

# Liberty for America

## September 2015

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#### Judicial Committee Reaches Decision

The Judicial Committee meeting was held on August 15, 2015. The draft minutes, all committee members being present, as supplied to us, read.

Rule limiting debate to speaking twice per day on the same topic suspended by unanimous consent.

Moved and seconded to Rescind the Judicial Committee decision issued on August 25, 2011, including the amendment issued on September 23, 2011, in the matter titled Wes Wagner vs. the libertarian National Committee.

A point of order was raised on whether or not the motion to Rescind is order. The Chair ruled that Rescind is in order. The ruling of the Chair was appealed. The ruling of the Chair was sustained 4-2, with the Chair abstaining.

A question of parliamentary inquiry was raised on the vote required to Rescind. Because notice was given in the call to meeting and because no member of the Judicial Committee voted in the majority (either of these two reasons sufficing to require a majority vote), a majority vote is sufficient to Rescind.

The votes on the motion to Rescind are 4 in the affirmative and 2 in the negative. Carling: Abstain, Latham: Yes, Linnabary: No, Power: No, Sink-Burris: Yes, Visek: Yes, Wolf: Yes. The motion to Rescind carries. Wes Wagner vs. the Libertarian National Committee, and as amended, is rescinded.

Moved and seconded to dismiss the petition of Ian Epstein vs the Libertarian National Committee. The votes are 6 in the affirmative and 0 in the negative. Carling: Abstain, Latham: Yes, Linnabary: Yes Power: Yes Sink-Burris: Yes, Visek: Yes, Wolf: Yes. The motion to dismiss carries. The petition of Ian Epstein vs the Libertarian National Committee is dismissed.

## Old LNC ExComm Oregon Votes Revived

The Rescinded LNC ExComm motions that have become active again are:

1) Based upon the available evidence, the Executive Committee of the Libertarian National Committee finds that the Bylaws of the Libertarian Party of Oregon (as amended March 14 15, 2009) are the Bylaws of the Libertarian Party of Oregon, and that these bylaws have been in effect since March 15, 2009. (Vote was 6-1. Hinkle, Rutherford, Mattson, Redpath, Knedler Lark in favor; Ruwart opposed)

2) Based upon the available evidence, the Executive Committee of the Libertarian National Committee recognizes as the officers of the Libertarian Party of Oregon those people elected by the State Committee during its meeting on May 21, 2011. They are: Chair: Tim Reeves; Vice chair: Eric B. Saub Secretary: Carla J. Pealer ; Treasurer: Gregory Burnett (Motion passed 6-1, same votes as previous motion.)

## Reeves Faction Petition Rejected

Epstein (current leader of the Reeves faction) had requested a list of remedies, which we gather were:

### REMEDIES

We ask the national Judicial Committee for the following remedies:

1. To recognize that the national Judicial Committee decisions of 2011 were contrary to libertarian principles and exceeded their authority and are therefore null and void.
2. To recognize that the bylaws adopted by the members of the Libertarian Party of Oregon on March 9, 2013 are the governing documents of the Libertarian Party of Oregon.
3. To recognize that the governing documents purportedly adopted by Mr. Wagner and his supporters at the March 31, 2011 meeting of the Libertarian Party of Oregon State Committee were not lawfully adopted and that their subsequent actions purportedly undertaken under the authority of those governing documents are null and void.
4. To recognize that Messrs. Epstein, Reeves, Burke, and Burnett are the legitimate officers of the Libertarian Party of Oregon.
5. To order the officers of the national Libertarian Party to:
  - a. Write to the Secretary of State of Oregon with a respectful demand that she recognize Ian Epstein as the sole legitimate chair of the Libertarian Party of Oregon.
  - b. Update any mailing lists, websites, and any online or other information distributed internally or publicly by the LNC to include Epstein and Reeves and their successors as state officers and not Hedbor and Wagner and their successors.
  - c. Share membership data with Epstein and Reeves and their successors and not Hedbor and

Wagner and their Successors.

d. Write to FaceBook, MeetUp, the domain registrar of “lporegon.org”, and any other relevant Internet companies that Epstein, Reeves, Burke, and Burnett are the legitimate officers of the Libertarian Party of Oregon.

### Oregon to Boycott 2016 National Convention

Resolution adopted at its September 2, 2015 Board of Director’s Meeting, the Libertarian Party of Oregon by a vote of 7-0, with 2 absent:

“Be it resolved that the Libertarian Party of Oregon shall boycott the Orlando 2016 National Convention; that we shall not be bound by the Convention’s Presidential nomination; that if any delegation presents itself as the Oregon delegation, they shall be disclaimed.”

Present Chair Lars D. H. Hedbor gave an explanation:

In a nutshell, at the last two national conventions, our delegation has been tampered with – in one case, completely replaced, and in another, “only” taken over – by people associated with the attempted hostile takeover of the LPO by the Oregon GOP.

Since we have been denied the ability to select our delegation, we cannot possibly be expected to be bound by the decisions of the Convention.

This resolution brings me no joy, but it was forced on us by this repeated pattern of abuses.

### Oregon Effectively Disaffiliated

There has not been an LNC vote. However: For those of you who have not been around as long, there is extended coverage in Liberty for America magazine going back to 2010. See data list at bottom of article.

The problems are at the national end, so saying “Oregon should solve this” is wrong. Oregon did solve this. There was litigation, and one side won. (This being America, there are always appeals.)

Oregon might equally have said ‘we take note of the repeated National Party decisions that we are not their affiliate in Oregon, and therefore are not the LNC affiliate in Oregon.’. They have so far chosen not to do so.

I believe that the correct statement is that the National Party effectively disaffiliated our Oregon Party six times.

In 2010-2011, the LNC ExComm voted to decide for the Oregon Party what the Oregon Bylaws are. They then voted to recognize the Reeves group as the Oregon Affiliate.[1, below] (That vote was for a while overturned.) That vote was effectively a disaffiliation of the Wagner group.

There was a Judicial Committee appeal. 14 members of the LNC, enough for a disaffiliation, petitioned the Judicial Committee, saying the Reeves Faction was the real party. 14 members is effectively a disaffiliation, it being 3/4 members saying so, on the record. That act was effectively a disaffiliation of the Wagner group.

In 2012, our Oregon affiliate showed up with a delegation at the National Convention. The Credentials Committee and National Convention instead seated a delegation from the Reeves faction. That vote was effectively a disaffiliation of the Wagner group.

In 2014, our affiliate again showed up with a delegation. Once again, the Reeves faction showed up with people. This time, the convention committee said “no”, but the convention as a whole seated the Reeves people in the Oregon delegation. That vote was effectively a disaffiliation of the Wagner group.

Then National Secretary Blau allowed the Reeves delegates (3 of them) to take over the delegation by electing what they claimed was the delegation chair. That action was effectively disaffiliation.

In 2015 the Reeves faction asked the Judicial Committee to reconsider. They did. While their final decision has not been released, the leaked draft decision indicates that the Judicial Committee has restored the old ExComm motions, meaning that the LNC currently recognizes the faction whose chair is Mr. Reeves. That vote was effectively a disaffiliation of the Wagner group.

Old Liberty For America Issues and content, all at [libertyforamerica.com/liberty-for-america-magazine/](http://libertyforamerica.com/liberty-for-america-magazine/)

November 2010 Oregon State Party Officers Blast LNC For Disrupting LP Oregon State Convention

April 2011 Oregon Affiliate Adopts new Bylaws

July 2011 Debate as to who our affiliate is.

August 2011 LNC ExComm Intervenes in Oregon Claims It Chose State Party Bylaws and Officers

Page 6, Letter to Doug Craig from Mark Hinkle, in which Hinkle said “Doug, Sorry, but that just is not true. Do you really think for no reason at all, that Alicia Mattson and I traveled to Portland, OR to attend their special election last November?” This note from the National Chair is of interest in that at other times people were suggesting that Hinkle just happened to be in Oregon.

Letter from 14 LNC members (enough for a disaffiliation) supporting the claim that the Reeves faction is the real affiliate. The 14 members were “LNC Executive Committee Members: Mark Hinkle (Chair), Mark Rutherford (Vice Chair), Alicia Mattson (Secretary), Bill Redpath (Treasurer), Kevin Knedler, Dr. James Lark

Other LNC Members: Randy Eshelman, Stewart Flood, Dan Karlan, Wayne Root, Rebecca Sink-Burris, Dianna Visek, Dan Wiener, Andy Wolf”

September 2011 Oregon Wins JudComm Appeal! Hinkle Defies Judicial Committee! He Substantively ReDisAffiliates Oregon

October 2011 LNC Continues to Defy JudComm

November 2011 LNC Votes to ignore JudComm Decision that Wagner is the real faction. Hinkle spends LNC money to retain an attorney in Oregon. New Wiener Motion to Call Judicial Committee Names.

### **LPUS Membership Level, Income Up**

For the last month, national party sustaining memberships are about constant. For the last two months, national party income rose to 110 and then 140 thousand dollars.