their state down can be sent there”<sup>342 343 344</sup>, and “Repeal the Civil

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<sup>327</sup> *LNC Discussion List*. “Email Ballot 20210616-01.” June 16, 2021. <https://groups.google.com/a/lp.org/g/lnc-business/c/WwG42nnAewa/m/r1V-6Wp8BQAJ>

<sup>328</sup> Libertarian National Committee. “Meeting Minutes in Chicago, IL.” (June 5-6, 2021), Appendix A, pp. 44-45. [https://lpedia.org/wiki/File:LNC-Meeting\\_2021-06-05-06\\_FINAL.pdf](https://lpedia.org/wiki/File:LNC-Meeting_2021-06-05-06_FINAL.pdf)

<sup>329</sup> YouTube: Libertarian Party Historical Preservation Committee. “LNC Meeting June 5 2021.” (9:50) [https://youtu.be/\\_gUjdxTIR\\_E?si=2y8cO2MYFNp4GfbS&t=590](https://youtu.be/_gUjdxTIR_E?si=2y8cO2MYFNp4GfbS&t=590)

<sup>330</sup> Fordham, Evie. *Fox News*. “New Hampshire Libertarian Party draws backlash for calling to end child labor laws” (June 9, 2021). <https://www.foxnews.com/politics/new-hampshire-libertarian-party-child-labor-laws>

<sup>331</sup> Doherty, Brian. *Reason*. “Inside the Battle Over the Soul of the Libertarian Party” (June 23, 2021). <https://reason.com/2021/06/23/inside-the-battle-over-the-soul-of-the-libertarian-party/>

<sup>332</sup> @LPNH (June 7, 2021 at 12:57 PM). “Legalize child labor. Children will learn more on a job site than in public school.” X (Twitter). [subsequently deleted] <https://x.com/LPNH/status/1401991776030887940>

<sup>333</sup> *Twitter Photo Blobstore*. “Screenshot of @LPNH (June 7, 2021 at 12:57 PM).” <https://pbs.twimg.com/media/E4YbA87VEAYMzpk?format=jpg&name=medium>

<sup>334</sup> @LPNH (May 5, 2022 at 12:46 AM). “Legalize child labor.” X (Twitter). <https://x.com/LPNH/status/1522256433160536066>

<sup>335</sup> *The LPNH Record*. “Screenshot of @LPNH (May 5, 2022 at 12:46 AM).” <https://lpnhfiles.com/exhibits/1522256433160536066.png>

<sup>336</sup> @LPNH (July 2, 2022 at 9:59 PM). “Legalize child labor. Children will learn more on the job site than in public school.” X (Twitter). <https://x.com/LPNH/status/1543414128345219072>

<sup>337</sup> *The LPNH Record*. “Screenshot of @LPNH (July 2, 2022 at 9:59 PM).” <https://lpnhfiles.com/exhibits/1543414128345219072.png>

<sup>338</sup> @LPNH (January 3, 2023 at 9:49 AM). “Legalize child labor. Children will learn more on the job site than in public school.” X (Twitter). <https://x.com/LPNH/status/1610287343142928384>

<sup>339</sup> *The LPNH Record*. “Screenshot of @LPNH (January 3, 2023 at 9:49 AM).” <https://lpnhfiles.com/exhibits/1610287343142928384.png>

<sup>340</sup> @LPNH (May 3, 2023 at 12:01 AM). “Legalize child labor. Children will learn more on a job site than in a government school.” X (Twitter). <https://x.com/LPNH/status/1653791899768045568>

<sup>341</sup> *The LPNH Record*. “Screenshot of @LPNH (May 3, 2023 at 12:01 AM).” <https://lpnhfiles.com/exhibits/1653791899768045568.png>

<sup>342</sup> @LPNH (June 2, 2021 at 3:57 PM). “The Libertarian Party has reversed its position on closing GitMo. It must be left open so that Anthony Fauci and every governor that locked their state down can be sent there, never again to be allowed inside of the United States.” X (Twitter). [subsequently deleted] <https://x.com/LPNH/status/1400179797486194688>

<sup>343</sup> *Wayback Machine*. “Webpage Capture of @LPNH (June 2, 2021 at 3:57 PM).” <http://web.archive.org/web/20210602200040/https://twitter.com/LPNH/status/1400179797486194688>

<sup>344</sup> *Twitter Photo Blobstore*. “Screenshot of @LPNH (June 2, 2021 at 3:57 PM).” <https://pbs.twimg.com/media/E260lIfWYAE26fR?format=jpg&name=large>

Rights Act”<sup>345</sup> <sup>346</sup>. Former presidential candidate Gary Johnson responded “I’m sorry, but no. This isn’t what libertarianism means to millions of Americans”.<sup>347</sup> <sup>348</sup> Then LNC Chair Joseph Bishop-Henchman also criticized Jeremy Kauffman’s personal tweet suggesting murdering trans people would be a good trade-off for lower taxes<sup>349</sup> and later credited LPNH for his resignation<sup>350</sup>.

### 5.3. Redpath’s Revenge

The Harlos (II) amicus brief outlines a timeline of more recent repeated warnings.<sup>351</sup>

On May 18, 2025 the LNC debated censuring both New Hampshire and Colorado simultaneously.<sup>352</sup> The following censure resolution was introduced by Treasurer Bill Redpath:<sup>353</sup>

*Whereas, the Libertarian Party of New Hampshire has regularly posted social media content that reasonable people would consider to have racist meanings, which, with other inflammatory posts, has cast the Libertarian Party in a bad light on the national stage;*

*Whereas, the Libertarian Party of New Hampshire has violated Bylaws Article 5.4 by endorsing Donald Trump for President of the United States;*

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<sup>345</sup> @LPNH (June 2, 2021 at 10:18 AM). “All Republicans want to do about wokeness is whine. Libertarians have solutions: - Repeal the Civil Rights Act - Eliminate disparate impact regulations - End affirmative action - Cease federal and state school funding” X (Twitter). [subsequently deleted]

<https://x.com/LPNH/status/1400139666104463364>

<sup>346</sup> Wayback Machine. “Webpage Capture of @LPNH (June 2, 2021 at 10:18 AM).”

<https://web.archive.org/web/20210602214903/https://twitter.com/LPNH/status/1400139666104463364>

<sup>347</sup> @LPNH (June 7, 2021 at 1:10 PM). “I’m sorry, but no. This isn’t what libertarianism means to millions of Americans - pushing a disturbing and out of touch stance on child labor is entirely detached from what people need in America today. This does not advance liberty, or help change people’s opinions” X (Twitter). [subsequently deleted] <https://x.com/GovGaryJohnson/status/1401994925982597122>

<sup>348</sup> Fordham, Evie. Fox News. “New Hampshire Libertarian Party draws backlash for calling to end child labor laws” June 9, 2021. <https://www.foxnews.com/politics/new-hampshire-libertarian-party-child-labor-laws>

<sup>349</sup> Jeremy Kauffman @jeremykauffman (March 7, 2021 at 6:10 PM). “if 1,000 transpeople were murdered every year but there were no taxes, we’d live in a substantially more moral world[.] for reference about 40 people transgender people are murdered in the US per year” X (Twitter).

<https://x.com/jeremykauffman/status/1368700538825637893>

<sup>350</sup> Joseph Bishop-Henchman @jbhenchman (March 26, 2023 at 8:01 AM). “I left because the LNC voted to stay aligned w/ LPNH and its messaging of murdering trans people, supporting child labor, and anti-Semitism. Aside from horrific it’s counterproductive to building anything effective.” X (Twitter).

<https://x.com/jbhenchman/status/1639960699173470208>

<sup>351</sup> LPNH vs. LNC (2026), “Harlos (II) Amicus Brief,” pp. 5-6. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>352</sup> Libertarian National Committee. “Meeting Minutes in Grand Rapids, MI.” (May 17-18, 2025), pp. 41-43. [https://lpedia.org/wiki/File:LNC-Meeting\\_2025-05-17-18\\_FINAL.pdf](https://lpedia.org/wiki/File:LNC-Meeting_2025-05-17-18_FINAL.pdf)

<sup>353</sup> Libertarian National Committee. “Meeting Minutes in Grand Rapids, MI.” (May 17-18, 2025), pp. 41-42. [https://lpedia.org/wiki/File:LNC-Meeting\\_2025-05-17-18\\_FINAL.pdf](https://lpedia.org/wiki/File:LNC-Meeting_2025-05-17-18_FINAL.pdf)

*Whereas, the Libertarian Party of New Hampshire's conduct has made it clear it has no concern for being a part of an affiliation that impacts not only New Hampshire, but the other affiliated states;*

*Be it therefore resolved that the Libertarian National Committee censures the Libertarian Party of New Hampshire for its conduct and invites them to voluntarily disaffiliate, cease use of the Libertarian Party name, and allow another group in line with the values of the Libertarian Party to petition for affiliation.*

*Whereas, the Libertarian Party of Colorado has recently posted social media content that reasonable people would consider to have racist meanings, including the use of a blatantly antisemitic image with an origin in white supremacist circles, which has cast the Libertarian Party in a bad light on the national stage;*

*Whereas, the Chair of the Libertarian Party of Colorado behaved in a completely unacceptable manner in her official, not private, capacity that was of sufficient gravity to be the subject of a major newspaper article and caused rebuke from the National Libertarian Party Chair;*

*Be it therefore resolved that the Libertarian National Committee censures the Libertarian Party of Colorado for such conduct.*

Regional Representative Andrew Chadderdon objected to consideration of the question. The objection succeeded by a vote of 5-10-2<sup>354</sup>. Note whereas the New Hampshire motion addressed both the presidential endorsement and social media posts, the Colorado motion only addressed social media posts.

#### 5.4. *Weir Plays Ball*

Ben Weir served as LPNH chair March - September, 2025 and as Regional Alternate on the LNC 2024-2026.<sup>355</sup> This should have opened lines of communication about the LNC's frustrations with LPNH. According to Harlos (II): "In May 2025, to avoid disaffiliation of Appellant, both parties made an agreement promising 1) no attacks against others in the Libertarian Party; 2) civil disagreement on controversial topics; and 3) provide context on controversial messages."<sup>356</sup>  
<sup>357</sup> <sup>358</sup> LPNH soon broke the agreement and returned to its old ways.

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<sup>354</sup> Libertarian National Committee. "Meeting Minutes in Grand Rapids, MI." (May 17-18, 2025), Ballot 20250601-04, pp. 42-43. [https://lpedia.org/wiki/File:LNC-Meeting\\_2025-05-17-18\\_FINAL.pdf](https://lpedia.org/wiki/File:LNC-Meeting_2025-05-17-18_FINAL.pdf)

<sup>355</sup> LPNH vs. LNC (2026), "Weir Amicus Brief," p. 2. [https://lpedia.org/wiki/File:Amicus\\_Weir\\_2026-08-04\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus_Weir_2026-08-04_LPNH.pdf)

<sup>356</sup> LPNH vs. LNC (2026), "Harlos (II) Amicus Brief," p. 5. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>357</sup> LPNH vs. LNC (2026), "Harlos (II) Amicus Brief," Exhibit D, pp. 26-27. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>358</sup> @LPNH (May 27, 2025 at 1:37 PM). "Here's a statement regarding the ongoing calls for our censure and disaffiliation. Our comms team has had several productive calls with members of the LNC, and this was the mutual understanding we have come to so far: [...]" X (Twitter). <https://x.com/LPNH/status/1927418959738847398>

## 5.5. Censure Schmensure

In September 2025, the LNC successfully censured LPNH via an email ballot proposed by At-Large Member Sam Bohler on September 12, 2025.<sup>359</sup> <sup>360</sup> <sup>361</sup> It passed on September 23, 2025 by a vote of 11-4-2.<sup>362</sup> The text of the censure resolution was:<sup>363</sup>

*Whereas, the Libertarian Party of New Hampshire has published 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;*  
*Whereas, this behavior diminishes the Libertarian Party's image on the national stage, damaging not only our reputation but also our ability to grow;*  
*Whereas, a previous attempt to censure was dismissed, yet the pattern of behavior has only escalated;*  
*Be it therefore resolved, that the Libertarian National Committee censures the Libertarian Party of New Hampshire for its despicable conduct, and invites them to disaffiliate and cease its use of the Libertarian Party name so as to allow another group more in line with the values of this Party to petition for affiliation.*

This resolution implicitly addressed the presidential endorsement (by reference to “a previous attempt to censure”<sup>364</sup> – the May 18, 2025 motion by Redpath<sup>365</sup>) and explicitly addressed social media posts. LPNH did not accept the LNC’s helpful invitation to voluntarily disaffiliate. Instead, they continued to escalate.

## 5.6. From Sea to Shining Sea

All the while, state and local affiliates across the country expressed frustration:<sup>366</sup>

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<sup>359</sup> LNC Discussion List. “Motion to Censure the Libertarian Party of New Hampshire.” September 12, 2025.

[https://groups.google.com/g/lnc-public/c/gfefLjKqRMc/m/Ullhh44\\_AAAJ](https://groups.google.com/g/lnc-public/c/gfefLjKqRMc/m/Ullhh44_AAAJ)

<sup>360</sup> @LPNH (September 11, 2025 at 10:06 AM). “Did Israel do 9-11?” X (Twitter).

<https://x.com/LPNH/status/1966141381325516995>

<sup>361</sup> Archive.Today. “Webpage Capture of @LPNH (September 11, 2025 at 10:06 AM).” <https://archive.is/Vnq9e>

<sup>362</sup> LNC Discussion List. “Email Ballot 20250912-01.” September 23, 2025. [https://groups.google.com/g/lnc-public/c/OVa7fJkRTdM/m/qmPD\\_BAsAgAJ](https://groups.google.com/g/lnc-public/c/OVa7fJkRTdM/m/qmPD_BAsAgAJ)

<sup>363</sup> LNC Discussion List. “Email Ballot 20250912-01.” September 12, 2025. <https://groups.google.com/g/lnc-public/c/OVa7fJkRTdM/m/iAFEqD9IAAAJ>

<sup>364</sup> LNC Discussion List. “Email Ballot 20250912-01.” September 12, 2025. <https://groups.google.com/g/lnc-public/c/OVa7fJkRTdM/m/iAFEqD9IAAAJ>

<sup>365</sup> Libertarian National Committee. “Meeting Minutes in Grand Rapids, MI.” (May 17-18, 2025), pp. 41-42. [https://lpedia.org/wiki/File:LNC-Meeting\\_2025-05-17-18\\_FINAL.pdf](https://lpedia.org/wiki/File:LNC-Meeting_2025-05-17-18_FINAL.pdf)

<sup>366</sup> LPNH vs. LNC (2026), “Harlos (II) Amicus Brief,” p. 6. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

*Other state and local affiliates also condemned the actions of Appellant, as harmful to the Libertarian Party and opposed to its principles. Such affiliates include the Libertarian Party of New York in December 2024; the Libertarian Party of New Jersey in May 2025; and the Libertarian Parties of Guadalupe County and San Francisco in June 2025.*

## 5.7. Freeze!

On March 3, 2026, the Libertarian Party of New Hampshire tweeted: “Under libertarian theory, it is perfectly permissible to kill [prospective governor candidate Andru Volinsky]”<sup>367</sup> <sup>368</sup>. Negative media attention predictably followed<sup>369</sup> as well as concern from law enforcement<sup>370</sup> <sup>371</sup>. Far from dialing it back, LPNH doubled down: polling its followers on when violence is legitimate in response to an income tax, then reposting the poll.<sup>372</sup> <sup>373</sup> <sup>374</sup> <sup>375</sup> By that point the

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<sup>367</sup> @LPNH (March 3, 2026 at ?). “Governor candidate Andru Volinsky is threatening the forced conscription of millions of hours of labor. Under libertarian ethical theory, it is perfectly permissible to kill him. (not an encouragement to do so, as we wish to follow the X TOS)” X (Twitter). [subsequently deleted] <https://x.com/LPNH/status/2028807438489526783>

<sup>368</sup> LPNH vs. LNC (2026), “Harlos (II) Amicus Brief,” Appendix C, p. 18. [https://lpedia.org/wiki/File:Amicus-Harlos2\\_2026-07-13\\_LPNH.pdf](https://lpedia.org/wiki/File:Amicus-Harlos2_2026-07-13_LPNH.pdf)

<sup>369</sup> Kile, Meredith. *People*. “N.H. Democrat's Tax Idea Made a Lot of People Mad. The State Libertarian Party Said It Was ‘Perfectly Permissible to Kill Him’” (March 13, 2026). <https://people.com/new-hampshire-democrat-tax-idea-got-him-death-threats-from-state-libertarian-party-11925637>

<sup>370</sup> @LPNH (March 4, 2026 at 3:42 PM). “We're in contact with the NHDOJ regarding a recent post that explained finer points of libertarian ethics regarding treatment of income tax enactors [sic]. The NHDOJ requested we take this post down to reduce their workload. We've complied voluntarily to save taxpayer money. We are asking the DOJ to issue a memo clarifying to the public the expansive limits of free speech under *Brandenburg vs Ohio*. The NHDOJ contains plenty of good people doing solid work. We ask the public to instead harass Andru Volinsky and any other shitlibs harassing the NHDOJ. They actually deserve it. 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.” X (Twitter). <https://x.com/LPNH/status/2029296562304614713>

<sup>371</sup> *The LPNH Record*. “Screenshot of @LPNH (March 4, 2026 at 3:42 PM).” <https://lphfiles.com/exhibits/2029296562304614713.png>

<sup>372</sup> @LPNH (March 4, 2026 at 9:19 AM). “A politician for office threatens mass enslavement (a new 5% income tax). When is violence legitimate? A) When he expresses desire for enslavement B) When he is doing well enough in polls to win C) When he is elected D) When he proposes a bill E) Never (no penis)” X (Twitter). <https://x.com/LPNH/status/2029200134450405594>

<sup>373</sup> *The LPNH Record*. “Screenshot of @LPNH (March 4, 2026 at 9:19 AM).” <https://lphfiles.com/exhibits/2029200134450405594.png>

<sup>374</sup> @LPNH (March 4, 2026 at 9:19 AM). “A politician for office threatens mass enslavement (a new 5% income tax). When is violence legitimate? A) When he expresses desire for enslavement B) When he is doing well enough in polls to win C) When he is elected D) When he proposes a bill E) Never (no penis)” X (Twitter). <https://x.com/LPNH/status/2029200197167784080>

<sup>375</sup> *The LPNH Record*. “Screenshot of @LPNH (March 4, 2026 at 9:19 AM).” <https://lphfiles.com/exhibits/2029200197167784080.png>

LNC was powerless to disaffiliate due to the freeze-out period: “The National Committee shall not revoke the status of any affiliate party within six months prior to a regular convention.”<sup>376</sup>

#### 5.8. *Maybe the Real Treasure was the Friends we Made Along the Way*

At the 2026 Libertarian National Convention, multiple candidates for Party office made no secret of their desire to disaffiliate New Hampshire while campaigning. It is baffling why LPNH was surprised the newly elected LNC moved to disaffiliate at its first opportunity: the post-convention LNC meeting on May 25, 2026.<sup>377</sup>

### 6. Conclusion

The disaffiliation motion was properly formed, it passed by the requisite three-fourths of the entire national committee, and two causes were provided (either of which independently was reason enough). There was sufficient evidence to sustain both causes: 1) public endorsement of Donald Trump during the election and 2) espousing numerous anti-libertarian positions (including political violence) contradicting the Statement of Principles – both of which violate Bylaw 5.4 and the clear terms of LPNH’s original affiliate agreement. Cause was defined using a franchise model rather than a member discipline framework. All of petitioner’s procedural arguments were frivolous.

Based on the reasoning laid out in this opinion, I respectfully affirm the revocation of affiliate party status.

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<sup>376</sup> Libertarian Party. “Bylaws, Convention Special Rules, and Judicial Committee Rules of Appellate Procedure.” (2026), art. 5 § 6.

[https://lpedia.org/wiki/Document:National\\_Bylaws\\_and\\_Convention\\_Rules\\_2026\\_with\\_2026\\_Judicial\\_Rules](https://lpedia.org/wiki/Document:National_Bylaws_and_Convention_Rules_2026_with_2026_Judicial_Rules)

<sup>377</sup> LPNH vs. LNC (2026), “Petition for Appeal,” V, ¶¶ 18, 20, p. 7; ¶ 34, p. 11.

[https://lpedia.org/wiki/File:7\\_2\\_26\\_LPNH\\_JC\\_Petition\\_w\\_appendicies.pdf](https://lpedia.org/wiki/File:7_2_26_LPNH_JC_Petition_w_appendicies.pdf)