



Exhibit 1

STATEMENT OF ORGANIZATION FORM FOR POLITICAL PARTY COMMITTEES

Print, sign, and mail a copy of this Statement of Organization to the Bureau of Elections to complete this request. All information disclosed on this form will be available to the public.

Committee ID: 1353	Type of Filing: amendment	Date Submitted: 12/30/2022	Date Committee Formed: 01/01/1977
Type of Committee. County Pol. Party KALAMAZOO			
Full Name of Committee (must include Candidate's first and last name) KALAMAZOO COUNTY REPUBLICAN COMMITTEE			
Primary Email Contact Treasurer CHAIR@KGOP.US			
Committee Street Address - No PO Boxes 1911 W CENTRE AVE SUITE A PORTAGE MI 49024		Committee Mailing Address - May be PO Box 1911 W CENTRE AVE SUITE A PORTAGE MI 49024 CHAIR@KGOP.US 2693230067	
Treasurer Full Name AUSTIN RONALD JOSEPH			
Treasurer Business Address		Treasurer Mail Address 3717 WINCHELL AVENUE KALAMAZOO MI 49008 TREASURER@KGOP.US 2692176290	
Designated Record Keeper Full Name SACKETT KELLY ANN		Designated Record Keeper Address 7396 MORGANSHIRE COURT KALAMAZOO MI 49009 CHAIR@KGOP.US 2692074111	
Official Depository HUNTINGTON BANK 416 W. CENTRE AVENUE PORTAGE MI 490244634		Secondary Depository HUNTINGTON BANK 416 W. CENTRE AVE PORTAGE MI 49024	
<input checked="" type="checkbox"/> Electronic Filing			
Reporting Waiver		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Verification: I/We certify that all reasonable diligence was used in the preparation of the above statement and that the contents are true, accurate and complete to the best of my/our knowledge or belief. If filing electronically, we further agree that the signatures below shall serve as the signatures that verify the accuracy and completeness of each statement filed electronically by the committee. I/We certify that all reasonable diligence will be used in the preparation of each statement electronically filed by this committee and that the contents of each statement will be true, accurate and complete to the best of my/our knowledge or belief. (Sign Name and Date)			
Treasurer:	Date:	Designated Record Keeper	Date:
	12/27/2022		12/27/2022

Please email, fax, mail, or hand deliver a signed copy of the Statement of Organization using one of the following methods:

Email: Disclosure@Michigan.gov

Fax: 517-335-3235

First Class, Certified, Registered and Priority Mail:

Michigan Department of State

Bureau of Elections

P.O. Box 20126

Lansing, MI 48901-0726

Hand Delivered and Overnight Delivery Service:

Bureau of Elections

430 West Allegan Street

1st Floor, Richard H. Austin Building

Lansing, MI 48918

eSofO-ID: 8133

Authority granted under Act 388 of 1976, as amended

Exhibit 2

Fw: Michigan Filing Status

1 message

R J Austin <rjaustin55@protonmail.com>

To: "matthew@depernolaw.com" <matthew@depernolaw.com>

Confirmation of Michigan Campaign Finance filing by me on Jan 30, 2024 for Kalamazoo County

Sent with Proton Mail secure email.

----- Forwarded Message -----

From: R J Austin <rjaustin55@protonmail.com>

Date: On Tuesday, January 30th, 2024 at 2:50 PM

Subject: Fw: Michigan Filing Status

To: Charley Coss <charley.coss@coscomm.com>, chair@kgop.us <chair@kgop.us>

Sent with Proton Mail secure email.

----- Forwarded Message -----

From: elecfile@nictusa.com <elecfile@nictusa.com>

Date: On Tuesday, January 30th, 2024 at 11:30 AM

Subject: Michigan Filing Status

To: TREASURER@KGOP.US <TREASURER@KGOP.US>

MERTS Disclosure Filing Acknowledgement

CONGRATULATIONS! This is to acknowledge the receipt and acceptance of your electronic DISCLOSE protocol.

Your filing was received and accepted by our system at **Tue Jan 30 11:30:35 2024**,

Your reference document sequence number: **558316**

Please make a note of this or save this mail in a special folder, as it may be necessary to re-information in the future.

Filing Information:

Committee ID#: 1353

Reporting Period: 20221129-20231231

Report Type: ANNUAL CS-0

Committee Name: KALAMAZOO COUNTY REPLUBLICAN COMMITTEE

Running For:

Software: MERTS2,012019001

MERTS PLUS Report Validation and Error Checking

Committee ID #: 1353-2

Report Type: Original Annual

Reporting Period: 2022/11/29 - 2023/12/31

Running For:

Committee Name: Kalamazoo County Republican Committee

Candidate Name:

Software: MERTS2, 012019001

Error Type	Number Of
Fatal Errors	0
MCFA Warnings	0
General Warnings	0

Fatal Level Errors (F)

Record Name	Field Name	Field Data	Reason	Transaction ID	Hi
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Statutory Warning Possible Michigan Campaign Finance Act Requiremen

Record Name	Field Name	Field Data	Reason	Transaction ID	Hi
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General Warning Level Errors (W)

Record Name	Field Name	Field Data	Reason	Transaction ID	Hi
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Filing has passed client validation

Exhibit 3

Secretary of State Jocelyn Benson

Michigan Committee Statement of Organization

The documents sent and received listing for this committee is at the bottom of the screen.

[Jump to the documents on file](#)

Committee ID#	001353
Type of Filing	Original
Full name of committee	KALAMAZOO COUNTY REPUBLICAN COMMITTEE
Committee Type	County Pol. Party
Date Committee Was Formed	01/01/1977
Committee Phone Number	(269) 323-0067
Committee Mail Address	5250 LOVERS LANE SUITE LL 110 PORTAGE, MI 49002

Committee Street Address 5250 LOVERS LANE SUITE LL110
PORTAGE, MI 49002

Treasurer RONALD JOSEPH AUSTIN
3717 WINCHELL AVENUE
KALAMAZOO, MI 49008
(269) 217-6290

Designated Record Keeper KELLY ANN SACKETT
7396 MORGANSHIRE COURT
KALAMAZOO, MI 49009
(269) 207-4111

Reporting Waiver No

**Names and addresses of depositories or intended depositories of
committee funds**

Official Depository HUNTINGTON BANK
416 W. CENTRE AVENUE
PORTAGE, MI 49024-4634

Secondary Depository HUNTINGTON BANK
416 W. CENTRE AVE
PORTAGE, MI 49024

Exhibit 4

Call to Kalamazoo County Special Convention

1 message

Kzoodelegates <kzoodelegates@gmail.com>

Sat, Aug 12, 2023 at 3:44 PM

To: kzoodelegates@proton.me

Bcc: matthew@depernolaw.com

Dear Kalamazoo County Delegates and At-large Delegates,

A special convention by a majority of Kalamazoo County Delegates is being called.

The following issues will be addressed:

- The egregious action of Chair, Kelly Sackett, in attempting to unilaterally remove 17 duly elected delegates without due process.
- The breach of contract by violating the KGOP bylaws when three delegate-elected members were removed without the proper vote. Judge Bell wrote in his decision, "The Motion to Consider Removal regarding Plaintiff Harris should not have passed, and she was unjustly removed from the Executive Committee because defendant Sackett acted ultra-virus to her authority." It was a clear overreach by the Chair.
- The breach of contract by Kelly Sackett and other Executive Committee members by moving forward with installing three delegates into statutory seats violating KGOP Bylaws, Michigan Republican Party State Bylaws, and MCL 168.599. Statutory positions are set-aside for the most recent nominees for county offices and state legislative offices. If a person is elected both a delegate at-large and a delegate of an election district, a vacancy shall exist in the district delegation. A person cannot occupy a delegate position and a delegate-at-large position.

On August 10, 2023, the judge ruled that the above egregious actions are intra-party issues and must be resolved within the party. The remedy is We the Delegates. See the attached Call to Special Convention.

"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right it is their duty, to throw off such Government, and to provide new Guards for their future

security," United States of America Declaration of Independence.

Sincerely,

Kerry Lynn Elieff

Chair of the Rules Committee



Official Call to Special Convention of the Kalamazoo County Delegates_1 (3).pdf

142K

Official Call to Special Convention of the Kalamazoo County Delegates

There shall be a meeting of the duly elected Precinct Delegates and the At-Large Delegates to the Special Convention.

Location: 12th Street Baptist Church, 3911 S 12th St, Kalamazoo, MI 49009

Time: 6:30 pm

Date: September 15, 2023

Purpose: Vote to remove the current EC and Officers and to elect a new EC body and Officers.

Only duly elected Precinct Delegates at the August 4, 2022, Primary Election, those elevated on a permanent basis at subsequent County Convention, and the most recent Republican Nominees for our County and State Legislation shall be allowed to vote on matters as may properly come before the Special Convention.

Delegates are to respond by email that they have received this call to convention by no later than August 14, 2023, 5:00 pm. Respond to kzodelegates@gmail.com

Kerry Lynn Elieff



Chairwoman of the Rules Committee of Special Convention of the Kalamazoo County Delegates

Important - Kalamazoo County Special Convention

1 message

Kzodelegates <kzodelegates@gmail.com>

Wed, Aug 23, 2023 at 10:08 PM

To: kzodelegates@proton.me

Bcc: matthew@depernolaw.com

Good evening,

Please click on the embedded video to hear an important message from Kerry Lynn Elieff.

 [WIN_20230821_18_21_41_Pro.mp4](#)

Thank you,

Kzoo Delegates

Tyranny unmasked video

1 message

Kzoodelegates <kzoodelegates@gmail.com>
To: Kzoodelegates <kzoodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Sat, Sep 16, 2023 at 12:52 AM

Dear Kalamazoo Delegates and At-large Delegates,

Thank you to everyone that changed prior commitments and took time away from spending it with your families to attend the Kalamazoo County Special Convention. We are at a critical juncture in our country, state, and county. It's delegates like you that will make the difference by standing in the gap. It's "We The People" that will help protect and save the rights that we have enjoyed as Americans. The Republican Party Platform was written to protect the rights and freedoms of all people and you have honored that platform. When tyranny enters from any direction it is the duty of the people to rise against it. We elect representation to represent us, not to enslave us! Thank you for having the courage to stand! Thank you also to those that couldn't attend but let us know that you supported the special convention. Also, thank you to everyone that said a special prayer for us.

Below is a link to the video shown at the Special Convention. Please take a few minutes to watch it.

<https://clipchamp.com/watch/hyECAzn1dds>

God Bless,

Kalamazoo Delegates

Tyranny Unmasked

1 message

Kzoodelegates <kzoodelegates@gmail.com>
To: Kzoodelegates <kzoodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Sat, Sep 16, 2023 at 5:34 PM

Below is an updated link for the video shown at the Special Convention. The link sent earlier has expired.

[Tyranny Unmasked in Kalamazoo, MI \(rumble.com\)](#)

God Bless,

Kzoo Delegates

Special Message from Chair

1 message

Kzodelegates <kzodelegates@gmail.com>
To: Kzodelegates <kzodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Mon, Sep 18, 2023 at 8:41 PM

To: Kalamazoo County Precinct Delegates,

My name is Rod Halcomb and on Friday night, September 15, 2023, I was elected to be the Chairperson of the New Kalamazoo County Republican Executive Committee.

September 15, 2023 a special convention was held to determine whether or not to replace the current Kalamazoo County Republican Executive Committee.

The purpose of the convention was to have the delegates vote to either keep or replace the current Kalamazoo County Republican Executive Committee. A total of 73 precinct delegates attended. The vote was an overwhelming "Yes" to replace the current Kalamazoo County Republican Executive Committee.

There were: 69 "Ayes" 1 "Nay" 2 "Present"

One precinct delegate arrived after the replacement vote.

At the special convention the assembly voted to recognize the 18 duly elected precinct delegates that were removed. They are in fact delegates in good standing.

After the replacement vote passed the next order of business was to elect a new Kalamazoo County Republican Executive Committee. Eighteen precinct delegates were elected to the new Kalamazoo County Republican Executive Committee to "represent" you.

The new Kalamazoo County Republican Executive Committee is here to represent you! Your voices will be heard without retribution or condemnation.

If you have a concern or recommendation, please feel free to bring it to our attention.

The new executive committee believes we should work in conjunction with District 4 and the State of Michigan Republican Party. Synergy with other like minded patriots like District 4 and the MRP is our strength! Declaring to be a standalone organization is a weakness.

Attached are the minutes from the Special Convention for your review. We believe in transparency. Also attached is a page comparing the former executive committee to the new executive committee illustrating the huge difference between the two.

We represent ALL of you, not just those that agree with us.

Rod Halcomb

Chair Kalamazoo County Republican Executive Committee

2 attachments



Special Convention Minutes 9.15.23 (1).docx

24K



CURRENT vs NEW Executive Committee 3 (1).pdf

94K

<u>FORMER Executive Committee</u>	<u>NEW Executive Committee</u>
Chairperson attempted to remove 17 Precinct Delegates unilaterally	New leadership won't exclude or expel people because they have a different point of view.
Chairperson cast an improper vote to consider removal of 3 Executive Committee members Improper vote violating both KGOP bylaws and Robert Rules of Order	New Executive committee will follow the bylaws, MRP rules and Robert Rules of Order
Chairperson violated KGOP bylaws by attempting to remove an ex-officio Executive Committee member	New Executive committee will follow the bylaws, MRP rules and Robert Rules of Order
KGOP doesn't Support the MRP and its officers by saying they will not be attending the Mackinac Republican Conference	New Executive committee believes in supporting the Republican Party as a whole, not pick and choose
Threatening to fine the MRP if they criticize KGOP operations and/or conduct	People are entitled to have differing opinions and we believe in open discussions
Banning people from the KGOP for 6 years for supporting an alternate Republican candidate the KGOP doesn't endorse	There will be no Banning of delegates
Banning people from the KGOP for 10 years who the Chairperson improperly kicked out of the KGOP	There will be no Banning of delegates
Mandatory membership in the KGOP if you want to serve your community as a Precinct Delegate	We hope and anticipate people will want to become members to support conservative ideas, but it will not be mandatory
Precinct Delegates serve at the PLEASURE of the KGOP Executive Committee	Precinct delegates DO NOT serve at the pleasure of the executive committee, the executive committee represents the Precinct Delegates they are NOT their rulers
Precinct Delegates can be "removed from such position for any reason."	Bylaws, MCL, MRP rules and Robert Rules of Order will be followed if an issue arises
Has declared themselves as an "autonomous self-governing private political organization." (Otherwise known as a club?)	The NEW executive committee will work with the district and state republican party to forward conservative ideas and values

SPECIAL CONVENTION OF THE KALAMAZOO COUNTY REPUBLICAN PRECINCT DELEGATES

Call to Order

At 6:30 convention was called to order by RJ Breganzer

Attendees

Voting members in attendance included Precinct Delegates from Districts 4 and 5

National Anthem, Invocation, Pledge of Allegiance, Welcome

Introduction and Appointment of Temporary Secretary – Emily Crawford

Read Call to Convention

- **MOTION Have on record the 18 duly elected precinct delegates that were removed are in fact delegates in good standing.**
 - Lori Malakowski, 2nd multiple delegates
 - **Motion carried without objection.**

Credentials Committee Report

Credential Committee presented 70 voting delegates have checked in

- **MOTION To accept delegates to constitute a quorum**
 - Kim Harris, 2nd multiple delegates
 - Motion carried without objection

Appointment of Temporary Officers

Temporary Parliamentarian: Ralph Rebandt

Temporary Sargent at Arms: Vincent Wilson

Temporary Tellers: Kelly Cox, Dan Hoffman, Gail Koporetz, Paul Seals, Sarah LaSota

Rules Report

- **MOTION: To amend rules part 4 to reflect the same as the call to convention.**
 - Sabrina Pritchett-Evans, 2nd multiple present
 - Motion carried without objection.
- **MOTION: To waive the reading of the rules**
 - Gary Mitchell, 2nd multiple delegates
 - Motion carried without objection

Agenda Approval

- **MOTION: To approve agenda**
 - Megan Haan, 2nd multiple present
 - Motion carried without objection

Election of Permanent Chair

Sandra Vanderlugt nominated Rod Halcomb for permanent chair. Multiple seconds. No additional nominations

Roll Call Vote Rod Halcomb – 69 votes Dale Sugars – 1

Appointment of Permanent Officers

Secretary: Emily Crawford

Parliamentarian: Ralph Rebandt

Sargent at Arms: Vincent Wilson

Tellers: Kelly Cox, Dan Hoffman, Gail Koporetz, Paul Seals, Sarah LaSota

Organization Committee Chair: Kerry Lynn Elieff

Credentials Committee Chair: Kim Harris

No objection

- **MOTION to view video.**
 - Sabrina Pritchett-Evans
 - body agreed to view per common consent.

Vote to Replace Current Executive Committee

- **MOTION to replace current delegate elected executive committee members.**
 - David Stevens, 2nd multiple delegates
 - Vote conducted by secret ballot.
 - AYES: 69 NAYS: 1 PRESENT: 2 Motion carried

Vote to Elect New Executive Committee

- **MOTION: Randomize Selection List**
 - Kathy Stoll, 2nd Dennis Kehoe
 - Motion failed
- **MOTION: Change rules to a ballot vote**
 - Todd White, 2nd multiple delegates
 - Motion failed – did not reach 2/3 required.
- **MOTION: Allow each candidate 1 minute to speak, if they wish to**
 - Bruce Lenardson, no second
 - Motion failed as there was no second.
- **MOTION: Move all 22 nominated candidates onto EC**
 - Kerry Lynn Elieff
 - Motion ruled out of order, as only 18 are allowed at this time, per bylaws.
- **POINT OF INQUIRY – Can we vote for more than 18 candidates**
 - Chair clarified they should only be voting for 18 candidates.
 - Chair asked body to if they wanted to re-start vote or change their vote with this information and suggested they would entertain a motion to this effect. No motion made.

Candidates	Total Votes
Ruth Berjawi	68
Sabrina Pritchett-Evans	68
Rod Halcomb	68
Gary Mitchell	67
David Stevens	66
David Harris	66
Kim Harris	66
Mark Chilcott	65
Dennis Kehoe	65
Kerry Lynn Elieff	64
Megan Haan	64
Vincent Wilson	63
Emily Crawford	63
Robyn Maxson	62
Rene Saar	62
Sandra Vanderlaugt	60
Todd White	59
John Elieff	58
Sandy Bloomfield	57
Lori Malakowski	50
Jerry Amos	47
Pamela Herbert	43
Brian Kincade	14

- **MOTION – Read and approve the minutes –**
 - Kerry Lynn Elieff, 2nd Sandy Bloomfield
 - Carried Unopposed.
- **AMENDMENT MOVED – update count of credentialed delegates to 73.**
 - Kim Harris, 2nd multiple delegates
 - Motion Carried without objection.

Vote to Approve Minutes

- **MOTION to accept agenda as necessary**
 - Sabrina Pritchett-Evans, 2nd multiple delegates
 - Motion carried.
- **MOTION to adjourn the meeting**
 - Sabrina Pritchett-Evans, 2nd multiple delegates
 - Motion carried

Update from Chair Rod Halcomb

1 message

Kzoodelegates <kzoodelegates@gmail.com>
To: Kzoodelegates <kzoodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Wed, Oct 11, 2023 at 8:39 PM

Hello Kalamazoo County Delegates,

Looks like fall has arrived and the trees are changing colors. Hope everyone will have a chance to get out and enjoy nature's show.

I want to give you an update on what's been happening lately:

1. The State Committee meeting on October 14th has been cancelled. We are still moving forward and have been making good progress. The leadership committee had an informal meeting last week and we discussed some of our short and long term goals. Stay tuned for more information that will be released as it's available.
2. The next Precinct Delegate meeting is October 17, 2023 at Julianna's restaurant on Lake street in Kalamazoo. Food is served at 5:30 pm and the meeting starts at 6:00 pm. Donations to Julianna's would be appreciated to help cover the food cost. Please RSVP Kim Harris by 9 pm Sunday, October 15, so Julianna's can plan for the attendance.
3. Not everyone was able to attend the Special Convention on September 15, 2023, where the Tyranny Unmasked video was shown. Here is a link to the video for your review. <https://rumble.com/v3kgj48-tyranny-unmasked-kalamazoo.html>
4. A few Kalamazoo County delegates attended the Vicksburg press conference supporting the rights of girls to have their personal privacy. Vice Chair Elieff, along with RJ, Ruth, Lori, Veronica, and Christine. If we missed anyone please accept our sincere apology and thank you for standing against the encroachment on the privacy and safety of girls in our county. **Girls should have the privacy and security of their own bathrooms, locker rooms, and other changing areas.**
5. One of our members has purchased access to the documentary "**Police State**" by Dinesh D'Souza on October 27, 2023. Pre-event starts at 7:00 pm with the showing at 8:00 pm. Location: ServiceMaster of [Kalamazoo, 3344 Ravine Rd, Kalamazoo, MI](#). More details will follow as to how to register. There is no cost to attendees for the viewing. Seating is limited. Please mark your calendar.

I plan on sending updates on a weekly basis and providing as much information as possible so you can stay informed. If you have any questions please don't hesitate to contact me.

Continued Blessings,

Rod Halcomb, Chair

Weekly Update from Chair Rod Halcomb

1 message

Kzodelegates <kzodelegates@gmail.com>
To: Kzodelegates <kzodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Thu, Oct 19, 2023 at 8:56 PM

Hello Delegates,

Fall colors are in full bloom, hopefully you'll get a chance to get out and enjoy them.

Things are coming together and progress is looking good for the new leadership. We have a place to have our EC meetings thanks to Jeff and Kari from Panse Greenhouses. Executive Committee meetings will be held the first Thursday of the month at Panse Greenhouses starting at 6:00 pm and concluding around 7:30 pm. We will also schedule additional meetings to discuss local issues and have speakers come in. Additional meetings will be announced as they become available.

The November Precinct Delegate meeting will be held the second Tuesday, November 14, 2023 to avoid conflicting with the Thanksgiving Holiday. Kim Harris has secured Karla Wagner as a speaker who will present Axe Mi Tax at the next Precinct Delegate meeting. Axe Mi Tax is about removing the burden of property taxes in Michigan. Do you realize some people are losing their generational homesteads because of the increase in property taxes? You can check out her website at <https://axemitax.org/>

We had a great turnout for the Precinct Delegate meeting on Tuesday at Julianna's where over 70 people attended. There was a presentation of the Good Neighbor Program showing how to engage your local precinct.

The Good Neighbor program is a great training aid to help us engage with our neighbors to find out what issues of concern are in our local communities. You can go to <https://migop.teamplaybookbuilder.app/signup> to sign up and check it out.

We had a discussion about the Kalamazoo County Veterans Millage.

It was brought up that the Kalamazoo County Veterans website stated they spent \$128,190,000 in the first 4 months of 2022 and asked for an additional \$200,000 to continue operating while supporting less than 14,000 veterans. Also they only processed 403 requests for services in 2022 and they're asking for an additional 2 positions. Why? They already have 4 or 5 people in the office. None of this makes any sense?

When I talked to the sponsor of the ballot proposal his figures showed that 70% to 80% was going to administration cost? Another point that was brought up was the Kalamazoo County senior millage also has funds for senior Veterans so why does Kalamazoo County need even more money in the form of another millage? One

hundred percent of the services that Kalamazoo County Veterans Services is offering is already available to veterans by other local or state organizations that don't cost us an extra cent.

We have another Video for your review as to why we needed to change Kalamazoo Leadership. A New Birth of Freedom!

You can watch it here. <https://rumble.com/v3mhtg7-a-new-birth-of-freedom.html>

Just a reminder one of our members has purchased access to the documentary "Police State" by Dinesh D'Souza on Friday, October 27th.

Pre-event starts at 7:00 pm with the showing at 8:00 pm at ServiceMaster, [3344 Ravine Rd](#) in Kalamazoo.

To secure your spot please RSVP to KazooDelegates@gmail.com.

Continued Blessings,

Rod Halcomb, Chair



Police State.png

1236K

EVENT ORGANIZERS

THE NEW KGOP
Respecting Delegates

Kalamazoo Republican
Women's Association



POLICE STATE



27 OCTOBER, 2023 8:00PM SHOWING

ServiceMaster @ 3344 Ravine Rd, Kalamazoo

You're Invited! Join us for the highly anticipated film "Police State" by Dinesh D'Souza. Pre-event at 7:00 PM, Film Showing at 8:00 PM. Admission is FREE. Seating is limited, so don't miss your chance to attend this thought-provoking film. To secure your spot, please RSVP to kzodelegates@gmail.com.

"Police State" is a gripping exploration of contemporary social and political issues that will leave you with much to ponder. We look forward to an engaging evening of discussion and cinematic insight. Feel free to bring friends and family, and let's make this an event to remember. To secure your spot, please RSVP to kzodelegates@gmail.com. See you there!

Urgent Action

1 message

Kzodelegates <kzodelegates@gmail.com>
To: Kzodelegates <kzodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Sun, Oct 22, 2023 at 9:48 PM

Dear Kalamazoo Delegates;

We have two urgent issues:

1. Please see the attached flyer created by a fellow delegate regarding the Veterans Millage on the November 2023 ballot and share it with friends and family.
2. Contact Representatives and demand a "NO" vote on HB5120-5123. Attached is a link to the Revised Summary of the Bills and a sample letter for use.
[2023-HIB-5123.pdf \(mi.gov\)](#)

Thank you for taking time to review both issues. Have an amazingly productive week.

Sincerely,

The New KGOP Leadership Team

2 attachments



otQKH1N1GKZpjkn.png
637K

 **HB 5120 -5123 Sample letter.docx**
15K

KALAMAZOO COUNTY VETERANS MILLAGE

DID YOU KNOW...?

The **same services are offered** through The American Legion, VFW, the VA of Battle Creek, and more

The **services proposed are currently funded** privately or by Federal taxpayer money

70% to 80% of the Veterans Millage is directed toward **admin & overhead costs**

In 2022 over **\$128,190,000** was distributed plus **\$200,000** in grants

Kazoo County Senior millage (2018) **provides assistance for vision, hearing, and dental**

In 2022 there were **403 service requests** in Kalamazoo County = **\$318,585.61/request**

**VOTE NO ON
DOUBLE DIP
SPENDING!**

Chair Weekly Update

1 message

Kzodelegates <kzodelegates@gmail.com>
To: Kzodelegates <kzodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Thu, Oct 26, 2023 at 9:55 PM

Hello Delegates,

What a wonderful week it has been. Nature has blessed us with a beautiful display of color and a couple 70 degree days this week. Hopefully everyone had a chance to get out and enjoy the sunshine. I took advantage and got some fall yard cleanup done.

Next Thursday (Nov. 2, 2023) will be the Executive Committee meeting at Panse Greenhouses ([4038 N Westnedge Ave, Kalamazoo, MI 49004](#)) (6:00 pm - 7:30 pm) Hope to see there.

Also, Friday, October 27, there is a showing of "Police State" at ServiceMaster at [3344 Ravine Rd](#) in Kalamazoo. The pre-show starts at 7:00 pm and the movie starts at 8:00 pm. Pizza, chips, water and soda will be provided. It will be a great time with people of like mind. To secure your spot please RSVP to KazooDelegates@gmail.com.

There will be a youth rally in Grand Rapids on November 17, 2023. The flier is attached.

The next Precinct Delegate meeting is scheduled for November 14. Karla Wagner will be discussing Ax Mi Tax which is a proposal to remove the burden of property taxes in Michigan. You can check out her website at <https://axemitax.org/> Please RSVP to Kim Harris at kaharris1@att.net. When you arrive there will be someone at the guest sign-in table and someone at the Precinct Delegate sign-in table. You'll find a basket at each table for your \$15 dinner donation. Please look for your name tag if a PD or make a name tag if a guest then you can get in line for your meal if you paid for that or find a seat. GUESTS, please check your contact information and add any information that is missing. As always, please feel free to bring any guests whom you feel are action takers and want to get involved with us to make positive change moving into 2024.

See you next week at the Executive Committee meeting,

Rod Halcomb, Chair of The New KGOP
-Respecting the Rights of All Kalamazoo County Delegates

2 attachments



Police State.png
1236K



gr-youth-rally-111723-5.webp
169K

EVENT ORGANIZERS

THE NEW KGOP
Respecting Delegates

Kalamazoo Republican
Women's Association



POLICE STATE



27 OCTOBER, 2023 8:00PM SHOWING

ServiceMaster @ 3344 Ravine Rd, Kalamazoo

You're Invited! Join us for the highly anticipated film "Police State" by Dinesh D'Souza. Pre-event at 7:00 PM, Film Showing at 8:00 PM. Admission is FREE. Seating is limited, so don't miss your chance to attend this thought-provoking film. To secure your spot, please RSVP to kzodelegates@gmail.com.

"Police State" is a gripping exploration of contemporary social and political issues that will leave you with much to ponder. We look forward to an engaging evening of discussion and cinematic insight. Feel free to bring friends and family, and let's make this an event to remember. To secure your spot, please RSVP to kzodelegates@gmail.com. See you there!



RALLYING THE YOUTH TROOPS! UNITY RALLY

Friday, November 17, 2023 | 6:30pm-9:30pm

Location: 1930 Leonard NE Grand Rapids, MI 49505



**REFRESHMENTS
PROVIDED**

Doors open at 6:00pm | Event will begin at 6:30pm

ALL ARE WELCOME TO THIS FREE EVENT!

Hosted by:

Special Guests:



Bernadette Smith
MIGOP Ethnic
Vice Chair



The Smith Bros
Smith Bros Podcast



Rylee Linting
MIGOP Youth
Vice Chair



Luke Malace
Turning Point Action
Great Lakes Field Mgr

Special Message Veterans Millage, Fact vs. Rhetoric

1 message

Kzoodelegates <kzoodelegates@gmail.com>
To: Kzoodelegates <kzoodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Wed, Nov 1, 2023 at 10:47 PM

Hello Delegates,

There was a video posted on several Telegram channels that said basically everything presented against the Veterans Millage on a flier was a LIE! Below are the facts about where the flier information came from.

But first, I want to clarify that I probably misunderstood his purpose when he came to the April 27, 2023 Friday coffee to present the Yes for Vets millage proposal. When he asked us to sign on to supporting the Yes for Vets millage, I thought he was passing a ballot petition. According to the video it was a county commissioners ballot approval, not a ballot petition. That was my misunderstanding.

A major point he brought up was he reached out to several people and no one responded and was actively blocked from communicating with them about the issues. I did not receive a request to talk about the differences in viewpoint.

After hearing that, there was a request immediately sent to him asking him to come to the EC meeting on Thursday to discuss our differences. He declined by stating that he reached out to his leadership team and they wanted him to decline as to not to continue the "disinformation." Now where have we heard that term before? Is that telling or what? He can openly say the flier has lies but won't sit down with us to explain why he believes they are lies?

As the saying goes, "The facts don't matter if the facts aren't in your favor."

Now to the issues he brought up in the video:

He said everything on the flier was a LIE except the bullet point about the senior millage supporting some services.

So let's break this down using the flier, Mr. Fry's statement, and the VSO website page.


Veterans Service Office

The Kalamazoo County Veterans Service Office is dedicated to enhancing the health and quality of life of local military veterans and their families. The program achieves this by facilitating access to a range of benefits, healthcare services, and vital emergency resources such as financial assistance, housing, and food.

In 2022, the office processed 232 compensation claims, 115 pension claims (including aid and attendance and survivors), and 56 records requests.

The Veterans Service Office also continued an ad campaign that kicked off in late 2021. This promotional push, executed through various vendors, prominently featured the program across the community through billboards and bus ads. Campaign results were overwhelmingly positive, with the office witnessing a significant surge in claims and services provided. By April, the Soldiers and Sailors budget had been entirely expended, prompting the infusion of supplemental funds through grants. These grants endowed the office with an additional \$200,000, earmarked for food vouchers, utility assistance, and housing support.

In 2022, \$128,190,000 Veterans Affairs dollars were distributed within Kalamazoo County



The food voucher initiative stood out in its success for the year, with distributions totaling \$140,275 - a nearly

KALAMAZOO COUNTY VETERANS MILLAGE

DID YOU KNOW...?

- The **same services** are offered through The American Legion, VFW, the VA of Battle Creek, and more
- The **services proposed** are currently funded privately or by Federal taxpayer money
- 70% to 80%** of the Veterans Millage is directed toward **admin & overhead costs**
- In 2022 over **\$128,190,000** was distributed plus **\$200,000** in grants
- Kazoo County Senior millage (2018) **provides assistance for vision, hearing, and dental**
- In 2022 there were **403 service requests** in Kalamazoo County = **\$318,585.61/request**

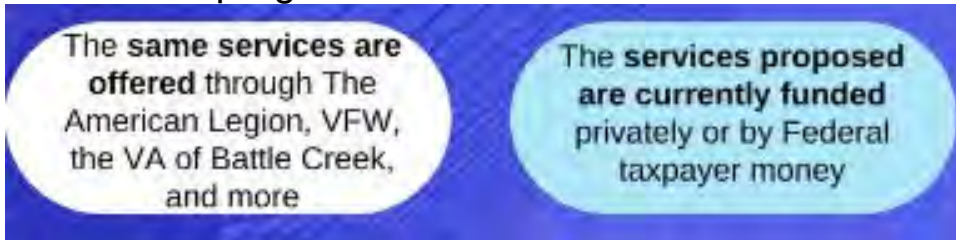
VOTE NO ON DOUBLE DIP SPENDING!

These two bullet points basically showing the same thing.

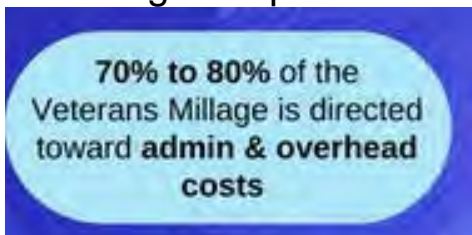
Is he saying the VA doesn't provide medical or counseling services to veterans?

Is he saying the VFW, American Legion, Various Kalamazoo County Services and the Michigan Veterans Affairs Association don't provide the same services the local VSO is wanting a millage to pay for? Benefit requests, benefit appeals, sources for food, housing, etc. MVAA

Website <https://www.michigan.gov/mvaa> The MVAA even has a program for homeless Veterans. These services are already funded by local, state, and federal programs and are available to all veterans.



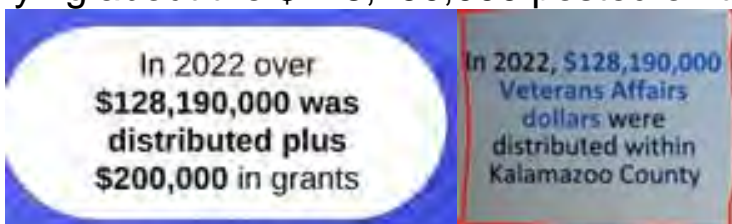
In Mike Fry's own words he claims about 17% goes directly to the veterans. Where does the other 83% (\$250,000) go if not to staff, offices and other forms of overhead? So is that a lie or just quoting Mike Fry? Also if you go to the Yes for Vets website you'll see two of their three bullet points for what the millage will pay for are staff and advertising. If the \$600,000 proposed increase is only 17% of that going to the veterans? \$1,000,000 yr budget is it \$830,000 admin and \$170,000 for veterans? I don't know because they're not being transparent as to how much is going directly to veterans



Michael Fry, campaign co-chair and treasurer for **Yes for Vets**, the group supporting the millage, said that right now, the county sends about \$300,000 to the Veterans Services Office each year.

About \$50,000 of that goes to help veterans pay for food, housing and utilities. But the office has used up those dollars quickly in recent years — this year, for example, it was gone by March 6. Fry suggested the increased demand can be traced back to the pandemic, economy and inflation rate, and

He claims this bullet point was a lie too? Is Mr. Fry saying the VSO was lying about the \$128,190,000 posted on the website too?



I concede this is not technically correct but a mis-association because the Website wasn't clear on where the \$128,190,000 number came from. Now that it has been clarified as to what those dollars represent, it's agreed

the \$318,585 per request is not correct. Was that a LIE or just a misunderstanding of the data presented on the VSO website?

In 2022 there were **403 service requests** in Kalamazoo County = **\$318,585.61/request**

In 2022, the office processed 232 compensation claims, 115 pension claims (including aid and attendance and survivors), and 56 records requests.

If you get a chance to meet with him and are allowed to ask questions here are some you may want to consider:

1. Is anything presented above incorrect and if so why? Watch out for the spin, have him present the facts not generalities.
2. Who is funding the ballot initiative? It appears thousands are being spent on advertising and signs. Where did that money come from?
3. Who's paying him for his time and efforts?
4. They claim there are about 14,000 veterans in Kalamazoo county but how many of them have requested VSO services? (403 request is a long way from 14,000 to justify \$10,000,000 over 10 years)
5. What percentage of the millage will be going directly to the veterans and please make sure he doesn't claim staffing is direct veterans support.
6. This was heard and has not been verified. Does the VSO plan on using part of the millage to build a new building? And if so, how much?

It is our duty to ask questions. The grassroots are no longer asleep at the wheel.

Sincerely,

Rod Halcomb, Chair

Securing Our Elections

1 message

Kzodelegates <kzodelegates@gmail.com>
To: Kzodelegates <kzodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Fri, Nov 3, 2023 at 1:21 PM

Below are 18 areas the Michigan Republican Party are focused on in fighting systemic election corruption. Please email phil@migop.org to get involved.

SECURING OUR ELECTIONS

PRE-ELECTION & ELECTION DAY	POST ELECTION	YEAR ROUND
1. Poll Challenger	6. Recount Team	12. Recruitment. <i>Resource management.</i>
2. Election Inspector <i>AKA Poll Workers</i>	7. Election Data Collection/Analysis Team	13. Training Team
3. Drop Box Monitor	8. Canvassing Team <i>Working with GOP's Good Neighbor Program to help determine the accuracy of OVF entries and walk lists.</i>	14. Litigation Team <i>(Researching & filing lawsuits.)</i>
4. Election Day Operations <i>Monitoring the election and interfacing with campaign operations.</i>	9. QVF Cleanup Team <i>Monitoring and correcting voter rolls.</i>	15. ESO activists <i>Educate GOP legislators and the public to build support for initiatives designed to improve election security.</i>
5. Media Monitoring Team <i>Comb thru news to provide GOP leadership with up-to-the-minute information; report on and screen shot key election articles.</i>	10. Investigations Team <i>Examines complaints, leads, election law violations and anomalous events.</i>	16. Fundraising Team <i>Specific projects like litigation, OVF clean up, recounts.</i>
<p>We are looking for volunteers, who have a great commitment to make to their community and a vision of secure elections.</p>	11. Research on ESO Issues <i>("skunk works")</i>	17. Messaging Team <i>Positive narrative building; coordinate so the messaging is the same throughout MRP/districts/counties.</i>
CONTACT US	MICHIGAN REPUBLICAN	18. Board of Canvassers Recruitment Team. <i>GOP appointments at the county level must be carefully vetted for EI knowledge and other necessary attributes.</i>
		FOLLOW US

Phil O'Halloran
Phil@migop.org

REPUBLICAN
PARTY



<https://twitter.com/PhilOHalloran>



<https://www.instagram.com/philohalloran>



[facebook.com/PhilGOP](https://www.facebook.com/PhilGOP)

Paid for by the Michigan Republican Party, with regulated funds. Not authorized by any candidate or candidate's committee. www.migop.org

Donate to the Fight for Our Kid's Freedom!

**PRESERVE, PROTECT and DEFEND the Constitution of the United States,
SO HELP ME GOD.**

Chair Halcomb Weekly Update

1 message

Kzoodelegates <kzoodelegates@gmail.com>
To: Kzoodelegates <kzoodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Fri, Nov 10, 2023 at 7:38 PM

Hello Delegates,

It's been a busy week and hopefully you had some downtime to enjoy family and friends.

For those that worked the election on Tuesday, I want to say, **Thank you!** It is just one of the things we need to do to help work towards election integrity. I'm sure it was a long day for you. I know it was for me. I got up at 4:30 am to get to Kalamazoo Pct. 5 by 6:00 am. Worked all day and finally got home close to 11 pm. Thanks again for taking time out of your normal schedule to work the election.

It's Veteran's Day and we would like to express our sincere gratitude to the brave men and women who have served and continue to serve our country. It is because of their unwavering commitment that we enjoy the freedoms we enjoy today. Their courage and resilience has not gone unnoticed. Thank you!

Last Thursday we held the monthly Executive Committee meeting. We had a great turn out and had some good discussions and updates from our bylaws, convention, candidate and outreach committees. If you would like to help out on any of the committees let me know and I'll pass your information along to the committee chair. Don't forget all Precinct Delegates are welcome to attend the EC meetings.

Precinct Delegate Meeting Tuesday, November 14th. Please NOTE the week change!! Karla Wagner spoke at the Mackinac Leadership Conference in September about the AXE MI TAX proposal and has been touring around Michigan to get this message out. You will not want to miss it!! See the attached flier.

Please RSVP to Kim Harris no later than Sunday, November 12 by 9 PM if you plan on attending the PD meeting. Two important items:

1. Please let Kim know if you plan to be there for a home cooked dinner of chicken, cheesy potatoes, veggies, rolls, dessert and beverage by one of our delegates, Sandy Bloomfield. State YES if you plan to attend both the dinner and meeting. Please consider a minimum dinner donation of \$15. The PD meeting will be held afterwards and the PD meeting is free to attend.

2. If you plan to show up for the meeting only, please state that in your RSVP to Kim Harris and plan to arrive no earlier than 5:45 PM.

Location is Julianna's Restaurant [2105 Lake St, Kalamazoo](#). Dinner 5:15-6 PM. Meeting 6-8

PM. If only attending meeting please arrive no earlier than 5:45 PM.

There is going to be a Grand Rapids Youth Unity Rally on November 17th in North East Grand Rapids. Come listen to Patrick Byrne, Rylee Linting (MIGOP Youth Vice Chair), Bernadette Smith (MIGOP Ethnic Vice Chair) and others. Doors open at 6:00 pm. Please see the attached flier.

Have a great weekend and we'll see you Tuesday,

Rod Halcomb, Chair

2 attachments



gr-youth-rally-111723-5 (1).webp
169K



Karla Wagner Presents_20231019_151608_0000 (1).pdf
10745K



Karla Wagner

Founder of

AXE MI TAX

**Elimination of
Property Tax in Michigan**

NOVEMBER 14, 2023

Dinner 5:15-6PM/Meeting 6-8PM

\$15 minimum dinner donation

Meeting is Free to Attend

RSVP by Sunday November 12th

kaharris1@att.net

HOSTED BY:

KALAMAZOO DELEGATES

AT

JUILANNA'S RESTAURANT

2105 LAKE ST

KALAMAZOO, MI





RALLYING THE YOUTH TROOPS! UNITY RALLY

Friday, November 17, 2023 | 6:30pm-9:30pm

Location: 1930 Leonard NE Grand Rapids, MI 49505



**REFRESHMENTS
PROVIDED**

Doors open at 6:00pm | Event will begin at 6:30pm

ALL ARE WELCOME TO THIS FREE EVENT!

Hosted by:

Special Guests:



Bernadette Smith
MIGOP Ethnic
Vice Chair



The Smith Bros
Smith Bros Podcast



Rylee Linting
MIGOP Youth
Vice Chair



Luke Malace
Turning Point Action
Great Lakes Field Mgr

Chair Halcomb Weekly Update

1 message

Kzoodelegates <kzoodelegates@gmail.com>

Sun, Nov 19, 2023 at 12:22
AM

To: Kzoodelegates <kzoodelegates@gmail.com>

Bcc: matthew@depernolaw.com

Hello Delegates,

We had a great presentation from Karla Wagner on Axe MI Tax at the precinct delegate meeting on Tuesday. Karla pointed out that the millages we are paying (some for 10 or 15 years) that state that there for the schools normally don't go to help the kids but go into funds for playground equipment, ball fields, etc..How many ball fields do they build in 10 or 15 years? Also, she pointed out on her tax statements that there was an admin fee that was to pay the township to collect the money from the residents.She talked with her clerk and asked why she was paying the township to take money away from her. The clerk agreed it wasn't right and dropped the admin fee. Look at your property tax bill and see if you're paying an Admin fee. If you are, it's an opportunity to talk with your clerk and see if the admin fee can be removed.

Megan H. shared that while she was working the polls on November 7, several people came in and didn't know that there was an election until they heard it on the radio. We need ideas on how to inform registered voters regarding the timing of elections and what's on the ballot and how it will affect them. Please put on your thinking cap and let's get things rolling for the 2024 elections to reduce the number of uninformed electors.

KVCC is looking to fill two board of trustees positions. The link for the application is below. Let's get some conservative voices on the KVCC board. Applications are being accepted until November 28th, but don't delay, get your application in soon.

<https://wwmt.com/news/local/kalamazoo-valley-community-college-board-trustees-applications-susan-miller-patrick-farmer-resignation-opportunity-community-education-foundation-committee-appointment-west-michigan>

Thanksgiving is next week. Take time to reflect on the things we can be

thankful for such as family and friends. Top of mind are our freedoms that we enjoy today because of God. I am thankful that our forefathers recognized our inalienable rights given to us by God and created a document protecting those rights. If you're traveling please be careful and travel safely. The roads might be a little icy and snow covered.

May you have a wonderful Thanksgiving with your family and friends.

Always Thankful,

Rod Halcomb, Chair

Exhibit 5

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO**

KALAMAZOO COUNTY REPUBLICAN
COMMITTEE and KELLY SACKETT in her
capacity as KGOP Chair

Case No. 2024-0026-CZ

Plaintiffs,

HON. CURTIS J. BELL

v.

RODNEY HALCOMB, KERRY LYNN
ELIEFF; EMILY CRAWFORD; ROBYN
MAXSON; KRISTINA KARAMO; DANIEL J.
HARTMAN, JAMES M. COPAS; and
SECRETARY OF STATE JOCELYN
BENSON;

Defendants.

Attorney for Plaintiffs
Matthew S. Deperno (P52622)
DePerno Law Office, PLLC
951 W. Milham Avenue
P. O. Box 1595
Portage, MI 49081
(269) 321-5064

Attorney for Defendants Karamo,
Hartman and Copas
Daniel J. Hartman (P52632)
P. O Box 307
Petoskey, MI 49770
(231) 348-5100

**BRIEF OF *AMICI CURIAE* OAKLAND COUNTY REPUBLICAN PARTY
IN SUPPORT OF PLAINTIFFS**

Attorney for *Amici Curiae*
Margaret J. Kurtzweil (P42356)
Madison Crest Business Law, PLLC
P. O Box 177
South Lyon, MI 48178
(248) 446-9664

INTEREST OF OAKLAND COUNTY REPUBLICAN PARTY

The Oakland County Republican Party (OCRCP) has a strong interest in protecting the identity and the valuable brand of its Republican County Party. The integrity of the OCRCP, its relationship with donors and the recruitment of volunteers are some of the important functions of a county party that cannot be allowed to be destroyed by those who are disingenuous with their motives. OCRCP is concerned that persons who are not members of OCRCP may be permitted to “set up shop” as the official OCRCP with nothing more than an intent to destroy the good name, the good will, the business relationships and expectancies of OCRCP throughout the county and even the state. OCRCP is committed to the constitutional protections of freedom of association. However, that freedom of association cannot be permitted to allow individuals to wrongfully use the name “Oakland County Republican Party” for their political activities, particularly when those activities are not congruent with the mission of the official county party. Given the importance of the present matter to the viability of over 83 Republican Parties in the State of Michigan, this matter is one of necessity and urgency for judicial resolution.

Disclaimer: No party or lawyer to this matter has provided any funding for the preparation or filing of this *Amici Curiae*.

ARGUMENTS

- I. THE ISSUE BETWEEN THE PLAINTIFFS AND THE DEFENDANTS IS NOT RELATED TO AN INTRA-PARTY DISPUTE, THUS THIS COURT HAS JURISDICTION TO GRANT PLAINTIFFS’ REQUEST FOR RELIEF.

ALTERNATIVELY, EVEN IF THERE IS AN INTRA-PARTY DISPUTE THIS MATTER IS JUSTICIABLE.

- A. Brief Review on Intra-Party Disputes and Justiciability

- (i) Intra-Party Dispute Non-Justiciable

Traditionally, courts have been cautious to rule on disputes involving political intra-party disputes. Judicial intervention into subject matters pertaining to a “political question,” or related to an intra-party dispute of a political party, has been reserved, cautious and even reluctant. For example, the judicial preference for resolution of intra-party disputes has generally been the forum of the respective convention of delegates when the issue has been focused on delegate

selection or delegate seating. See *Cousins v Wigoda*, 419 U.S. 477, 490 (1975) (the convention itself is the forum to best resolve an intra-party dispute regarding the seating of delegates). On the other hand, an intra-party dispute may be related to competing factions of a political party. For example, the Michigan Supreme Court affirmed the decision of a state administrator to require the factions of an intra-party dispute to agree to candidate selections for a general election prior to ballot certification. In *American Independent Party v Secretary of State*, 397 Mich 689 (1976), a faction of the American Independent Party (AIP) split, formed its own state central committee, held a state convention and nominated candidates for office for the 1976 general election. Both factions presented their slate of candidates to the state Director of Elections under the same name and both factions requested certification of their slate of candidates for the 1976 ballot. The Director would only certify that slate of candidates agreed upon by both chairs of the faction parties. Litigation ensued in both federal and state courts. The faction that split from AIP filed in federal court and its complaint was dismissed. The other faction proceeded with a complaint for mandamus in the Court of Appeals. The Secretary of State appealed the order of the Court of the Appeals to the Michigan Supreme Court. That Court reversed the lower court's order and noted in its opinion that due to the changes in the state's election code that it was no longer required to put on a ballot more than one slate of candidates for each political party in a general election. Thus, "[t]he Director of Elections correctly left to the American Independent Party the resolution of the intraparty dispute." *Id at 696*. In *American Independent Party* both the original party and the faction party were members of the same political party. In fact, in their separate conventions they nominated some of the same candidates for office.

An intra-party dispute as to the actions of a Credentialing Committee has also been determined non-justiciable. In *O'Brien v Brown*, 409 US 1 (1972) writs of certiorari were filed to review lower court judgments pertaining to actions challenging the recommendations of the Credentials Committee of the 1972 Democratic National Convention as to the seating of certain delegates. Stays of judgments were also included in the petitions for certiorari. The Court considered the fact that the lower court lacked authority to intervene in the “internal determinations of a national political party ... regarding the seating of its delegates.” *Id at 3*. Judicial intervention was not necessary because the “Convention could decide to accept or reject, or accept with modification” *id*, the recommendations of the Credentials Committee. The Court stated that the political parties not the judiciary should be determining the resolution of intra-party disputes. The applications for stays of the judgments of the lower court was granted. See also *Wymbs v Republican State Executive Committee*, 719 F2d 1072, 1082 (11th Cir 1984) (“We think it plain that this court is an inappropriate body to decide how the Florida delegation to the Republican National Convention should be selected.”)

Even the removal of county committee members from an executive committee has been ruled in one jurisdiction as non-justiciable because of the reluctance to judicially interfere in an intra-party dispute. *Mohn v Bucks County Republican Committee*, 259 A3d 449 (Pa 2021). See also *Sabrina Pritchett-Evans and Kimberly Harris v Republican Party of Kalamazoo County, et al*, Case No: 2023-0169-CZ (9th Cir Kalamazoo County) (removal of executive committee members deemed an internal policy matter).

(ii) Intra-Party Dispute Justiciable

On the other hand, an intra-party dispute may be justiciable. The Courts have utilized various factors in analyzing whether it is appropriate for judicial intervention in an intra-party

dispute. For example, a determination of a nexus between the intra-party dispute and state action may be sufficient to justify judicial intervention into the matter. In *Bentman v Seventh Ward Democrat Executive Committee*, 421 Pa 188 (1966) two Democratic Party committee members in Philadelphia were removed from their positions for alleged disloyalty to the Democratic endorsee of a US senatorial candidate. The lower court dismissed pleadings filed to object to the committee members removal on grounds of non-justiciability. Reversing the lower court's decision as to justiciability, the *Bentman* Court noted that the General Assembly had enacted legislation that provided for the constitution of local political committees either through election or appointment. The Court reasoned that by enacting legislation that affected the internal composition of a political party, such action bears a "*direct and substantial relationship* to the performance of *public* functions by the political party." *Id at* 197 (emphasis in original).

Basically, offices in the local political party were filled by the same process and under the same statute as public offices, thus state action, and the matter was deemed justiciable. "*The party takes its character as a state agency from the duties imposed upon it by state statutes; the duties do not become matters of private law because they are performed by a political party.*" *Bentman at* 200 (emphasis supplied) (citing *Smith v. Allwright*, 321 U.S. 649, 765 (1944)).

In *Heitmanis v Austin*, 899 F2d 521 (6th Cir 1990) the Court acknowledged an intra-party dispute as between the plaintiffs and Michigan's Election Law. That dispute was about delegates that either favored Bush or Kemp/Roberston. *Id at* 526. Heitmanis was in the latter camp. Despite the acknowledgment of the intra-party dispute, the Court found the merits of the matter justiciable for two reasons. First, the dispute was "fairly attributable" to the State of Michigan because the state legislature- "not the National Party-set up the elaborate scheme of automatic delegates for county and state conventions." *Id at* 527. Therefore, the intra-party dispute was not

a “disagreement” of “**a pure question of internal party policy.**” *Id at 526* (emphasis supplied). Second, the constitutionality of Michigan Election Law, basically, MCL 168.599 was being challenged. The constitutionality of that statute was placed in question because Heitmanis and four other precinct delegates argued, in part, that MCL 168.599 violated their constitutional rights because “the automatic delegates provision” (commonly referred to as the “statutory members”) debased the “voting rights of the elected delegates.” *Id at 525*. Thus, “the National Party could not consent to a state statute that was facially unconstitutional.” *Id at 526*.

It is clear that the defendants in this present case (Holcomb, et al.,) do not understand the *Heitmanis* decision. First, there is no such legal theory as a “*Heitmanis doctrine.*” And it is doubtful that defendants are able to articulate such a legal doctrine. Second, *Heitmanis* is cited in subsequent case law mostly for its discussion of the “abstention doctrine” rather than justiciability of an intra-party dispute. The abstention doctrine and its line of cases pertains to whether federal courts should retain jurisdiction over state matters that may have similar parties and subject matter. *Heitmanis*, on the other hand, is the recognition that justiciability of an intra-party dispute may be appropriate when there is (i) sufficient state action or the claim alleged by a political party is based on a state cause of action or (ii) there is a valid constitutional challenge to rights. Significantly, the *Heitmanis* Court established its ruling that an intra-party dispute that is not a “**pure question of internal party policy,**” *id at 526*, may be sufficient for a court to rule on the merits of the matter despite the political nature of the dispute if the facts of the dispute can meet several other balancing factors as to justiciability. Just because a matter poses a “political” dispute it does not follow that it necessarily raises a non-justiciable “political question.” See *Baker v Carr*, 369 U.S. 186, 209 (1962).

Similar to the Court finding justiciability in *Heitmanis* as to an intra-party dispute are several other Michigan state courts weighing in on judicial dispute resolution. For example, in *Macomb County Republican Party and Eric Castiglia v Mark Forton and David Langer*, Case No: 2022-1953 NZ (16th Cir Macomb County) a dispute arose as to the rightful chair of the Macomb County Republican Party. The removed county chair (the defendant) refused to leave. Plaintiffs filed a motion for a TRO and the court granted plaintiffs' limited relief. (Op Macomb, pp 2-3, exhibit 1). The Court ruled on various motions in the matter including a motion for reconsideration and a motion to show cause. The Court eventually ruled that the plaintiff was not the properly seated chair of the Macomb County Republican Party due to actions in the removal process violative of the county's bylaws. Significantly, however the Court did state in part:

To the extent plaintiff Castiglia is planning to hold a Republican Party convention under a name *other* than the MCRP [Macomb County Republican Party] defendants have not cited any authority that would preclude him from doing so.

Op Macomb, p 7 (emphasis in original) (exhibit 1).

Thus, the Court noted that the plaintiff could continue with his plans for a "Republican" convention but he would have to choose another name for his organization to conduct his convention activities. This decision balanced the constitutional arm with respect to the First Amendment's right to freely associate with the state's interest in protecting consumers, i.e., voters, in general from fraudulent claims of identity.

Likewise, in *Hillsdale County Republican Executive Committee v Daren Wiseley, et al*, Case No: 22-688-CZ (1st Cir Hillsdale County) (Judge Olsaver, sitting as presiding judge from Lenawee County) two competing groups claimed to be the official Hillsdale County Republican

Party. In *Hillsdale*, a faction group similar to the present matter, attempted to usurp the authority of the legitimate Hillsdale County Republican Party (HCRP). Plaintiffs filed a complaint for declaratory relief and the defendants responded that the court lacked jurisdiction to resolve the dispute based on the “political question doctrine.” (Op Hillsdale, pg1) (exhibit 2). The Court determined it had jurisdiction to resolve the dispute and it ultimately entered a declaratory judgment permanently enjoining the defendants and those acting in concert with them, from certain acts misappropriating the name or the business relationships of the HCRP. *Id.* Subsequent to entry of declaratory relief, the defendants were brought before the court on an order to show cause why they should not be held in contempt of the Court’s order for declaratory judgment. For example, the faction group was ordered by the Court to not use the name of the HCRP in its activities, however, the group advertised events as the HCRP (Op Hillsdale, pp 3-5, exhibit 2). The court also ordered the Michigan Republican Party and its former chair, Kristina Karamo, to also appear and answer the contempt allegations. A hearing was held and the Court found that the defendants including those acting in concert with them, such as the Michigan Republican Party and its former chair, in contempt. On December 28, 2023, the Court entered its Order for Contempt of Court and assessed sanctions, costs and attorney fees. (Op Hillsdale, p 7, exhibit 2).

It is clear that an intra-party dispute may be justiciable. In fact, the relief provided by the court in *Hillsdale County Republican Executive Committee, supra*, is similar to the relief requested by present counsel for the plaintiffs.

B. The Facts

i. Distinguishing Facts as to an Intra-Party Dispute

In this present matter it is argued that there is no intra-party dispute, thus this court has jurisdiction to grant plaintiffs' request for a Temporary Restraining Order and other relief. The facts of this case are not similar to the facts of the cases discussed in section I. A(i)-(ii), above. In *AIP, supra*, the faction group formed its own state central committee, elected a state chair and nominated candidates for the general election. All the members of the American Independent Party were members of the party. Although the faction group held a different view as to who the party's nominee for president should have been, the two faction groups agreed on most of their nominees for the general election. Most importantly, in *AIP* there was a solution to the dispute and that solution rested with the Director of Elections who informed the two factions to agree on a list of conflicting nominees for office. Such are not the facts in the instant matter.

In *O'Brien*, the facts of that intra-party dispute related to the credentialing process of precinct delegates with respect to two state credentialing committees and the unseating of delegates. In that case, the delegates were unseated during the convention credentialing process close to the Democratic National Convention. No such claim is made in the present matter as to a similar crux of the intra-party dispute. Additionally, the intra-party dispute as to the plaintiffs in *Heitmanis* was mostly narrowed on the issue of the constitutionality of MCL 168.599 and its statutory mandate as to "automatic delegates" to county and state conventions. There is no similar challenge to statutory authority in the instant case. Last, in *Sabrina Pritchett-Evans, et al, supra*, the intra-party dispute included the nomination and election of three open statutory seats on the county party's executive committee, the removal of a member of the executive committee and the removal of an ex-officio member of the executive committee. There was also

a claim of defamation and libel. Except for the defamation claim, the dispute between the parties was clearly centered around internal party policy. These facts are not present in the instant matter.

ii. No Intra-Party Dispute

The facts of the present case do not rise to a clear and definite intra-party dispute that is a “pure question of internal party policy.” To the contrary, the facts reveal that the present matter relates to persons who are not even members of the official Kalamazoo GOP (Official “KGOP”), thus there is no question of internal policy related to the dispute. The internal policy dispute was litigated in *Pritchett-Evans, et al, supra*. The present matter, although related to some of the same actors as in the prior litigation, is not based on an application of an internal policy.

This present matter relates to a group of discontent individuals who no longer have *any association or relationship* with the Official KGOP. According to the KGOP Bylaws, the fractioned off individuals are not dues paying members of the Official KGOP, do not attend Official KGOP meetings, do not participate in Official KGOP fundraisers or Friday coffee meet and greets, do not man phone banks or distribute literature for candidates supported by the Official KGOP, do not support William Huizenga and are willing to vote for a “democrat” rather than their incumbent congressman, nor are they responsible for any financial undertaking of the Official KGOP. These undertakings include the payment of the organization’s rent for its offices and its expenses.

These fractioned off individuals formed an unincorporated association of persons, initially calling themselves the “Kzoo Delegates” or similar designations. Over time, the group is now improperly referring to itself as the “Official KGOP.” The dispute is not about ongoing

internal policy regulating the Official KGOP but rather the dispute is about usurping the name, identity and the statutory function of the Official KGOP.

The factioned group is stealing the identity of the Official KGOP and attempting to perform a function relegated to official county political parties. For example, the faction group began sending emails to Kalamazoo County delegates informing them that they were the “official KGOP” rather than the organization they left months earlier. Social media posts by one of the persons in the faction group encouraged people to not “give one dime to the old KGOP.” (exhibit 3, social post by Pritchett). This same post questions the ability of Official KGOP to raise money for its rent and states that the “grassroots” are “disrupting their corrupt money laundering system.” (exhibit 3). This conduct is not part of an intra-party dispute but rather a likely state cause of action: a claim of tortious interference with a business relationship or expectancy. Also, the fundraising efforts of the Official KGOP most likely are being hampered if its business reputation is being associated with a “corrupt money laundering system.” False statements that are injurious to a business reputation are a well-recognized subcategory of defamation. The present defamation claim has nothing to do with an intra-party dispute regarding an internal policy regulating the Official KGOP.

This group of persons has engaged in conduct that is only proper for the chair of Official KGOP such as calling a convention of delegates. They have attempted to interfere with the proper election of delegates in Kalamazoo County by attempting to usurp the authority of Official KGOP; they have contacted the Secretary of State alleging their false authority. This conduct is not about a dispute of internal policy but rather out right misappropriation of the identity of the Official KGOP.

In the alternative, if the Court determines that this second litigation matter between some of the same parties as in *Prichett-Evans, et al, supra*, is an intra-party dispute, *Heitmanis* does not preclude justiciability. Similar to *Heitmanis*, this present dispute is not a pure question of internal party policy. This present matter relates significantly to state causes of action that are viable because of the conduct of the defendants and not the internal policies of the plaintiffs. Furthermore, justiciability in this matter is necessary given that there is no other avenue for dispute resolution. "The courts cannot reject as "no law suit" a *bona fide* controversy as to whether some action denominated "political" exceeds constitutional authority. The cases we have reviewed show the necessity for discriminating inquiry into the precise facts and posture of the particular case, and the ***impossibility of resolution*** by any semantic cataloguing." *Baker v Carr*, 369 U.S. 186, 217 (1962) (emphasis supplied) (Tennessee state reapportionment case).

C. Conclusion

It is noteworthy for this Court that the faction group is free to form their own political party; they can call themselves the Progressive Republican Party; the Party of the Constitution; the Party of Liberty and on and on. They can file for a statement of organization; they can seek certification of their political party. They are not being prevented from organizing their own state convention, electing their own state chair, recruiting delegates or even going to a national convention.

The prohibition as to their voluntary association of like-minded persons is that they cannot misappropriate or defraud the voting public that they are in fact the Official KGOP. See, *Macomb County Republican Party, et al*, Op Macomb, p 7 (exhibit 1) and *Hillsdale County Republican Executive Committee, et al*, Op Hillsdale (exhibit 2).

This Court has justifiable grounds to enter relief as requested by the plaintiffs.

- II. IF THIS COURT ALLOWS THE FACTION GROUP TO CONTINUE TO USURP THE NAME AND ACTIVITIES OF THE OFFICIAL KGOP THEN ALL STATE COUNTY PARTIES REGARDLESS OF PARTY AFFILIATION WILL BE THREATENED AS TO THEIR SURVIVAL.

A. Role of the County Party

Political county parties are the life-blood of politics throughout the country. These county parties raise funds, recruit candidates for office and assist the national party in its role as a clearing house for presidential nominees. The county party is also responsible for educating the voting public as to the issues of the day. Many county parties lease office space, maintain data bases, computers, cell phones, audio equipment, maintain conference rooms and offices, host phone banks during election time, serve as a satellite location for other campaigns, hold executive committee meetings, train volunteers, train campaign workers, host events, coordinate strategy with legislators and hire staff including executive directors and field personnel. Time, money and millions of volunteer hours over the years, if not decades, have built county parties into an effective mechanism for achieving political success and enhancing outreach to voters. Most importantly, county parties work to achieve access to voting and the ballot box.

Many county parties strive to network with their donor base to ensure that candidates and the political agenda for the party are maintained and advanced. The integrity of the county party is critical to ensuring trust and confidence in fundraising efforts. Good relations with the donor community is an absolute necessity in order to keep the lights on. And those donors in many cases are the average, everyday voter with no political expectations beyond ensuring that their political party wins something, if even once in a while. On the other hand, donors will not give to a county party that is in strife or turmoil.

B. The Threat to County Parties State-Wide

The issue in this present matter is not that like-minded political individuals can't freely associate, organize and engage in political activities. The legal arguments in this case do not suggest that First Amendment rights should be restricted in any way. Rather, the issue in this case is whether individuals who have no relationship or association with an established political organization have the right to usurp the name and identity of a functioning and viable county party. If this Court does not restrain the activities of the defendants (Holcomb, et al) from misappropriating the good name and business good will of the Official KGOP, then all county parties throughout the State of Michigan will be threatened with similar identity theft. For example, the Court in *Hillsdale, supra*, did not hesitate to enter an Order of Contempt of Court as against the defendants, ***including the state's former chair***, for their willful violation of its declaratory judgment permanently enjoining the defendants and all other persons acting in concert or participation with defendants from, in part, "*conducting or attempting to conduct business on behalf of the HCREC or the Hillsdale County Republican Party unless they are elected to those positions in compliance with HCREC bylaws....*" (Op Hillsdale, pp 1-2, exhibit 2) (emphasis supplied). The RNC cannot enter and enforce contempt orders; the state party cannot enter and enforce contempt orders; the county party cannot enter and enforce contempt orders; but a court of law can. That is why this present matter requires judicial resolution and is justiciable.

This Court must stand in between those who engage in lawful political activities and those who unlawfully seize the identity of another organization in an attempt to further *their* political agenda. County political parties throughout Michigan will be threatened as to their

survival if this Court permits rogue persons, with no legal authority other than their frustration with the fact that no-one wants them around, to “take over” established county parties.

Of most urgency and importance to OCRP is the issue of its trade secrets and financial data. In the present matter, the faction group not only wants to conduct political activity using the name of the Official KGOP but they also want to gain access to the assets of the entity. If the faction group gains access to the assets of the Official KGOP they will have access to the financial accounts and trade secrets of the Official KGOP. This information is absolutely critical to a county party. If the Court allows the faction group to operate under the name of the Official KGOP, the next progression will be to take over the assets of the organization.

For example, OCRP has invested tens of thousands of dollars into developing voter databases which it deems as its trade secrets. In *Hayes-Albion Corporation v Kuberski*, 421 Mich 170 (1984) the defendant Kuberski was sued, in part, for misappropriating the trade secrets of the plaintiff, an employer of the defendant. The Court relied on Restatement of Torts, Section 757, Comment b, as its starting analysis in determining whether information held by the plaintiff was a trade secret. Specifically, the court listed the following:

(1) the extent to which the information is known outside of [the] business; (2) the extent to which it is known by employees and others involved in [the company's] business; (3) the extent of measures taken by [the business] to guard the secrecy of the information; (4) the value of the information to [the business] and [its] competitors; (5) the amount of effort or money expended by [the business] in developing the information; (6) the ease or difficulty with which the information could be properly acquired or duplicated by others.

421 Mich at 182; *see also Manos v Melton*, 358 Mich 500, 508 (1960).

Clearly, voter data specifically developed for the purpose of voter registration or other Get Out the Vote activities in a specific county, like Oakland County, squarely falls within the

Hayes-Albion Court's discussion of a trade secret. Rogue factions, if permitted to overtake county parties without lawful means, will have access to the trade secrets of the organization. Given the sensitive nature of data held by OCRP and other county parties throughout the State of Michigan is it understandable that county parties are extremely worried about the outcome in this matter if a judicial remedy does not protect a county party, like Official KGOP from wrongful infiltration.

C. Conclusion

The present matter before this Court affects all county parties throughout the State of Michigan. The past three years or so there have been attempts by discontent individuals and other persons to steal the identity of county parties. For example, see *Macomb County Republican Party, et al, supra* and *Hillsdale County Republican Executive Committee, supra*. And now the present case. County parties need the assistance of judicial resolution to restore stability, security and confidence in the political process through the county party system.

Oakland County Republican Party submits this *Amici Curiae* because of the impact this Court's decision may have on OCRP and other county parties throughout the State of Michigan.

Respectfully submitted,

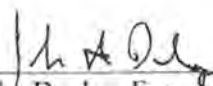



Margaret J. Kurtzweil, Esq
Attorney for Oakland County Republican Party

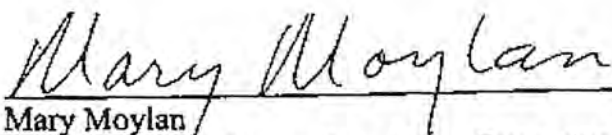
STATEMENT OF CONCURRENCE

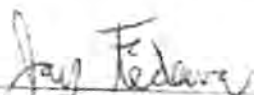
The following Republican County representatives have reviewed the *Amici Curiae* Oakland County Republican Party in Support of Plaintiffs and concur with its arguments and conclusions.


Concurring Signatures Follow

1. 
John Dunlap, Esq.
Chair, Washtenaw County Republican Executive Committee

2. 
Mark Forton
Chair, Macomb County Republican Executive Committee

3. 
Mary Moylan
Chair, Gladwin County Republican Executive Committee

4.  2/7/24
Jay Fedewa
Chair, Genesee County Republican Executive Committee

5. 
Rob Rodriguez-Pelizzari
Chair, Livingston County Republican County Executive Committee

6. 
Russ Jennings
Chair, Jackson County Republican County Executive Committee

STATE OF MICHIGAN
SIXTEENTH JUDICIAL CIRCUIT COURT

MACOMB COUNTY REPUBLICAN PARTY and
ERIC CASTIGLIA,

Plaintiffs,

vs.

Case No. 2022-1953-NZ

MARK FORTON and
DAVID LANGER,

Defendants.

OPINION AND ORDER

The parties have filed various motions seeking sundry relief.

I. BACKGROUND

Plaintiffs Macomb County Republican Party and Eric Castiglia filed this action on May 24, 2022. Plaintiffs asserted plaintiff Castiglia is the current chairman of plaintiff Macomb County Republican Party. Defendant Mark Forton was the former chairman and defendant David Langer was the former treasurer of plaintiff Macomb County Republican Party.

Plaintiffs averred the County Convention—a meeting of the elected Macomb County Republican precinct delegates and at-large delegates—was convened on April 11, 2022. The delegates duly elected plaintiff Castiglia (158 votes) as permanent chair over defendant Forton (123 votes). Executive members were also replaced by new members that were duly elected as the Macomb County Executive Committee. Delegates from the 9th and 10th District Caucuses were also duly elected to attend the Republican State Convention. Defendant Forton and Dawn Beattie's challenges to these decisions were rejected by the MIGOP Credentials Committee.



Plaintiffs contended a special meeting of the Macomb County Executive Committee was held April 18, 2022 to elect a new Macomb County Republican Party chairman. A quorum of the Executive Committee members were present and elected plaintiff Castiglia as chairman.

Plaintiffs avowed defendant Forton failed to comply with the April 11, 2022 County Convention outcome, claiming he (defendant Forton) was still chairman. Defendant Forton refused to turn over the bank accounts, records of transfer, keys to the office building on Garfield Road (Clinton Township) and Facebook (and any other social media account) information. Instead, defendant Ford said he had emptied the \$24,000 bank account balances by making contributions and paying checks without the approvals of the executive and finance committees.

Accordingly, plaintiffs' amended complaint sought: I. Declaratory relief that (1) the actions taken April 11 and 18, 2022 are valid and (2) defendant Forton be required to return all property (bank accounts, office keys and social media information) belonging to the Macomb County Republican Party to the Executive Committee; II. Quo warranto and III. Accounting.

On May 24, 2022, plaintiffs had also moved for a temporary restraining order and order to show cause regarding the return of the property identified in their complaint.

A hearing on plaintiffs' motion for a TRO and order to show cause was held June 6, 2022. Based on the hearing, a *Temporary Restraining Order and Scheduling Order* was signed June 7, 2022 that (1) required defendant Forton to turn over the office keys, (2) required defendant Forton and/or defendant Langer to turn over all bank account information, (3) granted plaintiff Castiglia access to all websites, emails and social media accounts, and (4) set a briefing schedule and date for defendants' motion for summary disposition. An *Order Regarding Motion for Reconsideration* was also signed June 7, 2022, staying the TRO until a rehearing on June 24, 2022.

An Order of Adjournment, Order Granting a Substitution of Counsel; Scheduling Order

was signed June 24, 2022, adjourning the hearing on the preliminary injunction until July 8, 2022. The *Order* contained the parties' stipulation that only existing automatic payments drafts will be released from MCRP bank accounts and they will refrain from taking any official action until the preliminary injunction is resolved.

On July 26, 2022, defendants filed a counter-claim for quo warranto.

The parties subsequently agreed to trial of this matter as a quo warranto action based on stipulated facts and exhibits. An *Opinion and Order* was signed August 5, 2022, reinstating defendant Forton, defendant Langer and the other delegates elected to the MCRP Executive Committee at the Fall 2020 County Convention as delegate members of the Executive Committee.

The parties have now filed various motions seek sundry relief.

II. ANALYSIS

A. Motions for Reconsideration

A motion for rehearing under MCR 2.119(F) is not to be granted unless the motion is filed within twenty-one days of the challenged decision. MCR 2.119(F)(1). The moving party must demonstrate a palpable error by which the court and the parties have been misled, and show that a different disposition of the motion must result from correction of the error. MCR 2.119(F)(3). A motion for rehearing or reconsideration that merely presents the same issue(s) ruled on by the court, either expressly or by reasonable implication, will not be granted. *Id.*

The purpose of a motion under MCR 2.119(F) is to allow a court to immediately correct any mistakes it may have made in issuing a decision without the expense of seeking correction on appeal. *Bers v Bers*, 161 Mich App 457, 462-463; 411 NW2d 732 (1987). The time requirement for filing a motion is not jurisdictional but ensures the motion will be brought expeditiously. *Id.* The provisions of MCR 2.119(F) do not restrict the discretion of the judge to reconsider motions

where the judge later determines the judge or a predecessor made an error, based on an intervening change in the law or otherwise. *Michigan Bank-Midwest v DJ Reynaert, Inc*, 165 Mich App 630, 645-646; 419 NW2d 439 (1988), quoting *Brown v Northville Regional Psychiatric Hosp*, 153 Mich App 300, 309; 395 NW2d 18 (1986).

1. Defendants' motion

Defendants assert the *Opinion and Order* dated August 5, 2022 did not specifically address the issue of MCRP Executive Committee officers or their request for injunctive relief that plaintiff Castiglia not represent himself as the MCRP chairman and to prevent him from proceeding with an August 11, 2022 convention call. Hence, defendants seek clarification of these issues. Defendants also argue against entry of a final order until the issues of damages, costs and fines under MCL 600.4511 and 600.4515 are resolved.

As a preliminary matter, the MIGOP is not a party to this action and its actions are generally not subject to review here.

The *Opinion and Order* dated August 5, 2022 clearly:

1. Determined the actions taken to remove and replace delegates elected to the MCRP Executive Committee at the Fall 2020 County Convention were void;
2. Determined the actions taken to elect plaintiff Castiglia and new delegates to the Executive Committee at the April 11, 2022 County Convention were void; and
3. Reinstated defendant Forton, defendant Langer and the other delegates elected to the Executive Committee at the 2020 Fall County Convention as delegate members of the Executive Committee.

Inasmuch as plaintiff Castiglia and the new delegates elected to the Executive Committee at the April 11, 2022 County Convention never legally held positions on the Executive Committee, their subsequent actions while on the Executive Committee were also null and void. Consequently, reinstatement of defendant Forton, defendant Langer and the other delegates elected to the Executive Committee at the 2020 Fall County Convention as delegate members of the Executive

Committee would have also necessarily reinstated them to any offices held on the Executive Committee.

Moreover, *Opinion and Order* dated August 5, 2022's removal of plaintiff Castiglia as a delegate elected to the Executive Committee would have necessarily removed him as an officer of the Executive Committee. As a result, he is precluded from representing himself as chairperson and his convention call would be void.

Defendants have not proffered any evidence that plaintiff Castiglia will not comply with these determinations going forward, precluding the need for injunctive relief. Defendants can also notify the MCRP delegates of these legal determinations and the reinstated Executive Committee's authority to conduct the affairs of the MCRP.

As previously noted, this matter proceeded to trial. Defendants failed to proffer any evidence upon which to calculate an award of damages and/or costs. Therefore, defendants waived consideration of an award of damages and/or costs.

The imposition of a fine under MCL 600.4515 is discretionary. The interests of justice did not favor imposition of a fine.

2. Plaintiffs' motion

Plaintiffs assert defendants did not raise the issue of due process violations until filing their (defendants') Final Brief on August 3, 2022. As defendants failed to timely plead any constitutional claims, plaintiffs argue error in the decision to exercise jurisdiction over an intra-party dispute.

Plaintiffs are mistaken.

Significantly, plaintiffs' complaint delineated at great length how the events at the April 11, 2022 County Convention unfolded and purportedly followed proper procedures. Consequently,

plaintiffs' own complaint raised due process compliance concerns.

Moreover, defendants filed a brief in support of their motion for reconsideration of the June 6, 2022 *Temporary Restraining Order and Scheduling Order* that challenged whether certain actions taken on April 11, 2022 complied with the Bylaws of the MCRP. Defendants' answer to the complaint as well as their motion for summary disposition also challenged the propriety of certain April 11, 2022 actions as violative of the Bylaws of MCRP.

Therefore, defendants had raised due process issues well in advance of trial.

Accordingly, the *Opinion and Order* dated August 5, 2022 did not palpably err in reviewing the actions taken at the April 11, 2022 County Convention. Recall *American Indep Party v Secretary of State*, 397 Mich 689, 696; 247 NW2d 17 (1976), citing *O'Brien v Brown*, 409 US 1, 4, 5; 92 S Ct 2718; 34 L Ed 2d 1 (1972) (“ ‘the political processes’ should ‘function free from judicial supervision’ *unless infringement of constitutional rights is alleged*” [emphasis added]).

B. Defendants' Motion to Show Cause

Defendants assert plaintiff Castiglia, Ron Weiser and Meshawn Maddock are defying the holdings of the *Opinion and Order* dated August 5, 2022. Hence, defendants request orders to show cause why plaintiff Castiglia, Weiser and Maddock should not be held in contempt.

MCR 3.606(A) provides:

For a contempt committed outside the immediate view and presence of the court, on a proper showing on ex parte motion supported by affidavits, the court shall either

- (1) order the accused person to show cause, at a reasonable time specified in the order, why that person should not be punished for the alleged misconduct; or
- (2) issue a bench warrant for the arrest of the person.

As a preliminary matter, defendants' motion is not supported by any affidavits. Therefore, the motion need not be further addressed.

Notwithstanding, the posting by an unknown “minion of Eric Castiglia” is nothing more than rank and inadmissible hearsay. MRE 801(c) and 802.

Defendants recognize the *MIGOP* has set the statewide Republican Party county conventions for August 11, 2022. As such, the MCRP County Convention must take place on August 11, 2022.

Additionally, defendants have not demonstrated plaintiff Castiglia is defying the *Opinion and Order* dated August 5, 2022. The mere fact that Weiser does not believe the *MIGOP* is bound by the *Opinion and Order* dated August 5, 2022 does not establish Weiser was acting in conjunction with anyone else and, more particularly, plaintiff Castiglia. To the extent plaintiff Castiglia is planning to hold a Republican Party convention under a name *other* than the MCRP, defendants have not cited any authority that would preclude him from doing so. See *Cornforth v Borman's, Inc.*, 148 Mich App 469, 479; 385 NW2d 645 (1986) (party may not simply announce a position or argument in a brief and then leave it up to the court to discover and rationalize the basis of its claims).

Defendants' reliance on a social media posting from Meshawn Maddock as a basis for finding her in contempt lacks merit. There is no indication when the posting was made to suggest Maddock is defying the *Opinion and Order* dated August 5, 2022.

Weiser's September 9, 2022 e-mail stating “The Michigan Republican Party recognizes Eric Castiglia as County Chairman in Macomb County” was only sent to two people: Maddock and Paul Cordes. Therefore, defendants have not established Weiser's e-mail will have a significant effect on the August 11, 2022 MCRP County Convention. Additionally, any show cause hearing could not take place until sometime after August 11, 2022 and would be of dubious value for resolving the competing and resolved convention disputes.

III. CONCLUSION

For the reasons set forth above:

A. Defendants Mark Forton and David Langer's motion for reconsideration is GRANTED, in part, and DENIED, in part, as explained above;

B. Plaintiffs Macomb County Republican Party and Eric Castiglia's motion for reconsideration is DENIED; and

C. Defendants' motion to show cause plaintiff Castiglia, Ron Weiser and Meshawn Maddock is DENIED.

This *Opinion and Order* again resolves the last pending claim in this matter, which remains closed. MCR 2.602(A)(3).

IT IS SO ORDERED.

DATE SIGNED: August 10, 2022




MATTHEW P. SABAUGH, CIRCUIT COURT JUDGE
/s/ MATTHEW P. SABAUGH
CIRCUIT COURT JUDGE, P56208

08/10/2022

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF HILLSDALE

HILLSDALE COUNTY REPUBLICAN
EXECUTIVE COMMITTEE,
Plaintiff,

File No. 22-688-CZ

vs.

DAREN WISELEY, et al.,
Defendant.

ORDER FOR CONTEMPT OF COURT

At a session of said Court held at the Courthouse in the City of Adrian, County of Lenawee, and State of Michigan on December 28, 2023.

PRESENT: MICHAEL R. OLSAVER, Circuit Court Judge

I. Background

Plaintiffs filed a complaint seeking declaratory relief alleging that defendants violated MCL 168.599 and the Hillsdale County Republican Executive Committee bylaws. Various defendants challenged the subject-matter jurisdiction of the circuit court to resolve the dispute based upon the political question doctrine. This Court found that it did have jurisdiction over the dispute and resolved the case via summary disposition. Ultimately, the Court resolved the dispute in favor of Plaintiffs and entered a declaratory judgment permanently enjoining the defendants, and all other persons acting in concert or participation with defendants, from (1) holding the defendants out as officers of the Hillsdale County Republican Executive Committee unless they are elected to those positions in compliance with the HCREC bylaws; (2) conducting or attempting to conduct business on behalf of the HCREC or the Hillsdale County Republican Party unless they



are elected to those positions in compliance with the HCREC bylaws; (3) sending emails or any other form of communication that purports to be sent on behalf of the HCREC unless they are elected to those positions in compliance with the HCREC bylaws; and (4) engaging in communication, including via social media or other electronic communications, that purports to be issued on behalf of the HCREC unless they are elected to those positions in compliance with the HCREC bylaws. None of the defendants appealed the declaratory judgment.

Subsequent to entering the declaratory judgment, this Court issued an order directing defendants Mosby, Smith and Gritzmaker to show cause why they should not be held in contempt for their failure to comply with the declaratory judgment based on allegations that they continued to hold themselves out as officers the HCREC and conducted events in the name of the Hillsdale County Republican Party. This Court also ordered the Michigan Republican Party and its chairperson Kristina Karamo to show cause why they should not be held in contempt for their failure to comply with the declaratory judgment based on allegations that, after receiving a copy of the declaratory judgment, the Michigan Republican Party website continues to list Mr. Mosby as the chairperson of the HCREC and that a hyperlink for the Hillsdale County Republican Party on the Michigan Republican Party website links to a website controlled by Defendants Mosby, Smith and Gritzmaker on which they hold themselves out as the Hillsdale County Republican Party and HCREC officers.

At the contempt trial, Plaintiffs called one witness, Brent Leininger, the current chairperson of the Hillsdale County Republican Executive Committee, and introduced numerous exhibits. Mr. Leininger's testimony was unrebutted as neither defendants Mosby, Smith and Gritzmaker, nor respondents Karamo and the Michigan Republican State Committee called any witnesses or offered any evidence.

II. Standard of Proof

Caselaw has not clearly defined the standard of proof that applies to civil contempt proceedings. Many cases have applied the “clear and unequivocal” standard. *See In re Contempt of Robertson*, 209 Mich App 433, 439 (1995); *In re Contempt of Calcutt*, 184 Mich App 749, 757 (1990). Other cases have applied the “preponderance of the evidence” standard. *See Porter v Porter*, 285 Mich App 450, 457 (2009); *In re Contempt of Auto Club Ins Ass’n*, 243 Mich App at 712. For purposes of this opinion and order, the Court will apply the “clear and unequivocal” standard.

III. Contumacious Acts of Defendants Mosby, Gritzmaker and Smith

a. Comic Zoo Event

On May 4, 2023, after Defendants were served with the injunctive order, the email address hillsdalecountygop@gmail.com sent out an advertisement for a “1st Annual Comic-Zoo.” In the upper left-hand corner of the advertisement is the Hillsdale County Republican Party logo. In the upper middle section of the advertisement is a postmark overwritten with the words “America First!” The middle section of the advertisement includes the words “Hillsdale County Republican Party” directly above the words “1st Annual Comic Zoo.” On the same day, Mr. Mosby posted a message on Facebook that references both the Court’s order as well as the comic zoo event. Mr. Mosby and Mr. Smith shared the event advertisement on their personal Facebook pages on May 4, 2023. The advertisement also appeared on a Facebook event page that listed Mr. Gritzmaker as an organizer of the event.

The comic zoo was also advertised on the “Hillsdale County Republican Party” Facebook page. That page names Mr. Smith as the owner and includes the words “We are the official & sanctioned Hillsdale County Republican Party page”.

The event advertisement shown in Plaintiff's Exhibits 8, 9 and 11 is clearly designed to make it appear that the event is sponsored, sanctioned, and/or hosted by the Hillsdale County Republican Party. It includes the party logo and the words "Hillsdale County Republican Party" directly above "1st Annual Comic-Zoo." Nowhere in the graphic is there any indication that the event is hosted by defendants' political action committee, the America First Hillsdale Republicans. While it does include the words "America First!", those words are used as a generic slogan which does not in any way indicate or give any reasonable person a reason to believe that the event is sponsored by someone other than the Hillsdale County Republican Party. The Court's order prohibits the defendants from conducting or attempting to conduct business on behalf of the Hillsdale County Republican Party. The Court finds by clear and unequivocal evidence that Mr. Mosby violated the Court's order when he shared the advertisement on his Facebook page (Plaintiff's Exhibit 11), that Mr. Gritzmaker violated the Court's order by creating a public Facebook event that utilized the advertisement (Plaintiff's Exhibit 9), and that Mr. Smith violated the Court's order by continuing to operate a Facebook page in the name of the Hillsdale County Republican Party (Plaintiff's Exhibit 10) and sharing the advertisement on his personal Facebook page (Plaintiff's Exhibit 11).

b. Defend Our 2A Event.

The Court finds that there is insufficient evidence to establish that any of the defendants violated the April 28, 2023 order in relation to the Defend Our 2A event that took place in Ionia, Michigan in July 2023. Plaintiff's Exhibits 19 and 20 showed pictures of Mr. Smith standing in front of a Hillsdale County Republican Party banner and some t-shirts at the event. While Mr. Leininger was able to testify that he did not authorize Hillsdale County Republican Party participation at the event, he was unable to testify regarding who set up the display or raised the banner. Without more, there is insufficient evidence to determine that Mr. Smith was conducting

or attempting to conduct business in the name of the Hillsdale County Republican Party by attending and being photographed at this event.

c. Hillsdale County GOP Website

The evidence established that defendants Mosby, Smith and Gritzmaker violated the April 28, 2023 order by holding themselves out as members of the Hillsdale County Republican Executive Committee on the website www.hillsdalecountygop.com. Plaintiff's Exhibit 11 is a Facebook page which purports to be for the Hillsdale County Republican Party. Mr. Smith is listed as the responsible party for that Facebook page. It includes a post for the Comic Zoo event organized by defendants. It also includes a link to hillsdalerepublicanparty.org. The hillsdalerepublicanparty.org address automatically redirects to the www.hillsdalecountygop.com website. Plaintiff's Exhibit 17, which Mr. Leininger testified is the "About Us" page of the www.hillsdalecountygop.com website, under the heading "Meet the Officers" shows Mr. Mosby as chair, Mr. Smith as secretary, and Mr. Gritzmaker as treasurer. The photograph of Mr. Gritzmaker appears to be taken at the May 4, 2023 Comic Zoo event. It was one of over 100 pictures posted to Facebook by Mr. Smith shortly after the event. The contact telephone number for the website is Mr. Smith's telephone number. Mr. Leininger's un rebutted testimony was that his most recent visit to the website was September 7, 2023, and that it continued to appear as depicted in Plaintiff's Exhibit 17. This is a clear and unequivocal violation of the Court's order enjoining them from holding themselves out as officers of the Hillsdale County Republican Executive Committee.

IV. Contumacious Acts of Respondents Michigan Republican State Committee and Kristina Karamo

In addition to enjoining the actions of defendants, the Court's order enjoins all other persons acting in concert or participation with defendants from engaging in in actions prohibited

to defendants. Plaintiff's allege that respondents Michigan Republican Party and its chairperson Kristina Karamo have violated this order by holding defendants Mosby, Gritzmaker and Smith out as officers of the Hillsdale County Republican Executive Committee. This Court has previously ruled that it has jurisdiction to resolve this matter with respect to these non-party defendants.

Mr. Leininger's un rebutted testimony was that on May 3, 2023, Plaintiff's attorney sent a letter via email to Michigan Republican Party Chairperson Kristina Karamo, the Michigan Republican State Committee and to Mr. Hartman as attorney for the Michigan Republican State Committee, that included a copy of the Court's April 28, 2023 order. The letter further advised that the state party website names David Mosby as the chair of the Hillsdale County Republican Executive Committee. Additionally, the state party website has a hyperlink to the www.hillsdalecountygop.com described above. That website holds itself out as Hillsdale Republican Party, uses the Hillsdale County Republican Party logo, and identifies Mr. Mosby as chair, Mr. Smith as Secretary and Mr. Gritzmaker as treasurer. Mr. Leininger testified that the state party website continued to link to the www.hillsdalecountygop.com website identifying defendants as members of the Hillsdale County Republican Executive Committee through the date of the contempt hearing on September 8, 2023. This testimony was un rebutted, as none of the defendants called any witnesses or offered any evidence. Therefore, there is clear and convincing evidence establishing that Ms. Karamo and the Michigan Republican State Committee violated the Court's April 28, 2023 order. Respondents Karamo and Michigan Republican State Committee acted in concert or participation with Defendants Mosby, Smith and Gritzmaker by linking to a website used by those Defendants to hold themselves out as officers and members of the Hillsdale County Republican Executive Committee, and continuing to do so after being advised of the Court's April 28, 2023 order.


V. Conclusion

The evidence establishes that defendants Mosby, Smith and Gritzmaker, as well as respondents Karamo and the Michigan Republican State Committee violated the Court's April 28, 2023 order in the ways described above. These actions impair the functioning of the Court because defendants and respondents have acted in direct defiance of the order by engaging in conduct enjoined by the order. Consequently, the Court assesses the following sanctions:

1. Mr. Mosby is assessed a fine of \$500.00 pursuant to MCL 600.1715.
2. Mr. Smith is assessed a fine of \$500.00 pursuant to MCL 600.1715.
3. Mr. Gritzmaker is assessed a fine of \$500.00 pursuant to MCL 600.1715.
4. Respondent Karamo is assessed a fine of \$500.00 pursuant to MCL 600.1715.
5. Respondent Michigan Republican State Committee is assessed a fine of \$500.00 pursuant to MCL 600.1715.
6. Defendants Mosby, Smith and Gritzmaker and Respondents Karamo and Michigan Republican State Committee shall pay Plaintiff's attorney fees related to the investigation and prosecution of the contempt. The liability of defendants and respondents for the payment of attorney fees shall be joint and several.

IT IS SO ORDERED.

Dated: December 28, 2023



HON. MICHAEL R. OLSAVER
CIRCUIT COURT JUDGE



Sabrina Pritchett

51m · 🌐

...

I would not give one dime to the old KGOP. The delegates met September 15, 2023 and 96% of those in attendance voted to remove the leadership and replace them.

They have trampled on delegates and claim we work at their pleasure like slaves. Kelly Sackett tried to install her picks for our congressional district with back room deal making and it didn't work. After that they went on a wannabe tyrant rage by returning memberships and kicking hard working Republicans out because they didn't like the way we voted at a state convention. They approved draconian bylaws that claim they can charge \$100 or \$1000 a day to delegates or MiGOP if anyone questions them basically. That must not be working out well for them.

Neither Matt Hall or Bill Huizenga have made a statement in support of Kalamazoo delegates. Matt Hall has been voting against our 2nd Amendment right to bear arms.

The old KGOP moved into a new office behind Bill Huizenga. How are they paying the \$2000- \$2200 a month? They need money but it's not for what they claim in the letter. Enough of the charade.

We have been fighting for the rights of all delegates while they push a narrative that we are disrupters and holding them back from winning. The losing streak has been several cycles. The grassroots are disrupting their corrupt money laundering system.

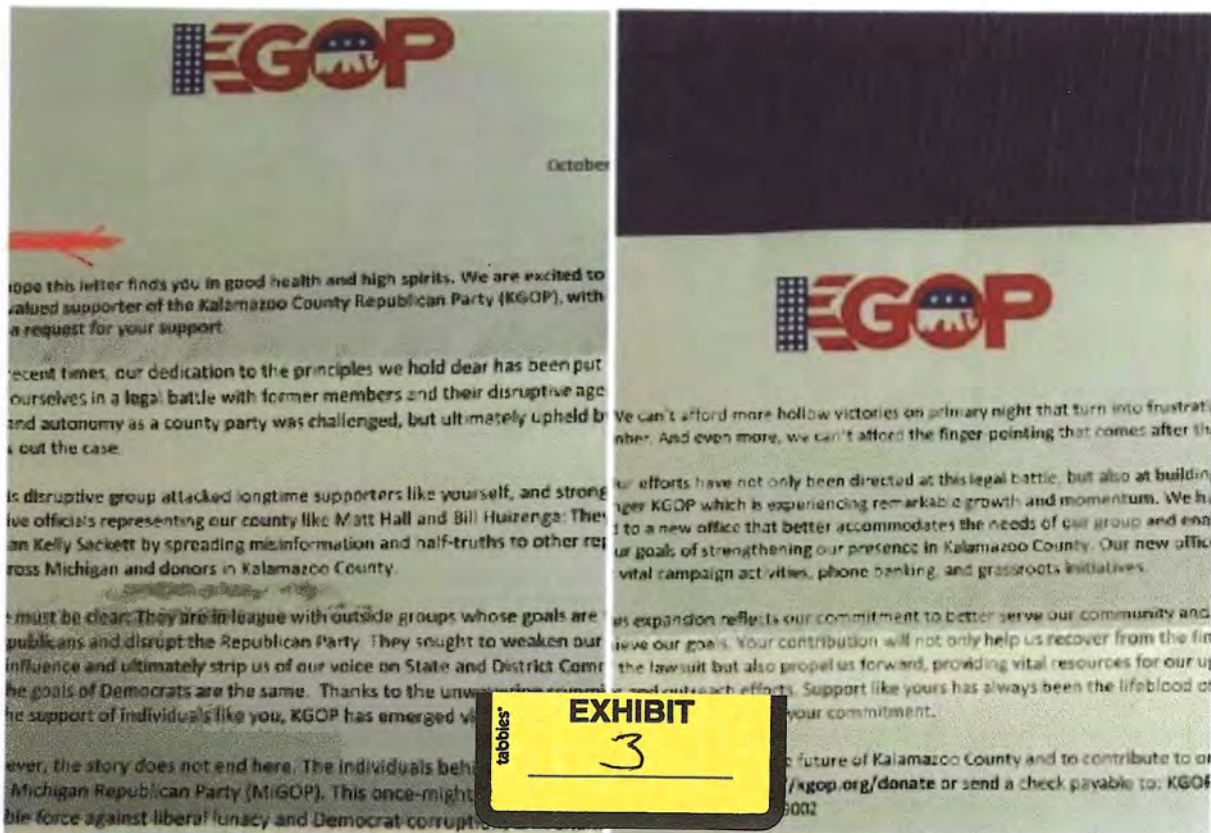


EXHIBIT 3

Exhibit 6

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

KALAMAZOO COUNTY REPUBLICAN COMMITTEE and KELLY SACKETT in her capacity as KGOP Chair

Case No. 2024-0026-CZ

Plaintiffs

v.

HON. CURTIS J. BELL

RODNEY HALCOMB; KERRY LYNN ELIEFF; EMILY CRAWFORD; ROBYN MAXON; KRISTINA KARAMO; DANIEL J. HARTMAN; JAMES M. COPAS; and SECRETARY OF STATE JOCELYN BENSON;

Defendants.

Matthew S. DePerno (P52622)
DEPERNO LAW OFFICE, PLLC
Attorney for Plaintiff
951 W. Milham Avenue
PO Box 1595
Portage, MI 49081
(269) 321-5064

AFFIDAVIT IN SUPPORT OF VERIFIED COMPLAINT and EX PARTE MORTION FOR TEMPORARY RESTRAINING ORDER, SHOW CAUSE ORDER, AND PRELIMINARY INJUNCTION

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

I, KELLY SACKETT, being first duly sworn, depose and state as follows:

1. My name is Kelly Sackett and I am 18 years of age or older.
2. I have read the Verified Complaint dated January 22, 2024, including the introduction, common allegations, each count, and all exhibits. The factual allegations contained therein are true and accurate to the best of my information, knowledge, and belief under penalty of perjury. Those things that are by information and belief, I believe to be true.

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

KALAMAZOO COUNTY REPUBLICAN
COMMITTEE and KELLY SACKETT in her
capacity as KGOP Chair

Case No. 2024-0026-CZ

Plaintiffs

v.

RODNEY HALCOMB; KERRY LYNN
ELIEFF; EMILY CRAWFORD; ROBYN
MAXON; KRISTINA KARAMO; DANIEL J.
HARTMAN; JAMES M. COPAS; and
SECRETARY OF STATE JOCELYN
BENSON;

HON. CURTIS J. BELL

Defendants.

Matthew S. DePerno (P52622)
DEPERNO LAW OFFICE, PLLC
Attorney for Plaintiffs
951 W. Milham Avenue
PO Box 1595
Portage, MI 49081
(269) 321-5064

Daniel J. Hartman (P52632)
LAW OFFICE OF DANIEL J. HARTMAN
Attorney for Karamo, Hartman, and Copas
PO Box 307
Petoskey, MI 49770
(231) 348-5100

Dave Peters (P48648)
DRP LEGAL SERVICES, PLLC
Attorney for Halcomb, Elieff, and Maxon
PO Box 51787
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(916) 857-6900

Kellie L. Howard (P69009)
COLLINS EINHORN FARRELL PC
Attorney for Karamo, Hartman, and Copas
4000 Town Center, 9th Floor
Southfield, MI 48075
(248) 355-4141


Emily Crawford, *in pro per*
9427 Oakview Dr.
Portage, MI 49024

AFFIDAVIT OF JAMES CHARLES COSS

Sandra Bloomfield	Pamela Herbert	Veronica Pero
Jamie Calder	Robert Heuermann	Julie Pieper
Kurt Calder	Paula Hochstetler	Sabrina Pritchett-Evans
Veronica Carra	William Hochstetler	Melvin Reeves
Mark Chilcott	Daniel Hoffman	Rene Saar
Christian Chojnowski	Dennis Kehoe	Paul Seals
Kelly Cox	Gail Koporetz	David Stevens
Dana Craft	Kimberly Kourtjian	Kathy Stoll
Emily Crawford	Rebecca Larsen	Debra Thompson-Smith
Shelby Crouse	Bruce Lenardson	Jeremy Smith
Theresa Devries	Cindy Little	Heather Triqueros
Patricia Doran	Kevin Little	Sandra Vanderlugt
John Thomas Elieff	Thomas Little	Ronald White
Kerry Lynn Elieff	Joshua Losota	Todd White
Sarah Gage	Sarah Losota	Vincent Wilson
Taukir Gill	Lorraine Malackowski	

FURTHER AFFIANT SAYETH NOT.

Dated: February 9, 2024



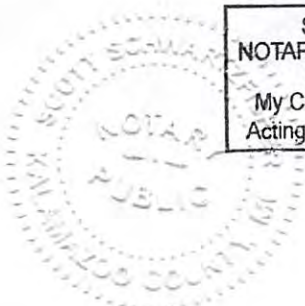
 James Charles Coss

STATE OF MICHIGAN)
) ss.
 COUNTY OF KALAMAZOO)

On February 9, 2024, before me, a Notary Public in and for said County, appeared JAMES CHARLES COSS, who being by me duly sworn, signed this document and acknowledged his signature to be his free act and deed.

SCOTT SCHWARTZFISHER
 NOTARY PUBLIC - STATE OF MICHIGAN
 COUNTY OF KALAMAZOO
 My Commission Expires June 12, 2029
 Acting in the County of Kalamazoo


 _____, Notary Public
 Kalamazoo County, Michigan
 My Commission Expires: 6/12/2029



STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

KALAMAZOO COUNTY REPUBLICAN
COMMITTEE and KELLY SACKETT in her
capacity as KGOP Chair

Case No. 2024-0026-CZ

Plaintiffs

v.

RODNEY HALCOMB; KERRY LYNN
ELIEFF; EMILY CRAWFORD; ROBYN
MAXON; KRISTINA KARAMO; DANIEL J.
HARTMAN; JAMES M. COPAS; and
SECRETARY OF STATE JOCELYN
BENSON;

HON. CURTIS J. BELL

Defendants.

Matthew S. DePerno (P52622)
DEPERNO LAW OFFICE, PLLC
Attorney for Plaintiffs
951 W. Milham Avenue
PO Box 1595
Portage, MI 49081
(269) 321-5064

Daniel J. Hartman (P52632)
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Attorney for Karamo, Hartman, and Copas
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Dave Peters (P48648)
DRP LEGAL SERVICES, PLLC
Attorney for Halcomb, Elieff, and Maxon
PO Box 51787
Livonia, MI 48154
(916) 857-6900

Kellie L. Howard (P69009)
COLLINS EINHORN FARRELL PC
Attorney for Karamo, Hartman, and Copas
4000 Town Center, 9th Floor
Southfield, MI 48075
(248) 355-4141

Emily Crawford, *in pro per*
9427 Oakview Dr.
Portage, MI 49024

AFFIDAVIT OF KELLY SACKETT

STATE OF MICHIGAN)

COUNTY OF KALAMAZOO) ss.
)

I, KELLY SACKETT, being first duly sworn, depose and state as follows:

1. My name is Kelly Sackett and I am 18 years of age or older.
2. I am the duly elected chairwoman of the KALAMAZOO COUNTY REPUBLICAN COMMITTEE ("KGOP"). I was elected pursuant to the KGOP bylaws by the executive committee on or about December 12, 2022.
3. Pursuant to the KGOP bylaws, only the chair can call a convention.
4. A group of people led by Sabrina Pritchett-Evans, Kim Harris, and the defendants in this case Rodney Halcomb, Kerry Lynn Elieff, Emily Crawford, and Robyn Maxon have either been removed from the KGOP as members or quit the organization. They then formed their own club which the initially called "Kzoo Delegates" a/k/a "Kzoo Precinct Delegates" a/k/a "Kalamazoo County Delegates" and now are calling themselves the "New KGOP" or in some cases simply the "KGOP."
5. They have no right to use the identity of the KGOP. In my opinion, their actions amount to identity theft and fraud.
6. They have significantly confused delegates and other members of the KGOP by calling a fake convention for February 15, 2024. Donors are equally confused. They have significantly hurt fundraising efforts and our ability to recruit and support candidates in the upcoming primary and election. By attempting to steal or in fact stealing our identity and by committing fraud, they have forced us to spend time and resources defending the KGOP rather than recruiting and supporting candidates. This has significantly damaged the KGOP, financially and in other ways.
7. I have reviewed the KGOP membership file and the following people are no longer members of the KGOP, having either been removed as members for failure to participate or pay dues, or they have quit or relinquished their membership. The names highlighted in are the people who claim to be the "new" (but fraudulent) executive committee.

Jerry Amos	Taukir Gill	C. James Mallinson
Shirley Ann Amos	Jessica Gottwald	Manfred Martin
Christine Augustine	Megan Haan	Robyn Maxson
William Bennett	Rodney Halcomb	Shelly Misak
Ruth Berjawi	Dana Hatfield	Gary Mitchell
George Beuckelaere	David Harris	James Mitchell
Ann Brissette	Kimberly Harris	Shelby Nowak
James Bloomfield Jr	Julie Henderson	Angela Palomaki

Sandra Bloomfield	Pamela Herbert	Veronica Pero
Jamie Calder	Robert Heuermann	Julie Pieper
Kurt Calder	Paula Hochstetler	Sabrina Pritchett-Evans
Veronica Carra	William Hochstetler	Melvin Reeves
Mark Chilcott	Daniel Hoffman	Rene Saar
Christian Chojnowski	Dennis Kehoe	Paul Seals
Kelly Cox	Gail Koporetz	David Stevens
Dana Craft	Kimberly Kourtjian	Kathy Stoll
Emily Crawford	Rebecca Larsen	Debra Thompson-Smith
Shelby Crouse	Bruce Lenardson	Jeremy Smith
Theresa Devries	Cindy Little	Heather Triqueros
Patricia Doran	Kevin Little	Sandra Vanderlugt
John Thomas Elieff	Thomas Little	Ronald White
Kerry Lynn Elieff	Joshua Losota	Todd White
Sarah Gage	Sarah Losota	Vincent Wilson
Taukir Gill	Lorraine Malackowski	

FURTHER AFFIANT SAYETH NOT.

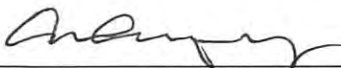
Dated: February 9, 2024



Kelly Sackett

STATE OF MICHIGAN)
) ss.
 COUNTY OF KALAMAZOO)

On February 9, 2024, before me, a Notary Public in and for said County, appeared KELLY SACKETT, who being by me duly sworn, signed this document and acknowledged her signature to be her free act and deed.



 Anne Ampey, Notary Public
 Kalamazoo County, Michigan
 My Commission Expires: 07/26/2025

ANNE AMPEY
 NOTARY PUBLIC - MICHIGAN
 KALAMAZOO COUNTY
 My Commission Expires Jul 26, 2025

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

KALAMAZOO COUNTY REPUBLICAN
COMMITTEE and KELLY SACKETT in her
capacity as KGOP Chair

Case No. 2024-0026-CZ

Plaintiffs

v.

RODNEY HALCOMB; KERRY LYNN
ELIEFF; EMILY CRAWFORD; ROBYN
MAXON; KRISTINA KARAMO; DANIEL J.
HARTMAN; JAMES M. COPAS; and
SECRETARY OF STATE JOCELYN
BENSON;

HON. CURTIS J. BELL

Defendants.

Matthew S. DePerno (P52622)
DEPERNO LAW OFFICE, PLLC
Attorney for Plaintiffs
951 W. Milham Avenue
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4000 Town Center, 9th Floor
Southfield, MI 48075
(248) 355-4141

Emily Crawford, *in pro per*
9427 Oakview Dr.
Portage, MI 49024

AFFIDAVIT OF NICOLE SABEL

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

I, NICOLE SABEL, being first duly sworn, depose and state as follows:

1. My name is Nicole C. Sabel and I am 18 years of age or older.
2. I am a member of the KALAMAZOO COUNTY REPUBLICAN COMMITTEE ("KGOP").
3. I was considering running for County Commissioner in District 3, Kalamazoo County. However, on February 8, 2024, because of the action taken by the fake KGOP, organized by Sabrina Pritchett-Evans, Kim Harris, and the defendants in this case Rodney Halcomb, Kerry Lynn Elieff, Emily Crawford, and Robyn Maxon, I have reconsidered my bid to run.
4. The confusion they have caused has disrupted the ability of the Republican voters to discern credible candidates for office. By misrepresenting themselves as the KGOP, this has had a negative impact on my ability to raise funds for my campaign.
5. Due to the KGOP having to defend themselves against a lawsuit, as well as having to prosecute a new lawsuit, funds that would have normally been available to candidates, like myself, are no longer available. This is a direct result of the actions of the Defendants and the other organizers mentioned above.
6. The continued impersonation of the KGOP by this group is causing irreparable damage.

FURTHER AFFIANT SAYETH NOT.

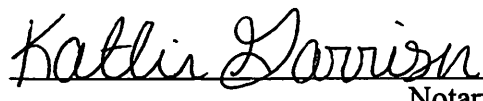
Dated: February 9, 2024



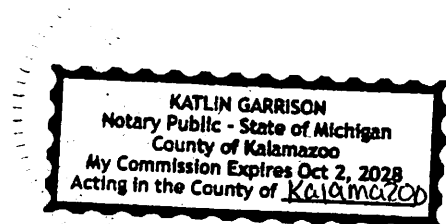
Nicole C. Sabel

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

On February 9, 2024, before me, a Notary Public in and for said County, appeared NICOLE SABEL, who being by me duly sworn, signed this document and acknowledged her signature to be her free act and deed.



, Notary Public
Kalamazoo County, Michigan
My Commission Expires: Oct 2, 2028



STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

KALAMAZOO COUNTY REPUBLICAN COMMITTEE and KELLY SACKETT in her capacity as KGOP Chair

Case No. 2024-0026-CZ

Plaintiffs

v.

HON. CURTIS J. BELL

RODNEY HALCOMB; KERRY LYNN ELIEFF; EMILY CRAWFORD; ROBYN MAXON; KRISTINA KARAMO; DANIEL J. HARTMAN; JAMES M. COPAS; and SECRETARY OF STATE JOCELYN BENSON;

Defendants.

Matthew S. DePerno (P52622)
DEPERNO LAW OFFICE, PLLC
Attorney for Plaintiffs
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AFFIDAVIT OF ROGER McMILLAN

STATE OF MICHIGAN)

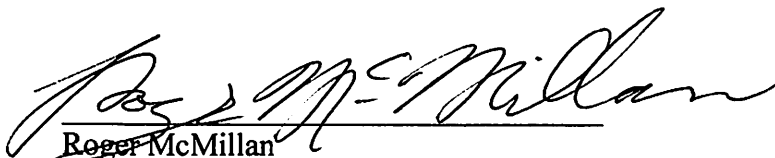
COUNTY OF KALAMAZOO)
) ss.

I, ROGER McMILLAN, being first duly sworn, depose and state as follows:

1. My name is Roger McMillan and I am 18 years of age or older.
2. I am a member of the KALAMAZOO COUNTY REPUBLICAN COMMITTEE ("KGOP").
3. I was contemplating a run for County Commissioner in District 5, Kalamazoo County. However, on February 7, 2024, I decided to not run based in large measure on the impact of the fake KGOP, organized by Sabrina Pritchett-Evans, Kim Harris, and the defendants in this case Rodney Halcomb, Kerry Lynn Elieff, Emily Crawford, and Robyn Maxon.
4. By claiming to be us, they have divided and confused that portion to the voting population who would normally support a Republican candidate. They have likely degraded my ability to raise donations to support my candidacy because of the uncertainty of my legitimacy in representing the KGOP.
5. By claiming to be us they have forced the legitimate KGOP to defend its name, and therefore expend large amounts of time, energy and money which would otherwise be spent supporting candidates like myself.
6. The group impersonating the KGOP has done noticeable damage, and continues to cause damage every additional day they claim to be us.

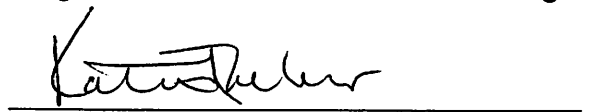
FURTHER AFFIANT SAYETH NOT.

Dated: February 9, 2024


Roger McMillan

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

On February 9, 2024, before me, a Notary Public in and for said County, appeared ROGER McMILLAN, who being by me duly sworn, signed this document and acknowledged his signature to be his free act and deed.


_____, Notary Public
Kalamazoo County, Michigan
My Commission Expires: Jan 26, 2026

KATIE FULLMER
Notary Public - State of Michigan
County of Kalamazoo
My Commission Expires Jan. 26, 2026
Acting in the County of Kalamazoo

Exhibit 7

**BYLAWS
REPUBLICAN PARTY OF KALAMAZOO COUNTY
STATE OF MICHIGAN**

I. NAME

The name of the Kalamazoo County Republican Committee shall be the Republican Party of Kalamazoo County, State of Michigan. Hereafter, it will be known as *the Party*.

II. PURPOSES

The purposes of this Party shall be to

- Promote the ideals and policies of the Republican Party,
- Perform all duties required of the Party, its Committee, its Executive Committee and Officers, by law (Michigan Election Law, 1954 Act 116, effective June 1, 1955, as amended), those delegated or advanced by the Republican National Committee and the Republican State Committee and such other duties not prohibited by law as will benefit the Party.
- Recruit and assist candidates for public office and manage the affairs and business of the Party.

III. COUNTY EXECUTIVE COMMITTEE

1 – Establishment

This committee is established by law (section 168.599 MCLA) and State Party Rules.

2 – Duties

The duties of the Executive Committee shall be to establish general policy and to conduct the affairs of the Party in accordance with these bylaws.

3 – Membership

The membership of the Executive Committee shall be as follows:

A. Those persons who shall have been most recently nominated at the last two (2) preceding fall primary elections for county and state legislative offices in the fall elections of even numbered years. These persons shall be known as *Statutory Members* of the Executive Committee.

B. A number of persons, equal to the number of candidates of the Party for election to county and state legislative office in Kalamazoo County, shall be selected by the precinct delegates to the Fall County Convention of the Party taking place in even-numbered years. These persons shall be known as *Elected Members* of the Executive Committee.

C. The President or Chairman of any Republican Organization in Kalamazoo County shall be an ex-officio, nonvoting member of the Executive Committee. The committee may appoint other ex-officio members by majority vote. Ex-Officio members shall have a voice on the Executive Committee, but not a vote.

4 – Selection

A. The precinct delegates to the Fall County Convention shall convene at the call of the Party Chairperson within twenty (20) days following the November election for the purpose of selecting the Elected Members of the Executive Committee. [MCL 168.599(1)]

B. The nomination of the delegate appointed members of the Executive Committee shall be made by a Convention Nominating Committee consisting of seven (7) members, who shall be appointed by the County Chair and approved by the Executive Committee, one member shall be a county official candidate and one a state official candidate, at least thirty (30) days prior to the November convention called for the purpose of selecting the delegate members. The minimum number of candidates nominated by the Convention Nominating Committee shall be the number of delegate appointed members to be selected at the convention. They shall be nominated prior to the County Convention and their names imprinted upon a ballot which shall also provide blank spaces for additional nominees to be nominated by the delegates attending the convention.

5 – Term of Office

The term office of the Elected Members of the Executive Committee commences at the adjournment of the Fall County Convention and terminates at the adjournment of the Fall County Convention two years later.

6 – Vacancies

A. If a vacancy occurs in the position of a Statutory Member of the Executive Committee and there is a special election held to fill the office, the vacancy may only be filled by the person who is the new Republican nominee for the office in question. If the office is filled by appointment and the new official is a member of the Party, he shall fill the vacancy and if an Elected Member, shall surrender this position.

B. If a vacancy occurs in the position of an Elected Member of the Executive Committee, the remaining Elected Members of the Executive Committee shall select a person to fill the vacancy by majority vote, with a runoff if necessary. The committee members shall receive a minimum of ten (10) days notice prior to any vote to fill a vacancy.

7 – Roles and Responsibilities of Executive Committee Members

A. All members of the Executive Committee are expected to participate fully in promoting the goals and purposes of the Party.

B. Each Executive Committee member shall be a registered voter in Kalamazoo County. Executive Committee members have the right to vote on all matters which come before the Executive Committee, except as otherwise provided by these bylaws.

C. They also shall be dues-paying members of the organization, and attend all regular and special meetings unless unable to do so. If a member's dues are not paid by February 1, his power to vote shall be suspended until they are paid.

D. Elected Members are subject to removal from the Executive Committee should they fail to fulfill the responsibilities of their office. These responsibilities include, but are not limited to attendance at regular monthly meetings, special meetings and sponsored events of the

organization. Elected Members who are unable to attend a regular monthly or special meeting have a responsibility to notify the Chairperson, or another officer of the Executive Committee of their inability to attend. Their failure to do so will be classified as an unexcused absence. **Elected Members who have three consecutive unexcused absences, or six unexcused absences in a calendar year are subject to dismissal from the Executive Committee.**

E. A motion to consider the removal of an Elected Member from the Executive Committee requires a two-thirds vote of the Elected Members present at a regular meeting of the committee. If the motion to consider removing an Elected Member is approved, a letter must be sent to the delegate informing him of the action taken, and the right to appear at the next regular meeting of the organization to appeal the action taken. Final approval to remove an Elected Member requires a two-thirds vote of the members present at the meeting held subsequent to the one where the motion to consider removing an Elected Member was approved.

8 – Selection of Officers, Term and Vacancies:

A. Within thirty (30) days following the convening of the Fall County Convention (convened in even numbered years), the Executive Committee shall meet and select a temporary chairperson and a temporary secretary. The temporary officers shall serve only during the selection of the officers of the Executive Committee, who shall also serve as the officers of the County Committee for the two (2) years commencing on January 1 next (odd numbered years). Newly elected officers shall be sworn in at the December Executive committee meeting.

B. The officers of the Executive Committee and the County Committee shall be: The Chairperson, Vice-Chairperson, Secretary and Treasurer.

C. If a vacancy occurs in the office of the Chairperson, the Vice-Chairperson shall automatically assume the duties and powers of this office. Any other vacancies shall be filled by election of the Executive Committee at the next Executive Committee meeting.

D. The Committee has the power to elect other officers as they determine are necessary.

E. An officer of the Executive Committee can be removed from office or a vacancy in an office may be declared by a two thirds vote of the members of the committee, provided, however, that such person shall be furnished with notice in writing that removal will be sought, and the grounds upon which such action is based, and signed by not less than one third of the members of the Committee. Such person shall be given 30 days to appear and respond to the allegations. The Chairperson is required to include the letter to remove on the agenda of the next regular meeting after the 30 days and entertain a motion pursuant to the request. The Chairperson must allow for discussion of the motion to remove. The Vice-Chairperson shall preside as Chairperson at the next regular meeting should the Chairperson be the subject of the motion.

IV. DUTIES OF OFFICERS

1 – Chairperson

A. In all official business, the Chairperson shall be referred to as Chairman or Chairwoman, as appropriate.

B. The duties of the Chairperson shall be those provided by law and also such other duties not prohibited by law as may be required by action of the Executive Committee, including but not limited to the following:

- The Chairperson shall preside at all meetings of the executive committee and shall be an ex-officio member of all standing committees.
- The Chairperson shall be responsible for directing the day-to-day affairs of the organization and shall coordinate the activities of the Republican Party organizations within the County.
- The Chairperson shall submit reports to the Executive Committee, as may be required by action of the Committees; shall keep the Committees informed of Republican Party programs and activities; and may assign to other officers and committees such duties as may be necessary.
- The Chairperson shall be the official spokesperson and shall oversee media relations unless the Executive Committee appoints another person to fill that role.
- The Chairperson shall call and preside over all meetings of the Executive Committee.

2 – Vice-Chairperson

A. In all official business, the Vice-Chairperson shall be referred to as Vice-Chairman or Vice-Chairwoman, as appropriate.

B. The Vice-Chairperson shall preside at meetings of the Executive Committee in the absence of, or at the request of the Chairperson and shall perform such other duties as directed by the Chairperson and/or the Executive Committee. In the event the Chairperson is unable to act, the powers and duties of the Chairperson shall be assumed by the Vice-Chairperson until such inability is removed or until the Chairperson shall again take up the duties of the office.

3 – Secretary

The Secretary shall perform all the duties normally incident to the office of Secretary and in particular shall keep a permanent record of the minutes and attendance at all meetings of the Executive Committee, shall make these records available for inspection and copying by any member of the Committee who requests the minutes of the most recent meetings and shall see that all notices are duly given as required by law and by these bylaws.

4 – Treasurer

A. The Treasurer shall have the care and custody of all monies paid to the Party and shall deposit the same in the name of the Party in a bank designated by the Executive Committee and shall pay all duly authorized bills. The Treasurer shall be responsible for the proper and timely filing of all financial reports required by law.

B. The Treasurer shall keep an account, in permanent records, of all financial transactions of the Party. A statement of financial conditions (revenues, expenditures, outstanding obligations and cash balances) will be made at each regular meeting of the Executive Committee. Upon reasonable request, all records shall be open to inspection.

C. Within 30 days of the close of each calendar year, the Treasurer with the assistance of the Finance and Budget Committee shall prepare an annual, accurate statement as of December 31st of each year setting forth the financial condition of the Party. The Treasurer shall forward this report to the officers by the first day of February for the year following and shall present a copy of the report to the Executive Committee at its next regular meeting.

D. Upon leaving office, the Treasurer shall furnish to his successor all funds, accounts and other property pertaining to the affairs of the Treasurer.

V. MEETINGS

1 – Regular Meetings

Regular meetings of the Executive Committee shall be held at least once in each calendar month at a time and place to be determined by the Chairperson, provided, however, that by a majority vote of the elected and appointed members of the Executive Committee the regular meetings of the Executive Committee may be held every second month. The Chairperson may cancel a meeting if extenuating circumstances arise. During convention months, the Executive Committee meeting will precede the county convention.

2 – Special Meetings

Special meetings shall be called by the County Chairperson upon the written request of the number of members of the Executive Committee that would constitute a quorum or by the County Chairperson on his own motion. Upon receipt of such a request, the Chairperson has up to five business days to schedule the special meeting. It shall be scheduled between five and ten business days after its time is decided. Notice of special meetings must be given to all Executive Committee members when its time is decided and must specify the purpose(s) of the meeting.

3 – Quorum

A quorum of the Executive Committee shall consist of at least 30 per cent of the total voting members of the Executive Committee. The affirmative vote of a majority of those present shall be necessary to take formal action, except as otherwise provided herein or by law.

4 – Electronic Votes

In the event of an urgent matter which cannot wait until the next Executive Committee meeting, the Chairperson may call for an electronic vote. Such a motion is non-amendable and non-debatable. The vote will be conducted by email and members shall have 48 hours to vote. The results of the vote shall be reported at the next Executive Committee meeting.

5 – Robert’s Rules of Order

The rules contained in Robert’s Rules of Order, Newly Revised, shall generally govern the Executive Committee in all cases where they are applicable and in which they are not inconsistent with these bylaws or special rules of order of the Executive Committee. A vote of one third of the members present at the Executive Committee meeting will suffice to strictly apply Robert’s Rules for the remainder of that meeting. The Chairperson may appoint a parliamentarian to assist in the interpretation of these bylaws or Robert’s Rules of Order, Newly Revised. The person appointed as parliamentarian need not be a member of the Executive Committee.

6 – Proxies

Candidates for legislative offices consisting of more than one county may give a written proxy to other members of the Executive Committee. No other proxies shall be permitted.

VI. COMMITTEES

1 – Membership

A. At the first Executive Committee meeting following the selection of the new Chairperson, Executive Committee members shall volunteer for standing committees. Each Executive Committee member shall be an active member of at least one standing committee. Each committee shall select a chairman. All members of standing committees must be members of the Party, but need not be Executive Committee members. Party members and unsuccessful applicants for Executive Committee should be contacted and encouraged to join committees.

B. The Chairperson and Vice-Chairperson of the Executive Committee shall be ex-officio members of each of the standing committees, with full voting rights. The Executive Committee Chairman, Vice-Chairman and Treasurer shall be members of the Finance and Budget Committee with full voting rights.

C. At least one of the members of the Executive Committee shall be on each standing committee.

2 – Scope and Structure of Committees

A. The general scope, but not the details of the activities of each committee, shall be determined from time to time by resolution of the Executive Committee.

B. Nothing herein shall prohibit the appointment of other committees as are deemed necessary by the Executive Committee.

3 – Standing Committees:

A. Finance and Budget

Mandates:

- Develop a budget for the Party at the beginning of each year and submit it to the Executive Committee for approval.
- Oversee party spending to make sure that the Party stays on budget.
- Evaluate the dues structure of the Party as necessary.

B. Fundraising

Mandates:

- Solicit donors to raise money for the Party. Solicitation can be by mail, email, or in person.
- Develop and oversee fundraising events to raise money for the Party.
- Events should include, but not be limited to Lincoln Day, which could be run by a subcommittee.
- Set a specific goal for how much money should be raised.

C. Outreach and Public Relations

Mandates:

- Reach out to groups that share common interests, generally by attending their meetings. Such groups include, but are not limited to Tea Party, homeschoolers, gun groups, churches, businesses, College Republicans, Young Republicans, farmers, Michigan Townships Association.
- Coordinate writing of letters to the editor concerning elections and other important issues.
- Assist the leadership in writing press releases and opinion pieces. Anything appearing under the name of the Party should be approved by the Chairman or the Executive Committee.
- Make recommendations for changes or additions to the website. (The committee would not necessarily control the website; it would submit changes for execution.)
- Participate in functions to get the Party name out. These could include parades, softball games, candidate forums, etc.

D. Volunteer Coordination

Mandates:

- Obtain information on Party volunteers from databases, candidates, and other sources.
- Pass this information to committee chairmen to contact volunteers.
- Work with staff to examine and keep up to date the Party database.

E. Candidate Recruitment and Assistance

Mandates:

- Recruit candidates for offices without qualified Republicans running. Coordinate recruitment so that more than one candidate is not recruited for the same office.
- Recruitment should include nonpartisan offices such as city commission, school board, and library board.
- Meet with candidates immediately after the filing deadline (primary in the case of contested partisan primaries in which the Party has not endorsed) and offer assistance and advice from elected officials and experienced campaign managers and office workers. (This is particularly for first-time candidates.)
- Put together booklets of relevant information to give to candidates and offer information about campaign schools.
- Attempt to ensure that candidates in competitive elections actively campaign for office. Intervene when needed.
- Maintain contact with current elected officials and inform them of local events.

F. Planning

Mandates:

- _ Evaluate rules and bylaws as necessary.
- _ Create and maintain a Master Copy of Party bylaws and policies.
- _ Develop a Strategic Plan for the Party at the beginning of every two-year cycle and submit to the Executive Committee for approval. Incorporate the goals of the officers.

- Develop plans to reform the structures and functions of the Kalamazoo GOP and submit them to the Executive Committee for approval as necessary.

4 – Reports

Committees should submit written reports to the Secretary after each meeting for dissemination by email to the Executive Committee. Reports should include specific information on what the committees did to achieve their mandates (e.g. how many dollars raised, letters written, etc.) Committees should meet when necessary. This may not be every month.

VII. DISPERSEMENT OF FUNDS

1 - Regulations

The receipt, maintenance and disbursements of funds on behalf of the Party shall be in accordance with written regulations and policies adopted by the Executive Committee. Such regulations and policies shall be recommended by the Finance and Budget Committee and shall be effective upon approval by a majority of the Executive Committee.

2 – Banking and Appropriation of funds

All organization funds contributed to or received on behalf of the Party shall be deposited in a bank. All expenditures, withdrawals or appropriations therefore shall be made only upon the authorization of the Officers or the Executive committee. The Executive Committee may authorize the expenditure of small amounts by the Chairperson without prior approval. Checks shall be drawn by the Treasurer and countersigned by the Chairperson, or another officer.

3 – Intent

All Party funds should be used to further the Party’s purposes and goals.

XIII. AMENDMENTS, POLICIES, ENDORSEMENTS

1 – Amendments

All proposed amendments to these bylaws shall be first submitted in writing and presented to the Executive Committee at least one month prior to the date on which such proposed amendments are to be voted. They shall be referred to the Planning Committee for study, and it shall make its report on said amendments to the Executive Committee. Adoption of an amendment requires a majority vote of the total voting membership of the Executive Committee.

2 – Policies

The Executive Committee may implement policies by majority vote, provided that they do not conflict with these bylaws. All proposed policies shall be first submitted in writing and presented to the Executive Committee at least one month prior to the date on which such proposed policies are to be voted. They shall be referred to the Planning Committee for study, and it shall make its report on said policies to the Executive Committee.

3 - Endorsements

The Executive Committee may endorse, support or disavow an individual candidate in contested Republican primary election; provided that resolution to endorse or disavow a particular

candidate be adopted by two thirds (2/3) of the Executive Committee present and voting and provided notice of the resolution is given at least one month prior to the date on it is to be voted, with the consent of the candidate to be endorsed where an endorsement is proposed.

IX. EFFECTIVE DATE OF THESE BYLAWS AND AMENDMENTS TO THEM

These Bylaws and all amendments to them are effective upon their adoption by the Executive Committee; and they supersede all prior motions/resolutions adopted in Executive Committee meetings.

Adopted by the Kalamazoo County Republican Party Executive Committee April 19, 2012.

Amended by the Kalamazoo County Republican Party Executive Committee December 8, 2014.

Amended by the Kalamazoo County Republican Party Executive Committee February 9, 2015..

Exhibit 8

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

ARTICLE 1 – NAME

1.1. The Kalamazoo County Republican Committee is the oldest standing Republican County committee in the state of Michigan. It shall be known as the Republican Party of Kalamazoo County, State of Michigan (KGOP).

1.2. The KGOP may sometimes be referred to herein as "the Party."

ARTICLE 2 – PURPOSES

2.1. The purpose of the KGOP shall be to promote Republican values and the Republican National Committee (RNC) platform, support Republican candidates, and assist Republican elected officials in representing Kalamazoo County.

2.2. The KGOP Executive Committee (as defined hereinafter) may review the party platform of the RNC and vote whether to support it in whole or in part. Alternatively, the KGOP Executive Committee may adopt a Statement of Values expressing the KGOP's core values.

ARTICLE 3 – GOVERNING PRINCIPALS

3.1. The KGOP is a self-governing private political organization. The KGOP is free to govern itself and control its membership free from interference of the Michigan Republican State Committee (MRP), district committees, or other county committees.

3.2. The KGOP shall be a non-profit organization, and no part of the income and assets of the KGOP shall benefit any of its members except for the reimbursement of actual expenses, reasonable compensation for services if the KGOP approves, or a contribution for electing a member to office if the KGOP approves.

3.3. The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern the KGOP in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Executive Committee may adopt. The County Chair may appoint a parliamentarian with the approval of the Executive Committee to assist in the interpretation of these bylaws or *Robert's Rules of Order, Newly Revised*. The person appointed as parliamentarian need not be a member of the Executive Committee.

3.4. On a vote that is not a ballot, if a majority vote is required and there is a tie, the County Chair may vote in the affirmative to cause the motion to prevail. If there is one more in the affirmative than in the negative, the County Chair can create a tie by voting in the negative to cause the motion to fail. Similarly, if a two-thirds (2/3) or three-fifths (3/5) vote is required, the County Chair may vote either to cause, or to block, attainment of the necessary two-thirds (2/3) or three-fifths (3/5).

3.5. Votes shall not be taken by secret ballot at any meeting of the KGOP.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

3.6. No member of the KGOP shall be permitted to speak on behalf of, represent, or act on behalf of the KGOP unless they receive express written consent from the County Chair. This includes, but is not limited to, all social media, electronic communications, print communications, websites, airwave media, or print media. Official documents of KGOP, bearing the logo or disclaimer, may not be altered by those who reproduce them for any purpose.

ARTICLE 4 – MEMBERSHIP

KGOP Members

4.1. A member of the KGOP shall be any legal resident of Kalamazoo County age 16 years or older who has filed a current KGOP membership form with the KGOP.

4.2. The KGOP has the right to deny the membership application of any individual for any reason by a three-fifths (3/5) vote of the Executive Committee members present at a regularly scheduled Executive Committee meeting or at a Special Meeting.

4.3. Any member may be removed from the KGOP for any reason by three-fifths (3/5) vote of the Executive Committee members present at a regularly scheduled Executive Committee meeting or at a Special Meeting.

Membership Required for Vote and Office

4.4. In order to vote at any convention, caucus, or meeting of the KGOP, a person must be a member of the KGOP in good standing for at least six (6) months prior to that convention, caucus, or meeting. Precinct Delegates, Republican elected officials, and Republican nominees to partisan offices are exempt from the six (6) month advance membership requirement; provided, however, Precinct Delegates, Republican elected officials, and Republican nominees to partisan offices must be a member of the KGOP in order to vote at any convention, caucus, or meeting of the KGOP.

4.5. In order to be elected or appointed to, and to hold any Party Office in the KGOP, a person must be a member of the KGOP in good standing for at least six (6) months prior to election or appointment, and maintain membership during the term of office. If KGOP membership lapses while that person holds Party Office, all rights and privileges of that office are suspended until membership is renewed, at which time all rights and privileges are immediately restored.

4.6. The term "Party Office" includes (a) Kalamazoo County Precinct Delegate or alternate; (b) District convention or caucus delegate or alternate; (c) State convention or caucus delegate or alternate; (d) officer or members of the KGOP or the KGOP executive committee; (e) officer or member of the 4th district committees or executive committee; (f) officer or member of the 5th district committees or executive committee; (g) officer or member of any MRP committee or MRP executive committee; and (h) members of any county, district, or state standing ad hoc committees.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

ARTICLE 5 – COUNTY CONVENTION

Scheduling and Notice

5.1. The County Chair shall be the only person who can issue a Call to Convention and conduct county conventions. Any KGOP member(s) or Precinct Delegate(s) who issue a "Call to Convention" without authorization of the County Chair shall immediately be removed as a member and/or as a Precinct Delegate. Such removal shall occur automatically by operation of these bylaws. No vote shall be necessary.

5.2. The County Chair is responsible for giving notice of the county conventions held in every two-year election cycle as well as any other special convention. Notice of all county conventions shall be given by electronic mail whenever possible and by regular mail to those members without email access or who request to be notified by regular mail. If there is any doubt as to whether a member has email access, the member shall be sent notice by regular mail. All notices shall be sent no less than fifteen (15) days prior to the convention.

Convention Rules

5.3. The KGOP shall publish proposed convention rules on the KGOP website at least two (2) months prior to any county convention.

5.4. At county conventions, the County Chair shall preside until the Permanent Convention Chair is elected.

5.5. No member shall give a proxy for representation at county convention.

5.6. In addition to the proportionate number of delegates allocated to each county or district to be elected to attend a State Party convention, all incumbent members of the state legislature and the Michigan Congressional Delegation shall be entitled to attend a State Party convention as delegates at-large of the congressional district in which he or she resides. The County Chair and County Vice Chair shall be automatic Delegates to District and State Caucuses and Conventions.

Business

5.7. If convention business includes election of delegates and alternates to state convention, the County Chair shall form a nominating committee not less than 90 days prior to the convention. The nominating committee shall recommend the manner of delegate and alternate selection (ballot, slate, floor nominations, etc.), which shall generally be in keeping with standard *Roberts' Rules of Order, Newly Revised*, no later than the regularly scheduled Executive Committee meeting immediately prior to the convention. The manner of delegate and alternate selection shall be approved by the Executive Committee as a whole as prescribed by the KGOP bylaws.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

Precinct Delegate Vacancies

5.8. Vacant Precinct Delegate positions may be filled at a county convention from a list of qualified candidates nominated by Executive Committee members at the preceding Executive Committee meeting prior to the county convention. Additional nominations may be offered in writing by others, provided such candidate names and addresses are provided and published to members of the Executive Committee no less than two (2) weeks prior to the county convention. Such nominees may be elected by a majority vote of eligible voters and will commence at the conclusion of that county convention (newly elected Precinct Delegates may not vote on convention business in the convention in which they are elected).

ARTICLE 6 – COUNTY EXECUTIVE COMMITTEE

Establishment

6.1. An Executive Committee of the KGOP shall be established as provided by these bylaws, including but not limited to Section 4.6.

6.2. A county convention shall be held within twenty (20) days after the November general election in even-numbered years to elect the non-candidate members of the KGOP Executive Committee.

Duties

6.3. The duties of the Executive Committee shall be to establish general policies and procedures to conduct the affairs of the KGOP in keeping with its mission statement and party platform or Statement of Values as adopted in Article 2. The Executive Committee may, at its discretion, foster, promote, recognize, and aid organizations in Kalamazoo County and cooperate with other Republican organizations.

6.4. Delegate Elected Members shall volunteer to serve on at least one (1) special committee, volunteer for at least one (1) fundraising dinner, and assist in promoting ticket sales to all KGOP fundraising efforts.

Composition of the Executive Committee

6.5. The Executive Committee shall consist of Statutory Members and Delegate Elected Members, as prescribed herein. All members of the Executive Committee shall be in good standing as defined by the membership committee.

Statutory Members

6.6. Statutory Members shall be the persons nominated as Republican candidates for the following offices in the last election: County Clerk, Treasurer, Sheriff, Prosecutor, Drain Commissioner, County Surveyor, County Commissioners, State Representative(s), State Senator(s), and U.S. House whose district include all or part of Kalamazoo County. These persons shall be known as Statutory Members of the Executive Committee.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

6.7. Statutory Members shall serve until their elected office term expires or they resign.

6.8. Vacancies will be filled by the new nominee for the office vacated for the remainder of their term, or in the absence of a new nominee, the Executive Committee may fill the statutory member seat as they deem necessary with a replacement nominee.

Delegate Elected Members

6.9. Delegate Elected Members shall consist of 24 members. There shall be two groups, each consisting of 12 members. The two groups shall stagger every two years. Every even number-years the KGOP membership shall elect twelve (12) nominees at the Fall county convention.

6.10. At the time of adoption of these bylaws, the existing Executive Committee Delegate Elected Members shall be seated in the newly created Delegate Elected Member seats.

6.11. Any Delegate Elected Member who is absent unexcused at three (3) meetings of the Executive Committee in a calendar year shall be considered to have resigned from the committee.

Election Procedure

6.12. A Nominating Committee may be appointed by the Executive Committee (of the preceding term) to nominate a slate of candidates for the Executive Committee, subject to approval by two-thirds (2/3) of delegates voting. Failing approval by two-thirds (2/3), or if no slate is nominated, nominations shall be taken from the floor of the convention. Following close of nominations, each name will be called and the votes tabulated. Delegates may vote for up to as many candidates as are to be elected. Those receiving the most votes up to the number to be elected are elected. Ties are resolved by lot. Names, addresses, phone numbers and emails of all persons so selected shall be provided to the Secretary before the close of the convention by the delegates making the nomination of those persons.

Term

6.13. The term of office of a county Executive Committee commences at the adjournment of the post-election county convention and terminates at the adjournment of the next even numbered year post-election county convention. A two (2) year term shall be known as a single term, a four (4) year term shall be known as a double term. A Statutory Member term shall be determined by the number of years of their nominated office. Delegate Elected Members shall be double terms.

Ex-Officio Members

6.14. There shall be no ex-officio members to the Executive Committee.

Member Vacancies

6.15. If a vacancy occurs, it shall be announced at a regularly scheduled meeting of the Executive Committee and an election to fill the vacancy shall be placed on the agenda for the next regularly scheduled meeting.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

Executive Committee Policies

6.16. The Executive Committee may implement policies by majority vote so long as they do not conflict with these bylaws. All proposed policies shall be first submitted in writing and presented to the Executive Committee at least one month prior to the date on which such proposed policies are to be voted. They shall be referred to the Planning Committee for study, and it shall make its report on said policies to the Executive Committee.

Removal of Delegate Elected Member

6.17. Delegate Elected Members are subject to removal from the Executive Committee should they fail to fulfill the responsibilities of their office. These responsibilities include, but are not limited to attendance at regular monthly meetings, special meetings, and sponsored events of the organization. Delegate Elected Members who are unable to attend a regular monthly or special meeting have a responsibility to notify the County Chair, or another officer of the Executive Committee of their inability to attend. Their failure to do so will be classified as an unexcused absence. Delegate Elected Members who have three consecutive unexcused absences, or six unexcused absences in a calendar year are subject to dismissal from the Executive Committee.

6.18. A motion to consider removal of a Delegate Elected Member from the Executive Committee requires a simple majority vote by the Executive Committee members present at a regular or special meeting.

a. If a motion to consider removal of a Delegate Elected Member is approved:

(i) A letter shall be sent, within five (5) days after the decision to remove was passed and no less than five (5) days prior to the next regular monthly meeting (via USPS and an email notification), to the Delegate Elected Member subject to removal informing the member of the action taken.

(ii) The Delegate Elected Member then has the right to appear before the Executive Committee at the next regular monthly meeting (following the mailing/post mark of the notification letter) to appeal the action taken.

b. Final approval to remove a Delegate Elected Member requires a two-thirds (2/3) vote by the Executive Committee members present at the regular monthly meeting subsequent to the meeting (regular or special) wherein the motion to consider removal was initially approved.

ARTICLE 7 – EXECUTIVE COMMITTEE MEETINGS

Meetings

7.1. Regular meetings of the Executive Committee shall be held as frequently as required to carry out its duties at times and places to be determined by the County Chair, except that the Executive Committee shall meet at least every quarter of each calendar year.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

Quorum

7.2. A quorum for all meetings of the Executive Committee shall be 30% of the voting membership of the Executive Committee.

Meeting Notices

7.3. The Secretary should provide notice of each meeting time and place to all members of the Executive Committee, by electronic email to the last email address provided to the Secretary whenever possible and by regular mail to those members without email access or who request to be notified by regular mail. If there is any doubt as to whether a member has email access, the member shall be sent notice by regular mail. All notices shall be sent no less than ten (10) days prior to the meeting, except as set forth in Section 7.4 for special meetings.

Special Meetings

7.4. Special meetings shall be called by the County Chair when he or she deem it advisable, and shall be called when requested by the number of members of the Executive Committee that would constitute a quorum. Upon receipt of such a request, the County Chair has up to five (5) business days to schedule and notice the special meeting to all Executive Committee members with the date, time, place, and purpose(s). The special meeting shall be held within ten (10) days after receipt of the request.

Electronic Votes

7.5. In the event of an urgent matter which must be addressed prior to the next Executive Committee meeting, the County Chair may call for an electronic vote. Such a motion is non-amendable and non-debatable. The vote will be conducted by email and members shall have 24 hours to vote. The results of the vote shall be reported at the next Executive Committee meeting.

Proxies

7.6. Statutory Members elected to State and Federal office or other Statutory Members authorized by the Executive Committee may give a written proxy to another member of the Executive Committee. All proxies shall be recorded by the Secretary prior to any meeting.

ARTICLE 8 – EXECUTIVE COMMITTEE OFFICERS

Officers

8.1. The officers of the Executive Committee shall be a Chair, Vice Chair, Secretary, Treasurer, and Youth Vice Chair. These officers need not be members of the Executive Committee; provided, however, they are subject to the Party Office requirement of Article 4. Officers who are not otherwise Executive Committee member (statutory or delegate elected) will have no voting rights on the Executive Committee.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

Election of Officers

8.2. The County Chair, County Vice Chair, Secretary, Treasurer, and Youth Vice Chair shall be elected by the Executive Committee within 30 days following the Fall county convention held in even numbered years. The County Chair shall appoint a Deputy Treasurer with the approval of the Executive Committee.

8.3. The Executive Committee, at the request of the Chair, may appoint additional officers. The term of office for KGOP Officers shall be for two (2) years commencing January 1 of odd numbered years.

8.4. There shall be no County Committee separate and distinct from the Executive Committee.

Vacancies

8.5. If a vacancy occurs in any office, that position will be filled by an election at a meeting of the Executive Committee. If a vacancy occurs in the office of the County Chair, the powers and duties of the County Chair shall be assumed immediately and automatically by the County Vice Chair until a new County Chair is elected by the Executive Committee. If a vacancy occurs in the office of the Treasurer or Secretary, the County Chair may appoint an interim officer until a new officer can be elected by the Executive Committee.

Removal

8.6. Any officer may be removed for any reason by a two-thirds (2/3) vote of the Executive Committee present and voting at a regularly scheduled Executive Committee meeting or at a Special Meeting.

Authority of the Officers

8.7. Any authority granted to any Officer, including the Deputy Treasurer, shall only be for two (2) years commencing January 1 of odd numbered years. Upon the end of their term, their resignation, or their removal all authority granted to them under these bylaws shall end.

ARTICLE 9 – DUTIES OF OFFICERS

County Chair

9.1. In all official business, the County Chair shall be referred to as "Chairman" or "Chairwoman," as appropriate. In all other cases, the County Chair may be referred to as the "County Chair," the "Chair," or "KGOP Chair."

9.2. The County Chair:

- shall perform the duties as such to preserve and protect the interest of the Party;
- shall call and preside at all meetings;
- shall be an ex-officio member of all standing committees and ad hoc committees;

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

- shall be responsible for directing the day-to-day affairs of the organization and shall coordinate the activities of the Republican Party Organizations within Kalamazoo County;
- shall submit reports to the Executive Committee, as may be required by action of the Committees;
- shall keep the Committees informed of Republican Party programs and activities;
- shall appoint members to standing and ad hoc committees, with confirmation by a majority of the Executive Committee;
- shall assign to other officers, committees, and members such duties as may be necessary;
- shall not authorize a contract for a time past the end of the County Chair's term in office, without the affirmative approval of the Executive Committee;
- shall not expend more than \$500 on an un-budgeted item without the affirmative approval of the Executive Committee;
- shall perform all other functions reasonably necessary to perform the duties of the chief executive officer of a political party, such as to preserve and protect the interest of the Party.

9.3. Upon leaving office, the County Chair shall turn over to the successor all funds, books, accounts, files, letters, records, papers, passwords, electronic credentials, and other property pertaining to or associated with the affairs of the KGOP.

County Vice Chair

9.4. In all official business, the County Vice Chair shall be referred to as "Vice Chairman" or "Vice Chairwoman," as appropriate. In all other cases, the County Vice Chair may be referred to as the "County Vice Chair," the "Vice Chair," or "KGOP Vice Chair."

9.5. The County Vice Chair:

- shall have all powers and duties of the County Chair while the County Chair is not reasonably able to act;
- shall preside at meetings of the Executive Committee in the absence of the County Chair, or at the request of the County Chair;
- shall be an ex-officio member of all committees of the Executive Committee;
- shall perform the duties assigned by the County Chair;
- shall have such other powers and duties as may be granted from time to time by the Executive Committee.

9.6. Upon leaving office, the County Vice Chair shall turn over to the successor all funds, books, accounts, files, letters, records, papers, and other property pertaining to or associated with the affairs of the KGOP.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

Secretary

9.7. The Secretary:

- shall keep records of all KGOP business including the names, addresses, telephone numbers, and email addresses of all members, committee members, and precinct delegates;
- shall give notice of all conventions and meeting to those entitled to notice;
- shall keep a permanent record of the minutes and the attendance at all the Executive Committee meetings;
- shall make these records available for inspection and copying by any member of the Executive Committee;
- shall furnish a copy of the minutes of the most recent meeting to any member of the Executive Committee;
- shall keep a list of all special committees formed by the County Chair and a list of the committee members appointed by the County Chair;
- shall notify all persons selected for membership on all committee;
- shall have such other powers and duties as may be granted from time to time by the Executive Committee.

9.8. Upon leaving office, the Secretary shall turn over to the successor all funds, books, accounts, files, letters, records, papers and other property pertaining to or associated with the affairs of the KGOP.

Treasurer

9.9. The Treasurer:

- shall have the custody and control of all KGOP accounts and funds in a bank designated by the Executive Committee;
- shall pay all bills charged to the KGOP as authorized by the Executive Committee;
- shall be responsible for the proper and timely filing of all financial reports required by law, including but not limited to campaign finance reports.
- shall keep an accurate account, in permanent record, of all receipts and disbursements of funds, using proper and orderly methods of keeping records; and said records, upon reasonable request, shall be open to inspection and examination by any member of the Executive Committee;
- shall render monthly and year to date statement of the revenues, expenditures, outstanding obligations, and cash balances of the KGOP, and submit such reports at each regular Executive Committee meeting;
- shall be a member of the Finance and Fundraising committees;

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

- shall keep the Deputy Treasurer informed of matters related to the office, as necessary, to insure a proper transition in the event of the Treasurers absence;
- shall have such other powers and duties as may be granted from time to time by the Executive Committee.

9.10. Upon leaving office, the Treasurer shall turn over to the successor all funds, books, account, files, letters, records, papers, and other property pertaining to or associated with the affairs of the KGOP.

Youth Vice Chair

9.11. The Youth Vice Chair:

- shall be responsible for organizing the KGOP Teenage Republicans Club, College Republicans Club, Young Republicans Club, and associated chapters;
- shall carry out other such duties as shall be assigned by the County Chair;
- shall be 35 years of age or younger at the time of the election.

Deputy Treasurer

9.12. The Deputy Treasurer:

- shall assist the Treasurer in capacity as Deputy Treasurer as determined by the Treasurer;
- shall not have voting powers;
- shall be a member of the Finance and Fundraising committees;
- shall have such other powers and duties as may be granted from time to time by the Executive Committee.

ARTICLE 10 – STANDING COMMITTEES

List of Standing Committees

10.1. The Standing Committees of the KGOP shall be:

- 1) Finance and Budget [10.5],
- 2) Events and Fundraising [10.6],
- 3) Outreach and Public Relations [10.7],
- 4) Volunteer Coordination [10.8],
- 5) Candidate Recruitment and Assistance [10.9],
- 6) Planning [10.10],
- 7) Membership [10.11],

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

- 8) Communication and Education [10.12],
- 9) Student Committee [10.13],
- 10) Resolutions Committee [10.14].

Membership

10.2. At the first Executive Committee meeting following the selection of the new County Chair, Executive Committee members shall volunteer for standing committees. Each Executive Committee member shall be an active member of at least one standing committee. Each committee shall have a Committee Chair, Committee Vice Chair, and Secretary. The Committee Chair must be a member of the Executive Committee. All members of standing committees must be members of the KGOP. Party members and unsuccessful applicants for the Executive Committee should be contacted and encouraged to join committees. The County Chair and Vice County Chair of the Executive Committee shall be ex-officio members of each of the standing committees, with full voting rights. The Executive Committee Chairman, Vice Chairman and Treasurer shall be members of the Finance and Budget Committee with full voting rights. At least one of the members of the Executive Committee shall be on each standing committee.

Scope, Structure, and Duties of Committees

10.3. The general scope, but not the details of the activities of each committee, shall be determined from time to time by resolution of the Executive Committee. Nothing herein shall prohibit the appointment of other committees as are deemed necessary by the Executive Committee.

10.4. Each Standing Committee:

- shall meet at the call of the Committee Chair, County Chair, or as directed by the Executive Committee;
- shall recommend policies to the Executive Committee;
- shall implement policies established in its area by the Executive Committee;
- shall submit an annual report to the County Chair and Secretary by December 31 of each year;
- shall have a chairperson and members appointed by the County Chair and confirmed by the Executive Committee;
- shall not assist candidates in contested primaries, absent an endorsement by the Executive Committee;
- shall have a term of two years, ending on December 31 of even years.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

Finance and Budget

10.5. The Finance and Budget Committee shall:

- develop a budget for the KGOP at the beginning of each year and submit it to the Executive Committee for approval;
- oversee party spending to make sure that the KGOP stays on budget;
- evaluate the dues structure of the KGOP as necessary.

Events and Fundraising

10.6. The Events & Fundraising Committee shall:

- solicit donors to raise money for the KGOP through mail, email, phone messaging, in person, or any manner or method that is effective;
- develop and oversee fundraising events to raise money for the KGOP;
- recommend policies regarding KGOP finances which assure financial accountability, stability, and legal compliance;
- plan and carry out all fundraising events, including but not be limited to Lincoln Day (which could be run by a subcommittee);
- oversee financial planning, including preparing an annual budget for the KGOP, which shall include specific goals for how much money should be raised;
- report plans to the Finance and Budget Committee

Outreach and Public Relations

10.7. The Outreach and Public Relations Committee shall:

- reach out to groups that share common interests, generally by attending their meetings. Such groups may include, but are not limited to grass roots, veterans, parents' groups, homeschoolers, gun groups, churches, businesses, College Republicans, Young Republicans, farmers, Michigan Townships Association, and others as may be necessary;
- coordinate writing of letters to the editor concerning elections and other important issues;
- assist the leadership in writing press releases and opinion pieces. Anything appearing under the name of the KGOP should be approved by the County Chair or the Executive Committee;
- participate in functions to get the KGOP name out. These could include parades, softball games, candidate forums, etc.

Volunteer Coordination

10.8. The Volunteer Coordination Committee shall:

- recruit, train, and place volunteers for central (non-precinct based) KGOP activities;

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

- obtain information on KGOP volunteers from databases, candidates, and other sources and use this information to contact volunteers;
- work with staff to examine, maintain, and expand the KGOP database of volunteers for KGOP activities;
- provide volunteer contact lists for other KGOP committees

Candidate Recruitment and Assistance

10.9. The Candidate Recruitment Committee shall:

- recruit and train candidates for public offices;
- research past elections, evaluate and recommend campaign strategies, and conduct postelection evaluations;
- coordinate recruitment so that more than one candidate is not recruited for the same office;
- recruitment should include nonpartisan offices such as city commission, school board, and library board;
- meet with candidates immediately after the filing deadline (primary in the case of contested partisan primaries in which the KGOP has not endorsed) and help these candidates establish benchmarks and goals;
- offer assistance and advice from elected officials and experienced campaign managers and office workers (this is particularly for first-time candidates);
- put together booklets of relevant information to give to candidates and offer information about campaign schools;
- attempt to ensure that candidates in competitive elections actively campaign for office;
- intervene when needed;
- maintain contact with current elected officials and inform them of local events.

Planning

10.10. The Planning Committee shall:

- evaluate rules and bylaws as necessary;
- review and recommend changes to these KGOP bylaws;
- create and maintain a Master Copy of KGOP bylaws and policies;
- develop a Strategic Plan for the KGOP at the beginning of every two-year cycle and submit to the Executive Committee for approval. Incorporate the goals of the officers;
- develop plans to reform the structures and functions of the Kalamazoo GOP and submit them to the Executive Committee for approval as necessary;

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

- be familiar with and guide the KGOP in its compliance with MRP Rules and with Michigan law relevant to KGOP operating procedures and practices.

Membership

10.11. The Membership Committee shall:

- report directly to the County Chair;
- manage and maintain membership records and provide them for establishing the credentials of delegates at county conventions and for satisfying the requirements of Article 4.
- organize efforts to increase membership;
- perform membership relations;
- notify KGOP members of membership expiration or termination;
- develop and establish requirement for members "in good standing."

Communication and Education

10.12. The Communication and Education Committee shall:

- create and maintain policies for KGOP logo's, identity, branding, and messaging;
- manage all social media and electronic communications for the KGOP;
- assist all members in utilization of technology to further the KGOP;
- manage and maintain the day-to-day operations of messaging as directed by the County Chair and Officers;
- research means of communicating KGOP message and activities to the public and our members and implement a program for the same.

Student Committee

10.13. The Student Committee shall:

- help better integrate the KGOP with the various student and youth (<35) led organizations in Kalamazoo;
- empower young people to get more involved in the political process and emphasis conservative principals;
- recruit young candidates to run for state and local office, and for KGOP and MRP leadership positions.

Resolutions Committee

10.14. The Resolutions Committee shall:

- receive and consider resolutions;

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

- edit them as necessary and forward them to the next meeting of the Executive Committee;
- attach a recommendation to the resolution at its discretion;
- research, write, and propose resolutions on its own initiative.

Additional Committees

10.15. Additional standing committees or ad hoc committees may be formed as needed by the Executive Committee.

Reports

10.16. The Committee Secretary should submit written reports to the KGOP Secretary, or as directed by the Secretary, after each meeting for dissemination by email to the Executive Committee. Reports should include specific information on what the committees did to achieve their duties (e.g. how many dollars raised, letters written, etc.) Committees should meet when necessary. This may not be every month.

ARTICLE 11 – CANDIDATES and ENDORSEMENT

Limitations on Support of Candidates

11.1. Only those officeholders and candidates who are members of the KGOP shall be eligible to receive election assistance of any kind from the KGOP, including endorsement. Judicial officeholders and judicial candidates are exempt from this requirement. Statewide candidates and federal candidates are exempt from this requirement.

Endorsements

11.2. A motion to endorse or disavow a ballot proposal may be adopted by a majority of the Executive Committee members present and voting without prior notice.

11.3. A motion to endorse or disavow a candidate must be made at a meeting of the Executive Committee. A motion to endorse or disavow a candidate for any office will not be in order prior to the filing deadline for that office. At the following meeting of the Executive Committee, they may, at their discretion, attach a recommendation to the motion to endorse or disavow. The motion shall be forwarded to the Executive Committee membership along with the notice of the next meeting at which the vote will be taken. Two-thirds (2/3) of the members present and voting are required to endorse or disavow a candidate.

Support of Candidates in Primary or Other Elections

11.4. A candidate for public office who is a member of the KGOP in good standing has the right to schedule use of the KGOP office with the Secretary and to place and distribute yard signs and literature at the office.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

11.5. Only candidates who have been endorsed may be considered for allocation of KGOP funds; included in phone banks, robo-calls, slate literature, or similar publicity sponsored by KGOP; and/or have access to the KGOP database.

ARTICLE 12 – CONFLICT RESOLUTION and REMOVAL

12.1. Precinct Delegates are county party positions who serve at pleasure of the Executive Committee.

12.2. The Executive Committee shall decide all controversies or conflicts arising within its jurisdiction. No outside organizations, individuals, groups, district committees, or state committees shall be permitted to decide or influence the decision of any controversies or conflicts that arise within Kalamazoo County.

12.3. Any Member or person elected in Kalamazoo County as a Precinct Delegate on the Republican side of the ballot may be censured, suspended, or removed from such position for any reason by the KGOP Executive Committee, including but not limited to the following:

- a) brings litigation against the KGOP, its Executive Committee, or its Officers
- b) openly supports a member of another political party, runs as a member of another political party, or works against the interest of a Republican candidate
- c) is so inactive, irresponsible, destructive, or misrepresentative to the values and/or affairs of the KGOP that harm has been caused to the KGOP; diminishes the reputation of public officials and with Republican candidates;
- d) failing to qualify as an elector;
- e) willful violation of these rules or working against the interest of the KGOP;
- f) inactivity, neglect, or refusal to perform the duties of the office or position;
- g) causes dissension within the KGOP by encouraging members to ignore the bylaws or directives;

12.4. Before the Executive Committee may undertake any action for censure, suspension, or removal, a written complaint setting forth the alleged causes for censure, suspension, or removal and signed by no fewer than 5 Members shall be filed with the County Chair with a copy to the Secretary.

12.5. Within 10 days after receipt of the complaint, the County Chair shall notify the accused and supply him/her with a copy of the charges. The accused may file a written answer to the charges within 14 days. At the conclusion of this period or upon receipt of the reply, the County Chair, or the County Vice Chair (in the event the charge is against the County Chair), shall refer it to the Membership Committee.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

12.6. The Membership Committee shall meet within 10 days to review the complaint and answer and may conduct a hearing into the matter upon a majority vote of the committee. Any hearing shall be conducted within 21 days of the meeting by the committee. Within 10 days after the hearing, or within 10 days after the initial meeting in the event no hearing is conducted, the committee shall send a recommendation to the Executive Committee, which shall then determine what action shall be taken if any, including censure, suspension, or removal by a vote of three-fifths (3/5) of the Executive Committee members present at any regular or special meeting for any reason. The accused shall have the right to attend the Executive Committee meeting in person and be heard or submit a written statement which shall be read at the meeting. The decision of the Executive Committee shall be final. There shall be no appeal.

12.7. Any current or former KGOP Member, non-member, or current or former Precinct Delegate who issues a "call to convention" or holds a convention without the authorization of the County Chair or otherwise in violation of these bylaws, shall be subject to removal (if not already removed) or shall be fined \$10,000 plus \$100 per day until paid, or both.

12.8. The KGOP is an autonomous self-governing private political organization. No other county committee, district committee, state committee, or political party committee may assert control over KGOP. In the event MRP or any of its committees, committeemen or committeewomen, officers, legal counsel, employees, or volunteers attempt to or does assert any control on any aspect of KGOP, its Statement of Organization, its membership, its Executive Committee, Officers, or operations, MRP shall be fined \$150,000 payable on demand plus \$1,000 per day until paid. The person or persons who attempts to or does assert any control shall be fined \$10,000 payable on demand plus \$100 per day until paid. These amounts may be cumulative.

ARTICLE 13 – DISBURSEMENT OF FUNDS

Regulations

13.1. The receipt, maintenance, and disbursement of funds on behalf of the KGOP shall be in accordance with written regulations and policies adopted by the Executive Committee. Such regulations and policies shall be recommended by the Finance and Budget Committee and shall be effective upon approval by a majority of the Executive Committee.

Banking and Appropriation of Funds

13.2. All organization funds contributed to or received on behalf of the KGOP shall be deposited in a bank. All expenditures, withdrawals or appropriations therefore shall be made only upon the authorization of the Officers or the Executive Committee. The Treasurer shall use commonly accepted accounting practices and guidance from the appropriate State and Federal regulations as such to maintain the organizations compliance in such therein.

Intent

13.3. All KGOP funds should be used to further the KGOP's purposes and goals.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

ARTICLE 14 – AMENDMENTS

Notice of Proposed Amendments

14.1. All proposed amendments to these bylaws shall be first submitted in writing and presented to the Executive Committee at least one month prior to the date on which such proposed amendments are to be voted.

14.2. The Executive Committee may refer any proposed amendment to the Planning Committee for additional study, which shall then make its report on said amendments to the Executive Committee.

Adoption

14.3. Adoption of an amendment requires a majority vote of the total voting membership of the Executive Committee.

14.4. These bylaws shall be in full force and effect upon their adoption and shall supersede all bylaws, rules, motions, and policies of a contrary nature.

14.5. Whenever amendments to the bylaws are adopted, the Secretary shall immediately submit the amended bylaws to the Secretary of the MRP State Central Committee in order to inform MRP of such amendments.

ARTICLE 15 – RESOLUTIONS

Adoption

15.1. Resolutions adopted on behalf of the KGOP must be approved at a regularly scheduled Executive Committee meeting by a simple majority vote of the members present.

Notice of Resolutions

15.2. Draft resolutions must be distributed to all Executive Committee members at least fourteen (14) days prior to the next regularly scheduled Executive Committee meeting. Any resolution brought forth without the required notice period shall be tabled until the next regularly scheduled Executive Committee meeting, unless the committee suspends said rule by two-thirds (2/3) vote.

ARTICLE 16 – MEMBERSHIP RESTRICTIONS

16.1. Any current or former KGOP Member, non-member, or current or former Precinct Delegate who brings, maintains, or assists in litigation or has brought, maintained, or assisted in litigation against the KGOP, its Executive Committee, or its Officers shall be removed from membership or delegate position and shall be ineligible for any future membership or delegate position for ten (10) years.

BYLAWS OF THE KALAMAZOO COUNTY REPUBLICAN COMMITTEE

16.2. Any current KGOP Member or current Precinct Delegate who brings litigation against the KGOP, its Executive Committee, or its Officers shall be required to file with the court clerk a bond with surety in an amount sufficient to cover all costs and other recoverable expenses that may be awarded by the trial court and appellate courts.

16.3. Any current or former KGOP Member, non-member, or current or former Precinct Delegate who openly supports a member of another political party, runs as a member of another political party, or works against the interest of a Republican candidate shall be removed from membership or delegate position and shall be ineligible for any future membership or delegate position for six (6) years.

16.4. Any current or former KGOP Member, non-member, or current or former Precinct Delegate who has been removed as a KGOP Member, as a member of the Executive Committee, or as a Precinct Delegate shall be removed from membership or delegate position and shall be ineligible for any future membership or delegate position for ten (10) years, or such other time as determined by the Executive Committee.

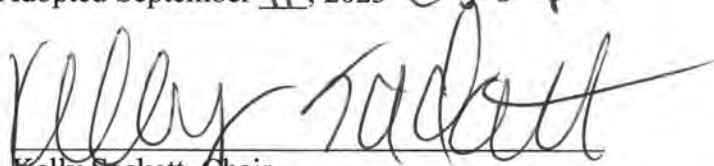
ARTICLE 17 – SEVERABILITY CLAUSE

17.1. If any of these bylaws shall be held to be illegal or invalid, in whole or in part, by a court of law of competent jurisdiction, the remaining portion or portions of such bylaws shall be considered severable and not be affected by such determination, and the rights and obligations of the parties shall be construed and enforced as if these bylaws did not contain the particular part, term or provisions held to be illegal or invalid.

ARTICLE 18 – DISSOLUTION

18.1. If the KGOP is dissolved all general funds and any other assets or holdings shall be dispersed as is determined by the Executive Committee.

Adopted September 11, 2023 @ 5:37pm


Kelly Sackett, Chair



Kathleen Olmstead, Secretary

Exhibit 9

BYLAWS
OF THE
MICHIGAN REPUBLICAN STATE
COMMITTEE

AS AMENDED DECEMBER 3, 2022

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ARTICLE I - Name

This Committee shall be identified as the Michigan Republican State Committee and for the purpose of these Bylaws, unless otherwise specified, shall be designated as the Committee. Notwithstanding the foregoing, the official name of this Committee shall be the “Michigan Republican Party”.

ARTICLE II – Purposes

The purposes of this Committee shall be as follows:

- A. To perform all duties delegated to a State Committee by law, and such other duties not prohibited by law.
- B. To direct, manage and supervise the affairs and business of the Republican Party in Michigan. This shall include, but shall not necessarily be limited to:
 - 1. work for the election of nominees of the Republican Party in Michigan; and
 - 2. work in close cooperation with other Republican state, district and county organizations.
- C. To adopt Bylaws by which the Committee shall be governed.

ARTICLE III - Membership And Vacancies

- A. Regular Members. The regular members of this Committee shall be seven (7) persons, no more than four (4) of which shall be of the same gender (one of whom shall be the District Chairman) nominated and elected from each congressional district caucus at the Spring State Convention; the Chairman, the Co-Chairman (who shall be the running mate of the Chairman), a Coalitions Vice Chairman, an Outreach Vice Chairman, a Grassroots Vice Chairman, an Ethnic Vice Chairman, an Administrative Vice Chairman, and a Youth Vice Chairman, all of whom shall be nominated and elected at the Spring State Convention in odd-numbered years; the Secretary of the Committee who shall be elected at the second meeting of the Committee following its election; the Treasurer and General Counsel of the Committee who shall be nominated by the Chairman and confirmed by the Committee at the second meeting of the Committee following its election; the Finance Chairman of the Committee who shall serve at the pleasure of the Chairman; the National Committeeman and National Committeewoman selected according to law until their successors are elected; and the president of the Republican Women's Federation of Michigan; and a Chairman of a county executive committee as selected by the County Chair Advisory Committee.

- B. Ex-Officio Members. The following persons or their designees shall be ex-officio members of the Committee: (1) the Governor, if the Governor is a Republican; (2) the Secretary of State, if the Secretary of State is a Republican; (3) the Attorney General, if the Attorney General is a Republican; (4) a United States Senator, if the United States Senator is a Republican; (5) a Congressman selected from the Republican Caucus of the Michigan Congressional Delegation; (6) a Senator selected from the Republican Caucus of the Michigan State Senate; (7) a Representative selected from the Republican Caucus of the Michigan House of Representatives; and (8) the Chairman of each county executive committee during his/her term of office to serve until his/her successor is elected or qualified (hereinafter referred to as a "County Ex-Officio Member"). Ex-Officio members are non-voting members of the Committee except as otherwise specifically provided in these Bylaws. Ex-officio members shall be sent notice of Committee meetings in the same manner as regular members of the Committee.
- C. Non-Voting Members. There shall also be seven (7) non-voting members from each of the following: Michigan Women's Federation, the Michigan Young Republicans, the Michigan Federation of Teenage Republicans, the Michigan Federation of College Republicans, the Michigan Black Republican Council, the Michigan Republican Nationalities Council, and the Republican National Hispanic Assembly of Michigan, with one member from each group to serve on a different Standing Committee. The foregoing members shall be nominated by each of the above-referenced groups, and confirmed by appointment of the Chairman.

- D. Paid Members. There shall be a "paid member" category of membership of the Committee. For the purposes of these Bylaws, the term "paid member" shall have the same meaning as Section 6(2)(a) of the Michigan Campaign Finance Act, or any successor or similar statute. In order to be eligible to become a paid member of the Committee on any given date, an individual must make a contribution to the Committee within eight (8) years from such date. If the requirements to become a paid member are otherwise met, each regular member, ex-officio member, or non-voting member may become a paid member of the Committee. Except pursuant to written authorization by the Chairman or by a majority vote of all of the regular members of the Committee: (1) there shall be no meetings of paid members; (2) paid members shall not have a voice or vote on any matter before the Committee or any subcommittee of the Committee; and (3) paid members, either individually or collectively, shall have no authority to speak or act on behalf of the Committee. The benefits of being a paid member of the Committee shall be determined from time to time by the Chairman. Notwithstanding anything in these Bylaws to the contrary, the Chairman may, at any time and for any reason or no reason, terminate an individual's status as a paid member of the Committee.
- E. Qualifications and Rights of Regular Members. Each regular member of the Committee shall be a registered voter in Michigan; in the case of District members, a resident of the Congressional District such member represents. Regular members shall have the right to vote on all matters which come before the Committee, except as otherwise provided in these Bylaws. To help defray State Committee Meetings costs, each regular member of the Committee must annually contribute at least twenty-five dollars to a regulated fund of the Committee by April 1st at 11:59PM. Beginning on April 2nd, the fee increases to at least fifty dollars. Failure of a regular member of the Committee to contribute to a regulated fund of the Committee on or before April 2nd shall result in the automatic suspension of all rights and privileges of such regular member until the contribution is made. Any person filling a vacancy shall have 60 days to make a \$25 contribution, thereafter it shall increase to \$50. No individual may serve as a regular member of the Committee in more than one capacity; consequently, in the event that an individual (currently serving as a regular member of the Committee) is subsequently selected to serve as a regular member of the Committee in another capacity, the regular member position first held by such person shall automatically become vacant, to be filled pursuant to these Bylaws.
- F. Qualifications And Rights Of County Ex-Officio Members. In the event that: (1) a county ex-officio member resigns from this Committee, is removed from this Committee, or refuses to serve as an ex-officio member of this Committee; (2) a county ex-officio member is selected to serve as a regular member of this Committee; (3) there are Co-Chairmen from a particular county; (4) a county ex-officio member of this Committee resigns or is removed as Chairman of the county executive committee; or (5) there exists any other issue relating to the qualifications of a county ex-officio member to serve on this Committee, then in such an event, the county executive committee of the county in question shall determine the county ex-officio member to serve on this Committee. Each county ex-officio member shall be a registered voter of the county such member represents. If a county ex-officio member is not present for any particular meeting, the county ex-officio member may provide a proxy or, if no proxy is provided, the county

ex-officio member's county executive committee may designate a substitute county ex-officio member; provided, however, that the proxy or substitute county ex-officio member must be a registered voter of the county ex-officio member's county. Each county ex-officio member of the Committee must be a financial contributor to a regulated fund of the Committee each calendar year; failure of a county ex-officio member of the Committee to contribute to a regulated fund of the Committee by March 1st in each calendar year shall automatically suspend all rights and privileges of such member until the contribution is made in that calendar year.

- G. District Chairman Vacancies. A permanent vacancy in the District Chairman position arising from any cause whatsoever shall be filled by the committee of the Congressional District in which the vacancy arises within sixty (60) days after such vacancy arises. The position of District Chairman may be filled without respect to gender, even though the selection of a replacement District Chairman may cause five (5) men and two (2) women, or five (5) women and two (2) men, to be the regular members of this Committee from such Congressional District. Notice in writing to the Chairman of the State Committee of the name and address of the person selected to fill the vacancy shall be signed by the Acting Chairman of the Committee of the appropriate Congressional District. Notwithstanding anything in these Bylaws to the contrary: (1) In no event shall there be more than five (5) men or five (5) women as regular members of this Committee from any Congressional District; and (2) only in the event of a vacancy in the District Chairman position will these Bylaws ever permit more than four (4) men or more than four (4) women as regular members of this Committee from any Congressional District.
- H. District Member Vacancies. Permanent vacancies in District membership, other than District Chairman, arising from any cause whatsoever shall be filled by the committee of the Congressional District in which the vacancy arises within sixty (60) days after such vacancy arises. A permanent vacancy in District membership (other than District Chairman as provided for in Article III, Section G) must be replaced with a qualified person of the same gender as the person he or she is replacing as a regular member of this Committee; provided, however, if such Congressional District has replaced its District Chairman so that there are five (5) men or five (5) women as regular members of this Committee from such Congressional District (as provided in Article III, Section G), then a permanent vacancy in the District membership must be replaced with a qualified person of the gender which will result in no more than four (4) men or four (4) women as the regular members of this Committee from such Congressional District. Notice in writing to the Chairman of the State Committee of the name and address of the person selected to fill the vacancy shall be signed by the Chairman of the Committee of the appropriate Congressional District.

- I. When A District Member Has Not Provided A Proxy. If a District member is not present for a particular meeting and has not provided for a proxy, the District Chairman, or in his absence, the remaining members present from the absent member's Congressional District, may select a registered voter from their Congressional District to fill the vacancy for that meeting only. If the absent member should subsequently appear during the course of the meeting, said regular member shall regain full voting rights.
- J. When Any Regular Member Other Than A District Member Has Not Provided A Proxy. If any other regular member of the Committee is not present for a particular meeting and is not represented by proxy, that position shall not be filled by any other person.
- K. Removal Of Members.
1. Removal By The Committee. Any member may be removed as a member of this Committee by the Committee upon a seventy-five percent (75%) vote of the Committee present and voting as any meeting of the Committee, provided there is a quorum present, and such seventy-five percent (75%) vote must be made in person by such members and not by proxy; provided, further, that in order to bring the question before the Committee as to the removal of a member, a petition requesting that such a vote be taken, bearing the signatures of at least fifty percent (50%) of the entire Committee (no proxies allowed), shall be filed with the Chairman (or, if the Chairman is the member in question, then such petition shall be filed with the Secretary).
 2. Procedures for Removal. Since removal by the Committee is discretionary, there shall be no formal procedures required to remove a member as a member of this Committee.
- L. When An Officer Becomes A Candidate. Should any Committee officer become a candidate for State or Federal elective office prior to a primary by announcing his or her candidacy or forming, or authorizing or acquiescing in the formation of an exploratory or draft committee on his or her behalf, that officer shall immediately, effective on the day of the announcement of such a candidacy effort, take a leave of absence from his or her office.

During that sixty (60) day period, that officer shall have none of the titles, rights, powers, resources and perquisites of his or her office.

On or before the expiration of that sixty (60) day period, that officer shall notify the State Party Chairman (or Co-Chairman in the event the Chairman is the officer in question) of that officer's determination to continue or discontinue his or her candidacy.

Should that officer determine to discontinue his or her candidacy, then that officer shall immediately resume his or her office and all the rights, titles, powers, resources and perquisites of that office.

In the event that the officer determines to continue his or her candidacy, or fails to notify the Chairman (or Co-Chairman in the event the Chairman is the officer in question), or refuses to comply with any of the terms of this Section, then that officer shall automatically be deemed a candidate and shall no longer have the titles, rights, powers, resources and perquisites of his or her former office.

If, prior to the passage of sixty (60) days, the deadline passes for candidates to enter the race in question and the officer is the only Republican candidate for the post, the officer shall immediately submit his or her resignation to a committee comprised of the State Chairman or, in his absence, the Co-Chairman, the Chairman of the Budget Committee, and the Chairman of the Policy Committee. Said committee shall then meet and either:

1. accept the resignation of the officer, declare the post vacant, and initiate the process set forth in these Bylaws for filling the officer vacancy; or
2. grant the officer a leave of absence through the general election. In the event this course is followed, the State Chairman or the Co-Chairman shall, with the State Committee's approval, designate an individual to handle the officer's duties in an acting capacity until the general election; or
3. permit the officer to resume his or her duties. Should the committee choose to follow this course of action, it shall reconvene every thirty (30) days until the general election, at which time the committee shall either continue the candidate active status or, instead, follow one of the alternative courses of action set forth above.

M. Conflicts Of Interest.

1. Purpose. The purpose of this Section is to protect the character and integrity of the Committee and the shared values of all Republicans by adopting conflict of interest rules that address both actual conflicts of interests and those situations that may give rise to the appearance of a conflict of interest. Underlying these rules is the recognition that service on the Committee is a privilege and appropriate measures must be instituted to protect the integrity of the Republican Party.
2. Disclosure. All members of this Committee must disclose the following:
 - a. The receipt of any compensation that exceeds \$500 dollars in value on an annual basis from any candidate or candidate committee for election to any state or Federal office; any officeholder who is subject to election under the laws of the State of Michigan or the United States of America; any political party or committee subject to the reporting requirements of the Michigan Campaign Finance Act or the Federal Election Campaign Act (or any successor statute) including candidate committees, political committees, and independent committees or political action committees commonly known commonly as "pacs". This Subsection is intended to cover anyone who receives \$500 or more from any candidate, committee, or officeholder subject

to the reporting requirements of state or Federal law, including employees of the Committee. This Subsection is not intended to cover public employees subject to civil service rules; only political appointees or contract employees of an officeholder need disclose. This Subsection is only intended to cover candidates or committees that participate in state or Federal elections in the State of Michigan.

- b. For purposes of the conflict of interest rules, “compensation” includes, but is not limited to, any of the following: money, contract, property, gift, gift card or certificate, fee, contribution, rebate, discount, loan, office, position, appointment, job, employment; or any agreement to provide the foregoing or any other service or item having value.
 - c. Since the Committee is a political organization, it is recognized that the members of this Committee may receive complimentary tickets or promotional gifts from candidates or other political organizations. Accordingly, “comp” or free tickets to fundraisers, rallies or other political events are not considered compensation as defined above regardless of the face value price of the ticket unless the member receives something of value other than attendance, food and drink at the fundraiser, rally, or event.
 - d. Food and drink provided at a campaign center or on the campaign trail and campaign or issue-related clothes are excluded from this provision.
- 3. Spouses. If the spouse of a member of this Committee would meet the criteria for disclosure under Subsection 2 above, then the member must disclose said compensation.
 - 4. Ownership. If a member of this Committee has any ownership interest in any company or entity that fits the criteria for disclosure under Subsection 2 of this Section, then the member must disclose said ownership and compensation.
 - 5. Form Of Disclosure. The Chairman or Chairman's designee shall design a disclosure form for purposes of this Section.
 - 6. Compliance Officer. The Chairman shall appoint a compliance officer to accept and maintain a record of all such disclosures for at least three (3) years. This compliance officer may be either a paid employee of the Committee or unpaid volunteer. However, in all circumstances, the list of disclosures must be maintained by the Committee and available to any current member of the Committee.
 - 7. Time Of Disclosure. All members who are subject to disclosure pursuant to this Section, must disclose within thirty (30) days of meeting the \$500 threshold. The member must

provide the disclosure in writing to the Chairman's designated compliance officer. The compliance officer shall provide a list of disclosures monthly to the Chairman and the Chairman of each standing committee. Any member who is required to disclose by virtue of his or her status as employee of an elected Michigan or Federal officeholder need only disclose one time during the course of employment by that officeholder.

8. Current Officers And Members. Any current members of the Committee who meet the criteria for disclosure under Subsection 2 are not required to disclose until ninety (90) days after the adoption of this rule.

9. Determination Of Violation. The compliance officer appointed in Subsection 6 above, either after receiving a complaint or utilizing his or her own discretion, will make a recommendation to the Policy Committee whether or not a violation of this Section has occurred. The Policy Committee, in turn, shall make a recommendation to this Committee whether or not a violation of this Section has occurred. Thereafter, whether or not a violation of this Section has been committed shall be determined by a sixty-six and two-thirds percent (66.67%) vote of the regular members of this Committee.

10. Penalty. Any member of the Committee who violates this Section shall lose their position on the Committee and shall remain ineligible for service on the Committee for a period of five (5) years from the time of discovery of the violation. An expelled member may become eligible for membership on the Committee before the five (5) year penalty period expires only if his or her penalty is waived by a majority vote of the regular members of the Committee.

ARTICLE IV - Officers

- A. Officers. The Committee shall have the following officers, none of whom need be a duly selected or elected member of the Committee from a Congressional District prior to becoming an officer of the Committee:
 1. Chairman;
 2. Co-Chairman;
 3. Coalitions Vice Chairman;
 4. Outreach Vice Chairman;
 5. Grassroots Vice Chairman;
 6. Ethnic Vice Chairman;
 7. Administrative Vice Chairman;
 8. Youth Vice Chairman, who when elected shall not have obtained the age of 25;
 9. Secretary;

10. Treasurer;
11. General Counsel; and
12. Finance Chairman.

- B. Election Of Secretary, Treasurer, And General Counsel. The Secretary, Treasurer, and General Counsel shall be selected at the second regular meeting of the Committee after its election, and they shall hold office until their successors are elected and qualified. They shall have the right to vote on all matters which come before the Committee except for the election of its officers, including their successors, unless they be convention-elected members.
- C. Vacancy In Office Of Chairman. In the event the office of Chairman becomes vacant, the Co-Chairman shall become Acting Chairman until a successor is elected at the next meeting of the Committee (unless the call for the next meeting of the Committee has already been issued before the vacancy occurs, in which case a successor shall be selected at the meeting following the next meeting after the vacancy occurs). In the event the Co-Chairman is unable to serve, the office of Acting Chairman shall pass to the Secretary, Treasurer, General Counsel, and Finance Chairman, in that order.
- D. Vacancy In Offices Of Secretary, General Counsel, Co-Chairman Or Any Vice Chairman. In the event the office of Secretary, General Counsel, , Co-Chairman or any Vice Chairman becomes vacant, a successor shall be selected at the next meeting of the Committee (unless the call for the next meeting of the Committee has already been issued before the vacancy occurs, in which case a successor shall be selected at the meeting following the next meeting after the vacancy occurs), which meeting shall be in part called for that purpose.
- E. Vacancy In Office Of Treasurer. In the event the office of Treasurer becomes vacant, the Secretary shall become the Acting Treasurer until a successor is elected at the next meeting of the Committee (unless the call for the next meeting of the Committee has already been issued before the vacancy occurs, in which case a successor shall be selected at the meeting following the next meeting after the vacancy occurs), which meeting shall be in part called for that purpose. In the event the Secretary is unable to become Acting Treasurer, the office shall pass to the General Counsel and Finance Chairman, in that order, until a successor is elected at the next meeting of the Committee.

F. Selection Method Of Filling Vacancies. In the event that the office of Chairman, Secretary, or any Vice Chairman becomes vacant, a successor shall be selected by the Committee. In the event that the office of Co-Chairman, Treasurer, or General Counsel becomes vacant, a successor shall be selected by nomination by the Chairman and confirmation by the Committee.

G. Removal Of Officers.

1. Removal By The Chairman. The Chairman shall have the power to declare vacant the seat of any officer who refuses to support the Republican nominee for any office within the State of Michigan.
2. Removal By The Committee. Any officer may be removed as an officer and member of this Committee by the Committee upon a seventy-five percent (75%) vote of the Committee present and voting at any meeting of the Committee, provided there is a quorum present, and such seventy-five percent (75%) vote must be made in person by such members and not by proxy; provided, further, that in order to bring the question before the Committee as to the removal of an officer, a petition requesting that such a vote be taken, bearing the signatures of at least fifty percent (50%) of the entire Committee (no proxies allowed), shall be filed with the Chairman (or, if the Chairman is the officer in question, then such petition shall be filed with the Secretary).
3. Procedures For Removal. Since removal by the Chairman or by the Committee is discretionary, there shall be no formal procedures required to remove an officer as an officer and member of this Committee.
4. Selection Of Successor. In the event of the removal of an officer, a successor shall be selected at the next meeting of the Committee, which meeting shall be in part called for that purpose. Upon removal, an officer shall not be eligible to become a member of this Committee for the remainder of the term of office for which such officer was removed.

ARTICLE V - Duties Of Officers

- A. Chairman. The Chairman shall preside at all meetings of the Committee, and the Chairman or his/her designee shall sign all contracts, agreements and documents, submit reports to the Committee at each meeting of the Committee and at such other meetings as the Committee, by resolution or motion, may require, appoint and hire such employees as the business of the Committee may require, and shall perform such other duties as these Bylaws provide and as the Committee shall from time to time designate. The Chairman shall be an ex-officio member of all standing committees and of all sub-committees. The Chairman's compensation, if compensation is to be accepted by the Chairman, shall be no less than the salary of the Senate Majority Leader and no more than the salary of the Governor, as approved by the Budget Committee.

- B. Co-Chairman. The Co-Chairman shall be a registered voter (and in his/her absence the Secretary) shall have like power as the Chairman in the absence of the Chairman, and shall perform such other duties as the Committee may determine. The Co-Chairman shall be an ex-officio member of all committees of which the Chairman serves as an ex-officio member.
- C. Coalitions Vice Chairman. Shall serve ex-officio as a member of all committees, and shall supervise and direct all coalition building activities, including activities relating to senior citizens, women, union members, blue collar workers, white collar workers, professionals, small businessmen, farmers, sportsmen, conservationists and any other group that should rightfully be a part of the Republican Party coalition. The Coalitions Vice Chairman shall perform such other duties as the Committee or the Chairman may determine.
- D. Outreach Vice Chairman. Shall serve ex-officio as a member of all committees, and shall supervise and direct all activities necessary to deliver the Republican message, including activities relating to media, letters to the editor, local cable access, Internet, assisting candidates with editorial boards, endorsements, and arranging for speakers to spread the Republican message. The Outreach Vice Chairman shall perform such other duties as the Committee or the Chairman may determine.
- E. Grassroots Vice Chairman. Shall serve ex-officio as a member of all committees, and shall supervise and direct all activities relating to precinct delegate recruitment, voter registration, volunteers, and get-out-the-vote efforts. The Grassroots Vice Chairman shall perform such other duties as the Committee or the Chairman may determine.
- F. Ethnic Vice Chairman. Shall serve ex-officio as a member of all committees, and shall supervise and direct all ethnic activities designed to attract citizens of every race, color, creed, and nationality to the Republican Party. The Ethnic Vice Chairman shall perform such other duties as the Committee or the Chairman may determine.
- G. Administrative Vice Chairman. Shall serve ex-officio as a member of all committees, and shall supervise and direct all activities relating to conventions, candidate events, and conferences. The Administrative Vice Chairman shall perform such other duties as the Committee or the Chairman may determine.
- H. Youth Vice Chairman. Shall serve ex-officio as a member of all committees, and shall supervise and direct all youth activities of the Party. The Youth Vice Chairman shall perform such other duties as the Committee or the Chairman may determine.

- I. Secretary. The Secretary or the Secretary's designee(s) shall keep an accurate record of the minutes of each meeting of the Committee and of the reports of the subcommittees, shall give notice to the membership of all meetings by sending same to the post office address of the member recorded with the Committee, make written report to the Committee at each meeting, perform such other duties as these Bylaws provide and as this Committee shall from time to time require.
- J. Treasurer. The Treasurer or the Treasurer's designee(s) shall comply with all applicable laws and receive all monies paid to the Committee and deposit the same in the name of the Committee in a bank designated by the Budget Committee, pay all bills charged to the Committee when authorized by the Chairman, or in his/her absence the Co-Chairman of the Committee, sign and execute contracts, agreements and documents with the Chairman in the manner set forth in paragraph (A) above, keep accurate account of all receipts and disbursements in proper books, which books shall at all times be open to inspection and examination of the Budget Committee, shall render statements of the financial condition of the Committee to the Committee at each meeting, make an Annual Statement and report to the Committee at each meeting of the year, have books audited or reviewed for each preceding election cycle by certified public accountants proposed by the Chairman and approved by the Budget Committee.

The Treasurer shall turn over to his successor all funds, money and books, accounts, files, letters, papers and other property pertaining to or associated with the affairs and business of the Committee. The Treasurer shall be a non-voting member of the Budget Committee.

- K. General Counsel. The General Counsel shall advise the Committee, its standing committees and its officers on all legal matters involving the Committee, and shall perform such additional duties as may be assigned to him or her by the Chairman and/or Committee.
- L. Finance Chairman. The Finance Chairman shall supervise the Committee's fundraising activities subject to the direction of the Chairman and the Committee, and shall perform such other additional duties as may be assigned to him or her by the Chairman and/or Committee.
- M. Meetings Of Vice Chairmen. The Co-Chairman and all Vice Chairmen shall meet as a group at least five (5) times in each calendar year at the call of the Chairman.
- N. Officers Prohibited from Convention and Primary Candidate Endorsements. Officers of this Committee, as set forth in Article IV(A), are prohibited from endorsing candidates seeking nomination in a convention of this Committee or Republican primary. Such an endorsement shall constitute a conflict of interest and the offending conduct shall be reviewed by the Policy Committee pursuant to its Determination of Violation and Penalty procedures as set forth in Article III(M)(9) and (10).

ARTICLE VI - Meetings

- A. Regular Meetings. The first meeting of this Committee after its members have been elected shall be called by the Chairman within 24 hours after the State Convention is adjourned. There shall be at least five (5) meetings of the Committee in each calendar year.
- B. Special Meetings. Special meetings of the Committee may be called by the Chairman when the business of the Committee requires the same, and the Chairman shall call a special meeting of the Committee on written request of one-third of the members of the Committee, jointly or severally, within 15 days after such written request has been filed with the Chairman. Upon failure to do so, any such member can give notice five (5) days before such meeting. Notices of special meetings shall state the purpose of such meetings.
- C. Quorum. A majority of the total membership of the Committee present in person or by proxy shall constitute a quorum to transact all business of the Committee except where the action of the Committee requires a larger number of members as specially set forth in these Bylaws.
- D. Proxy Voting. Those authorized to vote may vote in person or by proxy at any meeting of the Committee, provided that such person shall be allowed to cast only one vote on each item of business transacted. Any person voting a proxy of a District member must be a qualified elector from that member's Congressional District. Any person voting a proxy of any other regular member must be a qualified elector of the State of Michigan.
- E. Roll Call Votes. All roll call votes shall begin with the Congressional District in which the meeting is being held, proceeding in ascending numerical order by Congressional District until the votes of the highest numbered district have been cast, then continuing in ascending order from the First District until all district members have been called. Officers shall vote after the completion of the roll call of the district members.
- F. Meetings By Conference Telephone Or Similar Communications Equipment. Any meeting called by the State Chairman may be by a conference telephone or similar communications equipment by which all persons participating in the meeting may hear each other if all participants are advised of the communications equipment and the names of the participants in the conference are divulged to all participants. Participation in a meeting held pursuant to this section constitutes presence in person at the meeting. If any person chooses to vote by proxy at a meeting held pursuant to this section, written authorization to vote by proxy must be received by the State Chairman prior to the commencement of such a meeting.
- G. Notices. For the purposes of these Bylaws, the term "mail" shall be defined as mail by the U.S. Postal Service, electronic mail, facsimile transmission, private mail delivery

service, or personal delivery. Any notices or notification pursuant to these Bylaws may be sent by any reasonable means, including, but not limited to, by the U.S. Postal Service, electronic mail, facsimile transmission, private mail delivery service, telephone or personal delivery.

ARTICLE VII - Committees

- A. Standing Committees. There shall be appointed the following standing committees at the second regular meeting of this Committee:
1. Policy Committee. This committee shall consist of one regular member from each congressional district committee. This committee shall make recommendations to the State Chairman, recommend Party policy and establish programs for implementation by the other standing committees.
 2. Budget Committee. This committee shall consist of one regular member from each congressional district committee. This committee shall maintain budget control, review and approve financial spending, and promote sound fiscal policy.
 3. Issues Committee. This committee shall consist of one regular member from each congressional district committee. This committee shall research, study and evaluate issue positions for consideration by the State Committee or State Conventions. The following persons or their designees shall be ex-officio members of this committee: (1) the Governor, if the Governor is a Republican; (2) the Secretary of State, if the Secretary of State is a Republican; (3) the Attorney General, if the Attorney General is a Republican; (4) a United States Senator, if the United States Senator is a Republican; (5) a Congressman selected from the Republican Caucus of the Michigan Congressional Delegation; (6) a Senator selected from the Republican Caucus of the Michigan State Senate; and (7) a Representative selected from the Republican Caucus of the Michigan House of Representatives. Ex-Officio members are non-voting members of this committee.
- B. Additional Standing Committees Appointed By The Chairman. At all times, the Chairman shall have the discretion to create and dissolve additional standing committees, and to assign such purposes and duties to each of such standing committees as the Chairman shall determine. The purposes and duties of all newly-created standing committees shall be subject to confirmation by the Committee at the first meeting of the Committee following the creation of the standing committee in question.
- C. Committee Assignments. The State Chairman shall be empowered to determine the membership and numbers of members of each standing committee at all times, provided, however, that the Policy Committee, Budget Committee, and Issues Committee must only consist of one regular member from each congressional district committee. Members may serve on multiple standing committees; provided, however, no member shall serve on more than one (1) of the following standing committees: Policy Committee, Budget Committee, and Issues Committee. Any voting member of the State Committee is eligible for membership to any additional standing committee.

- D. Standing Committee Officers. The Chairman of each standing committee shall preside at all meetings of the committee, appoint sub-committees as deemed necessary, and shall perform such other duties as these Bylaws provide. The Vice Chairman shall have like power as the Chairman in the absence of the Chairman, may serve on all other committees in like capacity when the Chairman cannot attend, and shall perform such other duties as the committee may determine. If the standing committee determines that a Secretary is necessary, then a Secretary of each standing committee, or the Secretary's designee, shall keep an accurate record of the minutes of each meeting of the standing committee, and shall perform such other duties as the committee may determine. Each standing committee shall have the right to adopt its own rules and procedures not inconsistent with these rules and with Robert's Rules of Order, Newly Revised.
- E. Notice Of Standing Committee Meetings. Notice of subsequent meetings of each standing committee shall be mailed to each member thereof at least five (5) days before the date of the meeting by the Secretary thereof. Such meetings may be called by the Chairman of the standing committee or by any five (5) members of that committee.
- F. Sub-Committees. Each standing committee shall have the authority and power to appoint sub-committees which may include individuals who are not State Committee members. Each sub-committee so appointed shall include in its membership a person or persons from the standing committee who shall report directly to the standing committee.
- G. County Chair Advisory Committee. A minimum of ten (10) county chairmen shall be selected by the State Party Chairman to become members of this committee. This Committee shall meet a minimum of two (2) times in each calendar year at the call of the Chairman.
- H. Quorum For Standing Committee Meetings. It shall be necessary to have a quorum present at every standing committee meeting, consisting of not less than a majority of the membership of such committee present in person or by proxy, before any standing committee business may be transacted; provided, however, that a quorum be present at a Budget Committee meeting shall consist of not less than two-fifths of the membership of such committee in person, before any Budget Committee business may be transacted.
- I. Committees For Certain Definite Purposes. Committees for certain definite purposes may be appointed from time to time in the manner provided by any adopted resolution of the State Committee.

ARTICLE VIII - Resolutions And Rules

Prior to action by the Michigan Republican State Committee, a resolution or rule (including, without limitation, rules for the selection of delegates to conventions, or rules to supersede state election law) must first be submitted in writing to the appropriate standing committee not less

than fourteen (14) days prior to said committee meeting, by delivery of a copy of said resolution or rule to the Chairman or Secretary of said committee, and to the State Chairman. A copy thereof shall be mailed to all State Committee members not less than seven (7) days prior to their next meeting, provided that the foregoing provisions may be waived by a majority vote of the respective committee. After action by the appropriate standing committee, a resolution or rule shall be presented to the State Committee separate from the committee's report.

ARTICLE IX - National Committee

- A. Relationship With National Committee. The Committee shall maintain a good working relationship with the Republican National Committee and shall assist that Committee in the achievement of its goals.
- B. Election Of National Committeeman And Committeewoman. The Republican National Committeeman and Committeewoman from Michigan shall be elected by and at the same convention which elects delegates to the Republican National Convention. They shall serve until their successors are elected and qualified. They shall be qualified electors of Michigan.
- C. Vacancy In Office Of National Committeeman Or Committeewoman. In the event that either office becomes vacant prior to the convening of a state convention to elect National Convention delegates, this Committee shall elect a successor at the next meeting of the Committee, which meeting shall be in part called for that purpose.

ARTICLE X - Conventions

- A. Selection Of Delegates To The Republican National Convention. The Committee may adopt rules for the selection of delegates to the Republican National Convention.

- B. State Conventions. The time, manner, and place for holding State Conventions shall be consistent with the Michigan Election Law, MCL 168.1 et seq.; provided, however, that the Committee may determine that the time, manner, and/or place for holding State Conventions shall be inconsistent with the Michigan Election Law upon the favorable vote of sixty-six and two-thirds percent (66.67%) of the Committee present and voting, provided there is a quorum present, and such favorable sixty-six and two-thirds percent (66.67%) vote must be made in person by such members and not by proxy.
- C. Certain County And Congressional District Conventions. The Committee shall determine the time and manner for holding all county and congressional district conventions whereby delegates to a State Convention are selected.
- D. Candidates As Convention Delegates. All incumbent members of the state legislature and the Michigan Congressional Delegation shall be entitled to attend a county or district convention as delegates at-large of the county or district convention where such legislator resides.

The most recent person nominated as a Republican candidate for state legislative or county office shall also be a delegate at-large to the county or district convention where such nominee resides.

In addition to the proportionate number of delegates allocated to each county or district to be elected to attend a State Convention, all incumbent members of the state legislature and the Michigan Congressional Delegation shall be entitled to attend a State Convention as delegates at-large of the congressional district in which he or she resides.

ARTICLE XI - Organization Of The Michigan Republican Party

- A. Structure. The Michigan Republican Party is essentially comprised of the following types of party committees:
 1. the Committee as organized pursuant to these Bylaws;
 2. congressional district committees; and
 3. county executive committees.
- B. Non-Affiliation Of Political Party Committees. Although the Committee works in cooperation with congressional district and county party organizations, the Committee is not "affiliated" with the congressional district and county party organizations so that any contributions made by these political party committees shall be presumed to be made by one political committee under the Federal Election Campaign Act, 2 USC § 431 et seq., and corresponding regulations or under the Michigan Campaign Finance Act, MCL 169.201 et seq. No provision in these Bylaws shall be interpreted to allow funds to be

transferred between political party committees for the purpose of funneling funds to avoid the contribution limitations of 2 USC § 441a(a)(5). Political party committees shall not make any contributions in cooperation, consultation or concert with, or at the request or suggestion of any other political party committee. No provision in these Bylaws shall be interpreted to allow any political party committee to control any other political party committee so that any contributions made by these political party committees shall be presumed to be made by one political committee under the Federal Election Campaign Act, 2 USC § 431 et seq., and corresponding regulations or under the Michigan Campaign Finance Act, MCL 169.201 et seq.

ARTICLE XII - Congressional District Committees

- A. Number. There shall be one congressional district committee in each congressional district in the State of Michigan. Each congressional district committee shall adopt its own bylaws and rules of procedure.
- B. Organization. Each congressional district shall elect a congressional district chairman, a vice-chairman, a secretary, a treasurer, six (6) members of the Committee (as selected pursuant to Article III, Section A) and a committee of fifteen (15) members (for a total of twenty-five (25) committee members) to serve for two-year terms or until their successors are duly elected and qualified. The congressional district officers and committees shall be elected at the Spring State Convention in every odd numbered year. Permanent vacancies in district committee membership shall be filled by the congressional district committee in which such vacancy occurs consistent with the bylaws of such congressional district committee.
- C. Legislators As Additional Members Of Congressional District Committees. A congressional district committee may adopt bylaws allowing members of the state legislature and the Michigan Congressional Delegation who reside in that district to be members of the congressional district committee, in addition to the committee of twenty-five (25) described in Article XII, Sections A and B.
- D. Membership Requirements. No person shall vote or hold any office or position in any congressional district committee unless he or she is at that time a resident of that congressional district, except members of the state legislature whose districts are located in whole or in part in the congressional district.

- E. Filling Vacancies. For congressional districts whose boundaries fall entirely within Wayne County, the congressional district committees thereof shall nominate candidates to fill vacancies that occur in county wide offices, township offices, city offices, or any other office (including state legislative or congressional offices), the electoral district of which is entirely within the boundaries of the congressional district. If the office to be filled comprises more than one congressional district, the congressional district committee(s) and congressional district portion committee(s) of such congressional districts shall nominate candidates to fill these vacancies.
- F. Vice Chairmen. Congressional district committees are encouraged to select vice chairmen, assigning such titles and duties as the six vice chairmen of the Michigan Republican State Committee in order to work with the respective Vice Chairmen of the Michigan Republican State Committee.

ARTICLE XIII - County Executive Committees And Optional County Party Committees

- A. Number. There are as many as eighty-two (82) county executive committees and four (4) congressional district portion committees in the State of Michigan. The county executive committee of each county shall adopt its own bylaws and rules of procedure.
- B. Membership. In even numbered years, the delegates to the fall county convention in each county except Wayne County, shall convene at the call of the county chairperson within thirty (30) days following the November election (the "Post-election Convention") to select a number of persons equal to the number of county offices and state legislative offices for which candidates were nominated at the last two (2) preceding fall primary elections, who, together with the persons most recently nominated by the party for each of those offices shall constitute the executive committee for that county. A nominee for state legislative office shall be a nominee member of the county executive committee for each county which, in whole or part, comprises such nominee's state legislative district. Additionally, a person who is a Republican statewide officeholder shall be a member of the executive committee for the county in which such person resides during his or her term of office. The term of office of a county executive committee commences at the adjournment of the Post-Election Convention and terminates at the adjournment of the next even numbered year Post-Election Convention. When a new nomination or an appointment of a Republican to fill a vacancy is made for an office, the nominee for which is entitled to serve as a member of the executive committee, the new nominee or Republican appointee shall replace the former nominee as a member of the executive committee. **If a vacancy occurs in the position of a nominee member of the executive committee, the vacancy may only be filled by the person who is the new nominee or Republican appointee for the office in question.** If a vacancy occurs in the position of a delegate-appointed member of the executive committee, the remaining executive committee members shall fill the vacancy. Except as otherwise provided in this section, the executive committee may appoint the officers it considers

proper to carry out the purposes of the executive committee, and may fill a vacancy in any of its offices.

- C. Officers. Within thirty (30) days following the convening of the fall county convention the executive committee, acting without the officers of the county committee (if any) who are not otherwise members of the executive committee, shall meet and select a temporary chairman and temporary secretary. These temporary officers shall serve only during the selection of the officers of the executive committee who shall also serve as the officers of the county committee (if any) for two (2) years commencing on January 1 of the next odd numbered year. The officers shall be a chairman, a vice-chairman, a secretary, and a treasurer. No proxy voting shall be allowed for the selection of officers to a county executive committee.
- D. Optional County Committee. After the officers of the county executive committee have taken office, the executive committee may select a county committee for the party, which committee shall consist of members as the executive committee may determine provided that such action is taken within forty-five (45) days after January 1 of each odd numbered year. The term of service of members of a county committee shall continue for two (2) years and until the selection of their successors. The executive committee shall have the right to appoint officers that in its judgment are proper to carry out the purposes of the county committee, and shall have the power to fill any vacancy which may occur in the membership of a county committee or in any of its offices.
- E. Candidates As Delegates At-Large. A person nominated as a candidate for county office shall be a delegate at-large to the fall county convention held in the year of the candidate's nomination and to all county conventions held during the term of office for which the candidate was nominated. Each person elected as a statewide officeholder and each person nominated as a candidate for state legislative office shall be a delegate at-large to the fall county convention (where such nominee resides) held in the year of the officeholder's election or the candidate's nomination, as the case may be, and to all county conventions held during the term of office for which the officeholder was elected, or the candidate was nominated, as the case may be. The number of delegates at-large shall be in addition to the number of delegates specified in the call for a county convention.
- F. Filling Vacancies. The county executive committee shall nominate candidates to fill vacancies that occur in county wide offices, township offices, city offices, or any other office (including state legislative or congressional offices), the electoral district of which is entirely within the boundaries of the county. If the office to be filled comprises more than one county or parts of more than one county, the county executive committees of such counties shall nominate candidates to fill these vacancies.

- G. Congressional District Portions Of Wayne County. A political party committee may be formed for each congressional district portion of Wayne County. Delegates who reside in Wayne County in a portion of a congressional district within the boundaries of Wayne County shall convene at the odd-numbered year spring county (district) convention and elect its officers and committee members in accordance with its bylaws (which are not inconsistent with these Bylaws). Such committee(s) shall have the same rights and privileges as county executive committees. This Section does not apply to any congressional district whose boundaries fall entirely within Wayne County since such congressional district committees are governed by the terms of Article XII hereof.
- H. Wayne County Republican Committee. The Wayne County Republican Committee, a political party committee, shall adopt its own bylaws and rules of procedure. No other provisions of Article XIII hereof shall apply to the Wayne County Republican Committee.
- I. Precinct Delegate Allotment. On or before April 1 in even numbered years, the chairman of the county executive committee (or, in case of Wayne County, the chairman of a congressional district portion committee, or the chairman of a congressional district committee if the boundaries of such district fall entirely within Wayne County) shall forward by mail or otherwise deliver to the board of election commissioners in that county a certificate showing the number of delegates to the county convention (or, in the case of Wayne County, the district or district portion convention) to which each precinct of the county is entitled. The allotment of precinct delegates to all precincts shall be made to insure, as near as is practicable, equal apportionment based upon the total vote cast for the Republican candidate for either President of the United States or Secretary of State at the last general November election when elections for those offices were held, whichever is later; however, each precinct shall have at least one delegate. The apportionment shall be based on the precincts as they exist 180 days before the August primary election in even numbered years.

ARTICLE XIV - Parliamentary Authority

Robert's Rules of Order, Newly Revised, shall govern the conduct of all meetings of the Committee and its standing committees, except as provided in these Bylaws or by law.

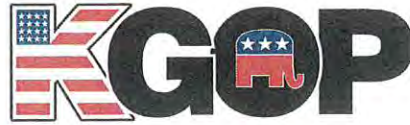
ARTICLE XV - Amendment

- A. Submission In Writing. All proposed amendments to these Bylaws shall be first submitted in writing to the Policy Committee.

- B. Notification Of Committee Members. Each member of the Committee shall be notified in writing of the context of any proposed amendment at least thirty (30) days before the date on which such proposed amendment is to be voted on.

- C. Vote Required To Amend Bylaws. No amendment shall pass until it has received a sixty-six and two-thirds percent (66.67%) favorable vote of the Committee present and voting, provided there is a quorum present, and such favorable sixty-six and two-thirds percent (66.67%) vote must be made in person by such members and not by proxy.

Exhibit 10



*The following Candidates have won Election
to the Executive Committee of the Kalamazoo County Republican Party
on November 28, 2022 for the 2022-2024 Term:*

1. Jason Mikkelsen
2. Kathleen Olmstead
3. Brian Kinraid
4. William Bennet
5. Janet Quiring
6. Dan Koshetnyk
7. David Stevens
8. ~~Robert~~ Tony Lorentz
9. Kim Harris
10. Jamie Swafford
11. Veronica Pero
12. RJ Bregenzer
13. Roger McMillan
14. Emily Crawford
15. Nicole Wagner
16. Carrie Prendergast
17. Lloyd Peterson
18. Dennis Kehoe

Certified By:

Gary Mitchell
Reporting Teller

John Baker
Permanent Secretary

Exhibit 11



**Amended 01-09-2023: Minutes of KGOP Executive Committee Meeting December 5th 12th, 2022
Submitted by Kathleen Olmsted**

Chairman Tony Lorentz called meeting or order at 7:05 p.m. A quorum was present.

The Pledge of Allegiance and Invocation were performed.

Chairman Lorentz noted that John Beck had resigned as Secretary, and that he received a letter from Mary Balkema rescinding her earlier resignation and had returned as a Statutory member of the KGOP.

There were no changes to the published Agenda.

Temporary Chair

Nominations were put forth for the temporary Chair, and Matt DePerno won the vote, along with the temporary officers, Tom Graham as Temporary Secretary.

New Officers Vote

Chair nominations were put forth, Sabrina Pritchett-Evans(nominated by Dr. Gary Mitchell), Dr. Tamara Mitchel(nominated by Roger McMillan)l, and Kelly Sackett(nominated by Jason Mikkeltborg). Dr. Mitchell removed herself from candidacy and asked her supporters to vote for Kelly Sackett.

The Vote was 24 Kelly Sackett, 7 Sabrina Pritchett-Evans.

Vice Chair Nominations were put forth: Charley Coss was nominated by Jason Mikkeltborg & RJ Bregenzer was nominated by ~~Bill Bennett~~ **Kim Harris**

The Vote was 22 Charley Coss, 9 RJ Bregenzer

Secretary Nominations were put forth: Kathleen Olmsted was nominated by Carrie Prendergast & Bill Bennett was nominated by Veronica Pero.

The Vote was 18 Kathleen Olmsted, 12 Bill Bennett

Treasurer Nominations were put forth: Nicole Wagner nominated Ron Austin & Dr. Lloyd Peterson nominated Mary Balkema. Mary Balkema turned down the nomination.

The Vote was unanimous for Ron Austin.

Vice Chair Charley Coss made a motion to create a Convention Planning & Nominating Committee, it was passed unanimously.

Consent Agenda:

Vice-Chairman Tony Lorentz made motion to accept the Consent Agenda; Brian Kincaid seconded. Consent Agenda was unanimously approved.

Elected Officials Reports:

Three Commissioners – Heppler, Gisler & Mazer.

Committee Reports:

none

Items for Good of the Party:

Chair Kelly Sackett Shared Her Appreciation & Vision

Meeting adjourned at 8:45 p.m.
Next meeting is Monday January 9, 2023 at 7:00 pm.

Exhibit 12

VANDERVOORT, CHRIST & FISHER, P.C.
LAWYERS

JAMES A. FISHER
NELSON KARRE
JAMES E. REED★
DAVID P. LUCAS
MATTHEW X. HAUSER
ASHLEY A. SMITH
JEFFERY M. CLAY

RETIRED:
ROBERT D. MCFEE
ROBERT J. SHARKEY

★ ALSO ADMITTED IN WA

BATTLE CREEK OFFICE:
THE BATTLE CREEK TOWER, SUITE 450
70 MICHIGAN AVENUE WEST
BATTLE CREEK, MICHIGAN 49017

COLDWATER OFFICE:
COLDWATER EXECUTIVE SUITES, SUITE 2B
28 WEST CHICAGO STREET
COLDWATER, MICHIGAN 49036-1678

BATTLE CREEK OFFICE:
VOICE: (269) 965-7000
FAX: (269) 965-0646

COLDWATER OFFICE:
VOICE: (517) 278-0500
FAX: (517) 278-0501

MILLARD VANDERVOORT (1906-1981)
CHRIS T CHRIST (1929-2020)

September 6, 2023

WRITER'S E-MAIL ADDRESS:
mhauser@vcflaw.com

REPLY TO BATTLE CREEK OFFICE

In Re: Opinion Related to the Bifurcation of State and County Parties

I have been an elected Precinct Delegate for the Michigan Republican Party since August of 2008. Since that time I have seen people come and go, candidates win and lose, success and short comings. Since becoming a Precinct Delegate in August of 2008 I have held numerous positions in the Party including but not limited to being a District Committee Member, State Party Committee Member, Co-Chair and Chair of State Committee subcommittee and Secretary of the Michigan Young Republicans to name a few.

The question of how much control State Party has over the District Parties and County Parties has been asked numerous times since 2008 and I am confident before that time as well. Every cycle when one group wins over another group there are always attempts to find a way to change outcomes through some internal mechanism and when there is not an internal mechanism they losing group attempts to create once.

The State GOP, District GOP and County GOP are all separate legal entities that file their own MERTS report have their own bank accounts and function how the elected leadership of each group desires. Each layer has their own bylaws and internal process. The only time a county party for example operates under rules from either the district or state party is during a convention. Beyond that limited time the elected members of the county executive committee are fully recognized by the District and State party until the next November Leadership Convention.

Changes to County leadership occur from within the county party itself. Similar to a change in leadership during the standard cycle would occur within the State of District party itself. The most recent example we have of this is the State Committee attempting to remove the current MIGOP chair. This was done not by a convention being call, but through the MIGOP State bylaws. If the KGOP wished to remove its current chair or any other member there is a process the KGOP could take. Same goes for the district committee.

County Party Committees are autonomous. This was recently confirmed by Judge Curtis Bell's *Opinion and Order* dated August 10, 2023, in the case of *Pritchett-Evans and Harris v KGOP et al*, Case No. 2023-0169-CZ, Kalamazoo County Circuit Court. "The Michigan Supreme Court held that the 'Director of Elections correctly left to the American Independent Party the resolution of the intraparty dispute' because 'the convention itself is the proper forum for determining

intraparty disputes." *Id.* at 12 (quoting *American Independent Party v Secretary of State*, 397 Mich 689, 696 (1976).

QUESTION #1

What is the process to select the Executive Committee.

ANSWER: The KGOP bylaws are clear. The Executive Committee is made up of equal number of "statutory members" and "elected members." The elected members are elected at the Fall Convention taking place in even-numbered years. See Article III(3)(B). Only the Chairperson can issue the call to convention. See Article III(4)(A). "The precinct delegates to the Fall County Convention shall convene at the call of the Party Chairperson within twenty (2) days following the November election for the purpose of selecting the Elected Members of the Executive Committee." Executive Committee members remain on the executive committee until they resign or are removed as provided in the bylaws. See e.g. Article III(7)(E) for the procedure on removing an elected member.

Also, the County Chairperson is the only person who can schedule a regular meeting. See Article IV(1). On the other hand, special meetings can be called by either the County Chairperson or upon written request of a quorum of the executive committee. See Article IV(2).

QUESTION #2

Can a delegate issue a call to convention?

ANSWER: No. Only the County Chairperson can issue the call to convention.

QUESTION #3

Can a non-delegate (i.e. citizen) issue a call to convention?

ANSWER: No. Only the County Chairperson can issue the call to convention.

QUESTION #4

Can a member of the KGOP who is not on the executive committee issue a call to convention?

ANSWER: No. Only the County Chairperson can issue the call to convention.

QUESTION #5

Can a member of the executive committee issue a call to convention?

ANSWER: No. Only the County Chairperson can issue the call to convention.

Also, the County Chairperson is the only person who can schedule a regular meeting. See Article IV(1). On the other hand, special meetings can be called by either the County

Chairperson or upon written request of a quorum of the executive committee. See Article IV(2).

QUESTION #6

Is the September 15, 2023 "convention" called by Kerry Lynn Elieff legal and valid?

ANSWER: No. Conventions under the KGOP's bylaws can only be called by the County Chairperson (the duly elected county chair from the prior November Leadership Convention, unless replaced by the Executive committee during their term). For this reason, the current "convention" called by Kerry Lynn Elieff and scheduled for September 15, 2023 is not legal or valid for the following reasons:

- (1) Kerry Lynn Elieff is not a delegate and is not a member of the KGOP. Allowing such a "call to convention" would be no different than allowing a random group of people to gather at a local church and remove and replace the executive committee of the ACLU.
- (2) Even if she was a delegate, the concept of a delegate-called convention is not part of the party structure.
- (3) Even if she was a member of the KGOP and not a delegate, she has no authority to call a convention.
- (4) And more importantly, even if she was a delegate, member of the KGOP, and member of the executive committee, she still would have no authority to call a delegate convention.

Politics is a numbers game and the only way to replace a County Chairperson at any level in the party is to get your precinct delegates through the August primary and to the county or state convention.

QUESTION #7

Can the MIGOP state committee recognize Kerry Lynn Elieff's group as the official Republican County Committee?

ANSWER: No. MCL 169.211(6) defines a "Political party committee," in part, as the "county committee of a political party." This section further states that "[e]ach state central committee shall designate the official party county and district committees. There must not be more than 1 officially designated political party committee per county and per congressional district."

The MIGOP has already designated the "Kalamazoo County Republican Committee" (KGOP) as the official designated political party committee. This was done many years ago and there can be only one county committee. In fact, KGOP is the oldest standing Republican County committee in the state of Michigan. It even predates the formation of

the Jackson County committee. As of today, KGOP has had 125 Lincoln Day Dinners. In 1890, George Torrey wrote an article titled "The Press of Kalamazoo" published in *Michigan Pioneer and Historical Society Collection*, Vol 17. Page 383, about George Fitch (who had purchased the *Kalamazoo Telegraph* in 1850). Mr. Torrey wrote:

"He (Fitch) was among the first to see the new issues that were arising in this nation, among the first to realize that the old Whig party must go, and one of the first to understand, and make known through the columns of his paper, the necessity of a union of men of all parties on a platform of principles to meet the demand that was rapidly growing, to resist the aggression of the slave power and to turn the nation from the fateful drift into which it had swung. He was one of the prime movers in the formation of the Republican party (which had its birth in Kalamazoo county, months before the famous convention under the oaks in Jackson), and the *Telegraph* was the first journal to advocate it, define its purposes and urge its adoption predicting it grand, ultimate triumph."

First, the rouge group of citizens (not delegates or members of the KGOP) are not a registered political group. Second, there is nothing in the MIGOP bylaws that would permit it to violate MCL 169.211(6) and recognize this rouge group. Third, to somehow suggest that MIGOP could today recognize a rouge group of people who are not members or delegates of KGOP as the "official" county committee because they lost a county political battle would not only erase over 150 years of history over an internal political "spat" but would also be illegal. In essence, MIGOP would be dismantling the KGOP and installing its own group of "Whigs."

Not only would this not stand, but it would be in direct conflict with Judge Bell's *Opinion and Order* wherein he stated that KGOP is autonomous and this conflict must be handled internally within the party.

"The right of an organization to select its own leader is fundamental to a political party. Here, Plaintiffs allege that Defendant Sackett, the KGOP's Chair, breached her fiduciary duty. When deciding whether this count is able to be adjudicated in this Court, it is fundamental to consider that this count is wholly internal in nature. The body of the KGOP selected Defendant Sackett to be its Chair and now Plaintiffs disagree with some of her actions and state that they are entitled to monetary relief, among other types of relief." *Id.* at 23.

Sincerely,

Matthew X. Hauser

Matthew X. Hauser, JD, MBA

Exhibit 13

From: Kim Harris kaharris1@att.net
Subject: MI America First Precinct Delegate
Information
Date: Apr 1, 2022 at 12:19:03 PM
To: Kim Harris kaharris1@att.net

Hello Fellow Concerned KGOP Citizens,

Thank you for coming to the KGOP coffee this morning and to hear me speak on Precinct Delegates. We are attempting to build a Precinct Delegate force across our state to remove all RINOs and their useless pawns from party leadership at the county, district and state committee levels. THIS IS THE ONLY WAY to truly save our counties, states and country from the tyranny we see all around us! Learn more at precinctstrategy.com. The Michigan site is <http://www.miprecinctfirst.com> for resources, where you can look up your precinct, and to download an affidavit.

Who are these people who are you to judge?

Then what?

Telegram

This is where communications will take place amongst the PD's in our county. This **private** Telegram group was created to connect you with other PD's, so you can network with one another in our own Kalamazoo First Precinct Delegate force! You each have ability within the group to add other group members who you have properly vetted. (Remember because someone is nice, doesn't mean they are America First. Any existing RINOs, who get wind of your effort will go into defense mode and put you in a recruitment race. These efforts are best done with no visibility, so are taken by surprise and easily removed.)

Here is the group link:

<https://t.me/joinchat/H0FNbhpxfw11MDMx>

Attached you will find a handout on What is a Precinct Delegate. I have my final trainings for the month of April. They are held at my house in Portage from 6:30-8:30 pm. They are Thursday, April 7th, Wednesday, April 13th or Monday, April 18th. Please note, you only have one chance to attend. I can hold a spot

<bubbachitchat@charter.net>

Goal?



**Michigan America First Delegates:
Know the Rules. Use your Power.**

Part I - Taking Over Control of Your County Convention

"Weapons of War"

By JD Glaser

Boilerplate Steps For County Convention

**We are in a War. Our state and County around us is being
destroyed and it is up to us to be armed with knowledge**

by whom

to fight it. Your elected position as a Delegate is much much more than stuffing candidate literature bags and knocking on doors. Arm yourself with the knowledge of Roberts Rules of Order, State Party and Election Laws to speak truth to power and begin to restore your County Party. *to what*

These steps are routine and the same for every county convention.

Roberts Rules of Order New Revised, 12th Ed outlines three procedures that have to be completed, in order, before a convention can conduct business.

RR=Roberts Rules of Order

These are defined in RR 59:11 "The official organization of the convention is brought about by the separate consideration and adoption of the reports of three committees mentioned above—the Credentials Committee, the Committee on Standing Rules, and the Program Committee, in that order."

Arm yourselves with MCL 168:622

Read it out loud to yourself.

..



America first agenda

economy

patient doctors back in charge

Commitment to freedom equality & self governance

Parents more control over education of their children

finish wall end trafficking drug cartels

What is an "America First" Republican Precinct Delegate and what do they do?

peace through strength

energy independent

easy to vote hard to cheat

Safe communities

Keep in the swamp

How can you help turn the Republican Party back to a party of conservative principles? Tired of Establishment Republicans and RINOs disregarding our Grassroots voices? Want to reclaim the Republican Party that belongs to us and the America First Agenda? WE NEED YOUR VOICE! If you would like to see strong Republican candidates that follow the America First Agenda on the ballot and in elected leadership in 2022 and beyond, become an "America First" Delegate and your voice will be heard! By registering today, you will be on the August 2022 ballot and be voted on to become officially a Republican Precinct Delegate. You need only one vote to be elected.

What is a Precinct Delegate?

1. We are not appointed or hired but ELECTED by our conservative voting Republican neighbors in each county of Michigan to SERVE and REPRESENT them. We are the BRIDGE between the voters in our neighborhoods and the Republican Party.
2. Precinct Delegates are the BACKBONE of the Republican Party because we SET THE AGENDA for the Party. Precinct Delegates are extremely important to the conservative movement because we decide who will run the state party and who many of our nominees for statewide elections will be.
3. A Precinct Delegate's role is to guide and hold the Republican Party accountable to being a party of conservative principles.

Our VOICES are many. There are more than 4800 Precincts in 83 Counties in Michigan, each Precinct (neighborhood) with 1 or many more Precinct Delegates.

Precinct Delegates are perhaps one of the most important roles in politics. They are the first rung on the ladder of elected base members, for the two major political party organizations. They are closer to their community than any other elected official. If you want to help change the party, it is essential to change the mix of who are the Precinct Delegates. If we want an America First Republican Party, we need to change the mix of Precinct Delegates away from the establishment delegates to principled delegates.

who is to say

Precinct Delegates are elected in the August primary every two years. The numbers of delegates are allotted based on previous election history and by the Chair of the county party in each county in the state.

How do you become a Precinct Delegate?

Running for Precinct Delegate is a very simple process. Below are three simple steps.
-You only need to fill out a form and get it notarized. No signature gathering required!

Exhibit 14



April 11, 2023

Meridith Place, Clerk
Kalamazoo County Clerk
201 West Kalamazoo Avenue
Kalamazoo, MI 49007

RE: Change in Precinct Delegate Status

Dear County Clerk,

We are notifying you that the following person(s) are no longer delegates with the Kalamazoo County Republican Party. Please update your records to reflect these changes.

Jerry Amos	1172 Merrybrook	Kalamazoo	MI 49048-9262	Comstock Twp.	2
Shirley Ann Amos	1172 Merrybrook	Kalamazoo	MI 49048-9262	Comstock Twp.	2
William Bennett	4262 Autumn Joy St.	Galesburg	MI 49053-7707	Comstock Twp.	4
Sabrina Pritchett-Evans	4925 Pepperbush Ln.	Kalamazoo	MI 49004-3702	Kalamazoo Twp.	7
Robyn Maxson	8488 S.35th St.	Scotts	MI 49088-9705	Pavilion Township	2
Ronald C. White	8380 S 35th St.	Scotts	MI 49088-9705	Pavilion Township	2
Christine Augustine	1724 Valleywood Ct Apt 2	Portage	MI 49024	Portage City	13
David Harris	5790 Bay Meadow Trail	Portage	MI 49024-1750	Portage City	11
Kimberly Harris	5790 Bay Meadow Trail	Portage	MI 49024-1750	Portage City	11
Rene Saar	10712 Wildwood Dr	Richland	MI 49083-8523	Richland Township	2
Sandra Vanderlugt	9421 Franklin Dr	Richland	MI 49083-8511	Richland Township	2
Veronica Pero	10917 M-43	Richland	MI 49083-9436	Richland Township	2
Jessica Gottwald	11687 E D Ave.	Richland	MI 49083-9344	Ross Township	2
John Thomas Elief	6455 N. 39th	Augusta	MI 49012-9767	Ross Township	1
Kerry Lynn Elief	6455 N. 39th	Augusta	MI 49012-9767	Ross Township	1
Kimberly A. Kourtjiah	10601 N.42 St.	Hickory Corners	MI 49060-9544	Ross Township	2
Todd White	5929 N. 37th St	Richland	MI 49083-9386	Ross Township	2

Most Appreciative,

Kelly Sackett
Chairwoman
Kalamazoo County Republican Committee (KGOP)



April 11, 2023

Kristiana Karamo, Chair
Michigan Republican State Committee (MiGOP)
3450 Alpine Ave. NW
Box 332
Grand Rapids, MI 49544

RE: Change in Precinct Delegate Status

Dear MiGOP Chair,

We are notifying you that the following person(s) are no longer delegates with the Kalamazoo County Republican Party. Please update your records to reflect these changes.

Jerry Amos	1172 Merrybrook	Kalamazoo	MI 49048-9262	Comstock Twp.	2
Shirley Ann Amos	1172 Merrybrook	Kalamazoo	MI 49048-9262	Comstock Twp.	2
William Bennett	4262 Autumn Joy St.	Galesburg	MI 49053-7707	Comstock Twp.	4
Sabrina Pritchett-Evans	4925 Pepperbush Ln.	Kalamazoo	MI 49004-3702	Kalamazoo Twp.	7
Robyn Maxson	8488 S.35th St.	Scotts	MI 49088-9705	Pavilion Township	2
Ronald C. White	8380 S 35th St.	Scotts	MI 49088-9705	Pavilion Township	2
Christine Augustine	1724 Valleywood Ct Apt 2	Portage	MI 49024	Portage City	13
David Harris	5790 Bay Meadow Trail	Portage	MI 49024-1750	Portage City	11
Kimberly Harris	5790 Bay Meadow Trail	Portage	MI 49024-1750	Portage City	11
Rene Saar	10712 Wildwood Dr	Richland	MI 49083-8523	Richland Township	2
Sandra Vanderlugt	9421 Franklin Dr	Richland	MI 49083-8511	Richland Township	2
Veronica Pero	10917 M-43	Richland	MI 49083-9436	Richland Township	2
Jessica Gottwald	11687 E D Ave.	Richland	MI 49083-9344	Ross Township	2
John Thomas Elief	6455 N. 39th	Augusta	MI 49012-9767	Ross Township	1
Kerry Lynn Elief	6455 N. 39th	Augusta	MI 49012-9767	Ross Township	1
Kimberly A. Kourtjiah	10601 N.42 St.	Hickory Corners	MI 49060-9544	Ross Township	2
Todd White	5929 N. 37th St	Richland	MI 49083-9386	Ross Township	2

Most Appreciative,

Kelly Sackett
Chairwoman
Kalamazoo County Republican Committee (KGOP)



April 11, 2023

Nicole Beauchamp, Clerk
6138 King Highway
Kalamazoo, Michigan 49048

RE: Change in Precinct Delegate Status

Dear Clerk,

We are notifying you that the following person(s) are no longer delegates with the Kalamazoo County Republican Party. Please update your records to reflect these changes.

Jerry Amos	1172 Merrybrook	Kalamazoo	Michigan	49048-9262	Comstock Twp. 2
Shirley Amos	1172 Merrybrook	Kalamazoo	Michigan	49048-9262	Comstock Twp. 2
William Bennet	4262 Autumn Joy St.	Galesburg	Michigan	49053-7707	Comstock Twp. 4

Most Appreciative,

Kelly Sackett
Chairwoman
Kalamazoo County Republican Committee (KGOP)



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Kalamazoo County Republican Committee
1911 West Centre Avenue
Portage, MI 49024

Shirley Ann Amos
1172 Merrybrook

Kalamazoo, Michigan 49048-9262

S Form 3817, April 2007 PSN 7530-02-000-9065

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PORTAGE, MI 49024
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Kalamazoo County Republican Committee
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Portage, MI 49024

Todd White
5929 N. 37th St
Richland, Michigan 49083-9386

U.S. POSTAGE PAID
FROM LETTER MAIL
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AMOUNT
\$1.85
R2304E105360-12



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Kalamazoo County Republican Committee
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Portage, MI 49024

Ronald C. White
8380 S 35th St.
Scotts, Michigan 49088-9705

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PORTAGE, MI 49024
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AMOUNT
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Kalamazoo County Republican Committee
1911 West Centre Avenue
Portage, MI 49024

Robyn Maxson
8488 S.35th St.
Scotts, Michigan 49088-9705

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Kalamazoo County Republican Committee
 1911 West Centre Avenue
 Portage, MI 49024

Rene Saar
 10712 Wildwood Dr
 Richland, Michigan 49083-8523

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U.S. POSTAGE PAID
 FCM LETTER
 PORTAGE, MI
 49024
 APR 11 23
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Kalamazoo County Republican Committee
 1911 West Centre Avenue
 Portage, MI 49024

Sabrina Pritchett-Evans
 4925 Pepperbush Ln.
 Kalamazoo, Michigan 49004-3700

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RDC 99



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 FCM LETTER
 PORTAGE, MI
 49024
 APR 11 23
 AMOUNT

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R2304E

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Kalamazoo County Republican Committee
 1911 West Centre Avenue
 Portage, MI 49024

Jessica Gottwald
 11687 E D Ave.
 Richland, Michigan 49083-9344

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U.S. POSTAGE PAID
 FCM LETTER
 PORTAGE, MI
 49024
 APR 11 23
 AMOUNT

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Kalamazoo County Republican Committee
 1911 West Centre Avenue
 Portage, MI 49024

David Harris
 5790 Bay Meadow Trail
 Portage, Michigan 49024-1750

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 49024
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Kalamazoo County Republican Committee
 1911 West Centre Avenue
 Portage, MI 49024

Kimberly A. Kourtjiah
 10601 N.42 St.
 Hickory Corners, Michigan 49060

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Kalamazoo County Republican Committee
1911 West Centre Avenue
Portage, MI 49024

Jerry Amos

1172 Merrybrook

Kalamazoo, Michigan 49048-926

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Kalamazoo County Republican Committee
1911 West Centre Avenue
Portage, MI 49024

Christine Augustine

1724 Valleywood Ct Apt 2

Portage, Michigan 49024



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Kalamazoo County Republican Committee
1911 West Centre Avenue
Portage, MI 49024

Kerry Lynn Elief

6455 N. 39th

Augusta, Michigan 49012-9767

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APR 11 23
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Kalamazoo County Republican Committee
1911 West Centre Avenue
Portage, MI 49024

John Thomas Elief

6455 N. 39th

Augusta, Michigan 49012-9767

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Kalamazoo County Republican Committee
1911 West Centre Avenue
Portage, MI 49024

William Bennett

4262 Autumn Joy St.

Galesburg, Michigan 49053-7707

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FORM LETTER
PORTAGE, MI
49024
APR 11 23
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\$1.85
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PORTAGE
1151 W MILHAM AVE
PORTAGE, MI 49024-9998
(800)275-8777

04/11/2023 02:52 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter Scotts, MI 49088 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 04/13/2023 Cert of Mailing	1		\$0.63 \$1.85 \$2.48
First-Class Mail® Letter Scotts, MI 49088 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 04/13/2023 Cert of Mailing	1		\$0.63 \$1.85 \$2.48
First-Class Mail® Letter Richland, MI 49083 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 04/13/2023 Cert of Mailing	1		\$0.63 \$1.85 \$2.48
First-Class Mail® Letter Kalamazoo, MI 49048 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 04/13/2023 Cert of Mailing	1		\$0.63 \$1.85 \$2.48
First-Class Mail® Letter Kalamazoo, MI 49048 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 04/13/2023 Cert of Mailing	1		\$0.63 \$1.85 \$2.48
First-Class Mail® Letter Portage, MI 49024 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 04/13/2023 Cert of Mailing	1		\$0.63 \$1.85 \$2.48
First-Class Mail® Letter Galesburg, MI 49053 Weight: 0 lb 0.30 oz Estimated Delivery Date Thu 04/13/2023 Cert of Mailing	1		\$0.63 \$1.85 \$2.48
First-Class Mail® Letter Augusta, MI 49012	1		\$0.63

First-Class Mail®	1	\$0.63
Letter		
Augusta, MI 49012		
Weight: 0 lb 0.30 oz		
Estimated Delivery Date		
Thu 04/13/2023		
Cert of Mailing		\$1.85
Total		\$2.48
First-Class Mail®	1	\$0.63
Letter		
Augusta, MI 49012		
Weight: 0 lb 0.30 oz		
Estimated Delivery Date		
Thu 04/13/2023		
Cert of Mailing		\$1.85
Total		\$2.48
First-Class Mail®	1	\$0.63
Letter		
Richland, MI 49083		
Weight: 0 lb 0.30 oz		
Estimated Delivery Date		
Thu 04/13/2023		
Cert of Mailing		\$1.85
Total		\$2.48
First-Class Mail®	1	\$0.63
Letter		
Kalamazoo, MI 49004		
Weight: 0 lb 0.30 oz		
Estimated Delivery Date		
Thu 04/13/2023		
Cert of Mailing		\$1.85
Total		\$2.48
First-Class Mail®	1	\$0.63
Letter		
Richland, MI 49083		
Weight: 0 lb 0.30 oz		
Estimated Delivery Date		
Thu 04/13/2023		
Cert of Mailing		\$1.85
Total		\$2.48
First-Class Mail®	1	\$0.63
Letter		
Portage, MI 49024		
Weight: 0 lb 0.30 oz		
Estimated Delivery Date		
Thu 04/13/2023		
Cert of Mailing		\$1.85
Total		\$2.48
First-Class Mail®	1	\$0.63
Letter		
Hickory Corners, MI 49060		
Weight: 0 lb 0.30 oz		
Estimated Delivery Date		
Thu 04/13/2023		
Cert of Mailing		\$1.85
Total		\$2.48

Grand Total: \$34.72

Debit Card Remitted \$34.72
Card Name: MasterCard
Account #: XXXXXXXXXXXXXXX1621
Approval #: 745009
Transaction #: 256
Receipt #: 050542
Debit Card Purchase: \$34.72
AID: A0000000042203 Chip
AL: US Debit
PIN: Verified

In a hurry? Self-service kiosks offer quick and easy check-out. Any Retail Associate can show you how.

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Track your Packages

Account #: XXXXXXXXXXXX1621
Approval #: 745009
Transaction #: 256
Receipt #: 050542
Debit Card Purchase: \$34.72
AID: A0000000042203 Chip
AL: US Debit
PIN: Verified

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or call 1-800-410-7420.

UFN: 257650-0035
Receipt #: 840-54930308-4-8603301-2
Clerk: 12

Exhibit 15

FILED

AUG 10 2023

9TH JUDICIAL CIRCUIT
COUNTY OF KALAMAZOO
KALAMAZOO, MICHIGAN

STATE OF MICHIGAN

IN THE 9th CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

SABRINA PRITCHETT-EVANS
and KIMBERLY HARRIS,
Plaintiffs,

Case No.: 2023-0169-CZ

v.

Hon. Curtis J. Bell

REPUBLICAN PARTY OF KALAMAZOO
COUNTY, STATE OF MICHIGAN (KGOP),
KALAMAZOO GRAND OLD PARTY
EXECUTIVE COMMITTEE (KGOPEC), and
(AKA) KALAMAZOO COUNTY REPUBLICAN
COMMITTEE (KGOPEC), and KELLY SACKETT,
Defendants.

James A. Thomas (P80931)
Attorney for Plaintiffs
1925 Breton Rd., Suite 250
Grand Rapids, MI 49506
(616) 747-1188
jimmy@jimmythomaslaw.com

Matthew DePerno (P52622)
Attorney for Defendants
951 W. Milham Avenue, P.O. Box 1595
Portage, MI 49081
(269) 321-5064
matthew@depernolaw.com

OPINION AND ORDER

At a session of said Court held in the City and
County of Kalamazoo, State of Michigan,
on the 10th day of August 2023.

PRESENT: HON. CURTIS J. BELL
Circuit Court Judge

STATEMENT OF FACTS AND PROCEDURAL HISTORY

This matter comes before the Court on Defendants' Motion for Summary Disposition pursuant to MCR 2.116(C)(1), (C)(2), (C)(3), (C)(4), (C)(5), (C)(7), (C)(8), and (C)(10). Plaintiffs' Amended Complaint sought a declaratory judgment concerning alleged violations of Michigan's Election Law Statute and Bylaws, the application of Michigan's Constitution, Defendants' alleged breaches of fiduciary duties, and Defendants' alleged defamation against Plaintiffs. On July 20th

the Court entertained evidence and heard oral arguments concerning Defendants' Motion for Summary Disposition and the Court took the matter under advisement for thirty days.

The complaint was brought by Plaintiffs Sabrina Pritchett-Evans and Kimberly Harris against Defendants Republican Party of Kalamazoo County (KGOP) and Kelly Sackett. The KGOP is operated by the Kalamazoo County Republican Committee (KCRC), of which, Kelly Sackett has been Chair for all applicable periods of this dispute.

This case involves an intraparty political dispute concerning (1) the replacement of seats on the KCRC reserved for Statutory Members, (2) press release statements and censure notices about Plaintiffs made by Defendants, and (3) the removal of 17 elected precinct delegates.

The Michigan Republican Party's (MIGOP) organizational structure is divided into 83 County Committees across 13 Districts. The KGOP is a County Committee within the Fourth District of the MIGOP. Pursuant to the KGOP Bylaws, the KGOP consists of a County Executive Committee with an equal number of Statutory Members and Elected Members. Statutory Members are those individuals who have been nominated for an elective office, including county-wide elected office and State legislative offices. The Elected Members are those who have been selected through an internal Republican Party selection process. There is a third group of Executive Committee members who serve as *ex-officio* members of the Executive Committee. These members are non-voting members. These are individuals who gain their status by virtue of being affiliated with the Republican Party. The Bylaws dictate that there are 36 individuals who make up the KCRC.

Article III(3)(A) of the Bylaws states how the Statutory Members of the Executive Committee are seated:

Those persons who shall have been most recently nominated at the last two (2) preceding fall primary elections for county and state legislative offices in the fall

elections of even numbered years. These persons shall be known as **Statutory Members** of the Executive Committee.

Pl.'s Ex. 6, 1. Article III(3)(B) of the Bylaws states how the Elected Members are seated:

A number of persons, equal to the number of candidates of the Party for election to county and state legislative office in Kalamazoo County, shall be selected by the precinct delegates to the Fall County Convention of the Party taking place in even-numbered years. These persons shall be known as **Elected Members** of the Executive Committee.

Id. Michigan's legislature provides structure to political parties pursuant to MCL 168.599(1), which states:

In the year 1966 and every second year thereafter, the delegates to the fall county convention of each political party in each county in this state having a population of less than 1,500,000, shall convene at the call of the county chairperson within 20 days following the November election to select a number of persons equal to the number of county offices and state legislative offices for which candidates were nominated at the last 2 preceding fall primary elections, who, together with the persons most recently nominated by the party for each of those offices shall constitute the executive committee of their party for that county. When a new nomination is made for an office, the nominee for which is entitled to serve as a member of the executive committee, the new nominee shall replace the former nominee as a member of the executive committee. If a vacancy occurs in the position of delegate-appointed member of the executive committee, the remaining delegate-appointed members shall fill the vacancy. Except as otherwise provided in this section, the executive committee may appoint the officers it considers proper to carry out the purposes of the committee, and may fill a vacancy in any of its offices.

MCL 168.599(1).

Prior to the instant lawsuit, there existed hostility within the local Republican Party at large and specifically between the litigants. Plaintiffs were members of the KGOP Executive Committee. Am. Verified Compl. ¶ 2-3. Plaintiff Harris was an Elected Member with voting power on the Executive Committee. *Id.* As Chair of the Kalamazoo Republican Women's Association, Plaintiff Pritchett-Evans was an *ex-officio* member of the Executive Committee. Due to her *ex-officio* status, she was a non-voting member. *Id.*

Defendants allege Plaintiff Harris is part of a minority who wishes to “burn the party down.” Am. Br. In Supp. Of Def.’s Mot. For Summ. Disposition 2. Defendants further allege that Plaintiff Pritchett-Evans has “a history of donating to Democrats and supporting Democrat candidates and ideals” and that she “is a disruptor who as late as 2021 supported liberal causes such as Diversity, Equity, and Inclusion (DEI), Social Emotional Learning (SEL), and Critical Race Theory (CRT).” *Id.*

Plaintiffs claim that Defendant Sackett breached her fiduciary duty as Chair of the KGOP on January 9, 2023, when a vote was held to allow the nomination and election of three open Statutory seats. Three Statutory Members who were nominees for elected office vacated their position. Compl. ¶ 8. The vote to replace them passed with 14 votes in favor of filling the seats and nine votes against. Compl. ¶ 9. After the vote, the KGOP minutes from January 9, 2023, indicate that a “[d]iscussion ensue[d] if the chair can vote or is a nonvoting member.” Pl.’s Ex. A, 3. The minutes continue, stating “[t]he Chair is a statutory member...” *Id.* On February 13, 2023, the previously nominated replacement statutory seats received an affirmative vote. Compl. ¶ 10. Plaintiffs believe this was unlawful and in violation of MCL 168.599(1) and the Bylaws.

The MIGOP State Convention was held on February 17, 2023. The night before, the Chairs of each County Committee within the Fourth District voted on specific rules for the convention, including Rule 9. Def.’s Ex. 3, 1. Rule 9 states “[e]ach county will caucus and its voting delegates shall elect the nominees for each State & District position assigned to said county, as available.” *Id.* The caucus’ purpose was to elect district and vice chairs, district committee members, and county representatives to serve on the MIGOP. Am. Br. 1. Plaintiff Harris wished to be elected to the MIGOP State Committee and Plaintiff Pritchett-Evans wished to be elected as Fourth District Vice-Chair. *Id.* at 2.

At the February 17, 2023, Caucus for the Fourth District, a vote to amend Rule 9 as to Kalamazoo County only was brought to the floor. The amendment would make the nomination of Plaintiffs, among others, be voted upon by the entire district floor, instead of just Kalamazoo County delegates. Compl. ¶ 20. Defendants allege Plaintiffs did not have enough support in Kalamazoo County to win their nominations under Rule 9; therefore, Plaintiffs decided to formulate a plan whereby a motion would be brought at the February 17 Caucus to suspend Rule 9 as to Kalamazoo County. Am. Br. 2-3. The vote to amend Rule 9 needed a two-thirds vote (116 votes) by MIGOP District 4 to pass. Compl. ¶ 21. The measure passed with Plaintiffs among the votes in favor. *Id.*

Plaintiffs' justify their conduct at the Fourth District Caucus by referencing Defendant Sackett's February 13, 2023, action in allegedly unlawfully seating non-Statutory individuals into Statutory seats. They assert the action concerning Rule 9 was a direct consequence of Defendant Sackett's "defiance of the statutory language and binding Bylaws." Compl. ¶ 20.

On February 20, 2023, The KGOP sent Plaintiff Harris a "cease and desist" letter demanding that she stop her conduct. Am. Br. 5, Ex. 27. Defendants allege she ignored the demand letter. *Id.* Plaintiffs also claim that Defendants published a libelous press release on February 21, 2023. Plaintiffs' Ex. D. On February 27, 2023, the KGOP submitted a letter to the MIGOP Chair demanding action be taken against its members for the events at the February 17 Caucus. Am. Br. 3, Ex. 12. No response has been received. *Id.*

On March 1, 2023, the KGOP distributed censure notices of Plaintiffs. The KGOP's censure notices stated that Plaintiffs "falsely stated the KGOP Executive Committee took an illegal vote on February 13, 2023." Pl.'s Ex. E, 1, 3. Plaintiffs allege that these censures are "slanderous statements" and "have appeared on the internet and have been distributed to their entire email list

and to all the members in the [KGOP Executive Committee], Kalamazoo County duly elected precinct delegates, and KGOP membership with no substantiation.” Compl. ¶ 21.

On March 13, 2023, a Motion to Consider the Removal of Plaintiff Harris, and two other Elected Members was made. Am. Br. at 6. Article V(3) of the Bylaws outlines the requirements for quorum:

3 – Quorum A quorum of the Executive Committee shall consist of at least 30 percent of the total voting members of the Executive Committee. The affirmative vote of a majority of those present shall be necessary to take formal action, except as otherwise provided herein or by law.

Pl.’s Ex. 2, 5. Article III(7)(E) of the Bylaws outlines the procedure of a Motion to Consider Removal for an Elected Member:

A motion to consider the removal of an Elected Member from the Executive Committee requires a two-thirds vote of the Elected Members present at a regular meeting of the committee. If the motion to consider removing an Elected Member is approved, a letter must be sent to the delegate informing [her] of the action taken, and the right to appear at the next regular meeting of the organization to appeal the action taken. Final approval to remove and Elected Member requires a two-thirds vote of the members present at the meeting held subsequent to the one where the motion to consider removing an Elected Member was approved.

Id. at 3.

There must have been at least 30 percent of the Elected Members present to meet the quorum. There were 17 out of the 18 members present, thus meeting the quorum. *See* Pl.’s Ex. 2, 5. The vote count needed was two-thirds (12 votes out of 17) to pass. *See* Pl.’s Ex. 2, 3. There were 11 votes in favor of considering the removal of Plaintiff Harris and six votes against. Def.’s Ex. 31. This vote alone did not meet the two-thirds requirement under Article III(7)(D) of the Bylaws. Chair Sackett, as a non-voting member, cast her vote to consider removal. *Id.* With her vote, the Motion to Consider Removal passed by two-thirds. *Id.* As noted hereinabove, the issue of whether Chair Sackett could vote was discussed two months previously. *See* Pl.’s Ex. A, 3. Plaintiff Harris

was then given notice that a vote to remove her would take place on April 10, 2023. Am. Br. at 6. Defendants maintain that Plaintiff Pritchett-Evans was subject to removal as an *ex-officio* member because she allegedly violated rules and procedure and her “organization’s anti-Muslim rhetoric was against KGOP principals.” *Id.* at 5. There are no guidelines within the Bylaws to remove an *ex-officio* member. *See* Pl.’s Ex. 6.

On April 10, 2023, the KGOP Executive Committee voted and removed three Elected Members of the Executive Committee, including Plaintiff Harris. *See* Compl. ¶ 20. On that same day, the Executive Committee also removed 17 elected county-wide delegates. Pl.’s Ex. 1. In effect, Plaintiff Harris was removed from both her Executive Committee role as well as her role as an elected delegate. Plaintiff Pritchett-Evans was also one of the seventeen county delegates removed. *See* Pl.’s Ex. 1. Also, with her removal as an *ex-officio* member of the Executive Committee, she lost both of her positions. The very next day, the KGOP notified the County Clerk’s Office of its action. Pl.’s Ex. 1.

At the July 20th, 2023, Evidentiary Hearing, Plaintiffs and Defendants produced one witness each. Plaintiffs witness was Joel Studebaker. Mr. Studebaker was not offered as an expert. He was presented to provide background information concerning recent historical events as described hereinabove. He also provided testimony concerning his experience involved in local and State Republican party politics. Mr. Studebaker acknowledged that he was new to politics, having only been involved for the last few years. He had run for a delegate position in 2022 and was elected Chair of the Ottawa County Republican Party in December of that same year. He testified that, effective February 2023, he is Chief of Staff for the Michigan Republican Party.

The Defense witness, David Dishaw, was stipulated to be an expert in the field of parliamentary procedure, Republican Bylaws, and Republican Party history. His Republican Party

experience spans almost three decades. His positions include Republican polling, data aggregation, and political consulting. He has been a precinct delegate for 26 years and chaired the most recent Republican State Convention. There is no question that the experience and expertise of Mr. Dishaw was vastly superior to that of Mr. Studebaker. With this being said, there were some areas of agreement. There was one significant area of disagreement concerning the application of Robert's Rules of Order to the current issues before the Court.

Mr. Dishaw's discussion concerning the replacement of the three statutory members included an acknowledgment that the Bylaws were unclear as to the process of replacement. He had advised that "custom and tradition" permitted their replacement in accordance with the actions of Defendants. He also indicated that the removal of the 17 members was permissible. During his testimony, he recited two incidents under which statutory members had been replaced. This discussion concerned two former State Senate candidates, Dick Posthumus and Brian Calley. Both State Senate candidates became the Republican nominees for Lieutenant Governor. In each case, the subsequent replacement Senate Nominee became a statutory member of their local committee. In the case of Brian Calley, Mr. Dishaw indicates that three County Republican Committees selected Brian Calley's replacement for the Senate candidacy and thus the replacement nominee became a Statutory Member. He also indicates that for Dick Posthumus, the Kent County Executive Committee selected his replacement nominee. He further testified that the other counties in Michigan have a similar Executive Committee structure, though not all have Bylaws. In the case at bar, the Statutory seats were not nominees for a general election. They were Statutory Members as former nominees in the general election. Therefore, their replacement would not be running in a general election.

The summons and complaint for this matter were filed by Plaintiffs on March 29, 2023.

The same day, a Motion to Amend the Complaint was made by Plaintiffs. On April 10, 2023, this Court denied Plaintiff's Motion for Injunctive Relief, or in the Alternative Motion for an Order to Show Cause/Motion and Request for Mandamus. On April 28, 2023, Defendants made a Motion for Summary Disposition pursuant to MCR 2.116(C)(1), (C)(2), (C)(3), (C)(4), (C)(5), (C)(7), (C)(8), and (C)(10) and Demand for Sanctions pursuant to MCR 1.109(E). On May 19, 2023, Plaintiffs submitted their Amended Verified Complaint. After the complaint was amended, Defendants filed a second Motion for Summary Disposition pursuant to MCR .116(C)(1), (C)(2), (C)(3), (C)(4), (C)(5), (C)(7), (C)(8), and (C)(10) on June 9, 2023.

ANALYSIS

Defendants argue that Plaintiffs' claims are not justiciable. Am. Br. 7. Defendants state that "Plaintiffs lack the capacity to sue because this is a dispute of internal party politics, and the issues are not justiciable by this court," and that the issues brought by Plaintiffs are governed by the "political questions doctrine." *Id.*

Federal courts have spoken clearly to complaints related to State intervention with political parties. In *O'Brien v. Brown*, the United States Supreme Court stated that:

Judicial intervention in [the political] area has traditionally been approached with great caution and restraint. It has been understood since our national political parties first came into being as voluntary associations of individuals that the convention itself is the proper forum for determining intra-party disputes as to which delegates shall be seated.

409 U.S. 1, 4 (1972).

In *O'Brien*, Plaintiffs were unseated delegates that contested the recommendations of replacement delegates to the Democratic National Convention. 409 U.S. at 2. The Supreme Court stated that "[n]o case is cited to us in which any federal court has undertaken to interject itself into the deliberative processes of a national political convention; no holding of this Court up to now

gives support for judicial intervention in the circumstances presented here, involving as they do relationships of great delicacy that are essentially political in nature.” *Id.* at 4. Additionally, the Court said that “any alteration by Federal Courts of the system whereby political parties determine controversies as to seating of convention delegates should not be done under the circumstance and time pressures involved in the instant proceedings.” *Id.* at 5.

Three years subsequent to the *O’Brien* decision, the U.S. Supreme Court, once again turned to the question of how far the government can go in involving itself with political party matters. In *Wigoda v. Cousins*, the U.S. Supreme Court addressed the question of whether the political questions doctrine extends to State law. 419 U.S. 477 (1975). It noted:

We granted certiorari to decide the important question presented whether the Appellate Court was correct in according primary to state law over the National Political Party’s rules in the determination of the qualifications and eligibility of delegates to the Party’s National Convention.

Id. at 483. The Supreme Court stated, referencing the U.S. Court of Appeals, that:

The Appellate Court justified the injunction, however, on the ground that the “interest of the state in protecting the effective right to participate in primaries is superior to whatever other interest the party itself might wish to protect.” *Id.*, at 477, 302 N. E. 2d, at 629. In other words, the Appellate Court identified as the State’s legitimate interest the protection of votes cast at the primary from the impairment that would result from stripping the respondents of their elected-delegate status.

Id. at 488 (emphasis added). The *Cousins* Court concludes in:

Thus, Illinois’ interest in protecting the integrity of its electoral process cannot be deemed compelling in the context of the selection of delegates to the National Party Convention. Whatever the case of actions presenting claims that the Party’s delegate selection procedures are not exercised within the confines of the Constitution – and no such claims are made here – this is a case where “the convention itself [was] the proper forum for determining intra-party disputes as to which delegates [should] be seated.”

Id. at 491 (quoting *O’Brien v. Brown*, 409 U.S. 1, 4 (1972)). Jurisdiction that overcomes the

political questions doctrine can be conferred by statute. *Steele v. Johnson*, 458 P.2d 889, 890 (Wash. 1969); *Langone v. Secretary of Commonwealth*, 388 Mass. 185, 194 (Mass. 1983); *Bentman v. Seventh Ward Democrat Executive Committee*, 421 Pa. 188, 193 (Pa. 1966); *El Paso Republican Party of El Paso Cnty., Inc. v. Baca*, 656 S.W.3d 529, 537 (Tex. Ct. App. 2022); *Matter of Auerbach v. Suffolk County Comm. Of the Conservative Party*, 96 N.Y.S.3d 323, 328 (N.Y. App. Div. 2019). However, as described above, there are clear limits placed on the government's ability to do so. The Federal Sixth Circuit Court of Appeals has held that MCL 168.599(1) remains good law excluding certain unconstitutional portions. *Heitmanis v. Austin*, 899 F.2d 512, 529 (1990).

Plaintiffs rely upon MCL 168.599(1) for justiciability. Compl. ¶ 7. Plaintiffs argue this court has jurisdiction over this complaint since the Michigan Legislature created the Executive Committee structure through MCL 168.599 and the KGOP has modeled the Bylaws after the statute. *Id.* at ¶ 32.

The Michigan Legislature created a blueprint under which partisan political parties must structure their local governing body. In 1990, the Sixth Circuit U.S. Court of Appeals determined that some of the requirements were unconstitutional. In *Heitmanis v. Austin*, 899 F. 2d 521 (1990) the U.S. Court of Appeals considered the constitutionality of MCL 168.599. The Court held:

In *Ferency v. Austin*, 666 F.2d 1023 (6th Cir. 1981), this court found that the Michigan Election Law was unconstitutional insofar as it controlled “the method of selection of the Michigan delegates to the Democratic National Convention” in violation of Democratic National Party rules. The instant case involves similar provisions of the Election Law—controlling selection of delegates at state and county conventions and the makeup of county executive committees of the political parties—which conflict with State Party rules. We hold that these portions of the Election Law significantly burden the right to freedom of association of the State Party and its members. By compelling the State Party to automatically place incumbent legislators and nominees to county offices as delegates, the Election Law infringes upon the right of political parties to choose a method for selection of their party nominees. By requiring the county executive committees to be made up

of an equal number of elected delegates and legislators, the Election Law directly controls the internal structure of the political parties. Since Michigan has not demonstrated any compelling state interest for such a significant restriction of the freedom of association, we conclude that the relevant parts of the Election Law are facially unconstitutional. As such, we need not reach the remaining questions of whether the Election Law violates the one person, one vote requirement of the Fourteenth Amendment and the Voting Rights Act.

Id. at 529-30 (emphasis added).

MCL 168.559 has not been updated by the Michigan Legislature since this holding. Therefore, MCL 168.599 should be interpreted as written except for the unconstitutional portion. The KGOP Bylaws were amended on February 9, 2015, and were originally adopted on April 19, 2012. *Id.* at Ex. 2 at 9. The Bylaws adopted Statutory language that has been determined to be an unconstitutional interference by the government in the internal structure of political parties. By adopting the governing structure subsequent to *Heitmanis*, this Court concludes the KGOP endorses and adopts the original language of the statute. Therefore, the determination by the *Heitmanis* Court has no bearing on the application of this language in the Bylaws.

The Michigan Supreme Court provides a similar analysis as the federal courts do on the political questions doctrine. In *American Independent Party v. Secretary of State*, 397 Mich. 689, 692-93 (1976), the plaintiff split from the party, formed its own committee, called its own State convention, considered itself entitled to the political party's name, and made no attempt to qualify as a new party. *Id.* When both slates were presented to the State Director of Elections, the director stated that he would only accept one slate of candidates certified by both chairmen. *Id.* at 696. The Michigan Supreme Court held that the "Director of Elections correctly left to the American Independent Party the resolution of the intraparty dispute" because "the convention itself is the proper forum for determining intraparty disputes." *Id.* at 696. Also, it held that previous decisions from the Court were no longer controlling "because of intervening changes in the election code."

Id. at 694.

Other State courts have provided varied analyses on this question as well. In *Bentman v. Seventh Ward Democrat Executive Committee*, 421 Pa. 188, 191-192 (Pa. 1966), the plaintiffs were elected committeemen from their respective districts, removed from office, and replaced with appointed successors with a notice of a meeting that gave no statement of the charges against them. The charges given to them at the subsequent meeting were for disloyalty that took place prior to their election as party committeemen. *Id.* at 192. The Pennsylvania Supreme Court took notice that the Pennsylvania legislature had recently added a new section to the Election Code which reads:

Whenever two or more members of a political party shall be elected or appointed, as the rules of the party may provide, as members of a political committee to represent the members of such party in the respective election districts, such members shall constitute a political committee of said political party to function within such election district: Provided, that, When acting in the capacity of a political committee, such duly elected or appointed members shall be subject to the control, direction and supervision of the political committee of which they are members.

Id. at 192-93. Ultimately, the Supreme Court of Pennsylvania held that the statute had the “intent of the legislature to confer upon political or party committeemen such legal status as to make them amenable to the jurisdiction of the courts.” *Id.*

The decision in *Bentman* is narrowed in *Mohn v. Bucks County Republican Committee*, 259 A.3d 449, 459 (Pa. 2021). The Pennsylvania Supreme Court provides that *Mohn* “centers on just how broadly *Bentmen* should be read, particularly in terms of its ‘direct and substantial’ litmus for state action.” *Id.* at 457. The Court states that “an individual must point to some discrete acts or actions entailing state action to establish the required direct-and-substantial nexus, such as the nomination of candidates for local judgeships raised in *Bentman*.” *Id.* Ultimately, the Supreme Court of Pennsylvania in *Mohn* decided that Plaintiff failed to establish the required direct-and-substantial nexus, unlike the plaintiffs in *Bentman*. *Id.*

In *Steele v. Johnson*, 458 P.2d 889, 890 (Wash. 1969), the plaintiff was an unsuccessful U.S. Congressional Representative candidate. While the Supreme Court of Washington eventually held that it did not have jurisdiction over the case, it did say “[t]here is no rule of law, however, that prevents a political party from making contracts, nor is there any rule that immunizes them from liability for tortious conduct.” *Id.* at 891. Additionally, the Court stated, “[e]xcept to the extent that jurisdiction is conferred by statute, the law of private and voluntary associations applies to political parties.” *Id.* at 890. However, the Supreme Court of Washington held that the plaintiff’s argument relied on the “custom and tradition” of the political parties, not statute, and thus, the court had no jurisdiction over the customs and traditions. *Id.* at 890.

In the present case, Defendants argued that the customs and traditions of the KGOP are the ruling authority when deciding the rules of procedure. They argued that even though the Bylaws lay out certain rules and procedures, this Court should instead look to the procedures that the KGOP has customarily followed, instead of what their Bylaws provide. Analyzing this argument under the analysis of *Steele*, it is hard to agree with Defendants. If this Court has the jurisdiction to adjudicate this matter, it cannot be based on the customs when there are Bylaws and/or statute on point. Clearly, customs and traditions can be used in areas where the controlling authority conflicts or is unclear.

Plaintiffs were removed from the KGOP Executive Committee due to alleged behavior that was opposite to KGOP’s ideals. Defendants argue that the decision and reasoning in *O’Brien* means that this Court should leave the KGOP to deal with this intraparty issue on its own. It’s supported by *American Independent Party*, where the Michigan Supreme Court decided that Courts should not interfere with an intraparty issue about which slate is to be put on a ballot. *Bentman*, though not binding authority, determined that Courts did have jurisdiction to decide an

arguably political matter when the Plaintiffs were elected committeemen that were removed from office where there was a statute that had “intent of the legislature to confer upon political or party committeemen such legal status as to make them amenable to the jurisdiction of the courts.” Further, in *Steele*, though not binding authority, the court reasoned that jurisdiction can be conferred by statute, but that the court did not have jurisdiction over the “custom[s] and traditions” of the party. *Steele*, 458 P.2d 889, 890 (Wash. 1969).

Defendants’ expert, Dishaw, testified that when a Statutory Member seat is open the Committee fills the seat. The two examples he provided were nominees that were in the midst of a general election. In the case before the Court, the three statutory seats vacated by individuals were not in the midst of a general election. The general election had passed. Accordingly, there would be no one qualified as a Statutory Member by definition. Here, there is a relevant statute that “[has] the intent of the legislature to confer upon political or party committeemen such legal status as to make them amenable to the jurisdiction of the courts.” See *Bentmen*, 421 Pa. at 192-93. Excluding the parts deemed unconstitutional, MCL 168.599(1) states that:

[E]ach political party in each county in this state having a population of less than 1,500,000 shall convene at the call of the county chairperson within 20 days following the November election to select a number of persons . . . who, together with the persons most recently nominated by the party of each of those offices shall constitute the executive committee of their party for that county.

This is similar to the statute in *Bentmen* which states:

Whenever two or more members of a political party shall be elected or appointed, as the rules of the party may provide, as members of a political committee to represent the members of such party in the respective election districts, such members shall constitute a political committee of said political party to function within such election district: Provided, that, When acting in the capacity of a political committee, such duly elected or appointed members shall be subject to the control, direction and supervision of the political committee of which they are members.

Bentmen, 421 Pa. at 192-93.

Defendants adopted their Bylaws in 2012 and made them consistent with MCL 168.599(1). The Bylaws have most recently been amended in 2015. If Defendants wanted to adopt and/or amend the Bylaws to match the ruling in *Heitmanis*, which held parts of MCL 168.599(1) unconstitutional, they would have. The ruling in *Heitmanis* is from 1990 and the adoption of the Bylaws took place 22 years subsequent to the decision. Therefore, the Bylaws must be construed as intentionally modeling the original language of MCL 168.599(1).

This Court is a State Court, and *O'Brien* dealt with federal courts. *O'Brien* explicitly states:

[N]o case is cited to us in which any federal court has undertaken to interject itself into the deliberative processes of a national political convention; no holding of this Court up to now gives support for judicial intervention in the circumstances presented here, involving as they do relationships of great delicacy that are essentially political in nature.

O'Brien, 409 U.S. at 4. *O'Brien* mentions federal courts five times throughout its short opinion and not once does it mention State courts. Additionally, its reasoning is entirely reliant upon the circumstances that are presented in each controversy.

Further, *American Independent Party* has vastly different facts from the case here. In *American Independent Party*, the political party had two separate slates for a ballot and the Court held that the party should decide which would be valid. This decision by the Michigan Supreme Court can be differentiated from the present case because this Court's decision would not directly determine who would be put onto a ballot for an election.

Additionally, the analysis in *Mohn* is distinguishable. *Mohn*'s analysis focused on the issue of whether the Court had jurisdiction based on State action. In *Bentmen*, jurisdiction was conferred by a statute that created political committees within political parties. In *Mohn*, the Pennsylvania Supreme Court narrowed *Bentmen* regarding "how broadly *Bentmen* should be read, particularly in terms of its 'direct and substantial' litmus for state action." Here, State action is only one avenue

of jurisdiction that Plaintiffs put forth. Plaintiffs also assert that this Court has jurisdiction by statute through the KGOP's Bylaws modeled after MCL 168.599(1).

In the instant case, Plaintiffs do not assert a claim of breach of contract by the KGOP's of the Bylaws. However, it must be noted that Michigan has recognized that contracts can be formed by application of Bylaws. In *El-Khalil v. Oakwood Healthcare, Inc.*, 504 Mich. 152, 164 (2019) the Michigan Supreme Court decided a case where a plaintiff pleaded a claim for breach of contract, arguing that defendants breached the Bylaws. The Court states that "[a] party asserting a breach of contract must establish by a preponderance of the evidence that (1) there was a contract (2) which the other party breached (3) thereby resulting in injury to the party claiming breach." *Id.* The Court continued, "[p]laintiff asserts that the denial of his privileges was in breach of the bylaws . . . [p]laintiff's assertion is legally sufficient for his breach-of-contract claim to survive MCR 2.116(C)(8)." *Id.* at 166. Even though in the instant case Plaintiffs did not assert a breach of contract claim, it is possible that a breach of contract claim involving KGOP's breach of its Bylaws could be adjudicated by this Court. This would be true only if the question was not one concerning internal political decisions.

The analysis of whether jurisdiction can be conferred must be applied to each of Plaintiffs's claims.

Plaintiffs seek a Judicial Declaration regarding the applicability of Michigan Compiled Laws 168.599, MRSC Bylaw Article XIII, and KGOP Bylaw Section 7 to the administrative action of Defendants. Compl. ¶ 38-42. Plaintiffs pray for a grant of equitable relief and a declaratory judgment, a grant of Plaintiffs' costs, expenses, and attorney fees, and a grant of compensatory, incidental, noneconomic, and punitive damages. *Id.* at ¶ 42.

Plaintiffs allege that Defendants violated MCL 168.599 by voting and seating precinct

delegates into Statutory seats. The Michigan Legislature has provided a structure for how Statutory seats be filled, and the KGOP's Bylaws have modeled that. Elected Members "who, together with the persons most recently nominated by the party for each of those offices shall constitute the Executive Committee of their party for that county." MCL 168.599(1). The Bylaws state that "[t]hese persons shall be known as Statutory Members of the Executive Committee." Def,'s Ex. 2, 1. Also, Elected Members "must be equal to the number of candidates of the Party for election to county and state legislative office in Kalamazoo County." *Id.*

Neither the Michigan Legislature nor the Bylaws provide guidance in the event that a vacancy of a Statutory seat occurs. The guidance given by the Michigan Legislature is that "the Executive Committee . . . may fill a vacancy in any of its offices." MCL 168.599(1). Additionally, the Bylaws simply state that "[i]f a vacancy occurs in the position of a Statutory Member of the Executive Committee and there is a special election held to fill the office, the vacancy may only be filled by the person who is the new Republican nominee for the office in question." Def,'s Ex. 2, 2.

Reading the Bylaws as plainly written, against the backdrop of Kalamazoo County having 18 county and State legislative offices, there must be 18 Statutory Members and 18 Elected Members. When three Statutory Members left, it meant that there were only 15 Statutory Members. The party then had to choose whether to only have 15 Statutory and Elected Members each, violating Article III(3)(A), or to elect three members in Statutory Seats, violating Article III(3)(B).

No matter what the Party does it will violate its Bylaws in some way. The first option places importance on the idea that the amount of Statutory and Elected Members should be balanced between one another. The second option places importance on the idea that the more people there are to have their voices heard, the better. There is no guidance given to the KGOP regarding how

to settle this situation. When the KGOP chose to elect members into Statutory Seats, it had the discretion to do so under MCL 168.599(1) and its Bylaws. Therefore, the Party is allowed to fill those seats as it determines under its customs and traditions.

Plaintiffs next argue that Defendants violated the Bylaws when they removed 17 delegates, including Plaintiffs. The 17 delegates were duly elected by individuals who voted in the election on the Republican ballot. There has been significant litigation concerning the removal of elected delegates in similar positions. The analysis has been thoroughly presented hereinabove. The KGOP has no provision in its Bylaws concerning the removal of elected delegates. However, clearly, this has been done in other contexts and resulted in litigation. Courts have continued to determine that this issue falls under the political questions doctrine. Some Courts have discussed Court intervention when there is a direct and substantial nexus between the conduct taken and the resulting impact on the partisan voter and/or the general electorate. However, in looking at the analysis by the *Cousins* Court, it is clear that this does not provide a basis for judicial intervention. As the Supreme Court determined in *Cousins*, even when the dispute concerns the nomination of a presidential candidate, the Court should not involve itself. This Court cannot think of a more direct and substantial nexus than the nomination of a presidential candidate. As such, this Court has no jurisdiction.

Plaintiffs argue that their removal from the Executive Committee is also actionable. Plaintiff Pritchett-Evans is a nonvoting *ex-officio* member of the Executive Committee. Because of her *ex-officio* status, the Bylaws give no guidance as to the process of her removal from the KGOP. Pursuant to the analysis above, the question of the removal of an *ex-officio* member is an internal political question. Regarding Plaintiff Harris, the KGOP's Bylaws dictate how to remove an Elected Member from the Executive Committee. "A motion to consider the removal of an

Elected Member from the Executive Committee requires a two-thirds vote of the Elected Members present at a regular meeting of the committee.” Pl.’s Ex. 6, 3.

Here, a vote of two-thirds of the body of Elected Members was needed to consider the removal of an Executive Committee Member. When voting to consider the removal of the three Executive Committee Members, including Plaintiff Harris, there were 11 votes in favor of removal and six against. Def.’s Ex. 31, 1. Defendant Sacket, acting as Chair, then made a two-thirds vote in favor of removal and the motion passed. *Id.*

The conclusion is simple. Seventeen Elected Members were present and voted. For a two-thirds vote to pass, 12 votes must have been submitted in favor of removal, but only 11 were cast in favor. Defendant Sackett then made a two-thirds vote to pass the Motion to Consider Removal regarding Plaintiff Harris. But Defendant Sackett is not one of the “Elected Members,” and she did not have the authority to cast a vote. The Motion to Consider Removal regarding Plaintiff Harris should not have passed, and she was unjustly removed from the Executive Committee because Defendant Sacket acted ultra-virus to her authority.

With clear overreach by the Chair, the question becomes whether this is internal party politics as defined by *O’Brien* and its progeny. Does the improper removal of an Executive Committee member confer jurisdiction for this Court? This is a question that is not only governed by the Bylaws in question but also has a direct-and-substantial nexus to the potential nomination of Republican candidates as described herein above by Defense expert Dishaw.

Plaintiffs also seek a Judicial Declaration for the Michigan Constitution pursuant to Article 1 § 2 Equal Protection of the Laws and Due Process. Compl. ¶ 43-50. Plaintiffs pray for equitable relief and a declaratory judgment, a grant of declaratory judgment that Defendants violated Plaintiffs’ Michigan Constitutional rights, a grant of Plaintiffs’ costs, expenses, and attorney fees,

and a grant of compensatory, incidental, noneconomic, and punitive damages. *Id.* at ¶ 50.

“Constitutional protections apply to governmental action only . . .” *Marhsall v. Cent Med. Imaging MRI & CT Ctr.*, 2014 Mich. App. LEXIS 701, 2014 WL 1515279 (2014) (citing *City of Grand Rapids v. Impens*, 414 Mich. 667, 673; 327 N.W.2d 278 (1982)). Furthermore, a “private entity can qualify as a state actor in a few limited circumstances – including, for example, (i) when the private entity performs a traditional exclusive public function . . . (ii) when the government compels the private entity to take a particular action . . . or (iii) when the government acts jointly with the private entity. *Manhattan Cmty. Access Corp. v. Halleck*, 139 S. Ct. 1921, 1928 (2019).

However, constitutional relief “simply does not apply outside the context of a claim that *the state* (or a state official sued in an official capacity) has violated individual rights protected under the Michigan Constitution.” *Jones v. Powell*, 577 N.W.2d 130, 136 (Mich. Ct. App. 1998). Additionally, “[i]n cases involving entities other than the state as a party defendant, the plaintiffs have available a number of alternative remedies.” *Id.* at 134.

In *Jackson v. Metropolitan Edison Co.*, 419 U.S. 345, 354 (1974) it was held that “[d]octors, optometrists, lawyers, Metropolitan, . . . are all in regulated businesses, providing arguable essential goods and services, ‘affected with a public interest’” and that the Supreme Court “does not believe that such a status converts their every action, absent more into that of the State.” Additionally, In *Blum v. Yarertsy*, 457 U.S. 991, 1011 (1982) there was “state subsidization of the operating and capital costs of the facilities, payment of the medical expenses of more than 90% of the patients in the facilities, and the licensing of the facilities by the State” and the Supreme Court was “nonetheless unable to agree that the State is responsible for the decisions challenged by respondents.”

Here, we have a political party, a private entity, that was performing its intraparty private

actions. To claim constitutional relief, the entity that Plaintiffs claim relief from must be a State actor or entity performing State actions. Defendants in this case are not State actors. Furthermore, they were not performing State actions when deciding whom their intraparty delegates will be. Therefore, Plaintiffs are unable to assert claims for constitutional relief, and Defendant's Motion for Summary Disposition regarding this count is granted.

Plaintiffs' third count alleges a Breach of Fiduciary Duty. Compl. ¶ 51-56. They pray for costs, expenses, and attorney fees, compensatory, incidental, noneconomic, and punitive damages in excess of \$25,000. *Id.* at ¶ 56.

Plaintiffs allege that Defendant Sackett, acting as KGOP chair, breached her fiduciary duty, by "knowingly moving forward with a vote for three precinct delegates as Statutory Members of the KGOP Executive Committee and then seating them as elected precinct delegates in a Statutory seat contrary to MCL 168.599(1) and Article XIII of the MRSC Bylaws." *Id.* at ¶ 11. A "fiduciary duty" is defined by *Black's Law Dictionary* as "[a] duty to act with the highest degree of honesty and loyalty toward another person and in the best interests of the other person (such as the duty that one partner owes to another). For example, directors have a duty not to engage in self-dealing to further their own personal interests rather than the interests of the corporation." *Black's Law Dictionary* (11th ed. 2019). As well, the relevant portion of Article XIII(A) of the MRSC Bylaws states: "[t]he county executive committee of each county shall adopt its own bylaws and rules of procedure." Pl.'s Ex. C, 20.

Defendants allegedly violated MCL 168.59(1), which states that the KGOP, as a "political party," is to "select a number of persons equal to the number of county offices and state legislative officers for which candidates were nominated at the last [two] preceding fall primary elections." Compl. ¶ 11. By voting to seat three precinct delegates into the statutory seats, Plaintiffs argue that

Defendants essentially made the balance between the Statutory Members and Elected Members not equal. *Id.* Plaintiffs also allege that seating Elected Members in seats of Statutory Members diluted Plaintiff Harris's vote. *Id.* at ¶ 37.

Plaintiffs also allege that Defendant Sackett breached her fiduciary duty by removing Plaintiffs, among others, from their positions. *Id.* at ¶ 17. Plaintiffs further allege that Defendants violated MCL 168.599(1) and Article III(3)(B) by removing Elected Members, including Plaintiff Harris. *Id.* at ¶ 11. Plaintiffs allege that they will suffer irreparable harm by being permanently removed from the KGOP. *Id.* at ¶ 37. Plaintiffs also allege that they have been denied equal protection of the law. *Id.*

The right of an organization to select its own leader is fundamental to a political party. Here, Plaintiffs allege that Defendant Sackett, the KGOP's Chair, breached her fiduciary duty. When deciding whether this count is able to be adjudicated in this Court, it is fundamental to consider that this count is wholly internal in nature. The body of the KGOP selected Defendant Sackett to be its Chair and now Plaintiffs disagree with some of her actions and state that they are entitled to monetary relief, among other types of relief.

This count is an intraparty dispute. Also, the relief that Plaintiffs seek is monetary. Plaintiffs do not seek to right wrongdoing by Defendant Sackett through equitable relief here.

There exist cases in Michigan where Courts have subject-matter jurisdiction to hear cases involving claims of breach of fiduciary duty regarding embezzlement. *Impressions Apparel v. Porter*, 2007 Mich. Cir. LEXIS 1090, *12 (6th Jud. Cir. Ct. 2007). *Foster v. Oliver*, 2015 Mich App. LEXIS 1783, *2, 12 (Mich. Ct. App. 2015). However, there does not exist cases in Michigan where Courts have subject-matter jurisdiction to hear claims of fiduciary duty regarding a political party's internal disputes. Even ignoring the political questions doctrine put forth by Defendants, it

is unclear whether this Court has the jurisdiction to hear this count. Taking into account the political questions doctrine, it is clear that this Court does not have the jurisdiction to hear this count. Defendant's Motion for Summary Judgment regarding this claim is granted.

Plaintiffs' final count alleges an Action for Libel or Slander pursuant to MCL 600.2911. Compl. ¶ 57-63. They pray for costs, expenses, and attorney fees, compensatory, incidental, noneconomic, and punitive damages in excess of \$25,000. *Id.* at ¶ 63. Plaintiffs allege that Defendants defamed them in a press release published on February 21, 2023, and in censure notices distributed on March 1, 2023. Defendant's Motion for Summary Disposition is denied with respect to this count because there is not sufficient evidence at this time to grant it and further development of the record is needed. Summary disposition under MCR 2.116(C)(10) is generally considered to be premature if discovery concerning a disputed issue is incomplete. *Ensink v. Mecosta Cnty. Gen. Hosp.*, 262 Mich. App. 518, 540; 687 NW2d 143 (2004).

Issues such as defamation allegations are heavily fact specific. With discovery incomplete, analysis of these issues is premature and not subject to summary disposition. At this point in time, the Complaint lays out enough to put Defendants on notice of what is being alleged. Whether or not those allegations can be proven is something to be analyzed after discovery has finished.

CONCLUSION

This Court is a Court of record endowed by the Michigan Constitution with "original jurisdiction in all matters not prohibited by law," in addition to having "power to issue, hear and determine prerogative and remedial writs, supervisory and general control over all inferior courts and tribunals," and "jurisdiction of other cases and matters as provided by rules of the Supreme Court." Mich. Const. art. VI, § 13. Thus, this Court is assumed to have jurisdiction unless the matter in question is specifically excluded by law. *Lester v. Spreen*, 84 Mich. App. 689 (1978).

MCR 8.117 and the Supreme Court Administrator's Office recognize that, among circuit court case type codes is "CC" for "all condemnation proceedings."

Moreover, unless divested of its presumptive jurisdiction by a specific statute, this Court, or any Court, must exercise the jurisdiction conferred upon it as summarized in *Union Pac. RR Co. v. Brotherhood of Locomotive Eng'rs*, 558 U.S. 67, 71 (2009). Michigan courts, like their federal counterparts, "are not permitted either to enlarge or diminish the jurisdiction conferred by statute or the constitution." *In re Hatcher*, 443 Mich. 426, 433 (1993).

If the Supreme Court has found unconstitutional government actions that serve to protect against political disenfranchisement, then certainly a claim by Plaintiffs relying on that same argument cannot be considered proper before this Court. See *supra Cousins*, 419 U.S. at 491. Those individuals who voted to elect Plaintiff Harris, and the other two members, do not have a vested right to those Elected seats. The Bylaws provided for a method of removal. See Pl.'s Ex. 6, 3.

The more challenging question concerns whether there is a contractual claim based on a clear violation of the Bylaws in the removal of Ms. Harris. As discussed hereinabove, this is not part of Plaintiffs' Complaint.

It is hereby ordered and adjudged that Plaintiffs Counts I, II and III are dismissed for the reasons stated hereinabove. No costs or attorneys' fees are assessed.

It is further ordered that discovery can resume consistent with the scope of this decision.

IT IS SO ORDERED.

Dated: August 10, 2023



CIRCUIT COURT JUDGE
Honorable Curtis J. Bell

Exhibit 16



November 17, 2023

Angela Palomaki
708 N Boulevard St
Vicksburg, Michigan 49097

RE: Membership Status

Dear Angela Palomaki,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

A handwritten signature in black ink that reads "Kelly Sackett". The signature is written in a cursive, flowing style.

Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Ann Brissette
2656 Orange Meadow Ln
Kalamazoo, Michigan 49004

RE: Membership Status

Dear Ann Brissette,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

A handwritten signature in black ink that reads "Kelly Sackett". The signature is written in a cursive style.

Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Bruce Lenardson
7534 Farmington Ave
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Bruce Lenardson,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

A handwritten signature in black ink that reads "Kelly Sackett". The signature is written in a cursive, flowing style.

Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

C.James Mallinson
1311 Manor St
Kalamazoo, Michigan 49006

RE: Membership Status

Dear C.James Mallinson,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

A handwritten signature in black ink that reads "Kelly Sackett". The signature is written in a cursive, flowing style.

Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Christian Chojnowski
11243 Delmar
Richland, Michigan 49083

RE: Membership Status

Dear Christian Chojnowski,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Cindy Little
525 Grand Pre Ave
Kalamazoo, Michigan 49006

RE: Membership Status

Dear Cindy Little,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Dana Craft
7757 Bowers Harbor Ave
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Dana Craft,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

A handwritten signature in black ink that reads "Kelly Sackett". The signature is written in a cursive style with a large, looped 'K'.

Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style with a large, looped 'K'.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Dana Hatfield
6039 Danford Creek Dr Apt 1
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Dana Hatfield,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Daniel Hoffman
6841 Evergreen St
Portage, Michigan 49024

RE: Membership Status

Dear Daniel Hoffman,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

David Stevens
6224 Avon St
Portage, Michigan 49024

RE: Membership Status

Dear David Stevens,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Debra Thompson-Smith
4040 Greenleaf Cir Apt 211
Kalamazoo, Michigan 49008

RE: Membership Status

Dear Debra Thompson-Smith,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

Kelly Sackett

KGOP Chairwoman

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Dennis Kehoe
11806 Heron St
Schoolcraft, Michigan 49087

RE: Membership Status

Dear Dennis Kehoe,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Gail Koporetz
8736 E D Ave
Richland, Michigan 49083

RE: Membership Status

Dear Gail Koporetz,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

Kelly Sackett
KGOP Chairwoman

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Gary Mitchell
2977 Hickory Nut Ln
Kalamazoo, Michigan 49004

RE: Membership Status

Dear Gary Mitchell,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

George Beuckelaere
1903 Lakeway Ave
Kalamazoo, Michigan 49001

RE: Membership Status

Dear George Beuckelaere,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

A handwritten signature in black ink that reads "Kelly Sackett".

Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted".

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Heather Triqueros
1548 Notley Field Ln
Vicksburg, Michigan 49097

RE: Membership Status

Dear Heather Triqueros,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

James Bloomfield Jr
2304 W Gleneagle Dr
Kalamazoo, Michigan 49048

RE: Membership Status

Dear James Bloomfield Jr,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

James Mitchell
2513 Outlook St
Kalamazoo, Michigan 49001

RE: Membership Status

Dear James Mitchell,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Jamie Calder
4044 Ivy St
Galesburg, Michigan 49053

RE: Membership Status

Dear Jamie Calder,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Jeremy Smith
4040 Greenleaf Cir Apt 211
Kalamazoo, Michigan 49008

RE: Membership Status

Dear Jeremy Smith,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Joshua Losota
6867 Jr Dr
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Joshua Losota,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Julie Henderson
1304 Lakeway Ave
Kalamazoo, Michigan 49001

RE: Membership Status

Dear Julie Henderson,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Julie Pieper
3580 W C Ave
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Julie Pieper,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Kathy Stoll
2656 Orange Meadow Ln
Kalamazoo, Michigan 49004

RE: Membership Status

Dear Kathy Stoll,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Kelly Cox
7031 N 32Nd St
Richland, Michigan 49083

RE: Membership Status

Dear Kelly Cox,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Kevin Little
6433 Old Log Trl
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Kevin Little,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Kurt Calder
4044 Ivy St
Galesburg, Michigan 49053

RE: Membership Status

Dear Kurt Calder,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

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Kelly Sackett
KGOP Chairwoman

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Kathleen Olmsted
KGOP Secretary



November 17, 2023

Lorraine Malackowski
8031 W U Ave
Schoolcraft, Michigan 49087

RE: Membership Status

Dear Lorraine Malackowski,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Manfred Martin
1622 Plumtree Ave
Portage, Michigan 49002

RE: Membership Status

Dear Manfred Martin,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Mark Chilcott
6909 Crest Point Ct
Portage, Michigan 49024

RE: Membership Status

Dear Mark Chilcott,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Megan Haan
8574 Doe Ave
Galesburg, Michigan 49053

RE: Membership Status

Dear Megan Haan,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Melvin Reeves
504 Keyes Dr
Parchment, Michigan 49004

RE: Membership Status

Dear Melvin Reeves,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

Kelly Sackett
KGOP Chairwoman

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Pamela Herbert
6717 S 30Th St
Kalamazoo, Michigan 49048

RE: Membership Status

Dear Pamela Herbert,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Patricia Doran
12346 N Sherman Lake Dr
Augusta, Michigan 49012

RE: Membership Status

Dear Patricia Doran,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Paul Seals
5829 Vista Rdg
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Paul Seals,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style with a large, looped 'K'.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Paula Hochstetler
12867 S 36Th St
Vicksburg, Michigan 49097

RE: Membership Status

Dear Paula Hochstetler,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

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Sincerely,

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Rebecca Larsen
6209 Winddrift Ave
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Rebecca Larsen,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Robert Heuermann
7534 Yorktown
Richland, Michigan 49083

RE: Membership Status

Dear Robert Heuermann,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Rodney Halcomb
10715 S S Ave E
Scotts, Michigan 49088

RE: Membership Status

Dear Rodney Halcomb,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Ruth Berjawi
717 Chalfonte Ave
Portage, Michigan 49024

RE: Membership Status

Dear Ruth Berjawi,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

A handwritten signature in black ink that reads "Kelly Sackett". The signature is written in a cursive style.

Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Sandra Bloomfield
2304 W Gleneagle Dr
Kalamazoo, Michigan 49048

RE: Membership Status

Dear Sandra Bloomfield,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

A handwritten signature in black ink that reads "Kelly Sackett". The signature is written in a cursive style.

Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Sarah Gage
10301 Terry Ln
Portage, Michigan 49002

RE: Membership Status

Dear Sarah Gage,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Sarah Losota
6867 Jr Dr
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Sarah Losota,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Shelby Crouse
10172 W KI Ave
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Shelby Crouse,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Shelby Nowak
5902 Baywood Dr
Portage, Michigan 49024

RE: Membership Status

Dear Shelby Nowak,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Shelly Misak
10743 Callaway Ave
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Shelly Misak,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted

KGOP Secretary



November 17, 2023

Taukir Gill
1960 Shuring Rd.
Portage, Michigan 49204

RE: Membership Status

Dear Taukir Gill,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Theresa Devries
8888 Mountain Pine Ln
Kalamazoo, Michigan 49009

RE: Membership Status

Dear Theresa Devries,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive, flowing style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Thomas Little
525 Grand Pre Ave
Kalamazoo, Michigan 49006

RE: Membership Status

Dear Thomas Little,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted
KGOP Secretary



November 17, 2023

Veronica Carra
6313 Trotwood St
Portage, Michigan 49024

RE: Membership Status

Dear Veronica Carra,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

Sincerely,

A handwritten signature in black ink that reads "Kelly Sackett".

Kelly Sackett
KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted".

Kathleen Olmsted
KGOP Secretary



November 17, 2023

William Hochstetler
12867 S 36Th St
Vicksburg, Michigan 49097

RE: Membership Status

Dear William Hochstetler,

This letter is to notify you that your membership with the Kalamazoo County Republican Committee (KGOP) has been revoked in accordance with Section 4.3. of the KGOP Bylaws (https://kgop.org/?page_id=1918).

If you wish to appeal this decision, you may contact the Secretary at secretary@kgop.us.

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Kelly Sackett

KGOP Chairwoman

A handwritten signature in blue ink that reads "Kathleen Olmsted". The signature is written in a cursive style.

Kathleen Olmsted

KGOP Secretary

Exhibit 17

Call to Kalamazoo County Special Convention

1 message

Kzoodelegates <kzoodelegates@gmail.com>

Sat, Aug 12, 2023 at 3:44 PM

To: kzoodelegates@proton.me

Bcc: matthew@depernolaw.com

Dear Kalamazoo County Delegates and At-large Delegates,

A special convention by a majority of Kalamazoo County Delegates is being called.

The following issues will be addressed:

- The egregious action of Chair, Kelly Sackett, in attempting to unilaterally remove 17 duly elected delegates without due process.
- The breach of contract by violating the KGOP bylaws when three delegate-elected members were removed without the proper vote. Judge Bell wrote in his decision, "The Motion to Consider Removal regarding Plaintiff Harris should not have passed, and she was unjustly removed from the Executive Committee because defendant Sackett acted ultra-virus to her authority." It was a clear overreach by the Chair.
- The breach of contract by Kelly Sackett and other Executive Committee members by moving forward with installing three delegates into statutory seats violating KGOP Bylaws, Michigan Republican Party State Bylaws, and MCL 168.599. Statutory positions are set-aside for the most recent nominees for county offices and state legislative offices. If a person is elected both a delegate at-large and a delegate of an election district, a vacancy shall exist in the district delegation. A person cannot occupy a delegate position and a delegate-at-large position.

On August 10, 2023, the judge ruled that the above egregious actions are intra-party issues and must be resolved within the party. The remedy is We the Delegates. See the attached Call to Special Convention.

"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right it is their duty, to throw off such Government, and to provide new Guards for their future

security," United States of America Declaration of Independence.

Sincerely,

Kerry Lynn Elieff

Chair of the Rules Committee



Official Call to Special Convention of the Kalamazoo County Delegates_1 (3).pdf

142K

Official Call to Special Convention of the Kalamazoo County Delegates

There shall be a meeting of the duly elected Precinct Delegates and the At-Large Delegates to the Special Convention.

Location: 12th Street Baptist Church, 3911 S 12th St, Kalamazoo, MI 49009

Time: 6:30 pm

Date: September 15, 2023

Purpose: Vote to remove the current EC and Officers and to elect a new EC body and Officers.

Only duly elected Precinct Delegates at the August 4, 2022, Primary Election, those elevated on a permanent basis at subsequent County Convention, and the most recent Republican Nominees for our County and State Legislation shall be allowed to vote on matters as may properly come before the Special Convention.

Delegates are to respond by email that they have received this call to convention by no later than August 14, 2023, 5:00 pm. Respond to kzodelegates@gmail.com

Kerry Lynn Elieff



Chairwoman of the Rules Committee of Special Convention of the Kalamazoo County Delegates

Official Call to Special Convention of the Kalamazoo County Delegates

There shall be a meeting of the duly elected Precinct Delegates and the At-Large Delegates to the Special Convention.

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Only duly elected Precinct Delegates at the August 4, 2022, Primary Election, those elevated on a permanent basis at subsequent County Conventions, and the most recent Republican Nominees for our County and State Legislation shall be allowed to vote on matters as may properly come before the Special Convention.

If you have any questions regarding this convention, please email us at kzodelegates@gmail.com

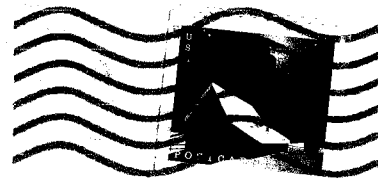
Kerry Lynn Elieff



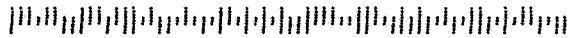
Chairwoman of the Rules Committee of the Special Convention of the Kalamazoo County Delegates

Kzoo Delegates
P.O. Box 361
Richland, MI 49083-9998

GRAND RAPIDS MI 493
17 AUG 2023 PM 6 L



49009-670617



CORRECTED KALAMAZOO COUNTY SPECIAL CONVENTION LOCATION

DATE	TIME	LOCATION
September 15, 2023	6:30 PM	Scotts Community Center 8450 36th St. S Scotts, MI 49008

Purpose: Vote to remove the current EC and Officers and to elect a new EC body and Officers.

Only duly elected Precinct Delegates at the August 4, 2022, Primary Election, those elevated on a permanent basis at subsequent County Conventions, and the most recent Republican Nominees for our County and State Legislation shall be allowed to vote on matters as may properly come before the Special Convention.

If you have any questions regarding this convention, please email kzoodelegates@gmail.com

Kerry Lynn Elieff

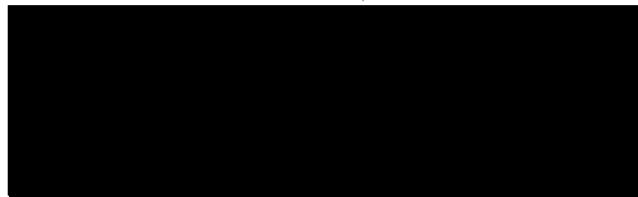
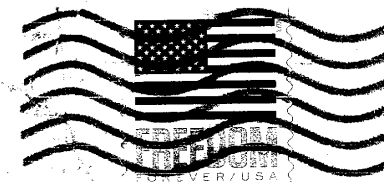
Chairwoman of the Rules Committee of Special Convention of the Kalamazoo County Delegates

Kzoo Precinct Delegates
P.O. Box 361
Richland, MI 49083



GRAND RAPIDS MI 493

14 AUG 2023 PM 5 L



49009-670617

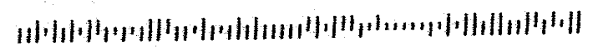


Exhibit 18

Tyranny Unmasked

1 message

Kzoodelegates <kzoodelegates@gmail.com>
To: Kzoodelegates <kzoodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Sat, Sep 16, 2023 at 5:34 PM

Below is an updated link for the video shown at the Special Convention. The link sent earlier has expired.

[Tyranny Unmasked in Kalamazoo, MI \(rumble.com\)](#)

God Bless,

Kzoo Delegates

Exhibit 19

Special Message from Chair

1 message

Kzodelegates <kzodelegates@gmail.com>
To: Kzodelegates <kzodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Mon, Sep 18, 2023 at 8:41 PM

To: Kalamazoo County Precinct Delegates,

My name is Rod Halcomb and on Friday night, September 15, 2023, I was elected to be the Chairperson of the New Kalamazoo County Republican Executive Committee.

September 15, 2023 a special convention was held to determine whether or not to replace the current Kalamazoo County Republican Executive Committee.

The purpose of the convention was to have the delegates vote to either keep or replace the current Kalamazoo County Republican Executive Committee. A total of 73 precinct delegates attended. The vote was an overwhelming "Yes" to replace the current Kalamazoo County Republican Executive Committee.

There were: 69 "Ayes" 1 "Nay" 2 "Present"

One precinct delegate arrived after the replacement vote.

At the special convention the assembly voted to recognize the 18 duly elected precinct delegates that were removed. They are in fact delegates in good standing.

After the replacement vote passed the next order of business was to elect a new Kalamazoo County Republican Executive Committee. Eighteen precinct delegates were elected to the new Kalamazoo County Republican Executive Committee to "represent" you.

The new Kalamazoo County Republican Executive Committee is here to represent you! Your voices will be heard without retribution or condemnation.

If you have a concern or recommendation, please feel free to bring it to our attention.

The new executive committee believes we should work in conjunction with District 4 and the State of Michigan Republican Party. Synergy with other like minded patriots like District 4 and the MRP is our strength! Declaring to be a standalone organization is a weakness.

Attached are the minutes from the Special Convention for your review. We believe in transparency. Also attached is a page comparing the former executive committee to the new executive committee illustrating the huge difference between the two.

We represent ALL of you, not just those that agree with us.

Rod Halcomb

Chair Kalamazoo County Republican Executive Committee

2 attachments



Special Convention Minutes 9.15.23 (1).docx

24K



CURRENT vs NEW Executive Committee 3 (1).pdf

94K

<u>FORMER Executive Committee</u>	<u>NEW Executive Committee</u>
Chairperson attempted to remove 17 Precinct Delegates unilaterally	New leadership won't exclude or expel people because they have a different point of view.
Chairperson cast an improper vote to consider removal of 3 Executive Committee members Improper vote violating both KGOP bylaws and Robert Rules of Order	New Executive committee will follow the bylaws, MRP rules and Robert Rules of Order
Chairperson violated KGOP bylaws by attempting to remove an ex-officio Executive Committee member	New Executive committee will follow the bylaws, MRP rules and Robert Rules of Order
KGOP doesn't Support the MRP and its officers by saying they will not be attending the Mackinac Republican Conference	New Executive committee believes in supporting the Republican Party as a whole, not pick and choose
Threatening to fine the MRP if they criticize KGOP operations and/or conduct	People are entitled to have differing opinions and we believe in open discussions
Banning people from the KGOP for 6 years for supporting an alternate Republican candidate the KGOP doesn't endorse	There will be no Banning of delegates
Banning people from the KGOP for 10 years who the Chairperson improperly kicked out of the KGOP	There will be no Banning of delegates
Mandatory membership in the KGOP if you want to serve your community as a Precinct Delegate	We hope and anticipate people will want to become members to support conservative ideas, but it will not be mandatory
Precinct Delegates serve at the PLEASURE of the KGOP Executive Committee	Precinct delegates DO NOT serve at the pleasure of the executive committee, the executive committee represents the Precinct Delegates they are NOT their rulers
Precinct Delegates can be "removed from such position for any reason."	Bylaws, MCL, MRP rules and Robert Rules of Order will be followed if an issue arises
Has declared themselves as an "autonomous self-governing private political organization." (Otherwise known as a club?)	The NEW executive committee will work with the district and state republican party to forward conservative ideas and values

SPECIAL CONVENTION OF THE KALAMAZOO COUNTY REPUBLICAN PRECINCT DELEGATES

Call to Order

At 6:30 convention was called to order by RJ Breganzer

Attendees

Voting members in attendance included Precinct Delegates from Districts 4 and 5

National Anthem, Invocation, Pledge of Allegiance, Welcome

Introduction and Appointment of Temporary Secretary – Emily Crawford

Read Call to Convention

- **MOTION Have on record the 18 duly elected precinct delegates that were removed are in fact delegates in good standing.**
 - Lori Malakowski, 2nd multiple delegates
 - **Motion carried without objection.**

Credentials Committee Report

Credential Committee presented 70 voting delegates have checked in

- **MOTION To accept delegates to constitute a quorum**
 - Kim Harris, 2nd multiple delegates
 - Motion carried without objection

Appointment of Temporary Officers

Temporary Parliamentarian: Ralph Rebandt

Temporary Sargent at Arms: Vincent Wilson

Temporary Tellers: Kelly Cox, Dan Hoffman, Gail Koporetz, Paul Seals, Sarah LaSota

Rules Report

- **MOTION: To amend rules part 4 to reflect the same as the call to convention.**
 - Sabrina Pritchett-Evans, 2nd multiple present
 - Motion carried without objection.
- **MOTION: To waive the reading of the rules**
 - Gary Mitchell, 2nd multiple delegates
 - Motion carried without objection

Agenda Approval

- **MOTION: To approve agenda**
 - Megan Haan, 2nd multiple present
 - Motion carried without objection

Election of Permanent Chair

Sandra Vanderlugt nominated Rod Halcomb for permanent chair. Multiple seconds. No additional nominations

Roll Call Vote Rod Halcomb – 69 votes Dale Sugars – 1

Appointment of Permanent Officers

Secretary: Emily Crawford

Parliamentarian: Ralph Rebandt

Sargent at Arms: Vincent Wilson

Tellers: Kelly Cox, Dan Hoffman, Gail Koporetz, Paul Seals, Sarah LaSota

Organization Committee Chair: Kerry Lynn Elieff

Credentials Committee Chair: Kim Harris

No objection

- **MOTION to view video.**
 - Sabrina Pritchett-Evans
 - body agreed to view per common consent.

Vote to Replace Current Executive Committee

- **MOTION to replace current delegate elected executive committee members.**
 - David Stevens, 2nd multiple delegates
 - Vote conducted by secret ballot.
 - AYES: 69 NAYS: 1 PRESENT: 2 Motion carried

Vote to Elect New Executive Committee

- **MOTION: Randomize Selection List**
 - Kathy Stoll, 2nd Dennis Kehoe
 - Motion failed
- **MOTION: Change rules to a ballot vote**
 - Todd White, 2nd multiple delegates
 - Motion failed – did not reach 2/3 required.
- **MOTION: Allow each candidate 1 minute to speak, if they wish to**
 - Bruce Lenardson, no second
 - Motion failed as there was no second.
- **MOTION: Move all 22 nominated candidates onto EC**
 - Kerry Lynn Elieff
 - Motion ruled out of order, as only 18 are allowed at this time, per bylaws.
- **POINT OF INQUIRY – Can we vote for more than 18 candidates**
 - Chair clarified they should only be voting for 18 candidates.
 - Chair asked body to if they wanted to re-start vote or change their vote with this information and suggested they would entertain a motion to this effect. No motion made.

Candidates	Total Votes
Ruth Berjawi	68
Sabrina Pritchett-Evans	68
Rod Halcomb	68
Gary Mitchell	67
David Stevens	66
David Harris	66
Kim Harris	66
Mark Chilcott	65
Dennis Kehoe	65
Kerry Lynn Elieff	64
Megan Haan	64
Vincent Wilson	63
Emily Crawford	63
Robyn Maxson	62
Rene Saar	62
Sandra Vanderlaugt	60
Todd White	59
John Elieff	58
Sandy Bloomfield	57
Lori Malakowski	50
Jerry Amos	47
Pamela Herbert	43
Brian Kincade	14

- **MOTION – Read and approve the minutes –**
 - Kerry Lynn Elieff, 2nd Sandy Bloomfield
 - Carried Unopposed.
- **AMENDMENT MOVED – update count of credentialed delegates to 73.**
 - Kim Harris, 2nd multiple delegates
 - Motion Carried without objection.

Vote to Approve Minutes

- **MOTION to accept agenda as necessary**
 - Sabrina Pritchett-Evans, 2nd multiple delegates
 - Motion carried.
- **MOTION to adjourn the meeting**
 - Sabrina Pritchett-Evans, 2nd multiple delegates
 - Motion carried

Exhibit 20

January 6, 2024

To: Kristina Karamo, Former Chair of the Michigan Republican Party

From: Malinda Pego, Acting Chair of the Michigan Republican Party

Re: Notice of Removal, Cease and Desist and Return of Property

Dear Ms. Karamo,

1. Notice of Removal

Effective immediately, you have been removed from the position of Chair of the Michigan Republican Party pursuant to a properly noticed Special Meeting of the Michigan Republican State Committee.

2. Cease and Desist


You are to Cease and Desist any and all activities related to your former position of Chair of the Michigan Republican Party. You no longer have authority to represent the Michigan Republican Party in any capacity, in any forum, nor do you have signatory authority as to any document or financial matter.

3. Return of Property

Please deliver all Michigan Republican Party materials, including but not limited to documents, all keys to the office located at 101 S. Washington Square, Lansing, MI 48933, the keys to the MRP post office box, all bank account information including passwords and usernames, all MRP credit cards, usernames and passwords for the MRP website and social media accounts, electronic devices (including phones, laptops or tablets), equipment or any other property purchased with MRP funds to me **before 5:00 PM on Monday, January 8, 2024.**

If you have any further questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Malinda Pego', written over a horizontal line.

Malinda Pego
Acting Chair, Michigan Republican Party
(231) 286-6240
malindapegoformichigan@gmail.com

January 6, 2024

To: Daniel J. Hartman, Former Legal Counsel of the Michigan Republican Party

From: Malinda Pego, Acting Chair of the Michigan Republican Party

Re: Notice of Removal, Cease and Desist and Return of Property

Dear Mr. Hartman,

1. Notice of Removal

Effective immediately, you have been removed from the position of General Counsel of the Michigan Republican Party pursuant to a properly noticed Special Meeting of the Michigan Republican State Committee.

2. Cease and Desist

You are to Cease and Desist any and all activities related to your former position of General Counsel of the Michigan Republican Party. You no longer have authority to represent the Michigan Republican Party, the Michigan Republican State Committee or any committee, subcommittee, employee, or otherwise on any legal matter, in any forum, nor do you have signatory authority as to any document or financial matter.

3. Return of Property

Please deliver all Michigan Republican Party materials, including but not limited to documents, legal files, all keys to the office located at 101 S. Washington Square, Lansing, MI 48933, the keys to the MRP post office box, all bank account information including passwords and usernames, all MRP credit cards, usernames and passwords for the MRP website and social media accounts, electronic devices (including phones, laptops or tablets), equipment or any other property purchased with MRP funds to me **before 5:00 PM on Monday, January 8, 2024.**

If you have any further questions, please contact me.

Sincerely,



Malinda Pego
Acting Chair, Michigan Republican Party
(231) 286-6240
malindapegoformichigan@gmail.com

January 6, 2024

To: James Michael Copas, Former Executive Director of the Michigan Republican Party

From: Malinda Pego, Acting Chair of the Michigan Republican Party

Re: Notice of Termination, Cease and Desist and Return of Property

Dear Mr. Copas,

1. Notice of Termination

Effective immediately, you have been terminated from the position of Executive Director of the Michigan Republican Party pursuant to my authority and as directed by the Michigan Republican State Committee.

2. Cease and Desist

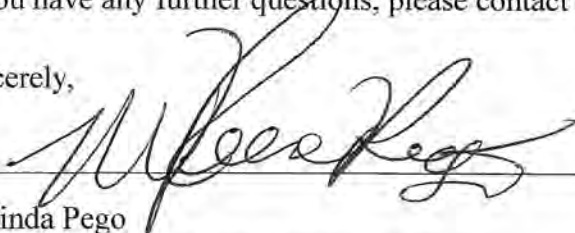
You are to Cease and Desist any and all activities related to your former position of Executive Director of the Michigan Republican Party. You no longer have authority to represent the Michigan Republican Party, the Michigan Republican State Committee or any committee, subcommittee, employee, in any capacity, in any forum, nor do you have signatory authority as to any document or financial matter. You are prohibited from using or copying MRP data, email lists, donor lists, or precinct delegate lists or any other property of MRP, whether intellectual, tangible or intangible.

3. Return of Property

Please deliver all Michigan Republican Party materials, including but not limited to documents, files, all keys to the office located at 101 S. Washington Square, Lansing, MI 48933, the keys to the MRP post office box, all bank account information including passwords and usernames, all MRP credit cards, usernames and passwords for the MRP website and social media accounts, electronic devices (including phones, laptops or tablets), equipment or any other property purchased with MRP funds to me **before 5:00 PM on Monday, January 8, 2024.**

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Sincerely,

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Malinda Pego
Acting Chair, Michigan Republican Party
(231) 286-6240
malindapegoformichigan@gmail.com

January 6, 2024

To: Lori Skibo, Chief of Staff for the Michigan Republican Party

From: Malinda Pego, Acting Chair of the Michigan Republican Party

Re: Notice of Termination, Cease and Desist and Return of Property

Dear Mr. Copas,

1. Notice of Termination

Effective immediately, you have been terminated from the position of Chief of Staff for the Michigan Republican Party pursuant to my authority and as directed by the Michigan Republican State Committee.

2. Cease and Desist

You are to Cease and Desist any and all activities related to your former position of Executive Director of the Michigan Republican Party. You no longer have authority to represent the Michigan Republican Party, the Michigan Republican State Committee or any committee, subcommittee, employee, in any capacity, in any forum, nor do you have signatory authority as to any document or financial matter. You are prohibited from using or copying MRP data, email lists, donor lists, or precinct delegate lists or any other property of MRP, whether intellectual, tangible or intangible.

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If you have any further questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Malinda Pego", is written over a horizontal line.

Malinda Pego
Acting Chair, Michigan Republican Party
(231) 286-6240
malindapegoformichigan@gmail.com

January 6, 2024

To: Joel Studebaker, Former Deputy Chief of Staff for the Michigan Republican Party

From: Malinda Pego, Acting Chair of the Michigan Republican Party

Re: Notice of Termination, Cease and Desist and Return of Property

Dear Mr. Copas,

1. Notice of Termination

Effective immediately, you have been terminated from the position of Deputy Chief of Staff for the Michigan Republican Party pursuant to my authority and as directed by the Michigan Republican State Committee.

2. Cease and Desist

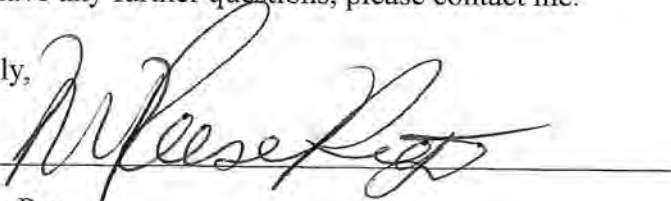
You are to Cease and Desist any and all activities related to your former position of Executive Director of the Michigan Republican Party. You no longer have authority to represent the Michigan Republican Party, the Michigan Republican State Committee or any committee, subcommittee, employee, in any capacity, in any forum, nor do you have signatory authority as to any document or financial matter. You are prohibited from using or copying MRP data, email lists, donor lists, or precinct delegate lists or any other property of MRP, whether intellectual, tangible or intangible.

3. Return of Property

Please deliver all Michigan Republican Party materials, including but not limited to documents, files, all keys to the office located at 101 S. Washington Square, Lansing, MI 48933, the keys to the MRP post office box, all bank account information including passwords and usernames, all MRP credit cards, usernames and passwords for the MRP website and social media accounts, electronic devices (including phones, laptops or tablets), equipment or any other property purchased with MRP funds to me **before 5:00 PM on Monday, January 8, 2024.**

If you have any further questions, please contact me.

Sincerely,



Malinda Pego
Acting Chair, Michigan Republican Party
(231) 286-6240
malindapegoformichigan@gmail.com

January 6, 2024

To: Robert Morris Owens, Former Associate/Mackinac Fundraiser of the Michigan Republican Party

From: Malinda Pego, Acting Chair of the Michigan Republican Party

Re: Notice of Termination, Cease and Desist and Return of Property

Dear Mr. Owens,

1. Notice of Termination

Effective immediately, you have been terminated and all ties to you with respect to the Michigan Republican Party are severed, pursuant to my authority and as directed by the Michigan Republican State Committee.

2. Cease and Desist

You are to Cease and Desist any and all activities related to any position you have had or continue to hold, officially or unofficially, with the Michigan Republican Party. You no longer have authority to represent the Michigan Republican Party, the Michigan Republican State Committee or any committee, subcommittee, employee, policy formation activity or otherwise, in any capacity, in any forum, nor do you have signatory authority as to any document or financial matter.

3. Return of Property

Please deliver all Michigan Republican Party materials, including but not limited to documents, files, all keys to the office located at 101 S. Washington Square, Lansing, MI 48933, the keys to the MRP post office box, all bank account information including passwords and usernames, all MRP credit cards, usernames and passwords for the MRP website and social media accounts, electronic devices (including phones, laptops or tablets), equipment or any other property purchased with MRP funds to me **before 5:00 PM on Monday, January 8, 2024.**

If you have any further questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Malinda Pego', written over a horizontal line.

Malinda Pego
Acting Chair, Michigan Republican Party
(231) 286-6240
malindapegoformichigan@gmail.com

Exhibit 21

STATE OF MICHIGAN
IN THE 17th CIRCUIT COURT FOR THE COUNTY OF KENT

MALINDA PEGO, ALI HOSSEIN HASSAN
NEHME, ANN DeLISLE, JESSICA BAREFIELD,
NORM SCHINKLE and WARREN CARPENTER,

Plaintiffs,

CASE NO: 24- -CZ

v.

KRISTINA KARAMO

Defendant.

Warner Norcross & Judd, LLP
Johnathon Lauderbach (P51313)
150 Ottawa Avenue, NW Suite 1500
Grand Rapids, MI 49503
(616) 752-2000

Law Office of Daniel J. Hartman
Daniel J. Hartman (P512632)
PO BOX 307
Petoskey, MI 49770
(231) 348-5100

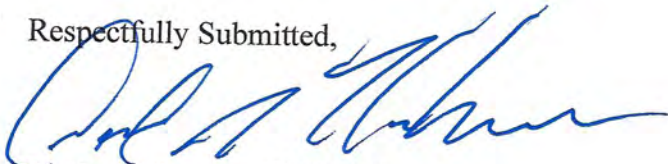
DEFENDANT KRISTINA KARAMO'S MOTION FOR SUMMARY DISPOSITION
PURSUANT TO MCR 2.116(C)(4) AND IN LIEU OF FILING AN ANSWER TO
PLAINTIFF'S COMPLAINT

****ORAL ARGUMENT REQUESTED****

Defendant Kristina Karamo, through her attorney, Daniel J. Hartman, moves this Honorable Court to enter an order of dismissal pursuant to MCR 2.116(C)(4) and enter Summary Disposition for lack of subject matter jurisdiction for the reasons that the matter is not justiciable by this court pursuant to Heitmanus doctrine, concerns a political question, and has been resolved by the Michigan Republican State Committee that is the sole authority for interpreting its own bylaws.

WHEREFORE, the Defendant requests this Honorable Court grant relief pursuant to MCR 2.116(4) for lack of subject matter jurisdiction, enter summary judgment in favor of the defendant, dismiss the complaint and enter whatever other relief is appropriate including but not limited to costs and attorney fees.

Respectfully Submitted,



Daniel J. Hartman (P52632)

Dated January 20, 2024

STATE OF MICHIGAN
IN THE 17th CIRCUIT COURT FOR THE COUNTY OF KENT

MALINDA PEGO, ALI HOSSEIN HASSAN
NEHME, ANN DeLISLE, JESSICA BAREFIELD,
NORM SCHINKLE and WARREN CARPENTER,

Plaintiffs,

CASE NO: 24- -CZ

v.

KRISTINA KARAMO

Defendant.

Warner Norcross & Judd, LLP
Johnathon Lauderbach (P51313)
150 Ottawa Avenue, NW Suite 1500
Grand Rapids, MI 49503
(616) 752-2000

Law Office of Daniel J. Hartman
Daniel J. Hartman (P512632)
PO BOX 307
Petoskey, MI 49770
(231) 348-5100

BRIEF IN SUPPORT OF THE
DEFENDANT KRISTINA KARAMO'S MOTION FOR SUMMARY DISPOSITION
PURSUANT TO MCR 2.116(C)(4) AND IN LIEU OF FILING AN ANSWER TO
PLAINTIFF'S COMPLAINT

**THE CIRCUIT COURT DOES NOT HAVE SUBJECT MATTER JURISDICTION
OVER THE MICHIGAN REPUBLICAN PARTY STATE COMMITTEE ON INTRA-
PARTY DISPUTES**

“Subject-matter jurisdiction refers to a court’s power to act and authority to hear and determine a case.” Usitalo v Landon, 299 Mich App 222, 228 (2012).

Every court is required to confirm that subject matter jurisdiction exists, either upon challenge or sua sponte. Clohset v No Name Corp (On Remand), 302 Mich App 550, 560 (2013).

“Jurisdiction of the subject matter is the right of the court to exercise judicial power over a class of cases, not the particular case before it; to exercise the abstract power to try a case of the kind or character of the one pending.” Wayne Co v AFSCME Local

3317, 325 Mich App 614, (2018), quoting *Altman v Nelson*, 197 Mich App 467, 472-473 (1992).

“[A] judgment entered by a court that lacks subject-matter jurisdiction is **void**[.]” *Clohset*, 302 Mich App at 561.¹

“Courts are bound to take notice of the **limits of their authority**, and a court may, and should, on its own motion, though the question is not raised by the pleadings or by counsel, recognize its lack of jurisdiction and act accordingly by staying proceedings, **dismissing the action**, or otherwise disposing thereof, at any stage of the proceeding.” *In re Fraser Estate*, 288 Mich 392, 394 (1939). See also *Hodge v State Farm Mut Auto Ins Co*, 499 Mich 211, 228 (2016).²

THE MICHIGAN REPUBLICAN PARTY, AS A STATE COMMITTEE, HAS THE AUTHORITY TO RESOLVE INTRA-PARTY DISPUTES FREE FROM COURT INVOLVEMENT

The 1st Amendment of the United States Constitution has established freedom of association. The issue gained national exposure through a lawsuit from Michigan which was about state regulation of party affairs through the use of the election code. The 6th Circuit ruled these regulations of the association of the Michigan Republican Party were unconstitutional and explained with their rationale why this ill-conceived action by the Plaintiff lacks subject matter jurisdiction.

The doctrine of private association, described in *Heitmanis v Austin*, defines the limits of the state’s ability to regulate the internal processes of the party by the 6th Circuit, which interpreted the Constitutional Right of Freedom of Association to protect against government intrusion on the governance of political parties.

Heitmanis v. Austin, 899 F.2d 521 (6th Cir. 1990) reversed *Heitmanis v. Austin*, 677 F.Supp. 1347 (E.D.Mich. 1988), which had declined to exercise judicial authority on an abstention doctrine ruling the case was not justiciable. The Sixth Circuit Court clarified the right

¹ This point of law is a quote from the Michigan Judicial Institute [Civil Proceedings Benchbook \(michigan.gov\)](#) Chapter 2 Section 2 [Emphasis Added].¹

² This point of law is a quote from the Michigan Judicial Institute [Civil Proceedings Benchbook \(michigan.gov\)](#) Chapter 2 Section 1 [Emphasis Added]

for the Michigan Republican political party to be free from legislative regulation over internal party affairs and defined the First Amendment Right to Freedom of Association as to the governance of party affairs. Quoting *Heitmanis* at 525 in Section IIA summarizing the jurisprudence:

Courts have historically been reluctant to intervene in intra-party disputes. In *O'Brien v. Brown*, 409 U.S. 1, 4, 92 S.Ct. 2718, 2720, 34 L.Ed.2d 1 (1972), the Supreme Court refused to decide a challenge to the seating of Illinois delegates at the 1972 Democratic National Convention. In leaving the issue to the convention, the Court cautioned against judicial intervention in internal political party disputes:

[N]o holding of this court up to now gives support for judicial intervention in the circumstances presented here, involving . . . relationships of great delicacy that are essentially political in nature . . . Judicial intervention in this area traditionally has been approached with great caution and restraint . . . It has been understood since our national political parties first came into being as voluntary associations of individuals that the convention itself is the proper forum for determining intra-party disputes as to which delegates would be seated. Thus, these cases involve claims of the power of the federal judiciary to review actions heretofore thought to lie in the control of political parties. Highly important questions are presented concerning justiciability.

Id (citations omitted).

There can be no clearer statement. Consider now the history of the case in the lower courts, there was a Michigan decision that had intervened in support of the legislature's intrusion into party affairs. The result was that the decision needed to review and restore the rationale behind all of these cases while rejecting the entrance into intraparty affairs, and that is that BOTH legislatures and **Courts** need to stay out of internal party business. The *Heitmanis* Court continues its review of the precedents around intervention in party affairs. Quoting *Heitmanis* at 525-526:

Two other circuits considering challenges to the constitutionality of party delegate selection rules have ruled the cases non-justiciable. In *Wymbs*, two state Republican leaders contended that the Florida Republican Party rules, which required three delegates and three alternates from each Florida congressional district, violated the one person, one vote principle of the Fourteenth Amendment. The court applied the two-part test of *Baker v. Carr*, 369 U.S. 186, 82 S.Ct. 691, 7 L.Ed.2d 663 (1962):

The first criterion concerns policymaking: it requires the court to stay its hand when faced with the impossibility of deciding [the controversy] without an initial policy determination of a kind clearly for nonjudicial discretion.' ... The second criterion concerns the practicability of a judicial resolution of the controversy; it forbids the court from entertaining the suit if 'judicially manageable standards for resolving' the controversy are absent. *Wymbs*, 719 F.2d at 1082 (citations omitted).

On the basis of this test, the *Wymbs* court concluded that the case was not justiciable. First, the court determined that the disagreement over the proper method for delegate selection, as a dispute between different groups in the Florida Republican Party, was "a disagreement over a pure question of internal Republican Party policy." *Id.* The court also found the standards to be unmanageable for the one Republican, one vote test urged by the plaintiffs. In addition, the court ruled that because the National Party was not a party to the lawsuit, it would be unable to afford effective relief to the plaintiff. Regardless of what the court decided on the question of the constitutionality of the State Party rule, the National Party would decide which delegates to admit to the convention. *Id.* at 1083-84. See also *Bachur v. Democratic National Party*, 836 F.2d 837, 841 (4th Cir. 1987) (a challenge to the National Party's delegate selection rule, which required a proportionate number of delegates to be female, was not justiciable).

The rationale that supported the determination of non-justiciable was based on two legal concepts, as explained there. First, the court should "stay its hand" and not get into party disputes. Second, the court should not enter into a dispute which it cannot resolve with the authority over the RNC. Applying these points here, we are left with the conclusion that the state committee is the sole authority on the interpretations of its bylaws. The State Committee has delegated these decisions for recommendation to the Policy Subcommittee that issued a subcommittee report attached as Exhibit A on January __, 2024. This report was reviewed by the entire Policy Subcommittee on Friday, January 12, 2024 and they accepted the recommendations. This matter was then brought to a full meeting of the state committee on January 13, 2024 which voted overwhelming with 83 of 106 state committee members present or by proxy to affirm the subcommittee report and to nullify the meeting of January 6, 2024 as not legitimate. It has the power to nullify the meeting.

The Heitmanis Court went on to say that the RNC did not consent to the Michigan statutes for delegate selection which would prevent involvement, and their silence on consent could not be construed as consent because the law was UNCONSTITUTIONAL ON ITS FACE. While we are not talking about a statute that is unconstitutional but rather the power of the Court to intervene in intraparty disputes; one can NOT forget that the actions of this 6th Circuit were to remove the legislative intervention. The rationale is that the government lays its "hands off" the inner working of the party. Quoting Heitmanis at 526:

Second, the National Party could not consent to a state statute that was facially unconstitutional. In *Eu v. San Francisco County Democratic Central Committee*, ___ U.S. ___, 109 S.Ct. 1013, 103 L.Ed.2d 271 (1989), the Supreme Court ruled that California's statute banning primary endorsements and restricting internal policy governance of the political parties violated the First Amendment right to free speech and association. The court held that the parties burdened by these unlawful statutes could not consent to their operation...

A declaration of being unconstitutional on its face requires an examination of the constitutional forces at work. That is a bold statement whenever a court states a statute is unconstitutional on its face...quoting Heitmanis at 529:

We now consider the merits — the constitutionality of the Election Law. The Party delegates contend that the Law violates the State Party's freedom of association, as protected under the First Amendment. In *Tashjian v. Republican Party of Connecticut*, 479 U.S. 208, 107 S.Ct. 544, 93 L.Ed.2d 514 (1986), Connecticut's closed primary law conflicted with the State Republican Party's desire to hold a primary open to independent voters. Striking down the Connecticut law, the Supreme Court held that "[t]he right to associate with the political party of one's choice is an integral part" of the basic constitutional right to freedom of political association. *Id.* at 214, 107 S.Ct. at 548 (citation omitted). In *Democratic Party of United States v. Wisconsin*, 450 U.S. 107, 101 S.Ct. 1010, 67 L.Ed.2d 82 (1981), the Court held that the State of Wisconsin could not bind a national political party to a state statute permitting cross-over voting in a primary. **The Court noted that "a State, or a court, may not constitutionally substitute its own judgment for that of the Party.** A political party's choice among the various ways of determining the makeup of a state's delegation to the party's national convention is protected by the Constitution." *Id.* at 123-24, 101 S.Ct. at 1020.

Similarly, in *Eu*, 109 S.Ct. at 1024, the Supreme Court noted that the California law requiring political parties to establish official governing bodies at the county level and specifying the

members of these bodies "limits a political party's discretion in how to organize itself, conduct its affairs, and select its leaders." In contrast to *Tashjian*, where the issue was whether the party procedures could allow non-party members to vote in the primary, the Supreme Court in *Eu* noted that the associational rights involved there — the right of party members to associate with one another to select their party leaders — "are much stronger than those we credited in *Tashjian*." *Id.* With such strong rights burdened, the state may infringe upon that right only where it has a compelling state interest, and its laws are narrowly tailored to serve that interest. *Id.* at 1019-20.

In *Ferency v. Austin*, 666 F.2d 1023 (6th Cir. 1981), this court found that the Michigan Election Law was unconstitutional insofar as it controlled "the method of selection of the Michigan delegates to the Democratic National Convention" in violation of Democratic National Party rules. The instant case involves similar provisions of the Election Law — controlling selection of delegates at state and county conventions and the makeup of county executive committees of the political parties — which conflict with State Party rules. We hold that these portions of the Election Law significantly burden the right to freedom of association of the State Party and its members. By compelling the State Party to automatically place incumbent legislators and nominees to county offices as delegates, the Election Law infringes upon the right of political parties to choose a method for selection of their party nominees. By requiring the county executive committees to be made up of an equal number of elected delegates and legislators, the Election Law directly controls the internal structure of the political parties...

The review of these cases establishes the NON-INTERVENTION is based on the Freedoms of the US Constitution. This principle would apply to dispute resolution as well. The Courts should refrain from entry into these disputes. [Examining the citing cases of *Heitmanis*, *supra*, it is most often cited for when a court should exercise its authority rather than the principle that is well established to keep judicial and legislative hands-off political party operations only one was identified and it followed].

In *The Louisiana Repub. Party v. Foster*, 674 So. 2d 225, 229 n.3 (La. 1996) which held that State Law could not dictate decision of leadership. The Court relied upon established precedent and stated, "Freedom of association would prove an empty guarantee if associations could not limit control over their decisions to those who share the interests and persuasions that underlie the association's being." *Democratic Party of U.S.*, *supra*, 450 U.S. at 122 n. 22, 101 S.Ct. at 1019 n. 22 (quoting L. Tribe, *American Constitutional Law* 791 (1978.))" Applying this

concept about the SELECTION OF LEADERSHIP, should courts be able to make this determination when Legislatures are forbidden? Of course not—they are also precluded. In an even further extension of the “hands off doctrine” the Court reasoned to reject other arguments that political associations are not state actors and so are free from claims that the state party violated equal protection and due process guarantee.

Let us look at how other states have determined whether to get involved and see a persuasive precedent that redirects litigants to the internal dispute resolution processes. Two cases from Delaware tracked this issue and obligated litigants to first use internal party processes for dispute resolution. Whether this is analogous to an exhaustion requirement or agreement to arbitrate within the party that is binding. The holdings are clear that the Delaware Court stated that courts should not be involved in internal party matters.

In *Fitzgerald v Reardon*, 576 A 2d 183 (Del Ch 1990) the Court denied the petition stating, “One need expresses no large generalization concerning the power or prudence of courts adjudicating rights concerning internal political party matters. It is enough for this day to express the opinion that plaintiffs have an obligation to pursue internal mechanisms that may satisfy their claim. See *Bachur v. Democratic Nat. Party*, 836 F.2d 837 (4th Cir. 1987); *Heitmanis v. Austin*, 677 F.Supp. 1347 (E.D.Mich. 1988). In the end, the principle referred to above and applied by the United States Supreme Court in *O'Brien v. Brown*, *supra*, compels denial of the present application.” Although the citation to *Heitmanis* cited here was reversed on appeal by the 6th Circuit, the Court correctly reasoned the principle that INTERNAL MECHANISM must be first pursued before seeking judicial intervention.

Eleven years later, and after the final decision in *Heitmanis*, the decision in *Cochran v Suprinski*, 794 A 2d 1239 (Del Ch 2001) reiterated the requirement to turn to internal party

mechanisms. “In this opinion, I conclude that the plaintiffs' motion for a preliminary injunction should be denied. The plaintiffs have failed to take advantage of a grievance procedure open to them under the auspices of the Democratic Party of the State of Delaware, whose "State Committee" is charged with directing the operations of the State Party and its subdivisions, including the City Party. Because a potentially effective remedial process has been eschewed by the plaintiffs, this court should refrain from interfering in the internal workings of an independent political party, especially when the plaintiffs would have this court issue an order that has the practical effect of excluding City Democrats from an opportunity to participate meaningfully in the selection of the committeepersons who will serve for the next four years. **Simply put, the equities do not warrant that this court assume its sparingly exercised and carefully circumscribed authority to intrude into the processes of a political party.”**

Therefore, as this Court is bound by the Sixth Circuit *Heitmanus* decision and the reasoning is directly on point the court should grant summary disposition, dismiss this case, order costs and attorney fees because the court lacks subject matter jurisdiction, the matter is an intraparty dispute that has been resolved by the state committee within its processes for interpreting the validity of the January 6, 2024 meeting and it is a political question that has been settled by the private association which must remain free from Court intrusion.

Michigan Courts have also recognized Private Association under the name of Internal Affairs Doctrine Internal Affairs of Foreign Corporations Doctrine

The internal affairs of foreign corporations doctrine “is the rule that the courts of one State will not exercise the power of deciding controversies relating merely to internal management of the affairs of a corporation organized under the laws of another State or of determining rights dependent upon such management, but will leave questions relating to the management of the internal affairs of a foreign corporation to be settled by the tribunals of the

State which created the corporation.” Wojtczak v American United Life Ins Co, 293 Mich 449, 452 (1940) (quotation marks and citation omitted).

The Michigan Republican Party is aware of no Michigan Appellate court which has ruled since Heitmanis v Austin asserting authority when that precise issue was raised, but the concept of non-intervention in internal matters of corporations is analogous as the Michigan Republican Party is organized under the authority of the Republican National Committee and the laws of Michigan which purport to regulate the party were expressly declared unconstitutional by the 6th Circuit Federal Court of Appeals as violating the US Constitutional Right of Association.

While it is clear that the internal workings of a political party are not a foreign corporation the concept and rationale which is present behind this doctrine is not only present but amplified when applied to a political party with a minority faction that has tried to seize power against the will of the delegates who elected Chair Krsitina Karamo at convention of 2100 delegates and who by a vote of 1 to 59 (One Abstaining is also a negative vote) overwhelmingly rejected the vote to remove her with a quorum of voting members of the state party.

CONCLUSION

This matter is frivolous. It is without subject matter jurisdiction. This court should grant summary disposition and dismiss the complaint with an award of costs and attorney fees.

Respectfully Submitted.

Daniel J. Hartman (P52632)

January 20, 2024



Report and Findings of the Policy Sub-Committee on By-Law Violations

January 6, 2024, Meeting held at 1pm in Commerce Township MI Possible By-Law Violations

Submitted on January 8, 2024

Summary:

From the moment on December 16th, 2023 when Chairwoman Kristina Karamo posted the bylaws-compliant January 13, 2024 special meeting, all other special meetings - whether the December 27th or the rescheduled January 6th meeting - became NULL AND VOID. No amount of discussion, theories or conjecture can change that fact. And everything that came out of the unauthorized meeting on January 6th, 2024 is likewise NULL AND VOID.

This preliminary report also includes additional detailed examples of why the unauthorized January 6th meeting was invalid, deceptive and counter to the true Republican spirit of an open, transparent, deliberative process.

The January 6th, 2024 unauthorized meeting, and the manner in which it was conducted, disenfranchised elected State Committee members by deception and diversion, including misappropriating members' signatures, meant for one meeting, and one purpose, to a different meeting with a different purpose.

Proxies on the January 6th, 2024 unauthorized meeting were also illegitimately assigned to members without their knowledge or consent. They directed that proxy forms be sent to an unauthorized person in place of the elected Secretary of MIGOP. These tactics continued right up to the point where signatures were released in an email 47 minutes after their unauthorized meeting's scheduled start - leaving no time for the signatures to be verified, or for delegates who had been inappropriately proxied to consider getting to the meeting and participating.

The following report will show convincingly that the meeting that took place on January 6, 2024, was NOT an official, special meeting of the State Committee and should not be construed as such, regardless of participants' or media pronouncements.

Alleged Violations

1. Whether the meeting on January 6, 2024 was called in accordance to the bylaws

It was not!

The subcommittee finds that the controlling rule is Article VI B which states;

Article VI B. Special Meetings. Special meetings of the Committee may be called by the Chairman when the business of the Committee requires the same, and the Chairman shall call a special meeting of the Committee on written request of one-third of the members of the Committee, jointly or severally, within 15 days after such written request has been filed with the Chairman. Upon failure to do so, any such member can give notice five (5) days before such meeting. Notices of special meetings shall state the purpose of such meetings.

The finding is that one third of the members requested a meeting and that was presented to the Secretary on December 2nd, 2023. The chair called a meeting within 15 days by issuing the call on December 16th, 2023, for a meeting to occur on January 13, 2024 (notice attached).

The definition of call is a notice or announcement of an upcoming event such as, for example, the commonly used term in the political world "call to convention" can be "an invitation from the national party to the state... parties to convene to select a presidential nominee"
https://en.m.wikipedia.org/wiki/United_States_presidential_nominating_convention

There is no requirement to hold the meeting within 15 days, which, at any rate, would put an undue burden on members who must travel from all points in the State and during a Holiday Season. Since a call is an invitation and Chairwoman Karamo sent an email invitation to every member of the State Committee within the required 15-day period, she has met her only obligation under the Special Meeting rule Article VI B.

The members who called the January 6th meeting lacked the authority under the bylaws.

It is further noted that the Policy Committee Chair and the MIGOP Chair both explained in significant detail why the unauthorized meetings were invalid. Both communicated clearly to the members when and why the authorized meeting was scheduled and that the unauthorized meetings invalidly set for first December 27th, 2023 and later rescheduled to January 6th, 2024 could not lawfully conduct any official business of the Michigan Republican Party. Furthermore, it should be noted that the changes of the unauthorized meeting dates further confused members.

Following the unauthorized meeting of January 6th 2024, its defenders have advanced the notion that the Chair didn't state the purpose of the meeting, when, in fact she did, in the form of the detailed Agenda attached to her December 16th emailed notice regarding the January 13th, 2024 meeting.

These individuals have also claimed that the Chair had a duty, not stated in the Bylaws, to include their desired purpose(s) of the special meeting, even though it was disqualified by the inclusion of bylaw violations, including amendments to the Bylaws (not permitted unless the request for amendment have been sent to each member of the Policy Committee at least 30-days prior to the committee meeting, this was not done). Regardless of whether these individuals lay claim to the Chair's having not included their desired purpose of the meeting, the Bylaws prescribe no penalty for failure of the Chair to do so.

The only mention in the Bylaws of a requirement, the absence of which could result in someone other than the Chair calling a special meeting would be the Chairs failure to issue the call to special meeting in less than 15 days.

The request for a special meeting was received on December 2, 2023. On December 16, 2023 the Chair put out a called for a special meeting for January 13, 2024. The meeting was **CALLED** within 15 days of the request. **IT IS NOT** necessary that the meeting be conducted within 15 days...only **CALLED**.

2. Whether valid Quorum existed for the conduct of business

It did not!

The controlling rules are Article VI C & D.

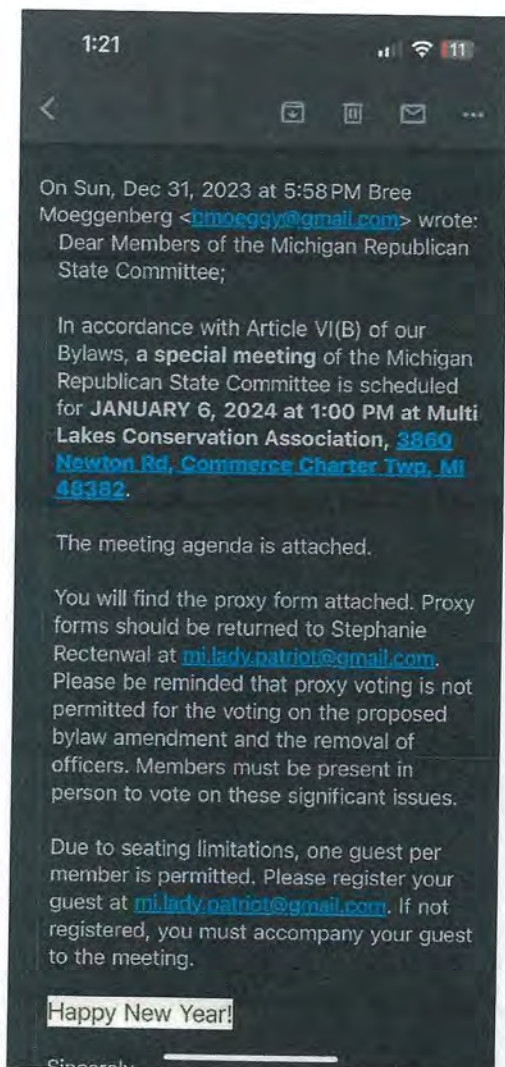
Article III (I) does permit the district chair to provide a proxy to fill the vacancy. However, pursuant to Roberts Rule of Order we must also examine the way proxies have been done by the State Committee.

Proxies are submitted to the MIGOP Secretary who then verifies that the person is an eligible voter from the district.

This was not done by the Secretary of MIGOP. No proxies were sent to the MIGOP Secretary and, as such, all proxies were invalid for establishing Quorum. The identity of the proxy and their status is to be verified by the MIGOP Secretary, not redirected to and usurped by another person - named Stefanie Rectenwal - without permission of the Michigan Republican Party. But this is in fact, what happened in a circumvention of the MIGOP process and violation not only of our bylaws but of the autonomy of our elected MIGOP Secretary and her position.

A usurpation occurred prior to MIGOP Secretary Gillessee being removed by the notice directing the proxies be sent to someone else. They were diverted to a non-recognized, unauthorized - Stephanie Rectenwal. See exhibit below.

MIGOP Secretary Gillessee would have had to verify the proxies first before they could achieve the quorum needed to remove her from her post as MIGOP Secretary.



It should be noted that the MIGOP Secretary has not received (as of the authoring of this document) the proxy forms, or the meeting minutes as required for a legitimate meeting which is further evidence that the actions are not legitimate.

The lack of any proxy being validly submitted renders there a lack of Quorum at the time the 45 voting members were present on January 6th, 2024.

Under Article VI- C Quorum is defined as:

C. Quorum. A majority of the total membership of the Committee present in person or by proxy shall constitute a quorum to transact all business of the

Committee except where the **action of the Committee** requires a larger number of members as **specially** set forth in these Bylaws.

This **exception** clause can **only** pertain to Article III section K- 1- see below:

*K. Removal of Members. 1. Removal by The Committee. Any member may be removed as a member of this Committee by the Committee upon a seventy-five percent (75%) vote of the Committee present and voting as any meeting of the Committee, **provided there is a quorum present, and such seventy-five percent (75%) vote must be made in person by such members and not by proxy;** provided, further, that in order to bring the question before the Committee as to the removal of a member, a petition requesting that such a vote be taken, bearing the signatures of at least fifty percent (50%) of the entire Committee (no proxies allowed), shall be filed with the Chairman (or, if the Chairman is the member in question, then such petition shall be filed with the Secretary)*

Once we read the sentence above, you must read the definition of quorum, which could be achieved with proxies assigned by district chairs, **except** when you are removing a member. **75% of all members must be voting in person.**

3. Whether there was signature compliance with Article IV (2) for removal of an officer

The rule states, the signatures were required to be filed with the secretary. Here are the findings:

Members who contacted the MIGOP Secretary prior to the meeting were informed no filing had been made.

The signatures were emailed at 1:49 on January 6th, 2024 by a person who is not a state committee member. The signatures were for a meeting called when the signatures had not been filed for the purpose of removing the chair. The stated time of the meeting start was 1 pm on January 6th, 2024.

The January 6th 2024 meeting commenced 15 minutes after the email the email was sent, and no signature verification was completed.

Signatures have been repudiated because they were collected for a December 27th 2023 meeting that was never conducted and as such the signatures were misappropriated and applied to this meeting without the consent of the signer. Three signers, Geyer Balog, Rylee Linting and Justin Marcus have recanted in a joint, January 6th email sent to all State Committee members.

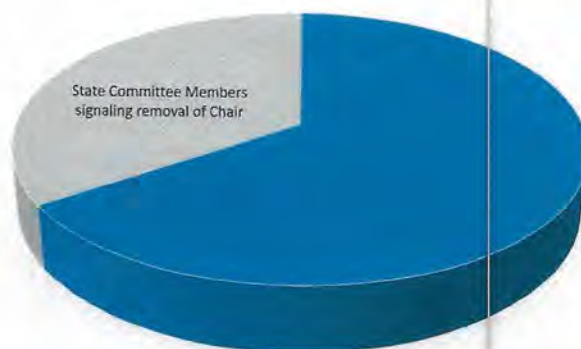
Secondly some of the signatures were obtained for the purpose of bringing the issue to a vote among State Committee members, and not necessarily in support of removal. Those members, because of the manner in which the signatures were submitted, were not present and able to participate in this deliberative process, which itself went forth with little to no discussion as to the pros and cons of removal.

This committee finds that this application of the signatures prevented members who were unwilling to support the resolution to remove chair Karamo but who, nevertheless wanted the matter brought to a resolution. The number of signatures acquired to reach the 50%+ threshold using this method was misleading and inconsistent with letter and intent of the bylaws.

Minimally, members did not consent to their signature being presented and therefore the unsanctioned January 6th, 2024 meeting lacked the 50% valid signatures necessary.

4. whether 37% of the state committee can overturn a convention of delegates

The coordinators of the unsanctioned meeting on January 6th 2024 claimed that 40 members of 45 present voted and that this super majority was sufficient to both amend the bylaws and remove officers. This represents 37% of the total voting membership of the state committee. It is this committee's conclusion that the letter and more importantly the intent of the Bylaws do not support the removal of any member with only 37% of the vote its member's.



It is the recommendation of the subcommittee that all actions taken on January 6th, 2024 are determined VOID AND INVALID for the reasons stated here in this report and will go from the Subcommittee to the Policy Committee, which will vote on whether or not to adopt this position prior to the validly called January 13, 2024 for meeting in Houghton Lake where the State Committee will be present to take these matters up.

It should further be stated that pursuant to the Heitmanis Doctrine, this is an intra-party matter and Court actions are not the remedy to the resolution of this action. It will be determined by the State Committee at the special meeting, which has already been called in accordance with the bylaws for resolving these issues.

Policy Sub-Committee Members

Viviane Cuenca – District 6

Barry Doherty - District 9

Daire Rendon – District 1

Joey Storer – District 8

Exhibit 22

Official Kalamazoo County Call To Convention (Spring 2024)

1 message

chair@kgop.us <chair@kgop.us>

Thu, Jan 11, 2024 at 7:05 PM

To: Secretary <secretary@kgop.us>, Communication <communication@mi-gop.org>

TO ALL REPUBLICAN PRECINCT DELEGATES IN KALAMAZOO COUNTY, MICHIGAN, GREETINGS:

There shall be one official meeting of duly elected Republican Precinct Delegates and Republican At-Large Delegates at the Official Kalamazoo County Republican County Convention at **7:00 p.m. EST on Thursday, February 15th, at the 12th Street Baptist Church, 3911 S 12th St, Kalamazoo, MI 49009.**

Check-in time starts at **6:00 PM**. The convention will start at **7:00 PM sharp**. Photo ID will be required to receive credentials and to vote.

See The Attached Official Call, a description of the apportionment method of Convention style, a copy of our bylaws, and a letter from our legal counsel.

If you would like to view the Official Call to Convention online here is the link: https://kgop.org/?page_id=2248

Please fill out our survey to **(RSVP)** for the Official County Convention: https://crm.kgop.us/?page_id=156

Please review the documents and feel free to contact the Chair at chair@kgop.us

Thank You,

Kelly Sackett - KGOP Official Chairwoman
chair@kgop.us

Confidentiality Notice: This message, including the attachments hereto, contains confidential information intended only for the use of the addressee(s) named above and may contain information that is legally privileged, and is the intellectual property of the Kalamazoo County Republican Committee (KGOP, Kalamazoo GOP). If you are not the addressee, or the person responsible for delivering it to the addressee, you are hereby notified that reading, disseminating, distributing or copying this message is strictly prohibited.

If you have received this message by mistake, please immediately notify us by replying to the message and delete the original message immediately thereafter.

--- YOU CAN OPT OUT BY CONTACTING UNSUBSCRIBE@KGOP.US

Paid for by Kalamazoo County Republican Committee [5250 Lovers Lane](#), Suite LL110, Portage, Mi, 49002

KGOP - The Official Republican Party of Kalamazoo County

5 attachments



KGOP Official Call to the 2024 Spring Kalamazoo County Convention.pdf

267K



**Convention Rules and Guidelines - final approved - published - December 12, 2023
(revised January 09, 2024).pdf**

134K



SOS Vote 2022 - rev 24.0.pdf

171K



Holcomb 111124(2).pdf

413K



KGOP BYLAWS, Amended Sept 11, 2023 [FINAL].pdf

1235K



Kalamazoo County Republican Party

Official Call to the February 15, 2024 County Convention

TO ALL REPUBLICAN PRECINCT DELEGATES IN KALAMAZOO COUNTY, MICHIGAN, GREETINGS:

There shall be one official meeting of duly elected Republican Precinct Delegates and Republican At-Large Delegates at the Official Kalamazoo County Republican Party County Convention at **7:00 p.m. EST on Thursday, February 15th, at the 12th Street Baptist Church, 3911 S 12th St, Kalamazoo, MI 49009**. Check-in time starts at **6:00 PM**. The convention will start at 7:00 PM sharp. Photo ID will be required to receive credentials and to vote.

The purpose of this meeting shall be to elect 39 Delegates and 39 Alternates representing the 4th Congressional District portion of Kalamazoo County and 5 Delegates and 5 Alternates representing the 5th Congressional District portion of Kalamazoo County to the District Convention(s) held on Saturday, March 2nd, 2024 at Huntington Place, 1 Washington Blvd, Detroit, MI 48226.

The Purpose of the 4th & 5th Congressional District Caucus at the District Convention(s) is to vote as follows:

- Election of:
 - Three (3) Republican National Convention Delegates
 - Three (3) Republican National Convention Alternates
 - One (1) Republican National Committeeman
 - One (1) Republican National Committeewoman
- Transacting other such business as may properly come before the District Convention.

The Kalamazoo County Republican Executive Committee has voted to conduct the election of the Delegates and Alternate Delegates to the District Convention Delegations by Apportionment method. *Proxies are not allowed.*

For the purposes of the February 15th Official Kalamazoo County Convention, the duly elected Precinct Delegates and At-Large Delegates shall be apportioned into the following caucuses:

1. NW Kalamazoo - Oshtemo Region (District 9)	5/5
2. NE Kalamazoo - Richland / Ross Region (District 7)	7/7
3. SE Kalamazoo – Pavilion / Comstock Region (District 6)	6/6
4. SW Kalamazoo – Texas Twp (District 8)	5/5
5. City of Kalamazoo (District(s) 1,2,3 & part 5)	7/7
6. City of Portage (District(s) 4 & 5)	9/9
7. District 5 (District(s) 6 & 8)	5/5

Note: See Attached Apportionment specific listing of districts and delegates thereto.



Kalamazoo County Republican Party

Those eligible to vote at this County Convention are: only duly elected Precinct Delegates at the August 2, 2022 Primary Election, the Republican nominees for County and State Legislative offices, the incumbent Republican members of the State Legislature, the Michigan Congressional Delegation, the Statewide Officeholders, the Republican National Committeeman and National Committeewoman from Michigan and Michigan Republican Party Officers (see Rule 5B) where such person resides in the county in question, and Precinct Delegates elected to permanently fill vacancies at all subsequent County Conventions will be seated and considered eligible to vote on matters as may properly come before this County Convention.

Precinct Delegates or certain At-Large Delegates given the preference under Rule 8 of the District Convention Rules, but who cannot attend the County Convention, must notify the Official Kalamazoo County Chair, Kelly Sackett, in writing or email of the person's intention to become a Delegate or Alternate Delegate to the District Convention. The Notification can be in any written form, including by letter, email, or text, and must be received by the County Chair at chair@kgop.us, no later than February 15th, 4:00 PM.

More information at: [Official Kalamazoo County Republican 2024 Spring Convention](#)

Thank You,

January 9th, 2024

Kelly Sackett - Chairwoman
chair@kgop.us



Kalamazoo County Republican Committee (KGOP) OFFICIAL 2024 Spring County Convention Rules for February 15th, 2024

The Official Spring 2024 Kalamazoo County Republican Convention, held on February 15th, 2024, shall be held for the purpose of electing delegates and alternates to attend the 2024 Spring Michigan Republican County & District Convention. No other business shall be permitted, with the exception to that which is authorized by the KGOP County Chair and or its Executive Committee. Any other business recommended shall be provided in writing to the Secretary of the KGOP no later than 15 days prior to the Executive Committee meeting preceding the Spring 2024 County Convention. All business shall be in accordance with the KGOP bylaws (adopted and published September 11th, 2023).

The Official Spring 2024 Kalamazoo County Republican Convention shall be conducted using the apportionment method as prescribed below.

Kalamazoo County is allotted 44 Delegates and 44 Alternates to attend the State & District Convention on March 2nd, 2024.

The Two Congressional Districts will be assigned as follows per the State Party Rules.

Congressional District 4 will caucus in 6 jurisdictionally derived caucuses to assign 39 Delegates & 39 Alternates, while observing rule 1 which conditions such delegations to maintain contiguous regions and or cities as a whole be joined.

- | | |
|---|-----|
| 1. NW Kalamazoo - Oshtemo Region (District 9) | 5/5 |
| 2. NE Kalamazoo - Richland / Ross Region (District 7) | 7/7 |
| 3. SE Kalamazoo – Pavilion / Comstock Region (District 6) | 6/6 |
| 4. SW Kalamazoo – Texas Twp (District 8) | 5/5 |
| 5. City of Kalamazoo (District(s) 1,2,3 & part 5) | 7/7 |
| 6. City of Portage (District(s) 4 & 5) | 9/9 |
| 7. District 5 (District(s) 6 & 8)* | 5/5 |

*Congressional District 5 will caucus separately to choose their 5 delegates & 5 alternates.

Each caucus shall meet separate from all other caucuses for the purpose of electing delegate & alternate representation for their group (see above). A chairperson and secretary shall be elected as the first order of business and shall oversee the caucus and record such votes and or outcomes as would be necessary to report to the Convention Chair & Secretary. Any open seats may be filled by the Convention body and those delegate names shall be amended to the list produced by the caucuses.

[D4] - The list of delegates to attend the State District Caucuses shall be compiled by combining the list of delegates from the various caucuses (6). The list of Alternates shall be produced by combining the various Caucuses (6) Alternate lists in a manner as such; each Chair of the six (6) D4 caucuses shall draw a number to determine the order (lowest if first), then as ordered pick the first alternate from each caucus Alternate list. Repeat the process of drawing numbers (to randomize each round) to determine the second round of alternate selection, repeat until all caucus alternate lists have been exhausted in compiling the ordered Alternate list for the State District Caucuses.

[D5] – The D5 caucus shall present their list to the Convention Chair and Secretary.



ADDENDUM

RULES FOR ELECTION OF DELEGATES AND ALTERNATES TO THE
OFFICIAL 2024 SPRING REPUBLICAN COUNTY CONVENTION AND STATE DISTRICT CAUCUSES

Section 8 – A - Apportionment Method of Election State Convention Delegates and Alternates

Under an apportionment system of delegate and alternate selection, when the electing bodies (ward, precinct, township, city, or district, as the case may be) created for delegate and alternate selection have completed their selections, such choices are final and may not be changed by the full county convention except only to maintain the precinct delegate preference requirement.

Rule 7 - If the apportionment system of delegate and alternate selection is used, the apportionment system must be based on the same formula referenced in Rule 7 to apportion State Convention delegates (i.e. based on the 2022 vote for the Republican candidate for Secretary of State).

The Following Calculations are as follows (total votes for GOP SOS 2022 – 40,494)

Caucus Region	Delegates / Alternates	Vote	%
Caucus District 1	5 / 5	4553	11%
Caucus District 2	7 / 7	6747	17%
Caucus District 3	6 / 6	5349	13%
Caucus District 4	4 / 4	4092	10%
Caucus District 5	7 / 7	6664	16%
Caucus District 6	9 / 9	8532	21%
Caucus District 7	5 / 5	4457	11%
	44 / 44	40394	100%

Note: Calculations are based on the State of Michigan – Bureau of Elections Secretary of State Republican candidate results as published. These are approximate and rounding has been applied as is necessary.



MATTHEW S. DEPERNO, J.D., LL.M.
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PORTAGE, MI 49081

(269) 321-5064
FAX (269) 353-2726
MATTHEW@DEPERNOLAW.COM

**CEASE AND DESIST LETTER
and
DEMAND FOR PRESERVATION**

PRE-SUIT LETTER

January 11, 2024

Rodney Halcomb
PO Box 361
Richland, MI 49083

VIA EMAIL: rodneyhalcomb55@gmail.com

Re: Unauthorized Call to Convention

Mr. Halcomb:

As you know, I represent the OFFICIAL Kalamazoo County Republican Committee ("KGOP"). I have attached the Statement of Organization dated December 27, 2022. I have not written to you previously because I assumed you would at some point stop claiming to be the KGOP chair. However, on January 9, 2024, you sent an email titled "Official Call to the Republican County Convention." This email is fraudulent, deceptive, and illegal. You claim that the Kalamazoo County Republican Convention will be held "at 7:00 pm on Thursday, February 15, 2024, at the Scotts Community Center." That is false and illegal.

Now that you have broken the law and issue a call to convention, I am compelled to demand you CEASE and DESIST all such activity and retract your illegitimate and illegal fake call to convention. Quite frankly, your call to convention appears to be a trap to lure unsuspecting delegates to a fake convention that violates the law. These delegates should be made aware of your attempts to trick them.

Unauthorized attempt to amend Statement of Organization

I also understand that on or about October 30, 2023, you or someone on your behalf attempted to submit a fraudulent amendment to the Statement of Organization to the Michigan Bureau of Elections ("BOE"). That fraudulent document was rejected by BOE.

September 15, 2023 convention was illegitimate under KGOP bylaws, MIGOP bylaws, and state law

On August 17, 2023, Kerry Lynn Elieff mailed a document titled "Official Call to Special Convention of the Kalamazoo County Delegates." This document was signed by Ms. Elieff in her false capacity as "Chairwoman of the Rules Committee of the Special Convention of the Kalamazoo County Delegates." This document was fraudulent and deceptive as it informed delegates (and others) that a special convention was scheduled for September 15, 2023. Nevertheless, it is my understand that this fake convention did occur and you now claim to have been elected "chair."

As you know, the Bylaws of the Kalamazoo County Republican Committee, amended February 9, 2015,¹ were the issue of a hotly contested lawsuit styled *Sabrina Pritchett-Evans and Kimberly Harris v Republican Party of Kalamazoo County et al*, Case No. 2023-0169-CZ, Kalamazoo County Circuit Court. On August 10, 2023, the court ruled in favor of the defendants (KGOP) and dismissed 3 counts related to bylaw interpretation and state law. Nevertheless, the losing side, of which you appear to have aligned, continues to publish false statements and you have now alleged in your email that you are the "Chairman-Elect."

The September 15, 2023 "convention" was illegitimate (null and void) for several reasons:

1. MIGOP bylaws state in Article XIII(B) that "the delegates to the fall county convention . . . shall convene at the call of the county chairperson."

This clearly contemplates that only the county chair can call a convention. The convention on September 15, 2023 was NOT called by the chair, Kelly Sackett, but instead by Kerry Lynn Elieff.

2. MIGOP bylaws further state in Article XIII(B) that following the fall county convention, the county executive committee shall select "the officers of the executive committee who shall serve as the officers of the county committee (if any) for two (2) years commencing on January 1 of the next odd numbered years.

You were not elected as chair of the KGOP. Kelly Sackett was elected as chair.

3. Section III(8)(A) of the KGOP bylaws, amended February 9, 2015, state that the election of officers shall take place "[w]ithin thirty (30) days following the convening of the Fall County Convention (convened in even numbered years) . . . who shall also serve as the officers of the County Committee for the two (2) years commencing on January 1 next (odd numbered years)."

Again, you were not elected as chair of the KGOP. Kelly Sackett was elected as chair.

¹ The bylaws have since been amended on September 11, 2023, and will be discussed later in this letter.

4. MCL 168.622 states that "The county conventions of each political party shall be held at the time and place that the county committee of each political party, through its chairperson, designates." Further, officers are elected for two-year terms.

Again, pursuant to state law, only the chair can call a convention. Therefore, that call to convention was illegal. Kelly Sackett is the KGOP chair; not Kerry Lynn Elieff. Plus, you were not elected as chair of the KGOP. Kelly Sackett was elected as chair.

5. Kerry Lynn Elieff was neither a member of KGOP nor a Kalamazoo County delegate. She had no right to call a convention of delegates.

For these reasons, the September 15, 2023 fake convention was unauthorized and illegitimate.

September 15, 2023 convention was not a special meeting

If you want to argue that the September 15, 2023 "convention" was a "special meeting," that would also be a fraud. Pursuant to KGOP bylaws, amended February 9, 2015, a special meeting may only be called "by the County Chairperson upon written request of the number of members of the Executive Committee that would constitute quorum or by the County Chairperson on his own motion.

No members of the Executive Committee requested a special meeting. Kelly Sackett did not call a special meeting.

For these reasons, the September 15, 2023 fake convention was unauthorized and illegitimate.

Your call to convention is illegal; see KGOP bylaw amendment, dated September 11, 2023

The KGOP bylaws were amended on September 11, 2023. I know you are aware of these bylaws. Nevertheless, a copy of the amendment is attached. Section 5.1 states that "[t]he County Chair shall be the only person who can issue a Call to Convention and county county conventions." You are not the chair. Kelly Sackett is the chair.

Again, MCL 168.622 states that "The county conventions of each political party shall be held at the time and place that the county committee of each political party, through its chairperson, designates."

In addition, the rules issued by the "MIGOP Rules for Delegates and Alternates to the 2024 Spring Michigan Republican County and District Conventions" state in Section 1 that "[t]he location, time, and date of the meeting of all such county conventions shall be designated in the call emailed for such convention by the current chair of the county executive committee, no later than Thursday, January 11, 2204."

You are not the KGOP chair. You have never been designated as the KGOP. Both the Kalamazoo County Clerk and the BOE recognize Kelly Sackett as the chair. For these reasons, your call to convention was illegal. I also suggest you read Sections 12.7 and 12.8. You have issued a fake "call to convention" without the authorization of the chair. You have also asserted control over KGOP.

The real OFFICIAL call to convention

Today (January 11, 2024), Kelly Sackett issued the real OFFICIAL call to convention. it will take place at 7:00 PM EST on THURSDAY, FEBRUARY 15, 2024 at the 12th Street Baptist Church, 3911 S 12th Street, Kalamazoo, MI 49009.

If any delegates wish to contact me, they are free to do so. Please do not intentionally attempt to deceive and disenfranchise the delegates.

You are not the chair of KGOP and cannot call a convention

The KGOP bylaws specifically restrict you from issuing a call to convention. Therefore, KGOP demands you CEASE and DESIST all such activity and immediately and publicly retract your illegitimate and illegal fake call to convention by **5:00 PM on TUESDAY, JANUARY 16, 2024** using the same medium in which you made the fake call. You are trying to create division. You are misleading delegates to coming to your fake convention. If they do, they will be disenfranchised by not voting in the real convention. This hurts the party and all delegates.

Demand for preservation

This letter shall serve as a pre-suit letter demanding that you provide us assurance by **5:00 PM on TUESDAY, JANUARY 16, 2024** that you will cease and desist from making further statements holding yourself out as chair of the KGOP and that you provide evidence that you have retracted your call to convention.

In the event you refuse and until these claims are resolved, please ensure that you, your principals, and all your sources (including members of "Kalamazoo Precinct Delegates" are preserving and retaining all emails, text messages, audiovisual recordings, voice mails, social media posts, drafts, notes, communications, documents, data, and electronically stored information of any kinds that relates in any way to these matters. Without limitation, this requires you to preserve all information you have used to support your claim to be chair and, all versions of any notes or transcripts, all drafts of any comments of you claiming to be chair, and all communications with anyone related to or references such claims.

Your document preservation obligations apply both to you individually, as well as to any entities you control, or anyone who has access to your data, information, computers, hard drives, or social media accounts.

If you do not comply and continue to make false statements claiming to be chair of KGOP or if you fail or refuse to retract your call to convention, my client reserves all rights and remedies against you including the pursuit of exemplary and punitive damages. This is not a complete recitation of my client's rights and remedies, all of which are expressly reserved.

I await your prompt response.

Best regards,

DePERNO LAW OFFICE, PLLC

/s/ Matthew S. DePerno

Matthew S. DePerno

c: KGOP Executive Committee
 Kelly Sacket (KGOP Chair)
 Charlie Coss (KGOP Vice Chair)

Exhibit 23

Official Call to the Republican County Convention

1 message

Rodney Halcomb <rodneyhalcomb55@gmail.com>
To: Rodney Halcomb <rodneyhalcomb55@gmail.com>
Cc: Secretarykzoodelegates@gmail.com
Bcc: matthew@depernolaw.com

Tue, Jan 9, 2024 at 12:31 PM

Kalamazoo County Republicans

Official Call to the Kalamazoo County Republican Convention. There shall be a meeting of the duly elected Precinct Delegates and the At-Large Delegates to the Kalamazoo County Republican Convention at 7:00 pm on Thursday, February 15, 2024, at the Scotts Community Center, 8450 36th St South, Scotts, MI, 49088.

The purpose of the Kalamazoo County Republican Convention shall be to elect 44 Delegates and 44 Alternates to the March 2nd, 2024, District Convention at Huntington Place, 1 Washington Blvd. Detroit, MI, 48226.

A confirmation reply to this call to convention email is requested no later than 6:00 pm January 15, 2024.

The business to be conducted at the District Convention in Detroit MI, March 2, 2024, shall be to:

- (1) Vote for the Presidential Candidate
- (2) Select three National Delegates and Alternates to attend the National Republican Convention in Milwaukee, Wisconsin, July 15-18, 2024. Each National Delegate and Alternate shall commit their Presidential vote at convention.
- (3) The election of:
 - (a) One (1) National Committeeman
 - (b) One (1) National Committeewoman

Transacting other such business as may properly come before the Convention.

ONLY Precinct Delegates elected at the August 2, 2022 Primary Election, delegates permanently elevated to fill vacancies at the August 27 and Post Election conventions, the most recent Republican nominees for County and State Legislative offices, Incumbent members of Michigan Legislative offices, the Michigan Congressional Delegation, the Republican National Committeeman and National Committeewoman from Michigan and Michigan Republican Party Officers where such person resides in the county in question will be seated and considered eligible to vote at this convention. PROXY VOTING PROHIBITED.

Precinct delegates and certain at-large delegates, given the preference under Rule 8 of the convention rules, but who do not attend the county convention, must notify the chair of the county executive committee (Rod Halcomb, RodneyHalcomb55@gmail.com) or the following designee(s) (Secretary Emily Crawford, Secretarykzodelegates@gmail.com), in writing (the “notification”), of the person’s intention to become a delegate or alternate delegate to the district convention. The notification can be in any written form, including by letter or email, and must be received by the chair of the county executive committee (or designee) by no later than 4:00 p.m. on the day of the county convention. Failure to provide the notification as provided herein shall mean that the person shall not be given the preference under Rule 8 of the convention rules. It is not necessary to send a notification if a person attends the county convention.

Signed,

Rod Halcomb, Chairman-Elect
Mail to: Kalamazoo Precinct Delegates
PO Box 361
Richland, MI 49083-0361



Kalamazoo County Republicans Call to Convention.pdf

147K

Kalamazoo County Republicans

Official Call to the Kalamazoo County Republican Convention. There shall be a meeting of the duly elected Precinct Delegates and the At-Large Delegates to the Kalamazoo County Republican Convention at 7:00 pm on Thursday, February 15, 2024, at the Scotts Community Center, 8450 36th St South, Scotts, MI, 49088.

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- (3) The election of:
 - (a) One (1) National Committeeman
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Transacting other such business as may properly come before the Convention.

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Signed,



Rod Halcomb, Chairman-Elect

Mail to: Kalamazoo Precinct Delegates
PO Box 361
Richland, MI 49083-0361

Exhibit 24



JANUARY 17TH, 2024

STATEMENT
ON
STATE INTERVENTION

There are four levels of political committees within the convention of delegates in the Republican Party nationally.

The **DELEGATES** which are the building block of the **REPUBLICAN PARTY** form through conventions a County, a District and a State body.

They also send representatives from all States to the RNC to form the Republican National Committee. While it's true that these are in fact, four (4) separate political committees, there are not independent of each other as collectively they form **our REPUBLICAN PARTY**.

This creates a delegation through delegated authority. While it is true that the State Committee has a serious duty to protect the will of properly functioning County Committee's or District Committee's, the State Committee also has the duty to address and control any County Committee or District Committee from acting or functioning inappropriately. The County Committee's and District Committee's through the authority of the collective voice at the State Committee govern rogue County or District Committees that harm the interests of the delegates.

We adhere wholeheartedly to the United States Court of Appeals, Sixth Circuit Heitmanis v. Austin 899 F.2d 521 (6th Cir. 1990) Decided Mar 29, 1990, stating that we SHALL MANAGE, DECIDE AND RESOLVE ANY AND ALL MIGOP RELATED DISPUTES INTERNALLY. THE REPUBLICAN PARTY OF MICHIGAN IN THE EXERCISE OF ITS CONSTITUTIONAL RIGHTS OF ASSOCIATION AND SPEECH, RESERVES THE RIGHT TO ACCEPT OR DECLINE THE APPLICATION OF MICHIGAN STATUTORY PROVISIONS, WHICH APPEAR TO GOVERN ITS AFFAIRS.. During our time as General Counsel and Executive Director we have counseled the chair and have taken a non-intervention process as to District and County disputes. This is because the bylaws have not delegated authority to the State to intervene into County and District disputes.

One recent exception was when on motion, the State was required to recognize the convention of delegates from Kalamazoo County who had rescinded the grant of authority to an executive committee and County chairwoman and replace them. We were required to make a formal recognition for purposes of state compliance with campaign finance law under MCL 169 to 11. In addition, the body felt it was inappropriate for the Kalamazoo County executive committee chairwoman to refuse to send invitations to the call of convention to delegates from Kalamazoo County. It is clear that under state law that the state party has the ability/authority to recognize one District and one County as legitimate. This is not the power of the chairwoman but of the State Committee which voted to make this recognition.

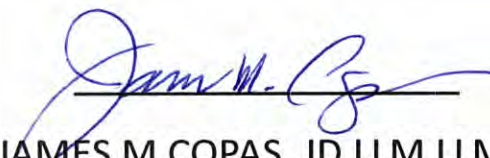


We have been asked what happens if a District Chair states that they have an opinion about who is the chairwoman of the Michigan Republican Party. Remember, it is the actual District or County members (delegates) (not just a District chair) who vote in County or District matters and take a resolution in favor of or against such matters as they can determine who they choose to recognize but at the end of the day the State chairwoman has her authority derived from the convention of delegates and the bylaws which provides for the manner in which meetings are called and removal actions proceed. Chair Karamo has not been removed according to these safeguards and controls.

As such, it does not matter what a District Chair determines when he/her shares their personal opinion of such a matter. While the RNC has not expressed an opinion, their opinion would be irrelevant as well because they may choose to state who they recognize by vote of the Republican national committee but a statement by a Chairwoman or Officer of the RNC, **TO BE CLEAR** has no effect.

FURTHERMORE, THE ONLY FORSEEABLE SITUATIONS THAT WILL TRIGGER DIRECT AND STRICT STATE INTERVENTION INTO COUNTY OR DISTRICT BUSINESS OR AFFAIRS BY MIGOP IS WHEN THE COUNTY COMMITTEE OR DISTRICT COMMITTEE IN QUESTION ENGAGES IN ACTIVITIES THAT COUNTERVIEN, CONFLICT OR ARE REPUGNET TO THE STATE MIGOP CONSTITUTION (IF ONE IS ULTIMATELY AFFIRMED BY THE STATE COMMITTEE AND/OR CONVENTION OF DELEGATES) OR STATE BY-LAWS.

Such controlled restraint is the **DUTY** of the **STATE COMMITTEE** and necessary to maintain a consistently well-functioning and productive State Committee and therefore County and District Committees as well.


JAMES M COPAS, JD LLM LLM LLM
EXECUTIVE DIRECTOR
MIGOP

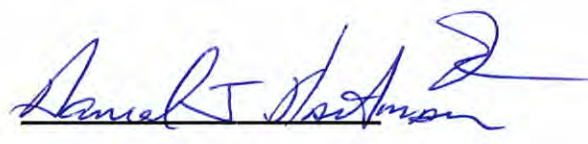

DANIEL J. HARTMAN ESQ.
GENERAL COUNSEL
MIGOP

Exhibit 25

Big Announcement!

1 message

Kzoodelegates <kzoodelegates@gmail.com>
To: Kzoodelegates <kzoodelegates@gmail.com>
Bcc: matthew@depernolaw.com

Sun, Jan 14, 2024 at 4:08 PM

Dear Delegates of Kalamazoo County,

I am pleased to inform you that January 13, 2024, marked a momentous occasion for our county delegates. The Michigan State Republican Party Central Committee, in a decisive vote, officially recognized the newly elected executive committee, which assumed office on September 15, 2023, as the legitimate executive committee of Kalamazoo County.

As your Chairman, I want to emphasize the following commitments:

1. **Representation:** The executive committee now serves as a true representation of you, the delegates. This shift means that your voices and concerns will be at the forefront of decision-making within the committee.
2. **Inclusive Participation:** Duly elected precinct delegates are now entitled to participate in party activities without fear of exclusion. This ensures that your role as a delegate is respected, and you can actively engage in the democratic process without hindrance.
3. **End of "Pay to Play":** The era of "pay to play" is officially over. As a duly elected precinct delegate, your participation is based on merit and commitment, not financial considerations.

The new leadership of the executive committee is wholeheartedly dedicated to serving your interests and ensuring a fair and inclusive environment within the party.

I invite you to join us at the Official Kalamazoo County Convention, which is scheduled to take place at the Scotts Community Center on February 15, 2024. This convention will provide a platform for collaboration, discussion, and unity among the delegates.

With Sincere Respect,

Rod Halcomb Kalamazoo County Republican Chair

Exhibit 26



January 16th, 2024

Sent via email lovegrovea1@michigan.gov

State of Michigan
Bureau of Elections
Filings, Disclosure & Compliance Division
Disclosure & Compliance Section

Attention: Amy Lovegrove, Manager,

Ms. Lovegrove:

Please be advised that the following individuals are the properly recognized members and leadership of the Kalamazoo County GOP Political Committee as recognized by the Michigan GOP (MIGOP). There are no others such recognized.

The Members of the Leadership and Executive Committee voted in by the delegates at the special convention on September 15, 2023 – Recognized as the official Kalamazoo County Republican Committee at State Committee meeting January 13, 2024

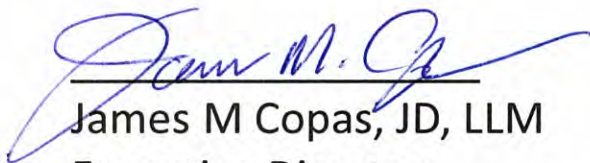
1. Rod Halcomb – Chair
2. Kerry Lynn Elieff – Vice Chair
3. Emily Crawford – Secretary
4. Robyn Maxson – Treasurer
5. Ruth Berjawi
6. Dave Stevens
7. Mark Chilcott
8. Dr. Gary Mitchell
9. Sabrina Pritchett-Evans



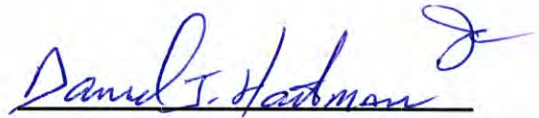
10. Kim Harris
11. David Harris
12. Dennis Kehoe
13. Megan Haan
14. Vincent Wilson
15. Rene Saar
16. Sandra VanderLugt
17. John Elieff
18. Lori Malokowski
19. Pamela Herbert

Statutory Members

1. Kelly Sackett
2. Charley Coss
3. Jeff Hepler
4. John Gisler
5. Gary Hahn
6. Mary Balkema
7. Nicole Sabel
8. Pete Strazdas
9. Sarah Lightner
10. Dr. Tamara Mitchell
11. Terry Haines
12. Thomas Albert
13. Tom Graham
14. Wendy Mazer
15. Matt Hall

A handwritten signature in blue ink, appearing to read "James M. Copas", written over a horizontal line.

James M Copas, JD, LLM
Executive Director
MIGOP

A handwritten signature in blue ink, appearing to read "Daniel J. Hartman", written over a horizontal line.

Daniel J. Hartman, Esq.
General Counsel
MIGOP



Attachment: Jan 13th, Special MIGOP State Committee Meeting Minutes

CC:

Jurisdiction	Clerk Name	Email
Alamo Township	Barbara Venema	clerk@alamotownship.org
Brady Township	Beverly Wenzlick	bradyclerk@centurytel.net
Charleston Township	Linda Kramer	clerk@charlestantownship.org
Climax Township	Marcia Lewis	Clerk@climaxtownship.org
Comstock Township	Nicole Beauchamp	clerk@comstockmi.gov
Cooper Township	DeAnna Janssen	clerk@coopertwp.org
City of Galesburg	Lisa McNees	clerk@galesburgcity.org
City of Kalamazoo	Scott Borling	cokcityclerk@kalamazoocity.org
Kalamazoo County	Meredith Place	clerk@kalcounty.com
Kalamazoo Township	Lisa Mackie	Clerk@ktwp.org
Oshtemo Township	Dusty Farmer	dfarmer@oshtemo.org
City of Parchment	Shannon Stutz	clerk@parchment.org
Pavilion Township	Karen Siegwart	clerk@paviliontwpmi.gov
City of Portage	Erica Eklov	cityclerk@portagemi.gov
Prairie Ronde Township	Dale Smith	clerk@prairierondetwp.net
Richland Township	Bear Priest	bpriest@richlandtwp.net
Ross Township	Mary Stage	clerk@rosstownshipmi.gov
Schoolcraft Township	Virginia Mongreig	vmongreig@schoolcrafttownshipmi.gov
Texas Township	Emily Beutel	emilyb@texastownship.org
Wakeshma Township	Shawn Fritz	clerk@wakeshmatownship.com
Rod Halcomb		rodo55@att.net
Kim Harris		kaharris1@att.net
Kerry Lynn Elieff		hillcrestequity@aol.com
Sabrina Prichett-Evans		prichettevans@yahoo.com
Kristina Karamo		kristina@migop.org



STATE COMMITTEE SPECIAL MEETING

January 13, 2024, 10:00am
Northern Michigan Banquet & Event Center
7784 Stone School Rd.
Houghton Lake, MI 48629

Dan Bowe led the Pledge of Allegiance. Daire Rendon opened with prayer.

The meeting was called to order at 10:45am.

The Secretary announced there were 83 credentialed members present. The meeting paused to reconnect to wi-fi for virtual attendees.

Dan Bonamie presented a report on better political representation.

Heath Wall, Policy Committee Chair was asked to present a report.

A point of order was called by Kristin Lee for a roll call attendance to be made. The Chair put it to a vote and the vote fell. Heath Wall presented the Policy Committee's report that the January 6, 2024 meeting was illegitimate and that there was a recommendation that Co-Chair Malinda Pego violated conflicts of interest under MRSC Bylaws Article III Section M.9.&10. Further, the Policy Committee recommended that members Andy Sebolt, Bree Moeggenberg, Tim Ross, Anne DeLisle, JD Glaser and Dan Lawless be further investigated for conflicts of interest violations under MRSC Bylaws Article III Section M.9.&10. The motion to find Malinda Pego in violation of MRSC Bylaws Article III Section M.9.&10 was moved and seconded by the Policy Committee. Discussion was opened to the floor. Dan Hartman made a motion to move this agenda item to the bottom of the agenda. A second was made. Discussion was opened to the floor. The Chair called a vote, and the result was inconclusive. A standing counted vote was taken, and the motion carried.

Dan Hartman made a motion to not accept the legitimacy of the January 6th meeting per the Policy Committee's findings. A second was made. Discussion was opened to the floor. Fred Niedstandt called the question. A second was made. The vote was taken, and the motion carried. The Chair called for a vote to accept the motion on the floor and the motion carried.

Dr. Phil O'Halloran gave the Election Integrity Committee Report.

Dr. Angela Hall gave the Issues Committee Report that included the three resolutions previously emailed to all SC members. The adoption was moved and seconded by the Issues Committee. Kim Harris made a motion to adopt all three resolutions. Dan Hartman asked to consider each individually via a friendly amendment. Kim Harris accepted the friendly amendment. There was a second. The adoption of the Michigan Republican Party State Committee Resolution To Stop The Prosecutions Of Donald J. Trump was opened for discussion. Monika Feibing called the question. A second was made. The Chair called for a vote and the motion carried. The Chair called for a vote on the motion on the floor and the motion carried.

The adoption of the Resolution to End the United States of America's Financial and Military Involvement in the War in Ukraine was opened for discussion. Monika Fiebing called the question. A second was made. The Chair called for a vote and the motion carried. The Chair called for a vote on the motion on the floor and the motion carried.

The adoption of the Resolution to End the United States of America's Financial and Military Involvement in the War in Ukraine was opened for discussion. John Schaut called the question. A second was made. The Chair took a vote and the motion carried. The Chair called for a vote on the motion on the floor and the motion carried.

Dan Bonamie, Chair of Budget Committee presented report. This was screenshared with the virtual attendees. Kristin Lee called a point of order that this report is out of order. Chair Karamo ruled the point of order is not well taken. Jennifer Standerfer, Treasurer spoke on the expenses. Dan Bonamie presented the remainder of the report. Dan Hartman, General Counsel answered questions regarding the Seymour building and the trust. John Schaut made a motion to accept the budget committee report. A second was made. The Chair took a vote and the motion carried.

The Chair turned the meeting over to Joel Studebaker to chair the next two agenda items. Joel Studebaker opened the floor for the Karamo Q&A.

Joel Studebaker asked if there was a motion for Removal of Chair Karamo under MRSC Bylaws Article V. Vivienne Curenca made the motion. A second was made. Ken Beyer made a motion for a roll call vote. A second was made. The vote was taken. The result was unclear. Division was called. A standing vote was taken and the vote for a roll call vote carried. Joel Studebaker opened discussion on the motion on the floor for removal of Chair Karamo. Dan Bonamie made a motion to suspend the 54-signature requirement for removal of Chair Karamo and that the findings will be final. A second was made. Bill Lethemon called the question. A second was made. A vote was called on the previous question. The motion carried. Joel Studebaker took a vote on the motion to include suspending the 54-signature rule of the bylaws. The parliamentarian Ralph Rebandt spoke to explain that Chair Karamo is waving the 54-vote requirement and that RONR allows for this.

Joel Studebaker moved the motion to suspend the 54-signature rule in the bylaws. A second was made. A vote was taken. The motion carried. The motion on the floor to remove Chair Karamo was opened for discussion. Dan Hartman called the question. A second was made. The motion carried. A roll call vote was taken. The result of the vote was 59 No and 1 Yes.

Chair Karamo re-assumed the Chair duties of the meeting.

Dan Bonamie motioned for the removal of Andy Sebolt, Bree Moeggenberg, Randy Guppy, Jon Rocha, JD Glaser, Daniel Lawless, Anne DeLisle, Bill Rauwerdink, and Dan Wholihan for violating their fiduciary duties, duty of loyalty and duty of care under Article 3.M.1. A second was made. The Chair conferred with the parliamentarian.

The Chair called a for a brief recess. At 1:53pm the meeting was called back to order.

Dan Bonamie amended his motion to only include members Andy Sebolt, Bree Moeggenberg, JD Glaser, Dan Lawless, Anne DeLisle and Tim Ross per the report from the Policy Committee without the recommendation from the Policy Committee for violations of conflict of interest. A second was made. Bonnie Burke offered an amendment to add Jon Rocha and Randy Guppy. A second was made. The motion was not moved to the floor and Bonnie Burke withdrew her motion.

Dan Bonamie motioned to move the removal motion to the bottom of the agenda. A second was made. Call to question was made by Peggy Doornbos. A second was made. The Chair took a vote and the motion carried. The Chair took the vote on the motion on the floor to move the item to the bottom of the agenda. The motion carried.

Cheryl Costantino presented the rules for the August Convention Rules. The motion was moved and seconded by the Policy Committee. Discussion was open. A question was called by Ken Beyer. A second was made and the motion carried. A vote was taken on the motion on the floor to adopt the August Convention Rules and the motion passed.

Ken Beyer made a motion that this Michigan Republican Party State Central Committee vote to accept the will of the delegates of Kalamazoo County according to their September 15, 2023 special convention by recognizing Rod Holcomb as chair, Kerry Lynn Elieff as vice chair, and recognize all other officers and members of the executive committee in Kalamazoo as elected on September 15, 2023 and register them with the Secretary of State's Bureau of Elections. A second was made. Discussion was opened to the floor. Margo Aseltine called the question. A second was made. The Chair took a vote, and the motion did not carry. Discussion continued. Previous question was called. A second was made. The Chair took a vote and the motion carried. A vote was taken on the motion on the floor. The motion passed unanimously.

The Chair announced that the motion on the floor is to re-visit the agenda item from the Policy Committee that Co-Chair Malinda Pego violated conflicts of interest under MRSC Bylaws Article III Section M.9.&10. The Chair opened discussion to the floor. Previous question was called. A

second was made. The Chair took a vote and the motion carried. The Chair called for a vote on the motion on the floor. Roll call vote was requested and taken. The result of the vote is 76 Yes, 2 No, 3 Abstain. (The votes from only state committee members; the result is 52 Yes, 2 No, 3 Abstain.) The motion carried.

Dan Bonamie returned to the floor to repeat his item of business that was moved down the agenda. He motioned to find Andy Sebolt, Bree Moeggenberg, Tim Ross, Anne DeLisle, JD Glaser and Dan Lawless in violation of conflicts of interest. A second was made. Discussion was opened to the floor. Dan Hartman made a motion to postpone the item of business to another day. A second was made. Discussion was opened to the floor. Peggy Doornbos called the question. A second was made. The Chair took a vote and the motion carried. The Chair took a vote to postpone the main motion and the motion fell. Discussion was re-opened for the main motion. Dan Bonamie called the question, a second made and motion carried. The Chair announced there was a vote on the main motion. A roll call vote was requested and taken. The result of the vote is 61 Yes, 5 No, 15 abstain. (The votes from only state committee members; the result is 41 Yes, 5 No, 10 Abstain.) The motion carried.

The Chair asked for a motion to adjourn. Fred Nienstedt moved to adjourn. A second was made and the motion carried. The meeting was adjourned at 3:35pm.

Submitted:

Angela Gillisse

Secretary

Monday, January 15, 2024

Exhibit 27

10:38

90



Rodney Halcomb

10:24 PM

To: chair@kgop.us Cc: Rodney >

Access Code to Amend Statement of Organization

Hi Kelly,

Since the MIGOP has recognized the new Executive Committee leadership elected on September 15th, 2023, as the official leadership team in Kalamazoo, would you be willing to provide me with the SOS access code so we can amend the Statement of Organization?

I'm really sorry it came down to this.

I'm willing to discuss issues and try to work them out between our two groups. I hope we can work together moving forward and by working together we can accomplish our similar goals of getting conservatives elected.

Rod



Exhibit 28

Veronica Pero

Sabrina Pritchett-Evans

Over a month ago Kelly Sackett, Chair of K...

Again, if you are a member of the **KGOP** and don't support Sackett's unlawful actions, it's time to walk away from her and the organization. Staying condones her actions.



8



2



2

8:08 AM



Sabrina Pritchett

51m · 🌐

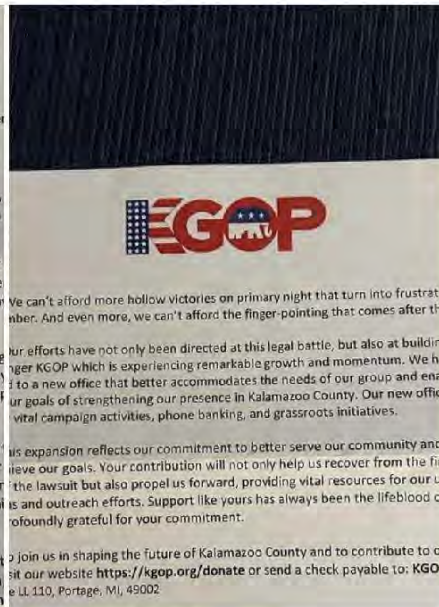
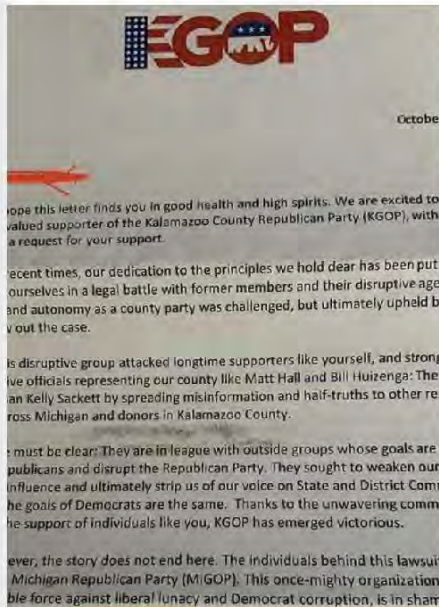
I would not give one dime to the old KGOP. The delegates met September 15, 2023 and 96% of those in attendance voted to remove the leadership and replace them.

They have trampled on delegates and claim we work at their pleasure like slaves. Kelly Sackett tried to install her picks for our congressional district with back room deal making and it didn't work. After that they went on a wannabe tyrant rage by returning memberships and kicking hard working Republicans out because they didn't like the way we voted at a state convention. They approved draconian bylaws that claim they can charge \$100 or \$1000 a day to delegates or MiGOP if anyone questions them basically. That must not be working out well for them.

Neither Matt Hall or Bill Huizenga have made a statement in support of Kalamazoo delegates. Matt Hall has been voting against our 2nd Amendment right to bear arms.

The old KGOP moved into a new office behind Bill Huizenga. How are they paying the \$2000- \$2200 a month? They need money but it's not for what they claim in the letter. Enough of the charade.

We have been fighting for the rights of all delegates while they push a narrative that we are disrupters and holding them back from winning. The losing streak has been several cycles. The grassroots are disrupting their corrupt money laundering system.



Home

Friends

Video

Marketplace

Notifications

Menu

Exhibit 29



COUNSEL'S OFFICE

January 24, 2024

Ms. Kristina Karamo
Amb. Peter Hoesktra
c/o Michigan Republican Party
3450 Alpine Ave. NW Box 206
Grand Rapids, MI 49544

VIA ELECTRONIC MAIL

Dear Ms. Karamo and Amb. Hoekstra:

On behalf of the Republican National Committee (“RNC”), we write concerning the ongoing dispute as to whether Ms. Karamo continues to serve as Chairwoman of the Michigan Republican Party (“MIGOP”), or if she was removed from that position at a special meeting held on January 6.

The RNC is aware there is now ongoing litigation in this matter, as plaintiffs supporting Ms. Karamo’s removal have filed suit in the Kent County Circuit Court. We further are aware that Ambassador Peter Hoekstra was elected Chairman on January 20 at a meeting called by Ms. Malinda Pego, then purporting to serve as Acting Chairman, in view of Article IV(C) of the MIGOP Bylaws. Meanwhile, Ms. Karamo continues to assert that she remains the MIGOP Chairwoman, and she and her allies have sent multiple cease-and-desist letters to Ms. Pego, Ambassador Hoekstra, and others.

Although the RNC has limited power under its Rules to issue binding determinations in internal state party disputes, it unquestionably has the authority to determine, for its own purposes, who its voting members are. The RNC’s *Rules of the Republican Party* (“RNC Rules”) provide that the “duly elected and acting chairman of each state Republican Party shall be a member of the Republican National Committee during his or her term in office” and further provide that the election of members to fill vacancies in the Republican National Committee “shall be ratified by the Republican National Committee after their election.” RNC Rules 3(b) & 4(a). With the RNC Winter Meeting taking place next week, and with the resolution of this dispute’s important implications for the presidential delegate selection process in Michigan, it is necessary and appropriate for the RNC to review this matter at this time.

The RNC Counsel’s Office has reviewed the MIGOP Bylaws, meeting minutes, and other materials provided by both sides in this dispute. Based upon its initial review, it appears to the Counsel’s Office that Ms. Karamo was properly removed in accordance with the MIGOP Bylaws on January 6. That said, the Counsel’s Office’s determination is not dispositive, and it recognizes that additional information could conceivably come to light which changes its view.

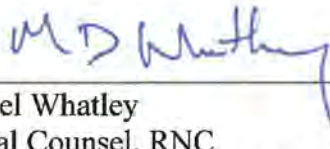


COUNSEL'S OFFICE

As a matter of procedure, the RNC is unable to conclusively rule on whether Ms. Karamo or Ambassador Hoekstra is a voting member of the RNC prior to the Winter Meeting next week. Therefore, absent timely resolution of any litigation, please be advised as follows:

1. Neither Ms. Karamo nor Ambassador Hoekstra shall be credentialed as MIGOP Chair for the RNC Winter Meeting in Las Vegas, Nevada. Both shall be permitted to attend as guests.
2. Following the RNC Winter Meeting, a body of RNC Members will move quickly to review this dispute and make such recommendation as they believe appropriate.

Sincerely,



Michael Whatley
General Counsel, RNC
Chairman, North Carolina Republican Party



Matthew Raymer
Chief Counsel, RNC

Exhibit 30

Fwd: Kalamazoo County Republican Committee

1 message

Begin forwarded message:

From: "Burns, Robert (MDOS)" <BurnsR10@michigan.gov>
Date: January 29, 2024 at 1:46:52 PM PST
To: kellysackett@sbcglobal.net, rodo55@att.net
Cc: "Lovegrove, Amy (MDOS)" <lovegrovea1@michigan.gov>
Subject: Kalamazoo County Republican Committee

Dear Ms. Sackett and Mr. Halcomb,

The Bureau of Elections is in possession of conflicting notices regarding the officers of the Kalamazoo County Republican Committee. The Bureau will await a final decision in the case of *Pego et al v Karamo* and any other potential court decisions prior to taking any action. Currently, Ronald J. Austin is listed as Treasurer of the Committee and Kelly A. Sackett as Record Keeper, both of whom continue to be responsible for any filings.

All local clerks have been instructed to refer to notices received from the current Kalamazoo County Republican Committee leadership, listed below, for all other election-related correspondence.

Kalamazoo County Republican Committee

Kelly A. Sackett, Chair

5250 Lovers Land Suite LL 110

Portage, MI 49002

Sincerely,

Bob Burns, Director

Filings, Disclosure & Compliance Division

Michigan Bureau of Elections

Email communications between the Bureau of Elections and outside individuals are considered a part of the public record and can be requested under FOIA. Emails are reviewed for content and may be placed on the Bureau of Election's website as a public record.

Exhibit 31



January 30, 2024

Bob Burn, Director

Filings, Disclosure & Compliance Division

Michigan Bureau of Elections

Dear Mr. Burns:

I am writing to express my concerns regarding the recent involvement of the Bureau of Elections in intra-party issues of Kalamazoo County Republican Party Committee. I am aware that the Bureau's primary role is to oversee and administer elections and it is important to maintain a clear separation between electoral processes and internal party affairs.

On November 2, 2023, Amy Lovegrove emailed, Chair-elect Kalamazoo County Republican Party Committee, Rod Halcomb, the following: "MCL 169.211(6) states that the central committee designates the official county party. A district political party chair can not designate the official members of the county committee. We will not be granting you access to amend the Kalamazoo County Republican Committee as we have no verification from the state central party that designates you or anyone new as a committee member." The Michigan Republican Party State Central Committee recognized the new Kalamazoo County Republican Party Committee leadership on January 13, 2024. That was not a unilateral decision by Chair Kristina Karamo. It was a unanimous decision by Michigan Republican Party's State Central Committee per the minutes you received on January 16, 2024, from MIGOP Executive Director, James Copas.

Mr. Burns, are you now asserting that the Bureau of Elections has the authority to determine political party leadership within the state of Michigan? Your email dated 01/29/2024 seems to portray that you have the authority to involve the Bureau in intra-party issues. I believe the email lacked standing and merit because the party has the authority to govern itself and select its leadership.

Political parties play a crucial role in our democratic system, and they have the right to manage their internal affairs through their own processes and mechanisms. Intra-party issues, such as candidate nominations, party rules and bylaws, and party leadership disputes, are internal matters that should be handled by the party itself.

I would like to emphasize that the Bureau's main responsibility is to ensure that elections are conducted fairly, transparently, and in accordance with electoral laws and regulations. By maintaining a clear separation between electoral administration and intra-party issues, the Bureau can uphold its commitment to impartiality and ensure the integrity of our electoral system.

I kindly request that the Bureau reconsider its involvement in intra-party matters and focus solely on its core mandate of overseeing and administering elections. This will help preserve the independence and autonomy of political parties and maintain the public's confidence in our democratic processes.



Sabrina Pritchett-Evans



Thank you for your anticipated timely attention to this matter. I trust that you will take appropriate action and retract any notices to county and township clerks giving the appearance that the Bureau of Elections selects political party leadership in Michigan. On 01/29/2024 the judge overseeing the Pego et al v Karamo case dismissed the ex-parte hearing for injunctive relief. This is an intra-party issue, and the Delegates of Kalamazoo County resolved our intra-party issue and the Michigan Republican Party Central Committee honored and recognized the will of the Republican Party delegates of Kalamazoo County on January 13, 2024. Per MCL 168.211(6) the State Central Committee designates the official county party, not any representative of the Bureau of Elections.



January 13, 2024 – Michigan Republican Party State Central Committee Meeting, Houghton Lake, MI

Should you require any further information or clarification, please do not hesitate to contact me.

Sincerely,

Sabrina Pritchett-Evans

Michigan Precinct Delegate, Precinct 7 – Kalamazoo Township

Recognized Member of Kalamazoo County Republican Committee on 01/13/2024



Like



Comment



Copy



Share

Exhibit 32

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KALAMAZOO

KALAMAZOO COUNTY REPUBLICAN
COMMITTEE and KELLY SACKETT in her
capacity as KGOP Chair

Case No. 2024-0026-CZ

Plaintiffs

v.

RODNEY HALCOMB; KERRY LYNN
ELIEFF; EMILY CRAWFORD; ROBYN
MAXON; KRISTINA KARAMO; DANIEL J.
HARTMAN; JAMES M. COPAS; and
SECRETARY OF STATE JOCELYN
BENSON;

HON. CURTIS J. BELL

Defendants.

Matthew S. DePerno (P52622)
DEPERNO LAW OFFICE, PLLC
Attorney for Plaintiffs
951 W. Milham Avenue
PO Box 1595
Portage, MI 49081
(269) 321-5064

Daniel J. Hartman (P52632)
LAW OFFICE OF DANIEL J. HARTMAN
Attorney for Karamo, Hartman, and Copas
PO Box 307
Petoskey, MI 49770
(231) 348-5100

Dave Peters (P48648)
DRP LEGAL SERVICES, PLLC
Attorney for Halcomb, Elieff, and Maxon
PO Box 51787
Livonia, MI 48154
(916) 857-6900

Kellie L. Howard (P69009)
COLLINS EINHORN FARRELL PC
Attorney for Karamo, Hartman, and Copas
4000 Town Center, 9th Floor
Southfield, MI 48075
(248) 355-4141

Emily Crawford, *in pro per*
9427 Oakview Dr.
Portage, MI 49024

**ORDER REGARDING PLAINTIFFS' MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

At a session of said Court held in the Circuit Court for
the County of Kalamazoo, State of Michigan, on
February ___, 2024

PRESENT: HONORABLE _____
Circuit Court Judge

This matter having come before the Court on *Plaintiffs' Motion for an Ex Parte Temporary Restraining Order, Show Cause Order, and Preliminary Injunction* and the Court having heard arguments from the parties during a hearing held on February 13, 2024, and the Court being otherwise fully advised on the premises;

NOW THEREFORE,

IT IS HEREBY ORDERED:

1. Defendants Halcomb, Elieff, Crawford, and Maxon are immediately enjoined and restrained, directly and indirectly, whether alone or in concert with others, including any officer, agent, employee, and/or representative of their present group, until further order of this Honorable Court, from doing any of the following: (a) conducting a convention on February 15, 2024, (b) destroying any evidence related to "Kzoo Delegates" a/k/a "Kzoo Precinct Delegates" a/k/a "Kalamazoo County Delegates"; or (c) sending notice to any delegates, whether by email, US mail, or social media claiming they are in any way the KGOP.
2. Defendants Karamo, Hartman, and Copas are immediately enjoined and restrained, directly and indirectly, whether alone or in concert with others, including any officer, agent, employee, and/or representative of their present group, until further order of this Honorable Court, from doing any of the following: (a) certifying or accepting any convention vote or delegates from Defendants Halcomb, Elieff, Crawford, and Maxon or "Kzoo Delegates" a/k/a "Kzoo Precinct Delegates" a/k/a "Kalamazoo County Delegates", (b) destroying any evidence related to Defendants Halcomb, Elieff, Crawford, Maxon, "Kzoo Delegates" a/k/a "Kzoo Precinct Delegates" a/k/a "Kalamazoo County Delegates"; or (c) sending notice to any delegates or government agency, whether by email, US mail, or social media claiming they do or have any authority to designate Defendants Halcomb, Elieff, Crawford, and Maxon as the KGOP.

4. This Order is binding, in accordance with MCR 3.310(C)(4), on Defendants' officers, agents, servants, employees, and attorneys and on all persons in active concert or participation with them who receive notice of this order by personal service or otherwise.
5. Defendants are enjoined from destroying all evidence in this matter and shall preserve and protect all evidence relevant to this case. This protection order should cover all "documents" and "computer records."
6. Security is not required for issuing this restraining order because Defendants will not experience any monetary loss to maintain the status quo while this Honorable Court reviews this matter. Further, this is a matter of public interest.

IT IS SO ORDERED.

This is not a final order and does not resolve all claims in this Court.

Dated: February ___, 2024

Honorable Curtis J. Bell
Circuit Court Judge