

STATE OF MICHIGAN

17TH JUDICIAL CIRCUIT COURT FOR THE COUNTY OF KENT

MALINDA PEGO, ALI HOSSEIN,
HASSAN NEHME, ANNE DELISLE,
JESSICA BAREFIELD, NORM SHINKLE
and WARRAN CARPENTER,
Plaintiffs,

v

File No. 24-00658-CZ

KRISTINA KARAMO,
Defendant.

MOTION FOR PRELIMINARY INJUNCTION - VOLUME III OF III
BEFORE THE HONORABLE J. JOSEPH ROSSI, CIRCUIT COURT JUDGE
Grand Rapids, Michigan - Tuesday, February 27, 2024

APPEARANCES:

For the Plaintiffs: MR. JONATHAN E. LAUDERBACH (P51313)
MS. KATHERINE G. BOOTHROYD (P85881)
Warner Norcross & Judd LLP
150 Ottawa Ave N.W., Suite 1500
Grand Rapids, Michigan 49503
(616) 752-2000

For the Defendant: MS. KELLIE L. HOWARD (P69009)
MR. DARYLE F. HOUSTIN, II (P79536)
Collins Einhorn Farrell PC
4000 Town Center, 9th Floor
Southfield, MI 48075
(248) 351-7170

APPEARANCES CONTINUED

RECORDED BY: For the Record Recording System

TRANSCRIBED BY: Ms. Elizabeth M. Shearer, CER-8971
Certified Electronic Recorder
(616) 632-5086

TABLE OF CONTENTS

<u>WITNESSES:</u>	<u>FOR THE DEFENDANT</u>	<u>PAGE</u>
ANGELA GILLISSE		
	Direct Examination by Ms. Howard	8
	Cross-Examination by Mr. Lauderbach	47
	Redirect Examination by Ms. Howard	64, 70
	Recross-Examination by Mr. Lauderbach	68
	Examination by the Court	69
DANIEL HARTMAN		
	Direct Examination by Mr. Houston	71
	Cross-Examination by Mr. Lauderbach	100
	Redirect Examination by Mr. Houston	124, 143
	Examination by the Court	127
	Recross-Examination by Mr. Lauderbach	141
JENNIFER STANDERFER		
	Direct Examination by Ms. Howard	148
	Cross-Examination by Mr. Lauderbach	167
	Redirect Examination by Ms. Howard	174
<u>WITNESSES:</u>	<u>FOR THE PLAINTIFFS</u>	
APRIL SYNDER		
	Direct Examination by Mr. Lauderbach	176
	Voir Dire by Ms. Howard	179
	Examination by the Court	182
<u>EXHIBITS:</u>	<u>MARKED</u>	<u>ADMITTED</u>
Exhibits pre-marked		
DX#Y	Additional payment records	5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Grand Rapids, Michigan

Tuesday, February 27, 2024, at 12:02 p.m.

THE CLERK: All rise.

THE COURT: Thank you. Please, be seated.

THE CLERK: We are here in the matter of Malinda Pego versus Kristina Karamo, case number 24-00658-CZ.

THE COURT: And today finds us at high noon, fortunately here on the eight floor of the courthouse in Kent County, not in Tombstone, Arizona at the O.K. Corral. So with that, at the conclusion of the evidentiary last week plaintiff rested their case. I did hear arguments on the motion to dismiss and took that under advisement, and today is an opportunity for -- and that remains under advisement, and I would invite the defendants to present any proofs that they have.

But first why don't we put appearances on the record so I don't forget that again. We can begin with plaintiffs.

MR. LAUDERBACH: Thank you, your Honor. John Lauderbach and Katherine Boothroyd on behalf of the plaintiffs.

THE COURT: Thank you.

MR. HOUSTON: Good morning, your Honor. Daryle Houston and Kellie Howard on behalf of the defendant.

THE COURT: Very good. And welcome, Mr. Houston. And Mr. Houston, do you have witnesses to present?

1 MR. HOUSTON: No, your Honor. Can I check the
2 hallway --

3 THE COURT: Certainly.

4 MR. HOUSTON: Thank you.

5 MS. HOWARD: Your Honor, while he's doing that there
6 are a couple preliminary matters which maybe we can address?

7 THE COURT: Sure.

8 MS. HOWARD: We had a rebuttal exhibit that we
9 wanted to introduce, Exhibit Y. I sent it to Mr. Lauderbach
10 yesterday. It's a rebuttal exhibit to their Exhibit 24, some
11 additional payments records that we located.

12 THE COURT: Okay. And what's your position on the
13 proposed Exhibit Y? I haven't heard any testimony of course
14 about it yet, Mr. Lauderbach.

15 MR. LAUDERBACH: Your Honor, I -- technically I
16 don't think it's a rebuttal exhibit because they're the
17 defendant. It is a defendant's exhibit. I don't have any
18 objection to it.

19 THE COURT: Okay. Then then it may be admitted --

20 MS. HOWARD: Thank you, your Honor.

21 THE COURT: -- as Exhibit number Y. You may bring a
22 copy up if you give a copy to Mr. Lauderbach.

23 (At 12:04 p.m., DX#Y admitted)

24 MR. LAUDERBACH: I've got it right here. Ms. Howard
25 sent it to me yesterday, Judge, so I've got it.

1 THE COURT: Very good. And I'm glad -- thank you
2 very much.

3 MS. HOWARD: Your Honor, did you need an exhibit
4 tab? I have one.

5 THE COURT: No, I can include it in the binder.
6 Thank you.

7 And while we're on the topic of exhibits, I did
8 receive emails of the video of plaintiff's witness, Ms. Anne
9 DeLisle's recorded voice at a meeting where she did make the
10 statement that she was requesting that the people present not
11 log on to that meeting. I did take that. I didn't hear
12 anything additional in there. I think there was at least an
13 insinuation that I'd hear something about don't log on so
14 there won't be a quorum. I didn't quite hear that second part
15 of the statement on the recording. I just heard we're asking
16 you not to log onto the meeting. So I did review that piece
17 of supplemental evidence submitted by defendants in this
18 matter and now have accepted Exhibit Y.

19 MS. HOWARD: Thank you, your Honor.

20 THE COURT: And also, Counsel, could you state and
21 spell your name for the record so I've got it? I don't think
22 I had you on my -- any of my captions.

23 MS. HOWARD: Yes, your Honor. As it is chronically
24 misspelled. My first name is Kellie spelled K-e-l-l-i-e. My
25 last name is Howard, H-o-w-a-r-d.

1 THE COURT: Very good. I will try to get that
2 right, Ms. Howard. Did call Mr. Campbell the wrong name
3 several times. It's a known shortfall of mine, so don't take
4 it personally if I call either you or Mr. Houston the wrong
5 name. Nothing personal.

6 MS. HOWARD: I will not be offended. And your
7 Honor, in the interest of time it seems that Mr. Hartman has
8 not arrived yet, but Angela Gillisse is here, and I know I
9 just butchered her name, but she is ready to proceed.

10 THE COURT: Very good. Why don't we proceed with
11 Ms. Gillisse.

12 MS. HOWARD: Your Honor, is counsel been using the
13 podium or --

14 MR. LAUDERBACH: Yep. Yep.

15 MS. HOWARD: Okay.

16 MR. LAUDERBACH: The Court's been pretty flexible
17 about moving that, but there's a cord there just to be careful
18 of.

19 THE COURT: Come on up, Ms. Gillisse. Please, raise
20 your right hand. Do you solemnly swear or affirm that your
21 testimony today will be the truth and nothing but the truth?

22 MS. GILLISSE: I do.

23 THE COURT: Thank you. Please, have a seat.

24 And as a preliminary matter if you'd state and spell
25 your name for the record?

1 THE WITNESS: Angela Gillisse. Spell first and
2 last? It's A-n-g-e-l-a, G-i-l-l-i-s-s-e.

3 THE COURT: Thank you.

4 And you may proceed with the examination.

5 ANGELA GILLISSE

6 (At 12:08 p.m., called by Ms. Howard and sworn by
7 the Court, testified as follows)

8 DIRECT EXAMINATION

9 BY MS. HOWARD:

10 Q Ms. Gillisse, do you currently have a role in the Michigan
11 GOP?

12 A Yes.

13 Q What is that role?

14 A I'm the secretary.

15 Q How did you come to be the secretary of the Michigan GOP?

16 A I was elected in April of 2023.

17 Q Okay. Were there nominations?

18 A Yes.

19 Q And was there another nominee?

20 A Yes.

21 Q Did you receive the majority of the votes?

22 A I did.

23 Q Is there a procedure by which you could be removed as the
24 secretary?

25 A Yes.

1 Q Has the procedure ever been initiated by anyone?

2 A No.

3 Q I am assuming that you are able to resign from your position;
4 is that correct?

5 A Yes.

6 Q Have you ever resigned?

7 A No, I have not.

8 Q Okay. How many secretaries does the Michigan GOP have?

9 A One.

10 Q And you are the one?

11 A Correct.

12 Q I'm going to ask you to pick up one of those binders. It
13 should be the defendant's exhibits. Okay, you're going to
14 look at Exhibit A. We are looking at section A, it's Article
15 IV, Section A. It should appear on pages 10 through 11. Are
16 you familiar with the other officers of the Michigan GOP?

17 A Yes, I am.

18 Q Is there a list of those other officers in Article IV?

19 A Yes.

20 Q Okay. The Coalitions Vice Chairman, is that one of the
21 officers?

22 A Yes.

23 Q Is someone currently in that role?

24 A Yes.

25 Q Who does that person report to?

1 A Kristina Karamo, the chairwoman.

2 Q Is there a procedure to remove that person?

3 A Yes.

4 Q Has that procedure ever been undertaken?

5 A No.

6 Q That person remains in that role?

7 A Correct.

8 Q The Outreach Vice Chairman, is there someone on that role?

9 A Yes.

10 Q Is there a procedure to remove that person?

11 A Yes.

12 Q Who does that person report to?

13 A Chairwoman Karamo.

14 Q Has the procedure to remove that person ever been undertaken?

15 A No.

16 Q Is there someone in the Grassroots Vice Chairman role?

17 A Yes.

18 Q Who does that person report to?

19 A Chairwoman Karamo.

20 Q Is there a procedure to remove that person?

21 A Yes.

22 Q Has that procedure ever been undertaken?

23 A No.

24 Q The Ethnic Vice Chairman, is there someone in that role?

25 A Yes.

1 Q Is there a procedure to remove that person?

2 A Yes, there is.

3 Q Has that procedure ever been undertaken?

4 A No.

5 Q Who does that person report to?

6 A Chairwoman Karamo.

7 Q The Administrative Vice Chairman, is there someone in that

8 role?

9 A Yes.

10 Q Who does that person report to?

11 A Chairwoman Karamo.

12 Q Is there a procedure to remove that person?

13 A Yes.

14 Q Has the procedure ever been undertaken as to that person?

15 A No.

16 Q They remain in that role?

17 A Correct.

18 Q The Youth Vice Chairman, is there someone in that role?

19 A Yes.

20 Q Who does that person report to?

21 A Chairman Karamo.

22 Q Is there a procedure to remove that person?

23 A Yes.

24 Q Has that procedure ever been undertaken as to them?

25 A No.

1 Q So that person remains in that role?

2 A Correct.

3 Q You remain secretary. What about the treasurer? Is there
4 someone in that role?

5 A Yes.

6 Q Is -- who does that person report to?

7 A Chairwoman Karamo.

8 Q Is there a procedure to remove that person?

9 A Yes.

10 Q Has that procedure ever been undertaken?

11 A No.

12 Q What about the Finance Chairman? Is there someone in that
13 role?

14 A Yes.

15 Q Who does that person report to?

16 A Chairwoman Karamo.

17 Q Is there a procedure to remove that person?

18 A Yes.

19 Q Has that procedure ever been undertaken?

20 A No.

21 Q I want you to turn to -- oh, it's right here where we are,
22 section C. The Vacancy In Office Of Chairman section. Is it
23 correct that you as a secretary are the first alternate to --
24 to chair a meeting after the chair and the co-chair are out?

25 A That's correct.

1 Q So if the chair of the Michigan GOP and the co-chair of the
2 Michigan GOP are no longer in place, you become the leader of
3 the Michigan GOP; is that correct?

4 A Correct.

5 Q I would like for you to go -- one second -- to page 12, we'll
6 still looking at Article IV, Section G2. Is it your duty to
7 check petitions submitted under Article IV, G2?

8 A Yes.

9 Q In that Article down near the bottom it says, "...in order to
10 bring the question before the Committee as to the removal of
11 an officer, a petition requesting that such a vote be taken,
12 bearing the signatures of at least fifty percent of the entire
13 Committee...", do you see that?

14 A Yes.

15 Q What is the entire committee?

16 A One hundred and seven people.

17 Q And what is 50 percent of that?

18 A Fifty-four.

19 Q So in order to remove someone from a leadership role you need
20 how many petitions?

21 A Fifty-four.

22 Q And you were the person who was solely responsible for
23 validating those petitions; is that correct?

24 A Correct.

25 Q How many seats were filled as of January 6th, 2024?

1 A One hundred and six.

2 Q I'm still looking at Exhibit A, the very last clause of the
3 last sentence says, "...then such petitions shall be filed
4 with the Secretary." Am I reading that correct? The
5 petitions for removal have to be refiled with you?

6 A Correct.

7 Q Were the petitions for removal of Kristina Karamo or Dan
8 Hartman ever filed with you?

9 A On January 6th?

10 Q Correct.

11 A Yes.

12 Q Okay. When were they filed with you?

13 A At 1:49 p.m. on January 6th.

14 Q Okay. They were not filed with you prior to that meeting?

15 A No, they were not.

16 Q Why are you the person who checks petitions?

17 A Because the secretary is the official record keeper of the
18 party.

19 Q Okay. And is there something about the records that has
20 relevance to the petitions?

21 A Yeah, the secretary needs to verify that all members signing
22 are in good standing.

23 Q And how do you do that?

24 A By confirming with the treasurer that dues have been paid.
25 And that members are still electors in Michigan.

1 Q Okay. I want to go over those petitions with you but I want
2 to start somewhere else first. At Article V, Section L --
3 A Page 14?
4 Q Yes. And I'm sorry, it's actually Section I. I'm reading my
5 own handwriting wrong. Do you see where that sets forth the
6 duties of the secretary?
7 A Yes.
8 Q Is it your duty under that section to keep accurate records of
9 meetings?
10 A Yes.
11 Q Is it your duty to keep accurate records of subcommittee
12 meetings?
13 A Yes.
14 Q Is it your duty to keep records of reports?
15 A Yes.
16 Q Is it your duty to give notice of all meetings held?
17 A Yes.
18 Q Did you send notice of a meeting on December 2nd, 2023?
19 A Yes.
20 Q Did that meeting take place as originally noticed?
21 A Yes. Oh, as originally noticed?
22 Q Correct.
23 A No, it did not.
24 Q Was it altered to a virtual meeting?
25 A Yes, it was.

1 Q Why?

2 A Because the venue where the meeting was scheduled had received
3 threats, and so we rescheduled the meeting for a virtual
4 option on the same date and time.

5 Q Okay. Did you notice a meeting to be held on 1-13-2024?

6 A Yes.

7 Q Did you notice a meeting to be held on 12-27-2023?

8 A No.

9 Q Did you notice a hearing to be held on January 6, 2024?

10 A No.

11 Q Did you notice the January 20th, 2024, meeting?

12 A No.

13 Q But the bylaws say that you're the person who notices all
14 meetings, correct?

15 A Correct.

16 Q Is there a way for a meeting to proceed if you don't notice
17 it?

18 A If I assign a designee.

19 Q Did you assign a designee for any of the meetings I asked you
20 about that you said you did not notice?

21 A No, I did not.

22 Q On page 14 of Exhibit A, at Section L, there's identified a
23 Finance Chairman. Do you see that?

24 A Yes.

25 Q Is a finance chairman according to the section the supervisor

1 of fundraising?

2 A Yes.

3 Q Okay. And this person, we talked about it earlier, is still
4 in that role, correct?

5 A Correct. No, that person was resigned like a week-and-a-half
6 ago, and a new person was appointed on February 17th.

7 Q Okay. There is currently someone who is --

8 A There is.

9 Q -- the finance chairman --

10 A It has been -- yes, the seat has been filled everyday of this
11 term.

12 Q Okay. So there is someone who is supervising fundraising
13 right now --

14 A Yes.

15 Q -- on behalf of the Michigan GOP?

16 A Yes.

17 Q Okay. That role is undisputed as far as you know?

18 A Correct.

19 Q If you could flip in that binder to Exhibit B, you will see an
20 email dated December 2nd, 2023. Was that the same date of the
21 virtual meeting you talked to me about earlier?

22 A Um, is -- sorry, can you repeat that question?

23 Q Yeah. You're looking at Exhibit B.

24 A Yeah.

25 Q Exhibit B is an email that was sent by Bree Moeggenberg on

1 December 2nd, 2023.

2 A Okay.

3 Q I'm just asking you about calendar issues. Is that the same
4 date as the virtual meeting?

5 A Yes, it was.

6 Q Was there a quorum for the virtual meeting?

7 A No, there was not.

8 Q And what happens when there's no quorum at a meeting?

9 A We can continue to meet and discuss but no decisions can be
10 made.

11 Q Okay. Was there a plan to do party work at that meeting?

12 A There was.

13 Q What was the plan to do at that meeting?

14 A There were several items on the agenda for business to discuss
15 and vote on, and several reports to be given by committees.

16 Q And you all were prevented from doing that because there was
17 no quorum?

18 A Correct.

19 Q Looking at this -- I know it's a long list, but if you look at
20 this list of recipients of the Bree Moeggenberg email do you
21 see your name among the recipients? And just take a minute
22 because I know there's a lot of them. Your name or any email
23 address that you used or have ever used to be fair.

24 A Um, I don't -- I don't see my name or my email. Scanning I
25 don't see my name or my email address.

1 Q Okay. Just go over the whole thing. I want to make sure --
2 A Oh, yes. I do. I do see it.
3 Q Okay. So you did get this?
4 A Yes, I did get this to my personal email, correct.
5 Q Do you have another -- I'm sorry, what email address is your
6 personal email?
7 A It's the Gmail.
8 Q Do you have another email that you use for Michigan GOP
9 business?
10 A My secretary@migop.org.
11 Q Is that email on there?
12 A I don't see it. I don't see it.
13 Q Do you know why your personal email would've been used instead
14 of your Michigan GOP email?
15 A I'm not sure.
16 Q As you're looking at Exhibit B, page 3, do you know what this
17 is?
18 A Yes.
19 Q Is this a special meeting request?
20 A Yes.
21 Q And I think there's -- references the bylaws, Article VI,
22 Section B.
23 A Mm-mm.
24 Q Is it correct that according to that section the call for a
25 special meeting noticed -- or the special meeting notice must

1 state a purpose for the meeting?

2 A Yes.

3 Q Okay. And do you see a purpose for this meeting?

4 A Um, it says the date, Wednesday, December 27th.

5 Q Okay. It says that once, and then if you turn the page to the
6 next page again it says, "The purpose of this meeting shall
7 include:...", and then what does it say?

8 A "Wednesday, December 27th."

9 Q Okay. Do you have any opinion as to what the purpose of this
10 meeting is based on the notice?

11 A Do I have an opinion?

12 Q Yes.

13 A Um, it's not very clear. I don't -- a purpose isn't stated.

14 Q Okay. The email on page 4 references Secretary Anne DeLisle,
15 do you see that?

16 A Page 4?

17 Q Yep. I don't think it's marked as page 4, it's just after
18 page 3.

19 A Oh, okay. Oh, yes. I do see that. "Due to the nature of
20 this meeting...", that line?

21 Q Yes.

22 A Yep.

23 Q It does not say secretary pro tem, does it?

24 A No, it does not.

25 Q Did you designate Anne DeLisle in your place?

1 A I did not.

2 Q Do you know how she came to be secretary if you didn't
3 designate her?

4 A I do not know.

5 Q Was Anne DeLisle ever nominated and elected like you were?

6 A No.

7 Q Who is Anne DeLisle?

8 A She is a member of the state party and was the 8th District
9 Chair.

10 Q You said she was the 8th District Chair. Is she no longer the
11 8th District Chair?

12 A The State Committee on January 13th voted to find her in
13 violation of a conflict of interest which in turn removed her
14 from the State Committee.

15 Q Okay. What about as of January 6, 2024? Was she still the
16 District Chair then?

17 A Well, yes, she would've been. But not if she was also
18 representing as the secretary because the bylaws state you
19 can't serve two roles, and if you serve a second one you
20 vacate your first.

21 Q Okay. So Anne DeLisle could not have been both the secretary
22 and the 8th District Chair on January 6, 2024?

23 A No.

24 Q The page that we're looking at, you talked about that first
25 sentence that talks about Anne DeLisle. It says due to the

1 nature of the meeting. Do you know what that means?

2 A No.

3 Q Is there some -- it says, "Due to the nature of the meeting
4 this meeting will be Chaired by Hassan Nehme, Parliamentary
5 and Nancy Laskowski, Secretary Anne DeLisle."

6 Is there some sort of a meeting under the bylaws
7 that can be chaired by someone other than a chair with the
8 parliamentarian and other than the parliamentarian and a
9 different secretary?

10 A No. Unless they were designated by those officers.

11 Q And none of these folks were designated?

12 A No.

13 Q Does that term the nature of this meeting have any origins in
14 the bylaws as far as you know?

15 A No.

16 Q I'm going to ask you to flip over to Exhibit D which should be
17 an email dated December 5th. And it appears that this email
18 is directed to you, secretary@migop.org; is that correct?

19 A Correct.

20 Q Did you receive this email?

21 A Yes.

22 Q And on page 4 of this email, the very last paragraph that
23 starts with however, do you see the language that says I will
24 issue a call for a special State Committee meeting in early
25 January.

1 A Yes.

2 Q Is this email from Kristina Karamo?

3 A Yes.

4 Q Flip over to Exhibit E which is another email. I believe this
5 is an email that you sent on December 16th, 2023. It's from
6 secretary@migop.org. Is that you?

7 A It is.

8 Q And you sent this email?

9 A I did.

10 Q Is this a notice for a meeting on January 13th, 2024?

11 A Yes, it is.

12 Q Is there an agenda attached to this notice?

13 A Yes.

14 Q That's page 3?

15 A That's correct.

16 THE COURT: Counsel, which exhibit are we on? I'm
17 sorry to interrupt.

18 MS. HOWARD: I'm sorry, your Honor. We're on E now,
19 E like Edward.

20 THE COURT: E, all right.

21 MS. HOWARD: And we are looking at page 3 of that
22 one.

23 THE COURT: Thank you.

24 BY MS. HOWARD:

25 Q I do not see anywhere on this exhibit a reference to the

1 removal of Ms. Karamo; is that correct?

2 A That's correct.

3 Q Why was there no reference to removal in this agenda for this
4 special meeting?

5 A Because petitions requesting for a vote for removal had not
6 been submitted.

7 Q Had you received any petitions?

8 A No, I had not.

9 Q Okay. And so the reason it wasn't included on the agenda is
10 because you all had not received the petitions that were
11 necessary?

12 A Correct.

13 Q If you hadn't received the petitions that were necessary, why
14 call the special meeting at all?

15 A There was a request, and in the bylaws if a member requests a
16 special meeting with a certain number of signatures, the chair
17 is to call that special meeting.

18 Q Okay. If you had received the petitions would you have added
19 a removal item to the agenda?

20 A Yes.

21 Q Can you just flip over to Exhibit F and take a look at that.
22 Is Exhibit F essentially a part of Exhibit E? Is this the
23 same thing or something different?

24 A I think it's the same -- I think it -- yeah, it's the same
25 thing. It's timestamped the same.

1 Q Okay. I want to direct your attention to Exhibit G. You
2 should be looking at an email from Daniel Lawless. His email
3 address is at the very top. I know there's a lot of addresses
4 on there.

5 A Mm-mm.

6 Q Do you know who Daniel Lawless is?

7 A He was a member of the State Committee.

8 Q Okay. The date of this email is 12-26-2023?

9 A Yes.

10 Q The day before 12-27-2023, correct?

11 A Correct.

12 Q And you know that there was a meeting planned for 12-27-2023?

13 A Yes.

14 Q Okay. Did you receive this email?

15 A Yes, I did.

16 Q Okay. If you look at the last page after we get through the
17 many, many addresses on there, it says in the second
18 paragraph, it says it starts with, "In recognition...", the
19 very last clause "...I am writing to inform you of a decision
20 regarding the proposed special meeting scheduled for December
21 27th." Do you know who made the decision that's being
22 referenced here?

23 A No.

24 Q Okay. Were you involved in making any decision?

25 A No, I was not.

1 Q Okay. Then it says in the next paragraph, "After careful
2 consideration...". Again, do you know who's consideration
3 we're talking about here?

4 A No.

5 Q Were you involved in any careful consideration?

6 A No.

7 Q Okay. Are you aware of anyone else being involved in careful
8 consideration?

9 A Dan Lawless.

10 Q Yes, other than Mr. Lawless?

11 A No.

12 Q It says, "...there will be no special meeting on the 27th."
13 Is there anything in this email that says that the 27th
14 meeting is being adjourned?

15 A No.

16 Q Is there anything on this email that advises that another
17 meeting will be held in place of the 27th meeting?

18 A No.

19 Q Just look at it carefully, any -- even a hint that there will
20 be another meeting? There's a Merry Christmas, there's a
21 Happy New Year, may the season bring your family --

22 MR. LAUDERBACH: Your Honor, are we just going to
23 keep asking questions --

24 MS. HOWARD: -- joy --

25 MR. LAUDERBACH: -- until we get the answer --

1 MS. HOWARD: -- peace --

2 MR. LAUDERBACH: -- we want?

3 MS. HOWARD: -- rejuvenation.

4 THE COURT: Ms. Howard -- Counsel, let me pause you
5 just for a moment and see if Mr. Lauderbach has an objection.

6 MR. LAUDERBACH: I do. I object to the form of the
7 question because the witness said no and now we just keep
8 prompting the witness to give the testimony that we're looking
9 for.

10 THE COURT: All right. Response on the objection to
11 the form of the question?

12 MS. HOWARD: Well, the testimony that I was looking
13 for was re-answered no, so I'm not just pursuing the answer
14 I'm looking for. I want to make sure that the witness has had
15 a thorough chance to review the document before she gives that
16 answer.

17 THE WITNESS: After reading through the full email
18 no, there's no -- I don't read anything that implies there's
19 another meeting to follow.

20 MS. HOWARD: Thank you.

21 THE COURT: Very well. Then I guess I'll sustain
22 the objection to the form of the original question. I think
23 the answer can stand as adequate.

24 You can proceed, Counsel.

25 MS. HOWARD: Thank you, your Honor.

1 BY MS. HOWARD:

2 Q I'm going to move onto Exhibit H. That is another email dated
3 12-31-2023, from Bree Moeggenberg. Can you tell from looking
4 at Exhibit H whether you received it?

5 A No.

6 Q Have you had an opportunity to go back and look through your
7 emails to figure out if you received this email?

8 A Yes, I have.

9 Q Have you located this email in any of your inboxes including
10 Michigan GOP boxes and your personal emails?

11 A I've not been able to find this email.

12 Q Who is Stephanie Rectenwal?

13 A A State Committee member.

14 Q Okay. And it appears that this email went to her; is that
15 correct?

16 A Yes.

17 Q Did you ever designate Stephanie Rectenwal as your assistant
18 or helper under the bylaws?

19 A No.

20 Q And Bree Moeggenberg is the same person who signed off on
21 Exhibit B; is that correct?

22 A Yes.

23 Q Okay. Do you know whether there is anyone other than you who
24 did not get Exhibit H?

25 A I have no idea.

1 Q Okay. Is there any procedure under the bylaws for notice of a
2 special meeting to only be sent to certain members of the
3 committee?

4 A No.

5 Q This email that we're looking at, Exhibit H, says that proxies
6 should be returned to Stephanie Rectenwal. Do you see that?

7 A Yes.

8 Q Is that proper?

9 A No.

10 Q Is that because the proxies go to you?

11 A Correct.

12 Q Okay. Has there ever been a different procedure for reviewing
13 proxies?

14 A No.

15 Q They've always gone to the secretary?

16 A Correct.

17 Q Can Stephanie Rectenwal tell whether a member is in good
18 standing?

19 A No.

20 Q Is that because she does not have access to the GOP records?

21 A Correct.

22 Q But you do?

23 A Yes.

24 Q We're going to go back to Exhibit A, that's the bylaws and
25 look at Article III, Section E. You should find that on page

1 5. Does Section E define who is a member in good standing?

2 A Yes, it does.

3 Q Is a member in good standing someone who is a registered voter

4 in the state of Michigan?

5 A That's one piece of it.

6 Q Okay. Is a regular member required to annually contribute \$25

7 to a regulated fund?

8 A Yes.

9 Q Okay. If they don't do that by April 1st at 11:59 p.m., they

10 have another opportunity to do that on the following day but

11 it goes up to \$50; is that correct?

12 A Correct.

13 Q And if they don't do it by then, what happens to a regular

14 member?

15 A They are not in good standing and they're not able to serve as

16 a regular member of the committee.

17 Q If you are not in good standing and can't serve as a regular

18 member, can you sign a petition for removal?

19 A No.

20 Q There's also something in there that goes to what we were

21 talking about with Anne DeLisle earlier, do you see where it

22 says that "No individual may serve as a regular member of the

23 Committee in more than once capacity...?"

24 A Yes.

25 Q Is that the reason why Anne DeLisle could not be the 8th

1 District Chair as well as the secretary?

2 A Correct.

3 Q When your rights are removed or suspended for non-payment, is
4 the suspension automatic?

5 A Um, yeah, as of the date that you didn't pay your dues or that
6 you were past due.

7 Q Okay. If you come back, I mean, you're not barred forever,
8 right? You can come back and pay your dues later on?

9 A Yep.

10 Q If you come back and you pay your dues later on, what is the
11 effect on any action you took at the time that you were
12 suspended?

13 A None, you weren't -- at the time that you were not in good
14 standing you had no rights or privileges. So you -- your
15 rights and privileges begin once you become in good standing
16 again.

17 Q So if a member signed a petition for removal while they were
18 not in good standing, them paying their dues later on doesn't
19 validate that petition; is that what I'm hearing you say?

20 A Correct.

21 Q I'm going to have you look at Exhibit I. I believe that
22 Exhibit I was authored by you, secretary@migop.org; is that
23 correct?

24 A Correct.

25 Q This is a notice for a meeting to occur on January 13th,

1 2024 --

2 A Yes.

3 Q -- is that correct?

4 A Yes.

5 Q And you sent this on January 6th, 2024, at 10:45 a.m.; is that

6 correct?

7 A Correct.

8 Q You know that there was another meeting held on January 6th,

9 2024?

10 A Yes.

11 Q What time did that meeting start?

12 A I believe it started at 1 p.m.

13 Q Okay. So your email was sent before that January 6th meeting

14 started?

15 A Correct.

16 Q I'm going to have you look at Exhibit S, and it's sort of a

17 giant exhibit that is not at all date stamped. But in it if

18 you go past the bylaws --

19 A Exhibit S you said?

20 Q Yes. S like Sam.

21 A I don't see the bylaws in here, sorry.

22 Q It's a very long document. They're in there somewhere along

23 with some blank proxy documents. And then there's an email on

24 January 6, 2024, from Matt DePerno.

25 A Ah, yes.

1 Q This email on January 6th from Matt DePerno, it says,
2 "Attached are files containing the required signatures for the
3 removal of Kristina Karamo and Dan Hartman." What time was
4 this email sent?
5 A 1:49 p.m.
6 Q Is DePerno a member of the State Committee?
7 A No.
8 Q Did you get this email from him?
9 A Yes.
10 Q Did you get it when he first sent it at 1:49 p.m.?
11 A It came into my inbox. I saw it maybe 10, 15 minutes later.
12 Q Okay. Did you have a chance to review it right at that
13 moment?
14 A No. I began reviewing it, but --
15 Q I'm going to switch you to the plaintiff's binder and open up
16 Exhibit 11. Exhibit 11 should be the petitions you eventually
17 received from Mr. DePerno.
18 A Okay.
19 Q We already talked about there needs to be 54 of them, right?
20 A Correct.
21 Q Did you eventually review these petitions?
22 A Yes.
23 Q Did you find any issues with any of the petitions?
24 A Yes.
25 Q What issues did you find with the petitions?

1 A After conferring with the treasurer there were four members
2 who signed who were not in good -- the date that they signed
3 they were not in good standing. They had not paid their dues.

4 MR. LAUDERBACH: Objection, your Honor. Hearsay.

5 THE COURT: Response to the hearsay objection?

6 MS. HOWARD: I'm not asking her to prove that it's
7 true. I'm asking her to figure out what she did with that
8 information.

9 THE COURT: Okay, so the response is that this
10 testimony is not offered for the truth of the matter asserted,
11 that the individuals had not paid their dues. I'll allow the
12 response as it stands as it is not offered for the truth of
13 the matter asserted. She's just asking her response to the
14 information.

15 You may continue with your questions.

16 MS. HOWARD: Thank you, your Honor.

17 BY MS. HOWARD:

18 Q Based on the information that you received from the treasurer
19 did you find that some of the petitions were invalid?

20 A Yes.

21 Q Which ones?

22 A Um --

23 Q Do you know by looking at that exhibit or would you need to
24 look at something else?

25 A It's my notes, but that's okay. Justin Marcum, Steve

1 Cloutier, Sue Allor and um, there was one -- two others,
2 sorry. Kristen Lee and Kathy Berden. So five.

3 Q Did you find that Kathy Berden had not paid her dues, or did
4 you make some other finding as to her?

5 A Kathy Berden signed on December 21st but she had moved to
6 Tennessee and established residency in Tennessee in August,
7 and I confirmed this after calling her to verify her
8 signature. She -- you have to be a resident of the state of
9 Michigan to be an elector.

10 Q Okay. And Kathy Berden relocated to Tennessee in August?

11 A That's what she told me.

12 Q And so based on the information you received from Kathy Berden
13 you found that her petition was invalid?

14 A Correct.

15 Q What is the date of Justin Marcum's petition?

16 A December 3rd, 2023.

17 Q And if you flip back to my binder at Exhibit J, you see an
18 email in there from Geyer Balog?

19 A Yes.

20 Q And that email is dated January 6th, 2024?

21 A Yes.

22 Q Does that email refer to Justin Marcum?

23 A Yes.

24 Q Okay. As of January 6th, 2024, was Justin Marcum representing
25 that his signature had been misappropriate -- misappropriated?

1 A Yes.

2 Q Was he disavowing the use of his name among the 54 petitions?

3 A Yes, he was.

4 Q Had he contacted you outside of this email to disavow the use
5 of his name?

6 A Yes, he had emailed me earlier that day.

7 MR. LAUDERBACH: Objection, hearsay.

8 THE COURT: Response to the hearsay objection?

9 MS. HOWARD: I was just about to ask her what her
10 actions were based on that information.

11 THE COURT: Okay, as long as you're not going to get
12 into the content of the hearsay testimony I'll allow the
13 question. I'll overrule the objection. You may proceed.

14 MS. HOWARD: Thank you, your Honor.

15 BY MS. HOWARD:

16 Q Based on the information that you received from Mr. Marcum and
17 the email did you make a finding as to whether his petition
18 was valid?

19 A Yes.

20 Q And what finding did you make?

21 A That it wasn't valid.

22 Q So all in all, I think I'm counting correctly you made a
23 finding that there were seven invalid petitions; is that
24 correct? Seven out of 54? According to my count you have
25 Marcum, Allor --

1 A Oh.

2 Q -- Cloutier, Lee --

3 A Correct.

4 Q -- Berden, and I'm counting --

5 A Balog and Linting?

6 Q I am counting those too.

7 A Yes, that would be correct.

8 Q And you would include Balog and Linting because they are

9 listed in Exhibit J; is that correct?

10 A Yes, and they had both contacted me earlier that day.

11 Q So out of 54 petitions that were submitted, you found that

12 only 47 of them were valid?

13 A Correct.

14 Q Can you take a look at my Exhibit X. I just want to ask you

15 have you seen this before.

16 A Have I seen this before?

17 Q Yes.

18 A Yes.

19 Q Was this provided to you?

20 A Yes.

21 Q Was it provided to you by the Michigan GOP treasurer?

22 A Yes, it was.

23 Q Is the Michigan GOP treasurer the keeper of the financial

24 records?

25 A Yes, she is.

1 Q Did you rely on her as the keeper of the financial records in
2 verifying that Exhibit X is accurate?

3 A Yes.

4 Q Did you make any findings as to whether any of the individuals
5 listed on Exhibit X eventually paid their dues?

6 A Yes.

7 Q Did any of them -- well, let me ask you this. Did all of them
8 eventually pay their dues?

9 A They did all eventually pay their dues.

10 Q Okay. Did any of them pay after the January 6th, 2024,
11 meeting?

12 A Yes, one of them did.

13 Q Who was that?

14 A Steve Cloutier.

15 Q Can you look back at Exhibit 11 and find Steve Cloutier's
16 petition and tell me what date it was signed on?

17 A It was signed on December 22nd, 2023.

18 Q Thank you. And as you're looking at Exhibit 11, none of the
19 people who actually signed those petitions submitted them to
20 you; is that correct?

21 A Correct.

22 Q The only way that you ever got them is if they came from Matt
23 DePerno?

24 A Correct.

25 Q I'm going to direct you to Exhibit N like Nancy. This appears

1 to be an email that you sent on January 10th, 2024; is that
2 correct?

3 A Correct.

4 Q And is this a notice that you were sending out?

5 A Um, sorry, just -- yes, it was a reminder to county chairs
6 about the county convention.

7 Q Okay. And on page 2, there is a reference to district
8 conventions being held on March 2nd, I think that's 2024, at
9 10 a.m.; is that correct?

10 A Correct.

11 Q And those conventions are to be held at Huntington Place, 1
12 Washington Boulevard, Detroit, Michigan 48226. Did you
13 include that information in there?

14 A Yes, I did.

15 Q Have you sent a notice of any other meeting to occur on March
16 2nd, 2024?

17 A No.

18 Q Have you sent a notice of a meeting to occur on March 2nd,
19 2024, in Grand Rapids?

20 A No.

21 Q And just to be clear, you were still the only secretary who
22 notices meetings?

23 A That's correct.

24 Q Who did you sent this notice out to?

25 A I believe it was sent just to all county chairs.

1 Q I'm going to have you look at Exhibit O. Do you recognize
2 Exhibit O?

3 A Yes.

4 Q It appears to be an email dated January 11th, 2024, that you
5 sent; is that correct?

6 A Correct.

7 Q Okay. What is the subject of this email?

8 A Um, updated call to special meeting.

9 Q And who did this email go to?

10 A The full State Committee.

11 Q Okay. And in the first line of the first paragraph, it says,
12 "Chair Karamo has issued an updated call to meeting for the
13 Michigan Republic Party Special Meeting..". Did you write
14 that?

15 A Yes, I did.

16 Q Why was the call updated?

17 A Because we had received the 54 petitions and Chair Karamo
18 asked even though some of them were not valid to just include
19 it on the agenda, or the purpose of the meeting rather.

20 Q This was done out of an abundance of caution?

21 A Correct.

22 Q And one of the things that is listed on this notice says in
23 the second paragraph, first sentence, "This update is to
24 include the review and possible removal of Chair Karamo"; is
25 that correct?

1 A Correct.

2 Q And this went to the entire State Committee?

3 A Yes, it did.

4 Q You flip over to Exhibit Q. Are these minutes from the
5 January 13th meeting?

6 A Yes, they are.

7 Q Did you create these minutes?

8 A I did.

9 Q It says that you announced there were 83 credential members
10 present. What does that mean?

11 A There were 83 members or credential -- or proxies present.

12 Q Can you tell from this how many actual members were present in
13 person?

14 A No.

15 Q This meeting notes makes a reference to Heath Wall, the Policy
16 Committee Chair. What is the Policy Committee?

17 A They review and recommend the policy of the Michigan
18 Republican Party. Any disputes within the party can get
19 referred, any conflicts get referred to the Policy Committee.

20 Q Okay. So there's a dispute over the meaning of the bylaws,
21 would the Policy Committee get involved in resolving that
22 dispute?

23 A Yes, they would.

24 Q Did the Policy Committee present a report at the January 13th,
25 2024, meeting?

1 A Yes, they did.

2 Q Was it Heath Wall who presented that report?

3 A Yes.

4 Q Was the -- were the members present at that committee meeting
5 asked to adopt the report of the Policy Committee?

6 A Yes.

7 Q Do you know by looking at the minutes what the findings were
8 of the Policy Committee that were adopted by the -- the entire
9 State Committee?

10 A Um, they found that the January 6th meeting was not a
11 legitimately called or executed meeting. They found that
12 several members were -- had violated the conflict of interest
13 policy.

14 Q Do you know why they found that the January 6th meeting was
15 not validly called?

16 A There were multiple reasons. One had to do with quorum, one
17 had to do with actual voting members of the Repub -- of the
18 Michigan Republican Party. There were several bylaws -- I
19 guess that was one of the bylaws conflicts. There were -- the
20 meeting was not called appropriately. The petitions had not
21 been received in advance of the call to meeting.

22 Q Okay. All of those were findings made by the Policy
23 Subcommittee?

24 A Correct.

25 Q And the members present at the January 13th meeting were asked

1 to either adopt, or I guess to the contrary to reject those
2 findings, correct?

3 A Correct.

4 Q Did the members present adopt those findings?

5 A Yes.

6 Q What was the vote to adopt those findings?

7 A Um, what -- it was a majority vote.

8 Q Okay. I see a note on page 2 that says that 58 voting members
9 were present at the meeting.

10 A Sorry, what -- where are you?

11 Q I am -- I'm sorry, I'm on Exhibit Q. I'm on page 2 of your
12 notes in Exhibit Q.

13 A Okay.

14 Q And I am looking at the second paragraph. It starts with "Dan
15 Hartman made a motion...", and the last sentence it says it
16 was repeated that "...58 voting members were present at
17 meeting."

18 A Yes.

19 Q So earlier I asked if you knew how many members were present
20 at that meeting. Were there 58?

21 A Yes, sorry. I didn't see this page. There were 58.

22 Q That's fine. Fifty-eight actual members present in person?

23 A In person or on Zoom.

24 Q Okay. You created Exhibit Q because that is a part of your
25 official duties as the secretary of the Michigan GOP, correct?

1 A Correct.

2 Q Can you take a look at Exhibit W? And while you're flipping
3 there, I want to ask you have you ever received minutes from
4 the January 6, 2024, meeting?

5 A No, I have not.

6 Q Have you ever received any minutes from a January 20th, 2024,
7 meeting?

8 A No, I have not.

9 Q So if there are records from those meetings they're not being
10 kept by you as the secretary?

11 A No, they are not.

12 Q Okay. Exhibit W, is this the report of the policy
13 subcommittee that you and I were talking about earlier?

14 A Yes, it is.

15 Q Was this actual document, Exhibit W, presented during the
16 January 13th meeting?

17 A Yes, it was.

18 Q And members present or present by Zoom had the opportunity to
19 review this entire report?

20 A Yes, I had emailed it to them.

21 Q Okay. Has there ever been any change to Exhibit W? Has it
22 been changed, updated, edited, as far as you know after
23 January 6, 2024?

24 A As far as I know, no.

25 Q On page 3 of 7, there's some reference to the way the proxies

1 are done by the State Committee, and it says on the second
2 paragraph that proxies are submitted to the Michigan GOP
3 secretary who then verifies that that person is an eligible
4 voter from the district. Is that what you were telling us one
5 of your duties was earlier?

6 A Yes.

7 Q Okay. And so the Policy Committee's findings are consistent
8 with the bylaws?

9 A Correct.

10 Q There's a finding that all proxies were invalid for
11 establishing quorum. Did you make any findings about whether
12 or not the proxies were valid for the purposes of quorum?

13 A I never saw the proxies.

14 Q Okay. So no. The very last paragraph on page 3 says that "A
15 usurpation occurred prior to MIGOP Secretary..." -- I'm going
16 to mess your name up.

17 A Gillisse.

18 Q Yes, yes. "...Gillisse being removed by the notice directing
19 the proxies to be sent to someone else. They were diverted to
20 a non-recognized, unauthorized-Stephanie Rectenwal." Is that
21 what you told us about earlier with Stephanie?

22 A Yes.

23 Q Has Stephanie since been authorized to do what she did with
24 the proxies?

25 A No.

1 Q On page 5 of seven, there's a finding that except when you are
2 removing a member, 75 percent of all members must be voting in
3 person. Do you see that finding?

4 A Yes.

5 Q Have you reached any conclusions about the number of members
6 that must vote in person to remove an officer?

7 A Can -- can you repeat that? Can I confirm how many --

8 Q Yes.

9 A -- must be present? Yes, 75 percent.

10 Q Okay. There is another -- under number 3, in the second
11 sentence it says "Members who contacted the MIGOP Secretary
12 prior to the meeting were informed no filing had been made."
13 What does that mean?

14 A Several members had contacted me to see if I had any
15 information or records from that January 6th meeting and I had
16 confirmed that I had not received anything.

17 Q Okay. The report also says that "The January 6th, 2024,
18 meeting commenced 15 minutes after the email was sent, and no
19 signature verification was completed." Again, the signature
20 verifier that they're referring to would've been you?

21 A Correct.

22 Q If you look at page 6 of seven, in the second paragraph, the
23 very last sentence, it says, "The number of signatures
24 acquired to reach the 50%+ threshold using this method was
25 misleading and inconsistent with letter and intent of the

1 bylaws." Do you know what method that is referring to?

2 A Um, I believe that is when members were originally asked to

3 sign, several members had reported that they had signed under

4 the assumption the meeting was going to be on December 27th

5 and that it was just for discussion, not for removal.

6 Q There's a finding that the 40 members of the 45 that voted on

7 January 6th represents 37 percent of the total voting

8 membership of the State Committee. Is that accurate?

9 A Yes.

10 Q So any action that is purported to have been taken at the

11 January 6th meeting was taken by just 37 percent of the State

12 Committee?

13 A Correct.

14 Q Those are all the questions that I have for you. Thank you.

15 THE COURT: Mr. Lauderbach, cross-examination?

16 MR. LAUDERBACH: Thank you, your Honor.

17 CROSS-EXAMINATION

18 BY MR. LAUDERBACH:

19 Q Good afternoon, Ms. Gillisse. How are you?

20 A I'm doing well. How are you?

21 Q Great. Would you turn to Exhibit 1 please in the -- in this

22 binder? Turn to page 3 of by bylaws, paragraph A, regular

23 members. Down towards the bottom, one, two, three, fourth

24 line up from the bottom, it says "...the National Committeeman

25 and the National Committeewoman selected according to law

1 until their successors are elected..." are members of the
2 Michigan Republican State Committee, right?

3 A Correct.

4 Q Okay. Had Kathy Berden's successor been elected as of January
5 6th of 2024?

6 A No.

7 Q When you were elected as treasurer of the Michigan Republican
8 Party?

9 A I'm not the treasurer.

10 Q I'm sorry, secretary.

11 A April of 2023.

12 Q How long had you been a member of the State Committee before
13 that?

14 A I was not.

15 Q Okay. You were asked questions about things that have ever
16 occurred or things that have always occurred. Would you agree
17 with me that your knowledge base is limited to April of 2023
18 to the present time?

19 A Absolutely.

20 Q Okay. When's the last time that you spoke with Pete Hoekstra?

21 A I've never spoken to him.

22 Q Okay. You did not make any effort to contact Mr. Hoekstra
23 after January 6th of 2024?

24 A No, I would have no way of contacting him.

25 Q You did not attend the January 20th meeting?

1 A No.

2 Q You believe that Ms. Karamo is still the chair of the Michigan
3 Republican Party?

4 A I sure do.

5 Q You believe that she was not properly removed?

6 A Correct.

7 Q Okay. The bylaws don't provide that the secretary verifies
8 petitions for the removal of an officer, do they?

9 A Um, what page?

10 Q You tell me. Turn to the page where it says the secretary
11 verifies petitions for the removal of an officer.

12 A Well, I would, you know -- let's see here. Let me read that
13 section. So it does read in the secretary's responsibility
14 that they should keep an accurate record of all of the reports
15 of the committee. So yeah, it would be my duty to verify
16 signatures because I need to verify that records are accurate.

17 Q Okay. Well, you're reading from page 14, Article V-I,
18 correct? It says, "The Secretary or the Secretary designee(s)
19 shall keep an accurate record of the minutes of each meeting
20 of the Committee...", right?

21 A Yep.

22 Q Okay. It does not say that the secretary verifies petitions
23 for the removal of an officer, does it?

24 A Not explicitly.

25 Q It doesn't say it at all, does it?

1 A No.

2 Q Okay. You were asked about your duty to check -- I think that
3 it was your counsel's quote -- duty to check under Article IV-
4 G2. Let's look at IV-G2. It says, "...a petition requesting
5 that such a vote be taken, during the signatures of at least
6 fifty percent of the entire Committee (no proxies allowed),
7 shall be filed with the Chairman (or, if the Chairman is the
8 officer in question, then such petition shall be filed with
9 the Secretary)." See that?

10 A Yes.

11 Q It doesn't say the secretary verifies the petitions, does it?

12 A No.

13 Q Does it -- the bylaws don't say that the secretary verifies
14 the qualifications of anyone casting votes, do they?

15 A No.

16 Q The bylaws don't provide that the secretary verifies proxies,
17 do they?

18 A The proxy form does.

19 Q The bylaws don't do they?

20 A No, but the bylaws say you must use a proxy form.

21 Q Okay. The bylaws do not say that the secretary verifies
22 proxy.

23 MS. HOWARD: Objection. Argumentative and asked and
24 answered.

25 MR. LAUDERBACH: It's a yes or a no.

1 BY MR. LAUDERBACH:

2 Q They do not say that, do they?

3 THE COURT: Let me rule on the objection first, Mr.
4 Lauderbach. The objection is argumentative. I think the
5 witness is capable of answering. I don't think the question
6 is argumentative.

7 You may continue, Mr. Lauderbach.

8 BY MR. LAUDERBACH:

9 Q That was a yes or a no?

10 A Can you repeat the question?

11 A Yes. The bylaws do not say that the secretary verifies
12 proxies?

13 A No.

14 Q Okay. Bylaws don't provide that the secretary verifies what
15 members are in good standing, do they?

16 A No.

17 Q Bylaws don't provide that the secretary makes determinations
18 as to whether the bylaws are followed, do they?

19 A Nope.

20 Q Doesn't say that the -- or the bylaws don't say that the
21 secretary monitors which members have paid dues.

22 A No.

23 Q You signed an affidavit in connection with the RNC matter,
24 didn't you?

25 A Yes.

1 Q Do you want a copy of it?

2 A Yes, please.

3 MR. LAUDERBACH: Your Honor, may I approach?

4 THE COURT: You may.

5 BY MR. LAUDERBACH:

6 Q That affidavit was signed under oath subject to penalty of
7 perjury?

8 A Yes.

9 Q Okay. You say in paragraph 3, "I have reviewed and can affirm
10 the Affidavit of our Treasurer regarding the payment of dues
11 by State Central Committee Members and have also accessed my
12 official records to refresh my recollection and assist me in
13 the preparation of this affidavit." See that?

14 A Mm-mm.

15 Q What records did you review?

16 A The submitted -- the DePerno submitted petitions.

17 Q Okay. Any other records that you reviewed?

18 A Our membership list.

19 Q What's the membership list?

20 A The elected members of the State Committee.

21 Q Do you review any financial records?

22 A No, I did not. I don't have access to financial records.

23 Q Have you ever gone on the website for the Michigan --
24 Department of State Campaign Finance Division?

25 A I have.

1 Q Do you know how to search for who's made contributions?

2 A Mm-mm.

3 Q Have you ever gone to the -- that's a yes?

4 A Yes.

5 Q Okay. Have you ever gone to the FEC website and done the same
6 thing?

7 A Yes.

8 Q Okay. Let's go back to Article VI-C of the bylaws, please.
9 That's the heading, it says Special Meetings.

10 A What page?

11 Q That's page 15, "...Chairman shall call a special meeting of
12 the Committee on written [notice] of one-third of the members
13 of the Committee, jointly or severally, within 15 days after
14 such written request has been filed with the Chairman. Upon
15 failure to do so, any such member can give notice five days
16 before such meeting." Did I read that right?

17 A Yes.

18 Q Okay. Look at the policy. Now, let's keep turning to page 17
19 if you would, Article VII-A1. The Policy Committee "...shall
20 consist of one regular [board] member from each congressional
21 district committee. This committee shall make recommendations
22 to the State Chairman, recommend Party policy, and establish
23 programs for implementation by the other standing committees."
24 Did I read that right?

25 A Yes, you did.

1 Q Doesn't say anything about conflict resolution, does it?

2 A Nope.

3 Q Doesn't say anything about disputes?

4 A Nope.

5 Q Okay. You attended the meeting on January 13th?

6 A I did.

7 Q You acknowledge that on January 13th, did you not, that the
8 petitions were valid when they were submitted?

9 A On January 13th did I?

10 Q Yes. Do you remember Dan Hartman asking you if the petitions
11 were valid and you responding they were when they were
12 submitted?

13 A I do not recall that.

14 MR. LAUDERBACH: Let's fire up the thumb drive if you
15 would.

16 THE COURT: It may take a minute for our projector
17 to fire up as well.

18 MR. LAUDERBACH: All right.

19 MS. HOWARD: Is she being given something to refresh
20 her recollection?

21 MR. LAUDERBACH: She's going to see a video.

22 MS. HOWARD: She's seeing a video to refresh her
23 recollection?

24 MR. LAUDERBACH: No, she's being asked about a prior
25 statement she made and I'm offering to her on video.

1 THE COURT: All right. Is there an objection to
2 the -- the proposed prior statement?

3 MS. HOWARD: I object to her seeing it on video
4 without her being given a chance for her to review to refresh
5 her recollection. She hasn't denied it. She says she doesn't
6 remember it. She should have a chance to have her
7 recollection refreshed before the video is displayed in open
8 court.

9 THE COURT: Response on the failure to provide said
10 video before use for perspective impeachment?

11 MR. LAUDERBACH: When Ms. DeLisle was on the stand
12 we had a cellphone video that was later tendered to the Court.
13 What's good for the goose is good for the gander.

14 THE COURT: All right. I have reviewed the
15 cellphone video, you know, in chambers as it were. Ah -- ah --
16 -- I think this video can be played in court if it's capable of
17 being done so. The objection is overruled, you may proceed.

18 (At 1:14 p.m., 10-second video played)

19 BY MR. LAUDERBACH:

20 Q Is that you?

21 A That was -- that was me.

22 Q All right. Thank you. You did not attend the January 6th
23 meeting, did you?

24 A No, I did not.

25 Q Okay. If you had, think you would've had an opportunity to

1 review the petitions?

2 A I don't know, I wasn't there.

3 Q The petitions were there, right? Because they were sent to
4 you --

5 A I don't know, I wasn't there. I can't speak to anything that
6 was available at the meeting.

7 Q All right. Do you have a copy of *Robert's Rules of Order*
8 right there?

9 A No, we don't.

10 MR. LAUDERBACH: Your Honor, can I approach with my
11 copy?

12 THE COURT: You may.

13 MR. LAUDERBACH: All right.

14 BY MR. LAUDERBACH:

15 Q I'm going to read from you -- you're familiar with *Robert's*
16 *Rules of Order*, right?

17 A Yep.

18 Q I'm going to read from Article 4734 and I want to make sure
19 that I read it correctly. In the absence of the secretary a
20 secretary pro tem must be elected. See that?

21 A Yes.

22 Q Did I read that right?

23 A You did.

24 Q Okay. So if you're not there on January 6th, a secretary pro
25 tem had to be elected, right?

1 A Well, my understanding of *Robert's Rules* is that *Robert's*
2 *Rules* does not supersede bylaws if bylaws speak to the matter,
3 and the bylaws speak to the matter.

4 Q Okay. Do you know what a pro tem means?

5 A Temporary.

6 Q Right. So if you're not there, somebody has to be the
7 secretary for that meeting, correct?

8 A Correct.

9 Q On a temporary basis.

10 A Yeah, and they could've contacted me for a designee.

11 Q Okay. You didn't go to the meeting, did you?

12 A No, I did not.

13 Q You knew the meeting was going to occur?

14 A Yep.

15 Q Okay. You have testified that Mr. Marcum, Mr. Cloutier, Ms.
16 Allor, Ms. Lee -- and sorry, and Ms. Lee, those four were not
17 in good standing at the time they signed their petitions,
18 correct?

19 A Correct.

20 Q You would acknowledge they were in good standing as of January
21 6th of 2024; would you not?

22 A No, not Justin Mark -- not -- it was one of them. Justin
23 Marcum? No, Steve Cloutier. He paid his additional \$25 on I
24 believe it was January 28th.

25 Q Okay. Why don't we look at Exhibit Y.

1 A Y you said?

2 Q Yep, Exhibit Y.

3 MS. HOWARD: Does she have Y?

4 MR. LAUDERBACH: It's your exhibit and your book.

5 MS. HOWARD: It might not have been added to the

6 binder.

7 MR. LAUDERBACH: It's the one you sent yesterday.

8 MS. HOWARD: Yes.

9 THE COURT: We can provide a copy of it's not in the

10 binder.

11 BY MR. LAUDERBACH:

12 Q If you need a copy I can give it back to you.

13 A I don't have a Y.

14 Q Okay.

15 (At 1:16 p.m., Ms. Howard hands witness DX#Y)

16 THE WITNESS: Thank you.

17 BY MR. LAUDERBACH:

18 Q Are you there?

19 A I am.

20 Q Okay. Down at the bottom. First of all, this is as -- what

21 is Anedot?

22 A I -- I believe it's a -- like a camp -- a donation, a

23 political donation site.

24 Q You go online, you make a contribution online?

25 A Yeah.

1 Q Okay. And it says Michigan Republican Party at the top?

2 A Yep.

3 Q Transaction summary?

4 A Yep.

5 Q February 2 of -- February 2 of 2023, through February 25th of

6 2024?

7 A Yes.

8 Q February 2nd of 2023, donation from Steve Cloutier, 50 bucks.

9 See that?

10 A Um, at the bottom?

11 Q Yep.

12 A Mm-mm.

13 Q Okay. And then -- that was a yes?

14 A Yes.

15 Q April 29th, 2023, donation from Steven Cloutier, 150 bucks?

16 A Yes.

17 Q Okay. It looks like there was a donation that got refunded,

18 so let's keep reading up. December 1st of 2023, donation from

19 Steven Cloutier, \$46.34. See that?

20 A Which one?

21 Q Second one from the top.

22 A Yes.

23 Q And then the top line is December 11th, 2023, another donation

24 from Steven Cloutier --

25 A Yes.

1 Q -- \$46.34.

2 A Yes.

3 Q So as of April 29th of 2023, Mr. Cloutier had contributed \$200

4 to the State Party, correct?

5 A Um, trusting your math.

6 Q Is 150 plus 50, 200?

7 A Well, the -- yeah. That would be right.

8 Q Okay, thank you.

9 A Yeah. But I do want --

10 Q Let's look --

11 A -- to point out the 2-2-23, wouldn't have been during this

12 term.

13 Q But it is in 2023, right?

14 A It is, but he wasn't elected --

15 Q (Overlapping) Let's look at Exhibit 1 --

16 A -- to the State Committee until --

17 Q Let's go to Exhibit 1. Let's go to III-E.

18 A What page?

19 Q Page 5, III-E. One, two, three, four, fifth line down.

20 "To help defray State Committee costs, reach

21 regular member of the committee must annual contribute

22 at least twenty-five dollars to a regulated fund of

23 the committee by April 1st at 11:59 p.m. Beginning on

24 April 2nd, the fee increases to at least fifty

25 dollars."

1 A Correct.

2 Q Okay. And if you would look please at Exhibit 24. It's a
3 thick exhibit. There's a spreadsheet. And if you get past
4 the spreadsheet there's a page that says dues receipts. See
5 that?

6 A Yes.

7 Q Okay. Go to the page after dues receipts.

8 THE COURT: Are you on number 4?

9 MR. LAUDERBACH: I am on 24.

10 THE COURT: Twenty-four. Good thing I caught that.
11 Thank you.

12 BY MR. LAUDERBACH:

13 Q April 26th, \$125, Susan Allor. See that?

14 A Yes, I do.

15 Q Do you have any reason to think that this is not in fact a
16 receipt from the Michigan Republican Party for a contribution
17 from Sue Allor in the amount of \$125?

18 A No, I don't.

19 Q Okay. Turn to the next page, you see dues receipt for Justin
20 Marcum?

21 A Yes.

22 Q Okay. Fifty dollar donation. It's really small, but on one
23 of these text message boxes here --

24 A I don't know; I can't read that date.

25 Q You don't think it says January 1st, 2024?

1 A I -- I don't know. I can't read that.

2 Q Okay.

3 A If it does, it does.

4 Q So you said that you know how to go online and look up
5 campaign finance results, right?

6 A Yes.

7 Q Give me just a second. Name is Angela Gillisse, correct?

8 A Correct.

9 Q G-i-l-l-i-s-s-e?

10 A Yep.

11 Q Okay. You made a contribution to the Kent County Republican
12 Committee on March 21st, 2023?

13 A If your records show that.

14 Q Want me to show them to you? You want to read it?

15 A Sure.

16 Q There you go.

17 A Thanks.

18 Q You done?

19 A Yeah.

20 Q Doesn't show any contribution from Angela Gillisse to the
21 Michigan Republication Party in all of 2023, does it?

22 A Not on here, no.

23 Q Okay. Does that appear to be an FEC printout?

24 MS. HOWARD: Are these exhibits? Are these
25 documents --

1 MR. LAUDERBACH: These are impeachment exhibits. We
2 can get them admitted if you want to.

3 MS. HOWARD: Well, we need to be provided with them
4 if you're --

5 MR. LAUDERBACH: Sure.

6 MS. HOWARD: -- handing them to the witness.

7 BY MR. LAUDERBACH:

8 Q According to the FEC you haven't paid a contribution to the
9 Michigan Republican Party --

10 MS. HOWARD: Your Honor.

11 BY MR. LAUDERBACH:

12 Q -- federal account either, have you?

13 MS. HOWARD: I object to these documents. I'm not
14 sure what he's impeaching her on.

15 THE COURT: Response to the objection on improper
16 impeachment?

17 MR. LAUDERBACH: She's not in good standing. She
18 has not made a contribution to the Michigan Republican Party,
19 either the state account or the federal account in all of
20 2023.

21 MS. HOWARD: Your Honor, objection. No one has
22 challenged her standing. This is not a part of this hearing.

23 THE COURT: Well, I've heard her challenge the
24 standing at the time of the signing of the petitions of
25 individual members and as doing so, of course she would be

1 doing so as the secretary of the Michigan Republican Party.
2 Therefore I think it is proper impeachment to challenge her
3 standing under the same basis. I'll overrule the objection.

4 You may proceed with your questions.

5 MR. LAUDERBACH: I have nothing else, your Honor.
6 Thank you.

7 THE COURT: Redirect?

8 REDIRECT EXAMINATION

9 BY MS. HOWARD:

10 Q Ms. Gillisse, are you in good standing as the secretary of the
11 Michigan GOP?

12 A I believe I am.

13 Q Have you properly paid your dues for the current year?

14 A I believe I have.

15 Q You were asked whether it is your job to verify proxies and
16 petitions; do you remember that when Mr. Lauderbach just asked
17 you that?

18 A Yes.

19 Q Okay. Is it your understanding that no one verifies proxies
20 in petitions? People just submit them and we hope that
21 they're true?

22 A No.

23 Q Okay. Is there someone who is supposed to verify proxies in
24 petitions?

25 A I always verify them.

1 Q Okay. Is that necessary for the orderly administration of the
2 party?

3 A Yes, because members must only proxy someone from their same
4 district and so we need to verify -- and they must be a
5 precinct delegate, so we verify against our records, our
6 precinct delegate records that they are a precinct delegate
7 and that they are in the same district as the member.

8 Q Okay. And is there anyone else who does that?

9 A No.

10 Q Okay. And so if you're not doing it, that means that nobody
11 would be verifying any of the proxies?

12 A Not that I know of, no.

13 Q And no one would be verifying any of the petitions?

14 A Correct.

15 Q The policy subcommittee that issued the findings in Exhibit W,
16 is there a history and a practice as far as you know in the
17 Michigan GOP of them resolving disputes based on the bylaws?

18 A Of the Policy Committee resolving disputes?

19 Q Yes.

20 A I don't know of any disputes that have been brought forward to
21 the committee prior to this.

22 Q Why was this dispute brought to the committee?

23 A Because there was an attempt to remove the chairwoman with an
24 illegitimately called meeting.

25 MR. LAUDERBACH: Your Honor, this is exceeding the

1 scope of cross-examination.

2 THE COURT: Response on the objection to exceed the
3 scope?

4 MS. HOWARD: It goes to the direct scope. He asked
5 about the Policy Committee and whether they were authorized
6 under the bylaws to resolve conflicts, and now I'm asking
7 about the exact same thing.

8 THE COURT: Okay. I think I can sort out what was
9 in and out of the scope, and I think it's close enough I'll
10 overrule the objection. You may proceed with your questions.

11 BY MS. HOWARD:

12 Q You were shown a very grainy brief video in which you were
13 asked whether there -- you verified that there 54 signatures.
14 And I believe that counsel was saying that you said in this
15 video that there were 54 accurate signatures. I heard you say
16 on the video that there were 54 signatures. Is that what you
17 heard?

18 A That is what I heard.

19 Q Did you ever verify that the signatures were accurate or
20 valid?

21 A I did not say on that recording that they were vilified or --
22 valid or verified. I said there were 54 signatures.

23 Q Do you recall ever saying that they were valid or verified,
24 all 54?

25 A No.

1 Q Who is the keeper of the financial records for the Michigan
2 Republican Party?

3 A The treasurer.

4 Q You were shown plaintiff's Exhibit 24 which purports to be a
5 number of, I don't know, financial statements or screenshots
6 pulled from various locations. As far as you know, is Exhibit
7 24 records that are being kept by the Michigan GOP treasurer?

8 A I have no idea.

9 Q Okay. Have you ever seen these documents in Exhibit 24 before
10 today?

11 A No, I have not.

12 Q Do you have any independent way of verifying anything in
13 Exhibit 24?

14 A Um, not that I know of. I'm not familiar with the treasurer's
15 duties and so I don't -- I don't know.

16 Q Okay. There is this whole line of questioning that if you're
17 not at a meeting there has to be a secretary, someone has to
18 be appointed. Do you remember that? Mr. Lauderbach asking
19 you that? If you don't notice a meeting, can there be a
20 meeting?

21 A No.

22 Q Okay. So there's no such thing as a meeting that you didn't
23 notice and then weren't at so we have to appoint a backup
24 secretary, correct?

25 A Unless I designated someone to make a call for that meeting.

1 Q And just to repeat again, you never designated DeLisle?

2 A Correct.

3 Q And no one ever asked you to designate DeLisle?

4 A Correct.

5 Q I don't know why we're talking about this, but do you have
6 Pete Hoekstra's telephone number?

7 A No.

8 Q Ever been to his house?

9 A No.

10 Q You got his email address?

11 A No.

12 Q Has Pete Hoekstra ever called you?

13 A No.

14 Q Okay. No further questions.

15 THE COURT: Mr. Lauderbach?

16 RE-CROSS-EXAMINATION

17 BY MR. LAUDERBACH:

18 Q Ms. Gillisse, under Article VI, Section B, we read it a few
19 minutes ago. "Upon failure to do so, any such member can give
20 notice five days before such meeting", right?

21 A I'm sorry, can you tell me what page you're on?

22 Q Sure. Page 15, Article VI-B. Doesn't say the secretary will
23 designate someone to give notice, does it?

24 A No.

25 Q Okay. Look at duties of officers on page 14. Under the

1 heading treasurer.

2 "The Treasurer or the Treasurer's designee(s)
3 shall comply with all applicable laws and receive all
4 monies paid to the Committee..." See that?

5 A Yes.

6 Q Okay. Is one of the applicable laws that the treasurer record
7 all contributions made?

8 A I would assume so.

9 Q And report those to the government?

10 A I would assume so.

11 Q So if you made a contribution, and the treasurer were doing
12 the treasurer's job, that would've been reported, wouldn't it?

13 A I would hope so.

14 Q Thank you. That's all I have.

15 THE COURT: I did have a question for you, Ms.
16 Gillisse. You did mention written proxy forms. Do the bylaws
17 require a written proxy?

18 THE WITNESS: Sorry, I just need to turn to that
19 page. I don't see anything that says written proxy.

20 MS. HOWARD: You might want to look at 15, paragraph
21 F.

22 THE WITNESS: Oh, yeah. It reads "If any person
23 chooses to vote by proxy at a meeting held pursuant to
24 this section, written authorization to vote by proxy
25 must be received..."

1 THE COURT: And just to clarify, that's if there's a
2 meeting by conference, telephone, or similar communications
3 equipment, i.e., Zoom or Microsoft Teams or something like
4 that?

5 THE WITNESS: Yep.

6 THE COURT: Okay. That was my only question.
7 Any follow ups, Counsel?

8 MS. HOWARD: I have just one follow up question.

9 REDIRECT EXAMINATION

10 BY MS. HOWARD:

11 Q The meeting that occurred on January 6th, 2024, that you were
12 asked if you noticed, you didn't notice that meeting, correct?

13 A Did not?

14 Q You did not notice that meeting?

15 A No, I did not.

16 Q But you had noticed a special meeting as requested to occur on
17 January 13th, 2024; is that correct?

18 A I did.

19 Q Okay. So the special meeting notice had gone out?

20 A Yes, it had.

21 Q Wasn't necessary to have another one on January 6th, 2024?

22 A No, it was not.

23 Q Thank you.

24 THE COURT: Any additional questions?

25 MR. LAUDERBACH: No.

1 THE COURT: Thank you, Mr. Lauderbach.

2 And thank you, Ms. Gillisse. You may step down from
3 the witness stand.

4 And I'll invite counsel to call your next witness.

5 (At 1:32 p.m., witness excused)

6 MR. HOUSTON: Your Honor, the defense would call
7 Daniel Hartman.

8 THE COURT: Very well.

9 Good afternoon. Sir, if you could raise your right
10 hand. Do you solemnly swear or affirm that your testimony
11 today will be the truth and nothing but the truth?

12 MR. HARTMAN: Yes, sir.

13 THE COURT: Thank you. Please, have a seat.

14 DANIEL HARTMAN

15 (At 1:33 p.m., called by Mr. Hartman and sworn by
16 the Court, testified as follows)

17 DIRECT EXAMINATION

18 BY MR. HOUSTON:

19 Q Good afternoon, sir. Can you please state your name for the
20 record?

21 A Daniel J. Hartman.

22 Q Okay. And Mr. Hartman, do you serve in an official capacity
23 for the Michigan Republican Party?

24 A Yes, I do.

25 Q And what capacity is that?

1 A I am general counsel --

2 Q And how --

3 A -- for the State Committee.

4 Q And how long have you served general counsel for the State
5 Committee?

6 A Shortly after May of 2023 -- I'm sorry, shortly after February
7 of 2023, I served in an interim capacity until I was confirmed
8 by the State Committee in the May meeting of 2023 by vote of
9 the State Committee.

10 Q Okay. Now is your title as general counsel, is that an
11 elected -- elected position?

12 A Well, it is a -- in contrast the way the chairwoman is elected
13 by the delegates of a convention should the 2,100 people vote,
14 I am nominated by the chair and then the State Committee
15 actually votes at a meeting. There are 107 members, there
16 must be a quorum, and then of course the -- the members
17 present. I was actually voted in unanimously by the State
18 Committee at the time.

19 Q Okay, thank you. And who was the chair of the Michigan
20 Republican Party?

21 A At the time of my interim and -- and all relevant times up
22 until now is Kristina Karamo.

23 Q Okay. And when -- when was Ms. Karamo elected as chair of the
24 Michigan Republican Party?

25 A So the election occurred on February 18th at the -- the state

1 convention of delegates of 2023.

2 Q Okay. And were there multiple rounds of voting at that
3 convention?

4 A So -- yes, in short answer there were.

5 Q Okay. And the final round of voting who were the final two
6 candidates?

7 A It was Matthew DePerno and Kristina Karamo.

8 Q Okay. Since Ms. Karamo's elect -- election as chair of the
9 Michigan Republican Party, have you been aware of any staunch
10 opposition against her in an effort to try to remove her as
11 chair?

12 A Yeah. So during the -- the first -- right out of the
13 transition, there was, you know, so let me make an analogous
14 like this. If a House of Representatives is Republican and
15 then it switches majority to the Democrat, there will be a
16 transition of power. So there were different factions within
17 the grassroots delegates that supported different groups. And
18 the group that supported Kristina had the majority of the
19 delegates and it was a transformation of what I would say the
20 power of more toward America's first grassroots narrative, and
21 the people were definitely in support of Kristina who
22 represented change and the -- the -- I'm going to call them
23 the establishment, the people who had been in power
24 previously, did not want to see things change. So you had a
25 change versus business as usual conflict.

1 Q Okay. Now, was there a leadership conference held on Mackinaw
2 Island in the summer of 2023?

3 A There was.

4 Q Okay.

5 A Actually it was probably fall, but yeah, September.

6 Q Okay. Do you know an individual by the name of Warren
7 Carpenter?

8 A I know Warren Carpenter. Not well, but I know him.

9 Q Okay. And is he a member of the committee?

10 A He was at the time of the leadership conference. He was
11 actually a -- he was actually a State Committee member, and
12 also he was a District Committee Chairperson.

13 Q Mr. Carpenter is also named as a plaintiff in this lawsuit.

14 A That is correct.

15 Q During the leadership conference on Mackinaw in the summer of
16 2023, did you hear Mr. Carpenter make any kind of deceptive
17 statements about Ms. Karamo?

18 A So not during that conference. I was aware of leading up to
19 the conference some statements that he had made, but not at
20 the conference.

21 Q Okay. And if you recall, what statements do you recall he
22 made?

23 A So the group of people -- so I'm going to have to kind of fill
24 in to give you a little bit of context here to understand the
25 statements. So when -- when the Karamo administration began

1 working in the leadership position of the Michigan Republican
2 Party, Chair Karamo was informed at the transition meeting of
3 a multi-year contract, I think it went through 2027 with the
4 Mackinaw County to have a leadership conference every two
5 years. She had taken interim action because the party was not
6 fully organized, and she had hired a -- a coordinator to begin
7 setting up that event. In the course of reviews it was
8 determined that the coordinator was failing to perform. I'll
9 just leave it that way. And as a result a -- a group of
10 people gathered from around the state, virtually and in person
11 on multiple occasions, to organize the convention to get it
12 through. Warren was initially part of that group. And so
13 during that -- during the lead up to the convention, without
14 making any hearsay statements, it was clearly conveyed that
15 Warren was dissatisfied with the state of the party, the state
16 of the preparation of the convention, and --

17 THE COURT: If I may just pause you for a minute,
18 Mr. Hartman.

19 THE WITNESS: Yep.

20 THE COURT: You're referring to convention, but
21 you're --

22 THE WITNESS: Leadership conference.

23 THE COURT: -- referring to the conference? Okay.
24 All right.

25 THE WITNESS: Thank you.

1 THE COURT: Just for my clarity.

2 THE WITNESS: Yeah.

3 THE COURT: Thank you.

4 THE WITNESS: So he was -- he in fact had told many
5 of the volunteers who were working with Kristina to make the
6 conference as successful as it was. That they were going to
7 incur personal liability. They were legal. And then he began
8 to directly oppose the administration from that point forward.

9 BY MR. HOUSTON:

10 Q Okay.

11 A Very, very, very publicly. I was able to monitor some
12 meetings and phone calls that he had around the state. I've
13 been provided recordings, all kinds of stuff. He was clearly
14 in opposition. Eventually he resigned as the District Chair
15 and as a committee member of the committee --

16 Q Okay.

17 A -- and quite candidly I don't know how he's standing in this
18 case.

19 Q Okay. And the comment that he made to the volunteers about
20 incurring personal liability and those things you just
21 testified to, those are inaccurate?

22 A Well, it's an opinion. I haven't seen any -- I haven't seen
23 anything to support that. It was clear that he was thought he
24 would come along and add value to the effort to make the
25 leadership conference successful. It was a raging success.

1 But instead he choose to oppose the party since that day
2 forward.

3 Q Okay, thank you.

4 A Unabashedly.

5 Q Thank you. Do you know who Bree Moeggenberg is?

6 A Um, I know who she is.

7 Q Okay. And is she a member of the Michigan Republican Party?

8 A She is.

9 Q Okay. And was she involved in that leadership on Mackinaw
10 Leadership Conference on Mackinaw Island?

11 A Yeah, so to be clear there were -- Chair Karamo had
12 established a significant number of committees, I believe
13 seven standing committees. Anyone behind the three that are
14 established in the bylaws require the consent of the State
15 Committee which did. But one of the committees that Chair
16 Karamo established was the Conflict Resolution Committee, and
17 Bree Moeggenberg was the District 2 representative on that. I
18 attended a lot of virtual meetings on that. I had never met
19 her in person, and so at the Mackinaw Leadership Conference
20 was the first time that I ever was able to attach a face to
21 the voice.

22 Q Okay.

23 A And I did -- I did make observations of her at the leadership
24 conference. And those -- those observations, in kind of
25 direct response to your question, was she was -- she had --

1 she was gathering signatures suggesting that Chair Karamo
2 should be removed. And at the point where I observed her she
3 was talking to a news outlet kind of in the area that we were
4 gathering to unify the party, and she was making a statement
5 to the news reporter. I'm not suggesting it to the truth of
6 the matter asserted because it is clearly erroneous that
7 Kristina would be removed at the committee meeting that was
8 going to occur at the end of the conference. And she also
9 made numerous forecasts about the fact -- about things that
10 were not going to happen at the conference which were untrue.
11 And of course that was what most media choose to carry rather
12 than the, shall we say the amazing lineup of real issues that
13 the committee that worked with Chair Karamo to put together
14 wanted. So that was -- became the message.

15 Q Okay, thank you.

16 A And from that point forward I will tell you that she worked
17 very hard to gather signatures to remove the chair and if that
18 amount of energy had been used to fundraise or support the
19 party we would be in a completely different discussion right
20 now.

21 Q Okay. Thank you for that, sir. Sir, are you aware of a dual
22 fundraising agreement between the Michigan Republican Party
23 and the National?

24 A So now you want to get to the heart of what is kind of the
25 reason there is so much venom against this chair.

1 Q Okay, but --

2 A I am aware of this.

3 Q You are aware of it, okay. Can you refer to defendant's

4 Exhibit V.

5 A What number?

6 Q V.

7 A V as in Victor? Okay, this is a letter --

8 Q Okay. And --

9 A -- that I wrote and initialed a three-page document.

10 Q Okay. And this is indeed a letter you authored; is that

11 correct?

12 A It is.

13 Q Okay. And it's dated December 19th of 2023?

14 A It is.

15 Q And it's addressing regarding the joint fundraising agreements

16 with the Michigan GOP; is that accurate?

17 A That is the subject.

18 Q Now under this agreement what was your understanding of the

19 funds that -- strike that. How much money did the Michigan

20 GOP receive from the National Republican Congressional

21 Convention?

22 A Um, okay. So 97 percent of the funding money from 2017

23 forward that has been attributed to fundraising came from this

24 organization or from the National Republican Party through the

25 RNC. It's a myth that a chair is supposed to go out begging

1 for money.

2 Q Okay. Now, with the Exhibit V that I'm referring to now, it
3 says MIGOP confirms the receipt of -- receipt of \$263,000 --

4 A (Overlapping) Okay, so this is --

5 Q -- from the joint.

6 A -- this is relating to the one and only transfer that these
7 entities gave the Karamo administration. It was a transfer of
8 26 -- 263,000 at the -- at the conclusion of a specific joint
9 fundraising agreement with outgoing Speaker of the House Kevin
10 McCarthy and they were dissolving that fund.

11 Q Okay.

12 A So this was the only -- this was the only assistance that was
13 provided to this organization through -- through this --
14 through any joint fundraising agreement.

15 Q Okay. And now in paragraph 2 indicates that,

16 "Pursuant to an earlier conversation by phone on
17 December 1st, 2023, James Zenn and Kristian Karamo ,
18 Rob Secaur, and James Copas, I received an instruction
19 from -- from MIGOP to transfer \$250,000 of the funds
20 received to the Ingham County Committee for exclusive
21 beneficial use of Tom Barrett's campaign for US
22 House."

23 A If that's what the letter says then that's what happened.

24 Q Okay. And then it also says that,

25 "MIGOP was told that we were permitted to retain

1 \$13,000 because the NRCC was aware that the MIGOP
2 needed funds. At that time I was asked two questions
3 and requested documentation on donations of the
4 original agreement."

5 A I just wanted clarification. I asked, I was not asked. I
6 asked two questions.

7 Q Right. Okay. And the request of -- to transfer the funds of
8 \$250,000 to the Ingham County Committee, did that bring you
9 pause?

10 A Sure it did.

11 Q Okay, why is that?

12 A Because the Ingham County Party was not a part of the joint
13 fundraising agreement. Between the time this letter was
14 authored and the conversation, I had not only reviewed the new
15 joint fundraising agreement that the party had entered into
16 with the NRCC headed by the new Speaker of the House, but I
17 had reviewed the Kevin McCarthy letter and it stated very
18 clearly in there that once the money was transferred to the
19 State Committee it was up to the Committee to use and I was
20 curious about the fact that it was a directive on how to use
21 it and where it should go.

22 Q Okay.

23 A The two pauses that I asked the question about was it appeared
24 on first glance to be a violation of campaign finance law, and
25 I later determined it was a violation of MCL 169.244.

1 Q Okay.

2 A I also determined that it would've resulted in Ms. Karamo
3 violating the rules of the bylaws of the December 2022 State
4 Committee Meeting.

5 Q Okay. And did you bring these concerns to Ms. Karamo?

6 A Yes, I did discuss them in this letter as well.

7 Q Okay. And when you brought these concerns to Ms. Karamo, did
8 she find them very important that she wanted to follow the
9 law?

10 A She actually asked me to get a second opinion which I did.

11 Q Okay. And as a result what happened to these funds?

12 A Well, I had communicated in this letter that I was going to --
13 I believe that they were -- that they rendered the party to
14 use in its sole discretion. I quote it, and I said that the
15 impounded law I waited for a response from the NRCC. During a
16 period of approximately two weeks there was a -- so this
17 dispute was pretty clear on December 1st. This letter
18 documenting it was two weeks later.

19 Q Okay.

20 A And for approximately -- for a period of time I had informed
21 the Budget Committee Chair and the party that those funds were
22 kind of impounded while I was waiting from a response to the
23 NRCC.

24 Q Okay.

25 A My concern was I did not want to breach an agreement even

1 though the face of the agreement said they were not to be
2 used. And secondly, I didn't want to make any transfers that
3 would be in violation of law.

4 Q Okay. And so indeed you did impound the funds, correct?

5 A Yeah. So the candidate that they wanted us to send it this
6 to, which is quite interesting, had -- was already a recipient
7 of this fund and had already received the maximum contribution
8 under federal law. So it was awfully concerning that it was
9 being transferred and we were basically washing the money as
10 it went through our federal account to another federal account
11 for the benefit of one member. And the challenge is our
12 bylaws restrict and prohibit any officer from making an
13 endorsement of any individual candidate prior to the primary.
14 And it was being urged by the preponements of this transfer
15 that because he was in an uncontested race, which we don't
16 know if it's going to be contested until April which is the
17 filing cutoff, and the primary that is in question is the
18 August State Primary of 2024, that -- that this would've shall
19 we say been a trap door which would've resulted in a claim for
20 removal of the Chair.

21 Q Okay, thank you. Now, I want to direct your attention to
22 December 2nd of 2024(sic), okay?

23 A Yes.

24 Q All right. On that day was there a State Committee meeting
25 held?

1 A There was.

2 Q Okay. Was that meeting in person?

3 A Well, it was supposed to be.

4 Q Okay.

5 A It was ultimately changed to a virtual meeting.

6 Q Okay. And why was it changed to a virtual meeting?

7 A So the -- there's a lot of work that goes into a committee
8 meeting or a convention, and in this case we had contracted
9 with a venue in the Detroit area. I don't remember the exact
10 location. It was a -- it was a religious facility that was
11 going to allow us -- they rent out their space. And they had
12 canceled it because of protestors related to the National
13 Republican Party's position on Palestine. So they were pro-
14 Palestine protestors who had threatened the venue, and as a
15 result the venue canceled immediately before the meeting.

16 Q Okay.

17 A So it -- Chair Karamo moved it to a virtual meeting as
18 permitted by the bylaws.

19 Q Okay. Now at that meeting, the virtual meeting, was quorum
20 able to be achieved?

21 A So the person who was responsible for determining quorum is
22 our secretary, and the secretary is able to look at who the
23 members are in good standing and all of that. And she
24 determined at that meeting that we were not able to conduct
25 official business because quorum had not been received.

1 Q Okay.

2 A It's interesting to note that visible by my own eyes in the
3 background of people who were logged in observing the meeting
4 were State Committee members who were virtually participating
5 but had not checked in.

6 Q Okay. Now, to that note, are you aware was there another in
7 person meeting held that had committee members in attendance?

8 A So now we get to the interesting part. This is where it
9 became clear that there was an organized shadow party. So one
10 of the challenges with the -- this divide, it begins right
11 here. And so there was an infrastructure. There was fake
12 officers, fake credentials. There was a fake venue. There
13 was everything, and this was a dry run for January 6th, and
14 this was kind of the point of divergence. And so it's
15 interesting that on the second I was not present at the
16 facility. I've reviewed snippets and clip its. I was later
17 present at that same facility on January 6th. And so the most
18 disturbing fact right here is the fact that the letterhead of
19 the Michigan GOP was used and sent to the delegates telling
20 them to go to this location, that it was an official meeting,
21 and that was an unauthorized communication.

22 Q Okay. And so Ms. Karamo didn't notice a separate in person
23 meeting to be called anywhere else, correct?

24 A Well, the notice by the bylaws comes from the secretary. She
25 did not make the call or make the decision which is her

1 prerogative. The notice comes through the secretary.

2 Q Okay.

3 A So she made the change. The notice of the secretary was to
4 all people that it was virtual. Shall we say theft of the
5 letterhead and property was used in the form and fashion to
6 direct people incorrectly to appear in person at that meeting.

7 Q Okay. Do you know how that meeting was communicated? What
8 platform? What medium?

9 A Well, I -- I do not know. I am a member of the State
10 Committee and I'm -- I was aware that there was a lot of
11 people using the Michigan GOP name inappropriately. There was
12 a Michigan alerts. There was Michigan GOP news. There was a
13 lot of what I would say trademark infringement issues going
14 on --

15 Q Okay.

16 A -- that that -- but I want to be clear here. So the official
17 channel of all communications would either be from the
18 treasurer -- I'm sorry, the secretary's email, or from she
19 also uses the official communication email at GOP.org.

20 Q Okay.

21 A I did not receive communication from them about this move.

22 Q Okay. Okay. And so those only two official channels -- modes
23 of communication --

24 A Of email.

25 Q -- from Michigan GOP?

1 A Of email.

2 Q Okay.

3 A So I want to point out though that I did become aware of the
4 meeting because I received requests from people who had
5 confusion in my email. And one of them was a -- a shall we
6 say a MIGOP letterhead that was later determined to have not
7 been authentic directing people to go to that meeting.

8 Q Okay. Now at that December 2nd meeting, let me direct your
9 attention to defendant's Exhibit B.

10 A Defendant's Exhibit B --

11 Q Yes.

12 A -- as in boy?

13 Q That's right. All right. Let me know when you're there.

14 A Okay.

15 Q Okay. Sir, does defendant's Exhibit B, is this a request for
16 a special meeting? And we're on page 3 of Exhibit B.

17 A So -- all right, I apologize. So this is dated January 14th
18 of 2024, and it is um --

19 Q You may have the wrong exhibit.

20 A Exhibit B as in boy? I have a letter -- okay, I have a -- I
21 apologize. There's an email and then on page 3 of the exhibit
22 it appears there's a written request for one of the members
23 for the meeting --

24 Q Okay.

25 A -- and it says that it is purpose of this meeting is

1 December -- or the purpose of this in person meeting is
2 December 27th at 6 p.m. It's at the location on the Multi-
3 Lake's Conservation, and it -- it says that it -- it has some
4 signatures on it. And on page 2 it references the December
5 27th, 2023, meeting --

6 Q Okay, let me stop you there. Just hold on.

7 A These signatures --

8 Q Let me stop you right there.

9 A Okay.

10 Q All right. Now, in the agenda to include, it indicates the
11 possible removal of Kristina Karamo, correct?

12 A So you asked me if this is a petition for removal. This
13 document would not be filed with me. This should have been
14 sent to the chairwoman and would've been sent to the
15 secretary. But yes, it is a request for a removal.

16 Q Okay.

17 A The first two pages confuse me because this appears to be an
18 email from Anne DeLisle forwarding an original email from
19 Bree, and the email from Bree is dated December 2nd at 3:18.
20 And I am trying to skim through these addresses but I don't
21 see my name in there.

22 Q Okay. Okay. Hold on. Hold on. Now, for a petition to
23 remove an officer, it's governed under the bylaws, correct?

24 A It is.

25 Q Okay.

1 A So this -- this does state the purpose of the meeting is
2 removal of officers. This request with the signatures,
3 there's 39 of them all dated December 2nd.

4 Q Okay. Now I want to -- can you pull up Exhibit A and turn
5 to --

6 A Article IV?

7 Q Correct. Page 10.

8 A Under Article IV-G is the section related to removal of
9 officers under page 12.

10 Q All right. So IV-G2, Removal By The Committee, it says,

11 "Any officer may be removed as an officer and
12 member of this Committee by the Committee upon a
13 seventy-five percent vote of the Committee present and
14 voting, at any meeting of the Committee, providing
15 there's quorum present, and such seventy-five percent
16 of the vote must be made in -- must be made in person
17 by such members and not by proxy; provided, further,
18 that in order to bring the question before the
19 Committee as to the removal of officer, a petition
20 requesting that such vote be taken, bearing the
21 signatures of at least fifty percent of the entire
22 Committee (no proxies allowed), shall be filed with
23 the Chairman (or if the Chairman is the officer in
24 question, then such petition shall be filed with the
25 Secretary)." Is that how you read it, sir?

1 A That is.

2 Q Okay. Now, if you go back to Exhibit B, are there any
3 accompanying signatures?

4 A There are.

5 Q Okay. And you would agree that there are 39 signatures?

6 A There are 39 signatures in the special meeting request.

7 Q Okay. According to the bylaws, in order to call the vote to
8 remove an officer there has to be 50 percent of the members'
9 signatures, correct?

10 A So -- yeah. So let me -- let me try and clarify here. There
11 is the -- they are blending rules that are -- there's --
12 there's the chair calls a meeting. The notice goes out by the
13 secretary. There are an exception to that, and that is when
14 the secretary on behalf of a member sends out notice and a
15 member has a right to call a meeting. In order to call a
16 special meeting by a member you have a lesser number of
17 signatures, but in order to call a special meeting by the
18 member -- and I want to -- I want to point out a couple of
19 things that are important in this petition. It states in here
20 that in the request for a meeting, the meeting would be
21 chaired by Hassan. It named the parliamentary and changed the
22 secretary, and that is on page 3. It also states that the
23 purpose of the meeting was to bring forward to the committee
24 to put the business before the committee the removal of
25 officers. And one of those officers being Chair Karamo, and

1 the requirement that this then be filed with the secretary.
2 It's very important that you understand about bringing this
3 before the body. To bring it before the body at a special
4 meeting of which the purpose is, you're going to have people
5 in an in person meeting drive from Gogebic, from Iron
6 Mountain, from all over the state to a special meeting. And
7 the purpose of this meeting is to withdraw -- it would require
8 54 signatures --

9 Q Okay.

10 A -- in order to be a valid request for that type of special
11 meeting. So they're using a general special meeting requiring
12 a number of signatures to say there's going to be a meeting,
13 but the only purpose they want to have the meeting for
14 requires before it be submitted that you have 54 signatures.

15 Q Okay. And so is this petition to remove Kristina Karamo as
16 chair valid? Does it comport with the bylaws that are
17 required to remove an officer?

18 A So let's be clear. I don't view this as a petition. I view
19 this as a request for a special meeting under the Article IV,
20 Section B, which it states it is not for -- I'm sorry, Article
21 VI, Section B. It is requesting of a special meeting under
22 Article VI, Section B. And the purpose of which would be if
23 we were parliamentarians we would rule out of order because
24 the purpose of which this -- the purpose of which the meeting
25 is supposed to be called it out of order because it doesn't

1 comply with the requirements for that type of a special
2 meeting.

3 So it's called as a special meeting under Article
4 VI, Section B, but the purpose of the meeting, for the
5 business to be con -- conducted, is restricted which cannot
6 even be brought before the meeting, before the committee
7 meeting, much less summoning them to drive without the
8 signatures.

9 The other problems with this notice of December 2nd
10 is it was a for a specific time of December 27th, which was
11 later canceled and there's nothing in the bylaws that
12 authorized them to determine the time, to determine who the
13 chair would be, to determine who the parliamentary would be,
14 or to remove the secretary and replace the secretary. So this
15 was interpreted in consultation by myself and Chair Karamo to
16 mean that she had to call a special meeting. But there was no
17 legitimate agenda attached.

18 Q Okay.

19 A Which she did on the 15th day when she noticed it.

20 Q Did she call a special meeting?

21 A She did for January 13th.

22 Q Okay.

23 A And I want to point out that that was not first time they
24 asked for a special meeting to basically air their grievances.
25 We had done that once previously where she had stood in front

1 of the group and answered questions at a special meeting.
2 There was -- this was not -- this was not deemed to comport
3 with the bylaws. It was deemed to be an out of order request
4 but sufficient to call a meeting with no agenda.

5 Q Okay. Do you know if the meeting that this petition -- this
6 call was calling for on the 27th, do you know if it took
7 place?

8 A I wasn't present at a meeting that did not take place. I did
9 receive correspondence that it was canceled and somehow was
10 re-noticed, not again, through the official secretary for
11 January 6th.

12 Q Okay. And are you aware of the January 6th meeting taking
13 place?

14 A I was present for that one.

15 Q Okay.

16 A For part of it.

17 Q Was that a -- was that a proper meeting?

18 A It was not.

19 Q Why wasn't it?

20 A Well, to begin with, the -- once again, the January 6th
21 notice, the January 6th notice did not come from the person
22 charged by the bylaws to grant notice of the meeting. Second
23 of all, the purpose of the meeting which included the removal
24 of the chairperson was not a special meeting requires --
25 you're bringing a matter before the body when you notice up a

1 special meeting. And the 54 signatures were not submitted to
2 prior January 6th. In fact, there were never 54 authentic
3 signatures submitted.

4 Another reason it was in fact -- I mean, it was --
5 so if you wanted to have a legitimate parliamentary meeting,
6 why don't wait until the 13th when the State Committee is
7 already going to be present. It was noticed up in a hurried
8 fashion to occur and to create the maximum amount of
9 confusion. And -- and they're asking for equitable relief
10 after intentionally creating the confusion.

11 And so the -- the January 6th date, the notice I
12 received about it was from the Michigan News had -- which is a
13 fake Michigan GOP news, had posted the agenda on a social
14 media platform and a screenshot was taken and sent to me. As
15 a committee member I'm entitled to have valid notice of a
16 meeting, either through the secretary, or for some reason the
17 secretary has delegated the responsibility to somebody else.
18 So the notice was completely invalid, and that's the reason
19 that there was not a quorum of members present.

20 Q Okay. And how many committee members attended on January 6th?

21 A The -- no way to know because under the bylaws -- and by the
22 way, it's not just our bylaws. If you look at the
23 requirements for corporations or non-profit corporations, the
24 person responsible for establishing who was present is the
25 secretary. The secretary. So Angela Gillisse is not one of

1 the officers that were subject. It was reported by the
2 secretary that was there impersonating the secretary that
3 there were 45 people there. I did not check their credentials
4 or identify them, but it appeared to me by a visual eyeball of
5 the section that there were approximately 45 members present.

6 Q Okay. Do you know how many of those members were Karamo
7 supporters?

8 A Well, I was.

9 Q Okay.

10 A So it was reported that -- well, I saw two people speaking
11 against this. Interestingly enough, the debate on the removal
12 of Chair Karamo, they passed a motion and said that the debate
13 was limited to 30 seconds. Thirty seconds per member. And --
14 and they were running through the business of order and they
15 were tabling stuff to get to just the vote for removal. So
16 two -- two people besides myself protested the process and the
17 removal. I went there for the sole purpose of informing
18 anybody who was misinformed and not part of this conspiracy
19 that the meeting was an unofficial gathering of members.

20 Q Okay. And any result that transpired from the January 6th
21 meeting, in your opinion are those valid?

22 A Oh, they took a poll and I voted in the poll and stated that
23 it was a 40 to five vote in the poll as to whether or not the
24 members of the people that were recognized by that pseudo-
25 chair at that meeting supported Chair Karamo.

1 Q Okay. Now after the meeting on January 6th were you contacted
2 by Mr. Geyer -- strike that. After the meeting on January
3 6th, did a Mr. Geyer Balog send an email --

4 A Yes, so --

5 Q -- so the committee?

6 A -- I received an enormous number of correspondences including
7 from Geyer Balog who is -- so I'm in the 1st Congressional
8 District. Mr. Balog is a State Committee member from the 1st
9 Congressional District. He had sent an email along with
10 several other people. My recollection was that they had
11 signed a request to have a special meeting under the Article
12 VI document. Their -- their signatures were there on the
13 27th. And it was a -- it was a request. So there's a --
14 remember, this is a parliament. This is not a law. So in the
15 process of a deliberative society a member can say I want to
16 call the question. And calling the question brings the matter
17 to vote. It doesn't say whether you're in favor or against
18 removal.

19 So several of the signatures, including Mr. Balog,
20 who they -- they retracted them because they said their
21 signatures were misappropriated. They thought they were
22 calling the question for a meeting to occur on the 27th to end
23 the question -- the committee would get together, Kristina
24 would win or lose, and it would be over. And they wanted to
25 move on to business. And they also -- by the way, none of

1 those people were at the January 6th meeting and claimed that
2 they were not informed of the meeting or aware of the meeting
3 in various different points, and so their signature was used,
4 kind of presented at a meeting which they rightfully made the
5 case their signature expired on the 27th, and it was for
6 proceedings of a special meeting under Article -- Article VI,
7 not the Article IV portion. It's a special meeting.

8 Q Okay. Now as general counsel, because the meeting that they
9 represented to sign a form to take place on the 27th never
10 took place, are those signatures -- the petitions still valid
11 for a meeting on January 6th?

12 A You know, that -- so let me state this. General counsel
13 doesn't make that call. In a -- I -- my duties are to advise
14 the committee, which I went and advised a portion of the
15 committee at the gathering what they were doing was unofficial
16 and wrong. And what ends up happening ultimately, with all
17 due respect to your Honor and to the RNC, the State Committee
18 gets to determine under parliamentary process whether or not
19 this was valid. This was sent to the Rule's Subcommittee.
20 The Rules Subcommittee, which is a standing committee
21 determined that this was invalid, and I did not participate in
22 those proceedings. And it was then represented to the State
23 Committee meeting on January the 13th when there was 61
24 members present and eligible to vote on the issue, as well as
25 additional proxies. And it overwhelmingly was stated that

1 they accepted the findings of the Policy Committee.

2 So the way a parliament works is that not every
3 member has to get involved in every issue. So the Policy
4 Committee has one member from all 13 districts and they broke
5 into a group and studied the issue and issued a report. And
6 then they come and they defend that report to questions before
7 the body, and then the body makes the decision. So as general
8 counsel I am confident that this is a political question in
9 which the body resolved and decided to determine its own
10 bylaws.

11 Q Okay.

12 A And rules.

13 Q And after -- after the vote on January 6th, the issue went
14 before the subcommittee, and the subcommittee made a ruling,
15 correct?

16 A The subcommittee made a recommendation. The committee made a
17 ruling.

18 Q Okay. And the --

19 A The full State Committee.

20 Q -- committee ruling was that the results from the January 6th
21 meeting was null and void?

22 A They stated that the January 6th meeting was null and void.

23 Q Okay.

24 A By the way, under the parliamentary procedures a State
25 Committee or any other parliament can make a decision to say

1 that we're going to go to dinner on Friday, and then the next
2 day they can vote and say we're not going to dinner.

3 Q Okay.

4 A But the body speaks. The challenge that we have here is there
5 are two interpretations of our bylaws that allow you to create
6 artificially two majorities. So a quorum under *Robert's Rules*
7 *of Order* and under MCL -- let me check my note here.

8 Q And what are you referring to?

9 A The definition of a quorum.

10 Q And are you using that to refresh your recollection?

11 A Yes, I am. MCL 450.2415, a quorum is always -- and if you
12 look at that statute it's not controlling, but it is extremely
13 informative because it defines a quorum in -- there's two
14 parts. The first is that you have you have a majority of the
15 members. So you can't ever have two meetings going on at the
16 same time because one would have to have a majority, right?
17 So only under the creative interpretation can a minority of
18 the party appoint proxies to create dual majorities of the
19 party in opposition. And then we're coming to court, in a
20 court of equity and fairness and saying that this makes sense
21 and asking for emergency extraordinary relief.

22 So what we have is -- what we have right here with
23 the definition of a quorum in the statute. It's not
24 controlling, but it's -- it's the common way that attorneys
25 and courts look at a quorum. There's a second section, and

1 that is the section in there, a part 2 of that statute which
2 is very clear that when a member is not entitled to vote at
3 the business at hand you only count for quorum the number of
4 people that are eligible to vote for the business at hand. So
5 you wouldn't have quorum at the January 6th meeting if you use
6 the proxies to say we can open the meeting for special
7 business. But they're not eligible to be part of the special
8 business and we're taking a vote on the special business, you
9 lack quorum. Now I don't know any way other than a plain
10 simple reading of that statute, which is a common sense,
11 equitable way to interpret the bylaws.

12 Now, the Michigan bylaws have a definition of quorum
13 and you can try and ignore the gigantic word that's in all
14 caps in there called except that says when you are determining
15 quorum for a meeting that requires a supermajority, a plain
16 read of me is that proxies are not included in the calculation
17 of quorum for those types of meetings.

18 Q Okay. Thank you. Thank you. I don't have any further
19 questions.

20 THE COURT: Mr. Lauderbach?

21 CROSS-EXAMINATION

22 BY MR. LAUDERBACH:

23 Q Mr. Hartman --

24 A Yes, sir.

25 Q -- Article VI-B of the bylaws, special meetings shall state

1 the purpose for the meeting, correct?

2 A It does.

3 Q You testified in one of your responses to counsel's questions,
4 you said if we were parliamentarians. Do you remember that?
5 You aren't one, are you?

6 A Don't have to be.

7 Q You're not one.

8 A Don't have to be.

9 Q You are not one?

10 A Don't have to be. Yes, I am not one.

11 Q Thank you.

12 A I've served as a parliamentarian, but I'm not serving as a
13 parliamentarian right now.

14 Q Great. Thank you. Let's look at Article III, Section 21 of
15 *Robert's Rules of Order*.

16 MR. LAUDERBACH: Can I approach?

17 THE COURT: You may.

18 BY MR. LAUDERBACH:

19 Q You're familiar with *Robert's Rules of Order*?

20 A Absolutely.

21 Q Okay. "Business is brought before an assembly by the motion
22 of member." You see that?

23 A Let me look at it.

24 Q Sure. Did I read it right?

25 A You did. You have one problem though; this wasn't an

1 assembly.

2 Q I read it right, right?

3 A It's not an assembly, sir.

4 Q Okay. The --

5 A The assembly occurs later.

6 Q You attended the meeting on January 6th?

7 A I did.

8 Q Ms. Karamo did not.

9 A She did not.

10 Q Ms. Gillisse did not. Gillisse, I'm sorry.

11 A It wasn't an official meeting. She did not.

12 Q She did not attend.

13 A She did not.

14 Q Geyer Balog did not attend.

15 A I did not see Geyer Balog.

16 Q Justin Marcum did not attend.

17 A I wouldn't know Justin Marcum to recognize him.

18 Q You did not see someone there that you knew to be Justin

19 Marcum?

20 A I don't physically know the description --

21 Q Okay.

22 A -- of Justin Marcum.

23 Q Okay, so that's a yes?

24 A I don't know if he was there or not, sir.

25 Q Was Rylee Linting there?

1 A She was not.

2 Q Okay. Turn to Exhibit S, please. You represented Ms. Karamo
3 in the Republican National Committee proceedings earlier this
4 month, correct?

5 A I did.

6 Q And if you would turn to -- now you're going to have to --
7 this is your exhibit and it's just kind of a big thick stack.
8 You're going to have to turn to the 41st page of the exhibit.
9 I'll give you a second. The heading at the top is Sworn
10 Statement of Daniel J. Hartman.

11 THE COURT: Which is that?

12 MR. LAUDERBACH: It's Exhibit S, your Honor.

13 THE COURT: S.

14 THE WITNESS: Would you want to find it? It may be
15 quicker.

16 BY MR. LAUDERBACH:

17 Q Keep flipping.

18 A Okay. So they were all marked as individual exhibits in the
19 submission that I was made. I'm looking at this form here.

20 Q It appears to be a page that says Exhibit 5 and then this is
21 the one after that.

22 MR. LAUDERBACH: Judge, have you found it?

23 THE COURT: Yeah, I have. It is following Ms.
24 Gillisse's sworn statement I believe.

25 MR. LAUDERBACH: Yep.

1 THE WITNESS: So before or after Mr. Marcum's?

2 THE COURT: Ah, I think it was before Mr. Marcum's.

3 At least by my --

4 THE WITNESS: Found it.

5 BY MR. LAUDERBACH:

6 Q Okay. This is a sworn statement of Daniel J. Hartman,
7 correct?

8 A That is correct.

9 Q It says "I state under penalty of perjury and would testify
10 that I was present for the vote on January 6th, 2024",
11 correct?

12 A That is correct.

13 Q It says, "None of the standing Budget committee..." -- I'm
14 sorry, I skipped a sentence. "I informed the meeting as
15 General Counsel that it was not lawfully convened." See that?

16 A That is correct.

17 Q Okay. It further says "None of the standing Budget committee
18 chairs were present, now was the Chairwoman Kristina
19 Karamo..." Is that supposed to be nor?

20 A Yeah, and by the budget -- the standing budget should be
21 standing budget, standing rules, and the standing issues which
22 are the three permanent budget committees. This was
23 drafted -- the RNC gave us like 72 hours --

24 Q Yeah, I was there.

25 A -- to file a response. Yeah.

1 Q But you drafted this and signed it under oath subject to
2 penalty of perjury, right?

3 A And I apologize it says now should be nor, and it is omitting
4 the words rules and Issues Committee Chairs.

5 Q Right. Then right below that it says, "A pseudo Secretary was
6 issuing credentials...", see that?

7 A Yes.

8 Q Okay. You're familiar -- we just talked about it. You're
9 familiar with *Robert's Rules of Order*, right?

10 A I am.

11 Q Pseudo means fake, doesn't it?

12 A It does.

13 Q Okay. Now if *Robert's Rules* provides that in the absence of a
14 secretary, a secretary pro tem must be elected?

15 A Yes.

16 Q Is that a fake secretary?

17 A Meeting hadn't started. How could she be elected? She had
18 issued the credentials, collected proxies, corresponded with
19 members before the meeting started. So if she was a secretary
20 that's elected during an assembly, her term of office would be
21 during the assembly so she wouldn't have the ability to
22 credential. So she'd be acting in a fake capacity when people
23 were, like my guess, trying to come in and she is saying that
24 did you communicate with the secretary. And then I texted the
25 secretary of the party and you have somebody impersonating the

1 secretary, checking credentials at the door and giving out
2 credentials that do not match the credentials we use at State
3 Committee parties.

4 Q So you texted the secretary that day?

5 A I sure did.

6 Q On January 6th? Okay. Before the meeting started?

7 A I texted the legitimate secretary --

8 Q Ms. Gillisse?

9 A -- before the meeting started.

10 Q Okay. Ms. Gillisse?

11 A Ms. Gillisse.

12 Q All right. You referred a few minutes ago to the pseudo-
13 chair. Who are you referring to?

14 A If I said pseudo-chair I meant pseudo-secretary.

15 Q You testified on direct that there was a pseudo-chair.

16 A (Overlapping) The pseudo chair -- oh yeah, there is a pseudo-
17 chair. It was Pete Hoekstra.

18 Q At the January 6th meeting?

19 A No.

20 Q Who was the pseudo-chair at the January 6th meeting?

21 A I don't recall saying pseudo-chair at the January 6th meeting.
22 I'd like to know when I said that and I can clarify.

23 Q If you testified that there was a pseudo-chair at the January
24 6th meeting, would that have been Malinda Pego?

25 A There was a person conducting the meeting.

1 Q Who was that?

2 A When the meeting was called to order?

3 Q Yes.

4 A That was Malinda Pego who was --

5 Q Okay.

6 A -- shortly after one.

7 Q Hang on. If the chair is not at a meeting, the co-chair
8 presides, right?

9 A At an authorized --

10 Q That's what the bylaws say, right?

11 A -- and official legitimately noticed meeting, yes.

12 Q And if the Court concludes that this was a properly called and
13 conducted meeting, then Malinda Pego properly presided, didn't
14 she?

15 A If the Court reaches that conclusion, Malinda was acting as
16 the chair for that meeting.

17 Q Okay. None of the -- I'm sorry. Nothing in the bylaws says
18 that the Budget Committee Chair has to be present to have a
19 lawfully convened meeting, does it?

20 A No, but this was relevant --

21 Q And if the Budget chair just chooses to not show up, you still
22 have a valid meeting, don't you?

23 A The letter was for the venue of the Republication --

24 Q Nothing --

25 A -- National Committee which is well aware that these are the

1 key leaders. So instead of having an executive committee in
2 Michigan, we have divided the role of an executive committee
3 amongst three committees and they each hold a divided and
4 important powers. And the budget committee has a say in
5 finances; the rules as to interpretation of these issues.
6 These -- what it's basically saying is none of the leaders --
7 this is what this is saying. None of the leaders, not the
8 subcommittee chairs, the three standing sub-committee chairs,
9 the elected secretary, the elected treasurer, the chairwoman
10 were present because it wasn't a legitimate meeting.

11 Q Okay. Thank you for the sermon. They could have chosen to
12 not show up, couldn't they? They could have just chosen to
13 not be there. You're nodding. That's a yes?

14 A No, I didn't. I shrugged my shoulder.

15 Q Okay.

16 A I would say suppose so.

17 Q You supposed so. Okay. And if they choose to not show up,
18 that in and of itself would not make it an invalid meeting,
19 would it?

20 A If they were necessary to reach quorum in this case, which
21 they were, so it would make it invalid.

22 Q What -- what says the Budget Committee Chair has to be there
23 in order to achieve quorum?

24 A The number of people that are missing says it needs to be.

25 Q Show me where it says in order to achieve quorum the Budget

1 Committee Chair --

2 A (Overlapping) It doesn't say the Budget Committee.

3 Q -- to be there. It doesn't say that.

4 A The group of people that are missing is the reason you don't

5 have a quorum, including all of the leadership. So you're

6 trying to make the claim with a straight face in this court, a

7 court of equity, that this is a meeting of the State Committee

8 when none of the leaders are present. None of them, except

9 Malinda Pego and some vice-chairs who have a vote but really

10 no duties.

11 Q You prepared an affidavit -- or, I'm sorry. You submitted an

12 affidavit signed by Jennifer Standerfer for the RNC, correct?

13 A I did submit an affidavit. I did not prepare it.

14 Q Okay. Did you make any inquiry into the truthfulness of that

15 affidavit before you submitted it?

16 A Did I call her and ask her if her statement was true?

17 Q Yeah.

18 A No.

19 Q Did you read it before you filed it?

20 A Yes.

21 Q Did you believe that what you were submitting to the

22 Republican National Committee was true at the time you

23 submitted it?

24 A I believed all the documents I submitted, including an

25 affidavit, would speak for itself.

1 Q All right. It says in paragraph 5, and it's up there on the
2 table in that little binder in front of you if you want to
3 look at it.

4 A Which exhibit?

5 Q It is -- it's behind tab 2, and this is in Exhibit R as well.

6 MS. HOWARD: Is it in Exhibit R or S?

7 MR. LAUDERBACH: Well, let's find it in this jumble
8 of documents. Let's see here, it is in Exhibit S. It's
9 actually behind your Exhibit 13 page. If we count from the
10 back of S, one, two, three, four --

11 MS. HOWARD: Is it the affidavit of Standerfer?

12 MR. LAUDERBACH: Yep.

13 MS. HOWARD: I got it.

14 MR. LAUDERBACH: Five, six, seven, eight, nine, 10,
15 11, 12, 13, 14, 15, 16, 17 pages from the back of Exhibit S.

16 THE WITNESS: Okay.

17 BY MR. LAUDERBACH:

18 Q Okay? You said you believed this was true at the time you
19 submitted it?

20 A No. I said I believed that the document spoke for itself at
21 the time I submitted it.

22 Q Did you inquire into the truth of this affidavit before you
23 submitted it to the RNC?

24 A I did not contact her and ask her if her sworn statement was
25 true.

1 Q Did you believe you were submitting a false affidavit to the
2 RNC?

3 A I did not.

4 Q Okay. You believed you were submitting a true affidavit to
5 the RNC, correct?

6 A Correct. Absolutely.

7 Q Okay. It says that in paragraph 5:

8 "The petition to remove Kristina Karamo as
9 chair of the Michigan Republican Party included
10 signatures from members that were ineligible to sign
11 said petition due to their failure to be in good
12 standing for failure to pay dues. Specifically, the
13 following members were not in good standing upon
14 signing the petition: Sue Allor, Justin Marcum, Steve
15 Cloutier, Kristin Lee." See that?

16 A I do.

17 Q Okay. Now, it also says in the next paragraph,

18 "The December 2nd petition to call a special
19 meeting...included signatures from members that were
20 ineligible to sign said petition due to their failure
21 to be good standing for failure to pay dues.
22 Specifically, the following members were not in good
23 standing upon signing the petition for a special
24 meeting request: Kristin Lee, Hima Kolanagireddy, and
25 Rola Makki." See that?

1 A Yes.

2 Q All right. Would you please turn to Exhibit 24.

3 A So I've seen this. Is there a question about it?

4 Q Yeah, there is. Let's go to Exhibit 24 and I'll ask it.

5 A Where is Exhibit 24?

6 Q It's in the book behind the tab that says 24.

7 A In the other book?

8 Q Yep. Do you believe the Michigan Republican Party complies
9 with campaign finance laws?

10 A Yeah.

11 Q And you said a few minutes ago that you wouldn't want to
12 undertake anything that wasn't in compliance with the law,
13 right?

14 A I would not.

15 Q Okay. If you turn to the page in Exhibit 24 that has 13 at
16 the bottom. It's not page 13 because these aren't in order.
17 It has number 13 at the bottom.

18 A Okay.

19 Q Okay? You see an FEC Form 3X showing a contribution from Hima
20 Kolanagireddy to the Michigan Republican Party on May 26th of
21 2023, in the amount of \$1,000?

22 A So um --

23 Q Do you see?

24 A No.

25 Q You don't?

1 A I see a chart. I don't see a FEC form on page 13. I see a
2 chart which has --

3 Q Keep going.

4 A Okay.

5 Q This page.

6 A My apologies. This says page 13 so I'm at the wrong page.

7 Q Right here. Keep going.

8 A I see it.

9 Q Okay. Does it show that Ms. Kolanagireddy made a contribution
10 in the amount of \$1,000 on May 26th, 2023?

11 A I have not seen this document before.

12 Q (Overlapping) Does it say she made a contribution?

13 A I would say that this document -- this document indicates --
14 this document indicates that \$1,000 was contributed to the
15 party. There's nothing on this document of its face that
16 identifies this as membership dues.

17 Q Okay. Let's look at Article III in the bylaws, Mr. General
18 Counsel.

19 A Okay.

20 Q Okay? Go to III-E.

21 A You've asked me to read a document I've not seen before --

22 Q Yep.

23 A -- determine the purpose of it.

24 Q You've seen the bylaws before, right?

25 A Yeah, I've seen the bylaws.

1 Q Okay, go to III-E.

2 A Okay. We'll go to III-E. Interestingly enough in my duties
3 it is not to check whether members are in good standing --

4 Q I'll let you go to III-E.

5 A Yeah, I'll do that, but I just wanted to make you aware that I
6 am not responsible for determining if somebody --

7 Q (Overlapping) You're the General Counsel.

8 A -- has good standing. That is the responsibility of the
9 person who collects the dues. That is a treasurer and
10 secretary function.

11 Q You're the General Counsel, correct?

12 A I understand that.

13 Q You are responsible for the party's compliance with laws,
14 correct?

15 A I sure am.

16 Q All right. So --

17 A So --

18 Q -- let's look at page 5 of the bylaws, Article III-E.

19 A Okay, let me -- which exhibit is the bylaws in this? I've not
20 seen these binders before because --

21 Q It's Exhibit 1.

22 A -- I've been sequestered. Exhibit 1. All right, which page
23 would you like?

24 Q Five, paragraph E.

25 A Okay.

1 Q Fifth line from the top.

2 "To help defray State Committee Meetings costs,
3 each regular member of the Committee must annually
4 contribute at least twenty-five dollars to a regulated
5 fund of the Committee by April 1st at 11:59 p.m.
6 Beginning on April 2nd, the fee increases to at least
7 fifty dollars." See that?

8 A I do.

9 Q State party has a federal account, correct?

10 A It does.

11 Q And it is regulated by the federal government --

12 A It is.

13 Q -- and the Federal Election Committee. Okay. And \$1,000 is
14 more than 50, isn't it?

15 A It is.

16 Q Okay.

17 A Are you asking me if I know if it was contributed based on
18 that form? I'm relying upon somebody that is responsible for
19 checking to see if that is done. I don't know whether it was
20 contributed or not as I sit here.

21 Q And the business records of the Michigan Republican Party show
22 that contribution was made, correct?

23 A I don't know that. I've done that diligent research. I'd be
24 happy to look it for you.

25 Q Did you make any independent inquiry whether these four people

1 had made contributions?

2 A Yes, I made a reasonable inquiry.

3 Q What did you do?

4 A I spoke to the Treasurer --

5 Q What was your reasonable inquiry?

6 A -- I spoke the secretary and asked them to determine whether
7 or not people were in good standing at the time the petition
8 was filed, and I made a reasonable reliance upon a statement
9 of them.

10 Q So you asked Angela and you asked Jennifer?

11 A Did I ask them directly, no.

12 Q Did you go to the FEC website?

13 A I did not.

14 Q Did you go to the Michigan Department of State Campaign
15 Finance website?

16 A I did not.

17 Q All right. Um, is it possible that the treasurer made a
18 mistake?

19 A People make mistakes all the time.

20 Q They do, don't they.

21 A It doesn't make it a false statement or perjury.

22 Q Have you participated in the drafting of a new constitution
23 for the Michigan Republication Party?

24 A I've edited the working document.

25 Q Are you on a committee of 17 to draft a new constitution for

1 the Michigan Republican Party?

2 A Committee --

3 MR. HOUSTON: Objection. Relevance, your Honor.

4 THE COURT: Objection is to relevance here.

5 Response as to relevance?

6 MR. LAUDERBACH: There has been testimony in this
7 case, your Honor, that there would be no harm if two
8 conventions and two State Committee meetings go forward on
9 March 2nd. This document is a complete rewrite of the bylaws
10 of the Michigan Republican Party and would eviscerate the
11 primary process. It would require candidates for County Clerk
12 to go to a committee to be vetted to determine whether they're
13 good Republications. And they're going to vote on this on
14 March 2nd.

15 THE COURT: Does it say anything about judges in
16 there?

17 MR. LAUDERBACH: It does not. They are non-partisan
18 so you're good.

19 THE COURT: Okay.

20 THE WITNESS: Objection. That's a misstatement the
21 facts. May I address the question?

22 THE COURT: Well, let me rule on the objection first
23 on relevance. The objection's been raised that this isn't
24 relevant. The response is it may be relevant, should be
25 relevant when connected up to the issue of immediacy or harm

1 to be addressed by the request for a preliminary injunction.

2 I will overrule the objection on relevance at this
3 time subject to counsel establishing that connection.

4 You may proceed, Counsel.

5 MR. LAUDERBACH: Thank you.

6 BY MR. LAUDERBACH:

7 Q So you have participated in the committee of 17 --

8 A I have not.

9 Q -- to draft this new -- okay.

10 A I've reviewed about 30 drafts of different constitutions.

11 This has been a project that has been going -- ongoing almost
12 since the -- I don't know, the first time that there was a
13 Rules Committee meeting with Andy Sebolt, myself and Greg. We
14 talked about under the Rules Committee which I'm an ad hoc
15 member of the fact that there were problems with our bylaws
16 that led to confusions and misunderstanding. About that time
17 Chairwoman Karamo had organized a group of people who began
18 working on a document. That document is not relevant to this
19 convention because number 1, it's a draft. Number 2, it's not
20 to my knowledge on the order of business for either
21 convention. It may, if a member brings it up, be done but
22 it's highly unlikely. And it is a draft that was released
23 recently for public comment about the direction the party is
24 going and it is no way ready as written, ready to be adopted.

25 I would tell you that within the group of

1 Republicans who have worked on that, some of them are part of
2 the committee and some of them inputted. The author basically
3 attributed the ideas and the concepts so that you could see
4 that there's broad range of people who were consulted on that.
5 That document is not relevant to the proceeding and is not
6 relevant to the claim that there is immediate harm. If that
7 document or any other document is accepted by a delegation
8 convention, there will be debate and that delegation will
9 decide what it wishes to do.

10 Q Who's James Copas?

11 A James Copas is the Executive Director of the Michigan
12 Republican Party --

13 Q As of February --

14 A -- as appointed by Chair Karamo.

15 Q Okay. This hearing started last Wednesday, right? February
16 21st?

17 A Okay, yes.

18 Q On February 21st did Mr. Copas say please attend the MIGOP
19 event planned at the Huntington Place Convention Center and
20 please vote to adopt this MIGOP grassroots constitution
21 opportunity?

22 A I'm not a competent witness on that. I've not seen the
23 statement. I've not seen the statement. I don't know if he
24 made the statement. If he did or did not, I don't know if
25 that is his plan.

1 Q Do you want me to show it to you?

2 A Doesn't mean that he said it. It doesn't mean that that's
3 what's going to happen.

4 MS. HOWARD: And again, your Honor, objection to the
5 hearsay and to the relevance. We're talking about a draft
6 document.

7 THE WITNESS: Judge, I'm not a competent witness to
8 this document or that statement.

9 THE COURT: All right. And Counsel, I'll ask you
10 again to invite the question of relevance.

11 MR. LAUDERBACH: Yes.

12 THE COURT: Can hear from Mr. Copas of course. How
13 is it relevant to this witness?

14 MR. LAUDERBACH: On February 20th, Mr. Campbell
15 stood right here and said there's no harm. Everything is
16 working just fine. There is no harm if people go to two
17 conventions and two State Committee meetings because all
18 they're going to do is vote on a slate to the National
19 Convention and maybe the RNC will credential this slate, maybe
20 they'll credential that slate. And at the next day they sent
21 out a letter saying come vote on a complete overhaul of the
22 bylaws of the Michigan Republican Party, and eviscerating the
23 primary system requiring county parties to adopt uniform
24 bylaws and make -- and having candidates go get vetted by a
25 committee before they can become candidates as Republicans.

1 MS. HOWARD: Your Honor --

2 MR. LAUDERBACH: How is that not harm? You're going
3 to have --

4 THE COURT: Okay.

5 MR. LAUDERBACH: -- 2,000 people walk out of the
6 Huntington Place on Saturday thinking that this got adopted?
7 What kind of havoc is that going to reek?

8 MS. HOWARD: And your Honor --

9 THE COURT: Just -- I want to hear from counsel on
10 the objection first so I can rule.

11 MS. HOWARD: Your Honor, we're still going to object
12 to the relevance because this is a draft document. This is
13 not a finalized document. He is not saying anything different
14 than what Mr. Campbell said. He's saying that there is a fear
15 that party business will be conducted at a state convention.
16 That is not irreparable harm. Party business gets conducted
17 at state conventions. But the more pressing point is that
18 it's not relevant because we are talking about a draft
19 document that is not up for a vote. There's no reason for him
20 to review it or to testify about it.

21 THE COURT: Okay. Well, I do think that the
22 question of irreparable harm has been introduced. The
23 question has been asked by me several times in motion practice
24 as to what is the harm. Now, one of the suggested harms is
25 well, could get one of two conventions if the Court allowed

1 two conventions to proceed to adopt -- a new constitution of
2 the party, and then not only would we have two conventions and
3 two sets of delegates, we'd have one -- one constitution and
4 one set of bylaws that currently govern. I don't think it's
5 outside the realm of harm. I'm not sure this is the right
6 witness, but I'll allow -- overrule the objection and allow
7 the question.

8 MR. LAUDERBACH: Thank you, your Honor.

9 THE WITNESS: (Overlapping) Your Honor, I'll answer
10 the question that he asked --

11 MR. LAUDERBACH: I have nothing further for the
12 witness.

13 THE COURT: Well, let me -- let me put your attorney
14 up there --

15 THE WITNESS: (Overlapping) Your Honor, it has not
16 been introduced as an exhibit and therefore it is not relevant
17 if he has no further questions. It has not been --

18 THE COURT: I did not hear -- I did not hear it
19 introduced as an exhibit, so I will not have it -- unless that
20 was your -- was that your intention, Mr. Lauderbach?

21 MR. LAUDERBACH: Well, it absolutely was. We argued
22 the admissibility of it. We argued the relevance. You
23 overruled the objection. Yes, I move for admission of the
24 exhibit.

25 THE COURT: All right. Counsel --

1 THE WITNESS: (Overlapping) Your Honor, as
2 counsel -- as co-counsel --

3 THE COURT: Well, hang on. Let me get the seated
4 counsel first before I get corporate counsel so we can go in
5 proper courtroom procedure here.

6 Counsel, who wants to argue the issue of the
7 admissibility of the draft document?

8 MS. HOWARD: Judge, I will attempt. The document
9 hasn't been authenticated. It is a draft document, and it
10 still is not relevant. And the witness did not testify about
11 the document. It is not proper admissible evidence.

12 THE COURT: Okay. You know, I think that there is
13 not an adequate foundation as where the document came from or
14 whether it can be attributed to any witness the Court has
15 heard from. And certainly the Court will take note that
16 certainly conceivable, at least in the Court's mind, that an
17 executive director could go off and do something without the
18 authorization of official members of the committee and be
19 unfortunate but not unheard of.

20 So yeah, I don't think -- I think the point has been
21 made that, you know, ideas could be adopted by two separate
22 conventions out there, though could range to the very
23 foundational documents of the party that could be acted upon,
24 although not on the agenda of either convention, at least as
25 far as I've been made aware.

1 So with that, I will deny the admission of that
2 document, however I will allow the testimony about it to
3 stand.

4 You may redirect on the document if you wish,
5 Counsel.

6 REDIRECT EXAMINATION

7 BY MR. HOUSTON:

8 Q Um, Mr. Hartman, counsel directed you -- directed you to
9 exhibit 24, the "FEC chart". Is there anything on this
10 exhibit that says it's going to FEC?

11 A I've not seen the document before.

12 Q And you've --

13 A So the document speaks for itself as far as -- I don't know
14 how it was authenticated, stipulated or whatever. Um, I'm --
15 I'm not in -- I've never looked at that document previously.

16 Q Okay.

17 A I was sequestered from -- I haven't seen any of the things --
18 my counsel suggested that -- as to that document.

19 MR. HOUSTON: I have no more questions, your Honor.

20 THE WITNESS: Your Honor --

21 THE COURT: Go ahead, Mr. Hartman.

22 THE WITNESS: I'm going to address the
23 constitution --

24 THE COURT: You may.

25 THE WITNESS: -- and there's --

1 THE COURT: The proposed constitution as it were,
2 not the original one --

3 THE WITNESS: Yeah.

4 THE COURT: -- substantively denied, but one of the
5 Michigan Republican Party draft.

6 THE WITNESS: The face of the last draft indicates
7 it has to be ratified if it was done by different district
8 committees. There's no way that that could be adopted as
9 written under his scenario. This document, which is hearsay,
10 I am -- did not hear the declarant. I cannot authenticate
11 this hearsay as to whether Mr. Copas authored this or said
12 this. But there is a relevant piece of information that the
13 Court should have related to the constitution.

14 The drafts that are out there are a multitude of
15 drafts of the constitution. This is not like a secret that
16 the party's been working to reform that. There's obviously
17 some -- I don't know what Mr. Campbell said, but there's
18 problems with the organizational structure so it allows for
19 such division, and there is an effort through the Rules
20 Committee and through the process to make changes. Those
21 changes have not been presented or voted on. And whether that
22 discussion is there has nothing to do with the claim of
23 irreparable harm from having two separate conventions.

24 THE COURT: Okay. And there, when you say they're
25 not on the agenda, I mean we've got conventions, at least my

1 understanding, that are scheduled currently for Saturday,
2 March 2nd, two different locations. Neither of them will take
3 up a -- a constitution. You know, Mr. Copas may have sent out
4 the email but he really is not the person probably to put that
5 on the agenda. You know, he may have other reasons for doing
6 it. Whatever the case is. That's not up -- could there
7 conceivably within your -- your -- well, and I guess I'd refer
8 to the bylaws. Could there be another meeting called between
9 March and the end of the year that would consider the matter?

10 THE WITNESS: No. To have a convention of delegates
11 requires that a county, which happened in this case on the
12 15th, and that there has to be rules for that convention. So
13 the rules of this convention, which are March 2nd -- and this
14 is important, Judge. The rules were passed through the Rules
15 Committee. They were then sent to the Republican National
16 Executive Committee who granted a -- what is called under the
17 RNC rules, a rule 1016, a rule 16(f) waiver, and all of the
18 rules for the convention that is to occur were -- were stated
19 starting in way before there was a dispute about leadership.
20 The Detroit Convention at the Huntington Place, I believe the
21 first contract that I reviewed was in November. That place
22 was contracted, paid for out of party funds. It was
23 originally approximate -- it was under -- it was like \$12,000.
24 Not this claim that you heard of 200,000. It was then altered
25 several times to include an earlier entry date, and I think

1 the final figures under -- under \$20,000. But this -- this
2 has been in contract negotiations and been finalized --

3 THE COURT: Then I guess less about that, but I
4 mean, how long under the bylaws does it take to convene such a
5 meeting? You know, say it wasn't happening Saturday but could
6 it happen in the -- you know, when I say reasonably in the
7 near future, I mean six months. If I grant the injunction I
8 have to have the trial within six months. So could a
9 meeting --

10 THE WITNESS: The next convention of delegates, sir,
11 is I believe in August.

12 THE COURT: Okay.

13 THE WITNESS: Could you convene one earlier? A -- a
14 convention of delegates, which requires approximately -- I
15 think it's roughly around 8,000 members have to go to their
16 county and then be elected to go to a convention to do that.
17 You could do that in a shorter period of time. But once
18 again, it wouldn't be -- that that assembly of delegates, any
19 decision they make would not be done by leadership. It would
20 be done by the body of delegates.

21 THE COURT: Sure. Yeah. And it would take a while
22 logistically to arrange.

23 THE WITNESS: Yes. So the body of delegates is in a
24 parliamentary First Amendment society is ultimately the one
25 vested with authority. So if we have a parliamentary

1 situation --

2 THE COURT: Well, and I don't want to -- I think I
3 understand what you're saying. But I mean, here I'm limited
4 to the bylaws and there's no question the bylaws delegate
5 essentially all of the responsibilities of the affairs of the
6 Michigan Republican Party --

7 THE WITNESS: (Overlapping) You're probably also
8 limited by rules of the convention --

9 THE COURT: -- committee --

10 THE WITNESS: -- and the rules of the convention
11 have specific deadlines which the party committee and the RNC
12 agreed upon. There were notice provisions to go out to
13 candidates of the date-time-place-location that all occur at
14 least -- I think the first notice was Decem -- it might have
15 been in November, but it was in December. So the convention
16 at the Huntington Place has been convened, conveyed. It has
17 been registered with the Republican Party, the National
18 Republican Party. It was in the call to convention to the
19 county chairs, and it was --

20 THE COURT: And the candidates that you're referring
21 to are the electoral candidates who will stand for a primary
22 in August if I remember, and then if selected as the
23 Republican nominee run on the ballot in November?

24 THE WITNESS: And there are five committee members
25 running for the RNC. There are two men running for the

1 committeeman seat, and three women running for the
2 committeewoman's seat. There are -- at the time that the
3 notices went out, there were more candidates. I don't know
4 the exact number who paid fees to be on the Michigan primary
5 ballot, but there was -- it's important that you know this,
6 Judge, that in the passing of a law by the Democrat controlled
7 legislature, they moved the primary up to February 27th. That
8 caused a violation of the RNC rules. And the reason we have a
9 super Tuesday is the rules of the Nation Convention require
10 that only certain states, Iowa, South Carolina, New
11 Hampshire --

12 THE COURT: New Hampshire.

13 THE WITNESS: -- can -- can have proceedings to
14 award delegates prior to March 2nd. So there's a penalty
15 provision which would've stripped the party to 16 delegates,
16 and we would've lost 39 delegates and alternatives,
17 alternates, to going to the Republican Nominating Convention.

18 Now, that doesn't just select the presidential
19 candidate. It votes on the platform of the national party and
20 other issues. So big deal. So Michigan was going to lose a
21 significant amount of its voice because of the legislative
22 trick to violate our rules. So we passed rules and got them
23 approved for a waiver of the penalty so that we could rescue
24 the 39 delegates. Those 39 delegates, in a process agreed by
25 the Republican National Committee, would be awarded three part

1 congressional district at a district caucus. At the district
2 caucus, they -- meeting is chaired opened and then it elects a
3 permanent chair who then would then conduct a vote and
4 determine amongst them how to award those delegates, to which
5 candidate, because they're committed, and then who gets to go.
6 And they also vote for the state committeeman and the state
7 committeewoman. And then following that there's a meeting of
8 the State Committee which basically the secretary tabulates
9 all the votes from the different things and makes sure that it
10 runs to one in the morning and the -- the 17th District, just
11 picking a number that doesn't exist -- runs along, they
12 tabulate the results for the committeeman and the
13 committeewoman, they take the delegates that were certified by
14 the Convention, not the District Committee chair or secretary,
15 but the Convention. They take those results and they then
16 convey that in an official action, they rubberstamp it on
17 March 2nd. And the reason those proceedings can't happen is
18 because the rules says it has to happen after March 1st.

19 So none of the scheduled business and the rules of
20 the convention which were passed, which were approved in
21 September I think 21st by the RNC Executive Committee, this --
22 this train has already left the station.

23 So to after the county conventions, which have
24 selected delegates to go to Detroit to have a person now say
25 I'm the chair, go to another location, is causing massive

1 confusion because it has nothing to do with a chair. Because
2 at a convention, which the Court is well aware, a permanent
3 chair of that convention is elected to conduct business for
4 that convention. And when it gavel over, their authority
5 leaves. And that's where the delegates need to be, and
6 whether they come or they do not, at the end of the day if
7 there are two conventions, the floor, no matter what this
8 Court states or what the National Committee states, or the
9 State Committee states, the ultimate authority rests with the
10 National Convention of delegates to decide which delegation
11 makes up. That could all be averted by all the delegates at
12 once place and to vote with the authority that has been
13 granted in them within the districts to do the business at
14 hand. It's not about a constitutional amendment. It is about
15 a district caucus in which the districts are going to
16 determine in the district who's going to represent them and a
17 candidate that they choose to send their delegates for.

18 THE COURT: Well, what about Ms. DeLisle's
19 testimony? Of course you didn't hear that because you were
20 sequestered, that, you know, in her district for example she's
21 got one county that says, you know, we're going to Detroit,
22 and two other counties that say to her we're going to Grand
23 Rapids. How is that ever going to work out?

24 THE WITNESS: Well, ultimately there's precedent of
25 this in the Macomb County of August of 2022, there was a

1 dispute of leadership that had arisen in April of 2022. It
2 went before a judge there and there was rulings and orders.
3 The judge determined that there was a -- it started off with a
4 petition by Eric Castiglia who had stated that at the April
5 convention that the party had removed as part of the
6 convention business the elected chair from the previous
7 November who was elected along with the November committee,
8 Mark Forton. So Mr. Castiglia sought protection of the
9 Circuit Court in Macomb County and he brought a very similar
10 pleading for injunctive and um -- um --

11 THE COURT: Declaratory relief.

12 THE COURT: (Overlapping) -- declaratory relief and
13 the judge in that case -- I represented Mr. Forton. We
14 responded in that case. The judge allowed us to amend the
15 pleadings to be come a co-warranto because it revolved --
16 involved a usurpation of an office. Involved a county, and so
17 it was involving the prosecutor, not the attorney general.
18 The judge granted leave of us to proceed. He ultimately
19 declared that Mr. Forton was the appropriate chair and that
20 Mr. Castiglia was not. Mr. Castiglia, in defiance of the
21 order, held a separate convention. The judge then just stated
22 that he would not enforce his order because he should have not
23 issued under *Heitmanus*. And then what ended up happening was
24 Mr. Castiglia's convention was accepted by the credentialing
25 committee of the State Committee. Last night we had two

1 meetings under rules the of two different credential
2 committees. Interestingly enough, Rob Steele appeared at both
3 of them. That was the committeeman. But anyways, the
4 Credentials Committee of the State Party in the August of 2022
5 convention convened and determined that Castiglia's group got
6 to go contrary to the judge's order, and then it was brought
7 to the floor. And what ended up happening is Mr. Castiglia's
8 group, after the floor voted 87 percent in favor of Mr.
9 Forton, had to walk up, turn in the credentials, leave. The
10 convention was paused while Mr. Forton's group received
11 credentials and was seated and allowed to vote.

12 THE COURT: Any of the legal proceedings reduced to
13 a written opinion in that case?

14 THE WITNESS: Yes.

15 THE COURT: Why haven't those been presented to me
16 as parcel of this case if they're so instructive?

17 THE WITNESS: I will make sure that they are
18 provided through counsel.

19 THE COURT: Well, okay. We're trying to get to a
20 resolution here within some limits of fashion. But if I can
21 take look at them with a little bit of time to digest them
22 that might be helpful. So okay.

23 I did have another question --

24 THE WITNESS: Yes, sir.

25 THE COURT: -- Mr. Hartman. The bylaw provision

1 there regarding qualifications that you were asked by Mr.
2 Lauderbach about does talk about contribute \$25 to a regulated
3 fund. Is there a distinction between that contribution that's
4 being asked for and dues which aren't mentioned anywhere in
5 here that I can see?

6 THE WITNESS: So the -- the regulated funds are
7 funds that are -- there's a federal account which is regulated
8 by the FEC, and there's a state account which is regulated by
9 the Secretary of State under state campaign finance laws. And
10 so when it references a contribution, let's be -- let's be
11 clear here. There is -- there are people who make -- make
12 money and make donations. Like for example, in order to be on
13 the ballot President Trump made a -- a contribution to the
14 Michigan Republican Party. In order to attend the leadership
15 conference there were fees that were made in exchange for
16 being able to attend the Mackinaw conference, and those fees
17 are um -- those are special event fees. At the convention
18 where Chair Karamo was elected in February of 2023, all of the
19 delegates to the convention if I recall had to pay a fee. It
20 was nominal. It was under \$100, in order to -- to be able to
21 go.

22 THE COURT: Okay. And those -- you're saying fees,
23 but you really mean they would be contributions in that they
24 would go into one of the regulated funds maintained by the --

25 THE WITNESS: The party.

1 THE COURT: Right. Well, and I mean to be more
2 specific there I guess, regulated funds of the committee. And
3 then that's my next question. How many of those regulated
4 funds are there as far as you know?

5 THE WITNESS: Well, there is a federal and a state
6 account, sir.

7 THE COURT: So minimum -- minimum two regulated
8 funds?

9 THE WITNESS: Correct. And by the way, not every
10 committee has a federal fund. It requires -- the use of the
11 fund in general -- we have another attorney that does campaign
12 finance, but the use --

13 THE COURT: No, I don't need a whole --

14 THE COURT: -- but the fund -- the fund has to be
15 used for campaign activity. But when the money comes into the
16 federal account, it can be -- it can be transferred out of
17 that account. But if it is -- if it is spent for campaign
18 activity, then that is what they are seeking to regulate. So
19 going back to the joint fundraising agreement, if that money
20 was to be used to campaign on behalf of a candidate, it has to
21 be spent through the fund. If it is not going to spent in
22 campaigning activity, it can be transferred from the federal
23 to the state but never from the state to the federal. And
24 then from the -- it can then transferred into an
25 administrative account if it is used for non-campaigning

1 related activity.

2 THE COURT: And that would be out of the world of
3 regulated fund if it --

4 THE WITNESS: Correct.

5 THE COURT: -- moved to an administrator. Okay. I
6 understand now. So I mean, in a way that's what I'm driving
7 at, I've heard various things about contributions that are
8 required of members, but it sounds like at least there are a
9 couple of separate accounts that it could go to.

10 THE WITNESS: Correct.

11 THE COURT: Okay. Yeah, maybe that's causing some
12 of the confusion.

13 THE WITNESS: And we have a -- a treasurer that is
14 responsible for looking at the records, and between the two of
15 them they make the determination as to whether it's in their
16 duties to make a determination if a member is in good
17 standing. And I can rely on good faith on their statements
18 and whether they made a mistake or not is something that's --
19 that's why we have people at the helm.

20 THE COURT: Sure, no. No, and I mean it also notes
21 down here that you can bring your good standing back into --
22 bring yourself current, right, as soon as you catch up --

23 THE WITNESS: Yes.

24 THE COURT: -- with the money.

25 THE WITNESS: So, your Honor, speaking of members in

1 good standing, I did have a chance to look at the National
2 Change of Address and the qualified voter files for the State
3 of Michigan for the month of -- in November. Committeewoman
4 Ms. Berden is in the National Change of Address as having
5 relocated to Tennessee. I know there was news reports in the
6 submission that she was no longer a resident of Michigan which
7 is required by Article I, Section 1. You have to be a
8 resident to be an elector of Michigan. Article IX of our
9 bylaws state that you have to be a member of -- you have to
10 be -- you have to be an elector in order to be in that office.
11 And in addition --

12 THE COURT: Which would mean registered to vote in
13 Michigan, yeah.

14 THE WITNESS: -- I was able to -- yeah. I was able
15 to note that she is no longer in the qualified voter file on
16 the copy of December 1st, 2023, forward, or in January's. And
17 I have those because the party looks at election records and I
18 was able to review those with team members last night to make
19 independent inquiries to whether or not she qualifies at the
20 time as a member in good standing under the -- under the
21 bylaws.

22 And if you would look at Article IX, your Honor -- I
23 believe it is Article IX. I got to -- I apologize. Yeah,
24 Article IX it says -- it says they shall serve -- shall be
25 elected -- let's see here. Under section B, your Honor, the

1 last sentence says, "They shall be qualified electors of
2 Michigan." And the elector is defined in our constitution and
3 it also requires a residency requirement in the constitution.
4 And she's not in the qualified voter file which if you look
5 into MCL 168 *et seq*, .1 *et seq*, it will tell you that a person
6 in the qualified voter file has the rights and privileges to
7 vote in an election.

8 THE COURT: Okay. So I mean your argument here is
9 that some document, though I haven't seen the qualified voter
10 file to even rule on whether or not it's a, you know,
11 legitimate or not, would say that she, as of the date she
12 signed, was no longer a qualified voter in the state of
13 Michigan and thus I should disqualify at very least her
14 petition?

15 THE WITNESS: That would be correct. And I would
16 indicate that even though you haven't looked at the qualified
17 voter file, which is quite a tedious process, I made sure to
18 review that. It is a public record of the State of Michigan.
19 And in addition, there's a National Change of Address which is
20 a record of the Postal Service which records when people move.

21 And in addition, your Honor, I've reviewed the new
22 reports and received the reports of the hearsay conversation
23 of Mr. Copas, and she actually stated in a court in Tennessee
24 that she was a resident of Tennessee. Or I'm sorry, not in a
25 court of Tennessee, in an arraignment according to the news

1 reports. So that -- that creates an issue.

2 THE COURT: Okay. Well, and I mean I would take it
3 the issue -- well, and I'll leave it to your counsel for
4 argument is here that, you know, whether or not the recipient,
5 be it Ms. Gillisse or the alleged secretary pro tem Ms.
6 DeLisle, received that, that the person executing it wasn't
7 qualified to execute it at the time they signed.

8 THE WITNESS: Yes, sir.

9 THE COURT: Okay.

10 THE WITNESS: Your Honor, I -- I apologize. I was
11 co-counsel in this case and I am testifying as a fact witness
12 and probably under my -- the expertise of my duties. Your
13 Honor, I would ask the Court -- and this has not been
14 available. Your Honor, I appreciate the expedited
15 proceedings. This proceeding started when I was not
16 available. I was sequestered. Mr. Campbell has been handling
17 that and the Court is proceeding today. We spent some time
18 getting new counsel which I'm very satisfied with up to speed
19 to handle this, but MCL 452 -- 450.2413 talks about who is to
20 maintain the list of those entitled to vote of a non-profit
21 organization. And while the non-profit organization is not --
22 it's very clear that it is not -- we are not a non-profit
23 organization; this is kind of the common understanding and
24 usage of this. And MCL 450.2415, it goes through as I
25 mentioned in my testimony the two sections about what is the

1 definition of a quorum and how a quorum is used.

2 And then finally, your Honor, under 450.2421,
3 there's a nice discussion of what the concept of a proxy
4 means. Under the *Robert's Rules of Order*, under the official
5 commentary of the website under the frequently asked questions
6 of the official website of *Robert's Rules of Order*, frequently
7 asked questions discusses the use of proxies and says that
8 generally a representative assembly doesn't have proxies.
9 Now, our bylaws --

10 THE COURT: Doesn't have proxy.

11 THE WITNESS: Yeah. Our bylaws do -- do -- do
12 permit you to have proxies, and I'm not -- I wasn't -- these
13 have been amended and pieced together over the years. And
14 what ends up happening though is you are sitting and asked to
15 wear a court of equity, and in a court of equity we -- we must
16 consider -- we must consider the fact that when you have an
17 opportunity to for entire committee to consider the business
18 on the 13th, why was there a meeting on the sixth. And now
19 we're going to get into the legal listed requirements and
20 interpretations when the fact remains uncontested that 70 --
21 61 members were asked the question as to whether or not they
22 wanted to remove Kristina Karamo --

23 THE COURT: And I've heard counsel's argument
24 already and --

25 THE WITNESS: Yeah.

1 THE COURT: -- and my answer to that is I do
2 legalistic questions and answers for a living --

3 THE WITNESS: Yep.

4 THE COURT: -- and that's nothing new up here.

5 THE WITNESS: Yep.

6 THE COURT: Fortunately in this position I don't
7 have to take a vote of anyone to, unlike my colleagues on the
8 Court of Appeals who do have to assemble at least a majority
9 of three to come to an opinion, I have the unspeakable luxury
10 of being able to decide things just myself without putting
11 them to a vote. And I am mindful of that, and also mindful of
12 the fact that, you know, this is inherently an equitable
13 decision I'm being asked to make.

14 So all right, anything further questions from
15 counsel?

16 MR. HOUSTON: No, your Honor.

17 MR. LAUDERBACH: Just a brief follow-up.

18 RE-CROSS-EXAMINATION

19 BY MR. LAUDERBACH:

20 Q Mr. Hartman, let's go back to the vacancy section you talked
21 about a second ago, Article IX-C. In the event that -- well,
22 I'll start at the beginning.

23 "Vacancy In Office of National Committeeman or
24 Committeewoman. In the event that either office
25 becomes vacant prior to the convening of a state

1 convention to elect National Convention delegates,
2 this Committee shall elect a successor at the next
3 meeting of the Committee, which meeting shall be in
4 part called for that purpose." Do you remember that?

5 A I was referring to B, but yeah, I do agree --

6 Q Oh.

7 A -- that is C.

8 Q Okay. The January 13th meeting did not have an agenda item to
9 replace Kathy Berden, did it?

10 A It did not.

11 Q And Article III-A provides that the National Committeeman and
12 National Committeewoman are selected according to law until
13 their successors are elected, correct?

14 A That's a term of office, correct.

15 Q No successor has been elected for Kathy Berden, correct?

16 A She's not a qualified elector.

17 Q No successor has been elected for Kathy Berden, correct?

18 A That is correct.

19 Q Thank you. That's all I have.

20 THE WITNESS: So your Honor, in response to his
21 comments, I would make the Court aware that --

22 THE COURT: Well, let me -- let me see if your
23 lawyer has a question first.

24 Any follow up questions, Counsel? Fun being a
25 lawyer for a lawyer.

1 REDIRECT EXAMINATION

2 BY MR. HOUSTON:

3 Q Mr. Hartman, you have anything to say about that?

4 A Well, yes. Thank you for asking.

5 MR. LAUDERBACH: I've got nothing.

6 THE WITNESS: So do you -- the RNC rules have a --
7 have a section that is actually discussed in the exhibit
8 before the Court that I submitted to the RNC. There's a five-
9 page memo talking about the committee's ability to select a
10 successor because -- and it should be RNC determined between
11 Pete and Kristina who is going to serve on the Republican
12 National Committee, that that committee would be bound by its
13 own rules. And in those rules under the Republican National
14 Committee rules there are several excerpts. Let's turn our
15 attention to --

16 THE COURT: Well, I don't want to get into the
17 Republican National Committee rules. I am strained to my
18 max in interpreting the state bylaws here. I'm afraid that's
19 only going to clutter my mind.

20 THE WITNESS: Well, I'll just summarize it by this.
21 It says it's up to the state -- it's up to the state process
22 to determine who is the chair and who is the committeeman and
23 who is the committeewoman. So when we dive into our bylaws
24 here, and there is the absolute statement they shall be
25 qualified electors of Michigan, and if the person is not a

1 qualified elector of Michigan, that person in the seat is not
2 in good standing. They might still be a member, but they are
3 not in good standing as not an elector.

4 But I personally think the seat is vacant, and
5 whether or not there was a meeting called for the purpose of
6 replacing her when she is going to be replaced in an election
7 by a convention of delegates, and the Republican National
8 Committee meeting is not scheduled to occur until after the
9 election of which she is not running for a seat, she has no
10 more official duties and we are electing her through a --
11 would the -- would the State Committee have everybody drive to
12 appoint a committeewoman to serve when there are no duties
13 for -- until March 2nd when she's going to be replaced? So
14 those -- those are the issues.

15 So the concept was whoever gets elected on March 2nd
16 will likely be nominated at the State Committee to serve the
17 rest of the term. That's just the way that it was understood
18 it was going to happen.

19 Q Thank you.

20 THE COURT: Okay. Very good. Thank you. And I
21 don't have any additional questions.

22 Any additional cross-examination?

23 MR. LAUDERBACH: None, your Honor.

24 THE COURT: Thank you, Mr. Hartman. You may step
25 down from the witness stand.

1 Do you have any additional witnesses or evidence to
2 present at this time, Mr. Houston or Ms. Howard?

3 (At 3:23 p.m., witness excused)

4 MS. HOWARD: Yes, your Honor. Jennifer Standerfer
5 is here.

6 THE COURT: Very well.

7 MR. LAUDERBACH: Your Honor, can we take a short --

8 THE COURT: Yeah, let's take a five-minute break and
9 then we'll hear from Ms. Standerfer.

10 MR. LAUDERBACH: Thank you.

11 THE COURT: Five minutes in recess.

12 (At 3:23 p.m., court recessed)

13 (At 3:32 p.m., court reconvened, all parties
14 present)

15 THE COURT: Thank you. Please, be seated.

16 All right. We are back on the record in the matter
17 of Pego, et al versus Karamo.

18 I will remind counsel we are calling another witness
19 at this time in defense's case in this evidentiary hearing,
20 however it is my intention to draw proofs to a close at or
21 about 4:00, or as close thereof as possible, give myself a few
22 minutes, and then endeavor to rule on this request for a
23 preliminary injunction on the record after that. So bear in
24 mind we do have a time constraint.

25 Counsel?

1 MS. HOWARD: Your Honor, I was just asked. Our last
2 witness is going to be more than 30 minutes I'm sure for my --
3 she's important. She's a treasurer. She's the keeper of all
4 the records we've been talking about. It's my understanding
5 that the plaintiffs were allowed two full half-days and that
6 we would not be cut short. So we still have her, and there's
7 actually another witness, Heath Wall from the Policy Committee
8 who will not have an opportunity to testify today.

9 THE COURT: All right. Well, I certainly think that
10 we're going to hear from the treasurer. I would encourage to
11 cut to the crucial information as quickly as possible.

12 Response, Mr. Lauderbach?

13 MR. LAUDERBACH: Your Honor, I think if the Court
14 goes back and reviews the record I have been as targeted as I
15 can be on my direct. Mr. Campbell spent at least three hours,
16 twice as much time, on cross as I did on direct. Today I've
17 spent half as much time on cross as they have on direct. We
18 sat and listened to Mr. Hartman go off about everything under
19 the sun. They are using -- if they choose to not use the time
20 they have wisely, that's on them.

21 MS. HOWARD: Your Honor, I take exception to that.
22 I think I used my time quite wisely, and I think that counsel
23 has as well. I just think that these are important issues and
24 we're talking about a preliminary injunction. We should have
25 a chance to fully vet out our position.

1 THE COURT: Well, and the very nature of a
2 preliminary injunction and the time restraints implied by it
3 unfortunately limit that to a degree. And of course as all
4 counsel and everyone in the courtroom knows, I've been
5 providing as much time as possible given my schedule of
6 prescheduled events, making room where I can to give the -- as
7 much testimony in as possible. I don't judge that either side
8 has overused or underused their time. It was my intention to
9 give both sides at least a reasonable time to present their
10 case and to do a reasonable cross-examination of the
11 witnesses. I think that has been done.

12 Let's hear from the treasurer. Let's see if we can
13 get her done no later than 4:15 and then I'll shorten my time
14 that I'll need to pull my thoughts together.

15 So let's shoot for 4:15. So examine of, you know,
16 direct somewhere around the range of 25 minutes, leave a few
17 minutes for cross and redirect. If you want to cut her short
18 and put the policy person on I'll hear from them, although I
19 would think the treasurer it seems like might be more
20 relevant. But that's your decision, Counsel.

21 So with that, let's bring that witness in.

22 Yes, you get the hot seat. And if you'd raise your
23 right hand. Do you solemnly swear or affirm that your
24 testimony today will be the truth and nothing but the truth?

25 MS. STANDERFER: I do.

1 THE COURT: Thank you. Please, have a seat.

2 And if you'd state and spell your full name for the
3 record, please.

4 THE WITNESS: My name is Jennifer Standerfer. J-e-
5 n-n-i-f-e-r. Last name S-t-a-n-d-e-r-f-e-r.

6 JENNIFER STANDERFER

7 (At 3:36 p.m., called by Ms. Howard and sworn by the
8 Court, testified as follows)

9 DIRECT EXAMINATION

10 BY MS. HOWARD:

11 Q Ms. Standerfer, are you the current treasurer of the Michigan
12 GOP?

13 A Yes.

14 Q Were you appointed to that position by Kristina Karamo?

15 A Yes.

16 Q After you were appointed were you elected by a voice vote of
17 the committee?

18 A Yes.

19 Q Is there a process by which you could be removed from your
20 position?

21 A Yes.

22 Q Have you ever been removed?

23 A No.

24 Q Has the process to remove you ever been initiated?

25 A No.

1 Q I'm assuming that you can resign from your position?

2 A Correct.

3 Q Have you ever resigned?

4 A No.

5 Q So you are currently the treasurer of the Michigan GOP?

6 A Yes.

7 Q Is there any other treasurer?

8 A No.

9 Q Have you designated anyone to act as treasurer on your behalf?

10 A No.

11 Q I am going to direct you to defendant's exhibits that are up
12 there in front of you. If you look at Exhibit A, it's the
13 very first one. Those are the bylaws. I'm going to ask you
14 to look at Article V, Section J which should list your duties
15 as the treasurer. Let me know when you're there.

16 A I have it.

17 Q As the treasurer under that section, is it your duty to pay
18 all of the bills?

19 A Correct.

20 Q And is it your duty to sign and execute contracts, agreements
21 and documents?

22 A Yes.

23 Q Okay. Do you keep accurate accounts of all receipts,
24 disbursements and books?

25 A Yes.

1 Q Okay. Is there anyone else who is charged with keeping
2 accurate accounts of all the receipts, disbursements, and the
3 proper books of the party?

4 A No.

5 Q Okay. Are you the person who determines the accuracy of
6 records that are submitted to the party?

7 A Yes.

8 Q Does that include financial records?

9 A Correct.

10 Q Does that include records of contributions by members?

11 A Yes.

12 Q You determine if the records are accurate?

13 A Yes.

14 Q And you determine if the contributions have been made?

15 A Yes.

16 Q Okay. Do you determine if the contributions have been made to
17 a properly regulated fund?

18 A Correct.

19 Q Do you render statements of the financial condition of the
20 committee to the committee at each meeting?

21 A Yes.

22 Q Okay. Do you draft an annual statement and report to the
23 committee for each committee meeting in the year?

24 A Are you referring to a specific committee, or -

25 Q Yes. The Budget Committee, I'm sorry.

1 A Yes.

2 Q And is it your duty to have the book audited?

3 A Yes.

4 Q Have you been able to do that?

5 A No.

6 Q Why not?

7 A The bylaws require us to audit the prior administrations
8 books, and all we received was a QuickBooks file. We did not
9 receive any documentation for an audit to be able to occur.

10 Q Okay. Looking at the tasks that you are assigned to under
11 Section J, are there any others that you have been prevented
12 from doing at present?

13 A I have currently had my access to Aristotle revoked which is
14 how we file FEC reports.

15 Q Okay, I'm sorry. You said the system is what?

16 A Aristotle. It's how we file FEC reports.

17 Q Okay, and what is that system?

18 A It's a software that we pay to use.

19 Q When was your access to Aristotle revoked?

20 A I'm not entirely sure. Sometime between the beginning of
21 February and last week. I found out when I tried to log in.

22 Q Okay. Did you do anything to follow up on the revocation of
23 your access?

24 A I did.

25 Q What did you do?

1 A I contacted the sales rep and the accountant there at
2 Aristotle. I originally got a quick response telling me that
3 he would look into it from the sales rep, and then I didn't
4 hear anything again. I tried calling them and leaving
5 messages, and then I finally -- he answered the phone last
6 Tuesday when I called and he informed me that he was told by
7 my people to take away my access.

8 Q Did -- did you tell you who your people are?

9 A He told me all that he could tell me was that it was a man
10 named Paul.

11 Q Do you know a man named Paul who was authorized to remove your
12 access to Aristotle?

13 A There is no one within the Michigan Republican Party named
14 Paul that would have the authority.

15 Q Is there anyone in the Michigan Republican Party who is
16 authorized to revoke your access as the duly elected
17 treasurer?

18 A No. Kristina has access to the account, or she did. I'm
19 assuming she no longer does. Joel Studebaker had access. I
20 had access, and the deputy treasurer had access.

21 Q Do you know of any Paul who has ever had access to
22 Aristotle -- oh, that was unfortunate -- who would have access
23 to Aristotle and contact with the salesperson?

24 A I would assume that the prior Chief of Staff Paul Cortes had
25 access.

1 Q Who's Chief of Staff was that?

2 A That was Ron Weiser's Chief of Staff.

3 Q And who is Ron Weiser?

4 A He's the prior chair before Kristina.

5 Q He's the person who Kristina replaced?

6 A Correct.

7 Q Your access being revoked, has it prevented you from

8 fulfilling your roles and responsibilities as the treasurer?

9 A It makes it so I cannot file reports.

10 Q With the FEC?

11 A With the FEC, correct. I have not yet missed a deadline, but

12 if I don't get access back I will.

13 Q Do you know if there's somebody else who has access to

14 Aristotle on behalf of the Michigan Republican Party?

15 A I don't know. They wouldn't tell me anything more.

16 Q So is it possible that somebody else is filing records with

17 the FEC on behalf of the Michigan Republication Party?

18 A As of yesterday when I had checked nothing new had been filed,

19 but it is possible that anybody who has access to that could

20 file a report.

21 Q Because we've heard a lot of talk here. One of the

22 plaintiff's exhibits is Exhibit number 24 if you want to take

23 a look at that, and I think they purport that there's FEC

24 records in there. Just thumb through Exhibit 24 and tell me,

25 do you know are these records kept by the FEC?

1 A I mean, this report is not from the FEC.

2 Q Okay.

3 A They could've pulled information from there but this is not an
4 FEC report. This is a spreadsheet that was created.

5 Q Okay.

6 MS. HOWARD: And you're looking at number 24, Judge,
7 so you're orientated to where she is. It's a spreadsheet
8 right at the front that has the bold black heading on it.

9 THE COURT: Yep, I'm with you.

10 MS. HOWARD: Okay.

11 BY MS. HOWARD:

12 Q That's not an FEC document?

13 A No, that is not.

14 Q Okay. Do you know who prepared that document?

15 A I have no idea who prepared that. It was not me.

16 Q Okay. Is there anybody else who is permitted to prepare
17 financial reports on behalf of the Michigan Republication
18 Party?

19 A My deputy treasurer would file -- would create reports
20 occasionally at my request, but they still would go through me
21 before going anywhere else.

22 Q Okay. Does your deputy treasurer prepare what you're looking
23 at in Exhibit 24?

24 A No, I've never seen this before.

25 Q Okay. Did any -- okay. So no one ever brought it to you

1 asked you was it accurate?

2 A Correct.

3 Q Okay. There are other documents behind there if you keep
4 thumbing through Exhibit number 24 that purport to be various
5 screenshots and other materials that purport to be payment
6 records. Have you ever seen any of these? It's kind of a big
7 document so just keep going.

8 A So now I'm to screenshots.

9 Q Yes.

10 A Okay.

11 Q And as you thumb through there just tell me if you're seen any
12 of these documents before, or if any of these represent the
13 official records of the Michigan Republication Party.

14 A I have not seen these, and no, these are not official records.
15 They're screenshots.

16 Q And none of these have been submitted to you before today when
17 I asked you to look at them?

18 A No, none of these screenshots have been submitted to me.

19 Q Okay.

20 A Or asked for my verification.

21 Q And so pursuant to your responsibilities under the bylaws, you
22 have made no findings that any of these records are accurate?

23 A Correct.

24 Q Do you know how many seats there are available on the
25 committee?

1 A One hundred and seven.

2 Q And how many seats were filled as of January 6th, 2024?

3 A I believe the number was 106.

4 Q Okay. Is it your understanding in order to petition for
5 removal of an officer you would need 50 percent of 107?

6 A That is my understanding, yes.

7 Q And is that number 54 petitions?

8 A Correct.

9 Q Okay. Did you have an opportunity to at any point review
10 petitions for the removal of Kristina Karamo and Dan Hartman?

11 A The petitions were not sent to me.

12 Q Okay. Have you seen them since they were submitted?

13 A I have seen a spreadsheet that was created with a list of
14 names and the dates that they were signed on.

15 Q Okay. Have you determined that any of the people who
16 submitted petitions were not members in good standing at the
17 time that the petitions were submitted?

18 A Yes. I went and verified payments and I found that there were
19 four members who were not in good standing when they signed.

20 Q Okay. I'm going to direct your attention to my Exhibit X if
21 you could flip to that in your binder. Do you recognize
22 Exhibit X?

23 A Yes.

24 Q Okay. Did you prepare Exhibit X?

25 A Yes, I created this.

1 Q Okay. Are these the individuals Sue Allor, Justin Marcum,
2 Steve Cloutier, and Kristin Lee, are these the individuals who
3 are you found were not in good standing at the time the
4 petitions were submitted?

5 A Yes.

6 Q Okay. How did you go about compiling this information that we
7 see on Exhibit X?

8 A The secretary has a spreadsheet that she keeps track of all
9 the member information on and it has the different individuals
10 as to whether or not they paid. I went through that and then
11 also went into the Anedot and the WinRed records just to
12 double check and see what had been paid and when, and that's
13 where I pulled this information from.

14 Q What is Anedot?

15 A Anedot is one of the payment processing software we use, very
16 similar to WinRed.

17 Q Okay. And so if a member made a payment to one of the
18 regulated funds it would go through Anedot?

19 A It could go through WinRed or Anedot.

20 Q Okay. But those are the only two places?

21 A They could also write a check.

22 Q Okay. And you checked Anedot?

23 A Yes.

24 Q If they wrote a check where would the check go?

25 A The check -- it would depend on if they give it to us in

1 person or if they mailed it. If they mailed it it would go to
2 our P.O. Box and then the secretary collects the mail and
3 deposits checks.

4 Q Okay. So if there were a check the secretary would get it?

5 A Mm-mm.

6 Q And it would be deposited?

7 A Yes.

8 Q You did not find any checks for any of these folks?

9 A No. All of these individuals as that spreadsheet shows paid
10 online. One of them was Anedot and the other three were via
11 WinRed.

12 Q Okay. And I think you have the date at which they were not a
13 member in good standing listed on here?

14 A Yes.

15 Q And for Sue Allor that's as of 4-2-2023?

16 A According to the bylaws at April 1st, 11:59 p.m., they are
17 automatically out of good standing if they have not paid their
18 dues.

19 Q Okay. And did you make a finding as to when her removal
20 petition was signed?

21 A That was based off of the records that the secretary gave me.
22 You know, on this sheet I wrote that she signed the petition
23 on 11-20, and that was based off of what the secretary gave
24 me.

25 Q Okay. And when did she finally pay her dues to bring herself

1 into good standing?

2 A She paid them on 11-23, three days later.

3 Q Okay. What about Justin Marcum? He was not in good standing
4 as of July 12th, 2023?

5 A Correct. He was filling a vacancy so he had 60 days after he
6 became a State Committee member to pay.

7 Q So he had until sometime in September?

8 A Well, he filled -- yeah, he filled the position on 7-12 -- or
9 sorry, 5-13.

10 Q Oh, yeah. I'm sorry.

11 A And on 7-12 that's when he went out of good standing.

12 Q Okay, got it. I was looking at the wrong date. And then he
13 signed his removal petition on December 3rd, 2023?

14 A Correct.

15 Q And didn't make his payment until December 31st, 2023; is that
16 correct?

17 A Correct.

18 Q Okay. What about Steve Cloutier? And my question for him is
19 did he ever make a payment before January 6, 2024?

20 A He did not -- before January 6? He did not -- he made a \$25
21 dues payment, but he did not pay the full amount because if
22 you don't pay by the due date it goes up to \$50.

23 Q We heard this question. Are there other ways that people can
24 pay and be in good standing other than paying their dues? So
25 for example, can they buy a -- a conference membership to the

1 Mackinaw conference and say hey, I spent \$150 to go to the
2 Mackinaw conference so I'm a member in good standing.

3 A The way it has been handled under our administration, no. It
4 has to be a dues payment.

5 Q Right. And is the reason that you don't consider those
6 payments for things like the Mackinaw conference is because
7 they're getting something in exchange for that? It's not a
8 donation?

9 A Correct. So they could make a donation that doesn't have any
10 strings attached that would count as well.

11 Q Okay.

12 A You know, if someone were to sign up for \$5 a month that would
13 count towards dues.

14 Q Did you review any records of any of the folks on Exhibit X
15 making other types of payments that were not considered
16 donations?

17 A Well, Steve for instance since you mentioned him, I know he
18 paid I believe it was two payments for Mackinaw and then he
19 actually was refunded about half of that a couple months
20 later. He also paid for two tickets for the Christmas party
21 that was held at Sinbad's. And then he paid his dues payment,
22 the first dues payment on 12-28.

23 Q Okay. And how did you know that it was a dues payment as
24 opposed to something else?

25 A It was not for one of the forms we had set up for a specific

1 payment, so it was just a donation.

2 Q Okay. And that's how you determined the date at which he was
3 in good standing?

4 A Yes.

5 Q Fair enough. What about these other folks? Did you determine
6 that any of those other folks make payments in exchange for
7 other items that they were getting that were not dues
8 payments?

9 A I know in like Justin Marcum's case the only payment he made
10 was on 12-31. He did not attend the Mackinaw conference or
11 pay for any tickets to Kristina's parties or anything of that
12 nature.

13 Q Okay. What about Sue Allor?

14 A I believe she also paid to go to Mackinaw.

15 Q And that's why you disqualified that payment?

16 A Correct.

17 Q What about Kristin Lee?

18 A I don't believe she went to Mackinaw, so I believe the only
19 payment she made were for the dues.

20 Q Okay. So at least we know that Steve Cloutier and Sue Allor
21 may have made other payments but they were not dues payments?

22 A Correct.

23 Q When you obtained this information about these members not
24 being on good standing, did you pass that information on to
25 the secretary?

1 A I sent it to the secretary and also to Heath Wall the Policy
2 Committee Chair.

3 Q Okay. Did you give that information to anyone else?

4 A I don't remember.

5 Q Okay.

6 A I sent it via email.

7 Q Have you made any findings as to whether Angela Gillisse has
8 properly paid her dues for the year?

9 A I don't have that information front of me. I -- I do know she
10 made a dues payment. I don't remember the date.

11 Q Okay.

12 A Or the amount.

13 Q Is there a way that you could get that information?

14 A Yes, I could look in the WinRed or the Anedot account to see.

15 Q Is that something you could do here now?

16 A Probably with a computer.

17 Q Okay. I'm sorry, I'm trying to get rid of things that we
18 don't need. We're kind of rushing here. Can you take a look
19 at Exhibit B, and I just want to quickly ask you if you have
20 searched anywhere to see if you got this email from Bree
21 Moeggenberg on December 2nd, 2023.

22 A I don't recall seeing this email, but it's possible I received
23 it. There were a lot of emails going through our inbox at
24 that point in time.

25 Q Do you see your email address anywhere on there? Any email

1 address that you use; personal or GOP?

2 A I don't believe it's on here.

3 Q I have a question for you. If Angela Gillisse recently paid
4 her dues and you're not able to update the FEC filings, her --
5 her payment would not appear on the FEC filings, would they?

6 A The FEC filings are only through 12-31 currently. So anything
7 paid after that is not reflected in there.

8 Q Thank you. You did not find your email on that list?

9 A I'm not seeing it.

10 Q Can you take a look at Exhibit D which is an email dated
11 December 5th. Just let us know if you received a copy of this
12 email.

13 A I believe I received a copy of this email.

14 Q Okay.

15 A I remember seeing this.

16 Q This is an email from Kristina Karamo about a special meeting
17 that she plans to call; is that correct?

18 A Yes.

19 Q Okay. And there is an agenda attached here?

20 A Yes.

21 Q Okay. At the time that this email was sent had you made any
22 findings about whether any petitions submitted at that time to
23 remove Ms. Karamo were valid based on member payment history?

24 A I did look and see that were a couple of people who had not
25 paid because Angela had also sent me that information as to

1 who had paid -- sorry, who had signed that letter and there
2 were a few that had not. But I still believed that it was
3 above that one-third requirement.

4 Q Okay. In terms of that petition -- in terms of the signing of
5 that?

6 A Correct.

7 Q Okay. Take a look at Exhibit E. Did you receive that email?

8 A Yes.

9 Q Okay. And that's an email with a notice of a special meeting
10 and that's dated December 16th, 2023?

11 A Correct.

12 Q Okay. Take a look at Exhibit G. That's an email from Daniel
13 Lawless. Do you know who Daniel Lawless is?

14 A Yes, he's on the State Committee.

15 Q Okay. This email is dated 12-26-2023. Did you receive this
16 email?

17 A I did.

18 Q Okay. And in this email, I talked about this with the
19 secretary. Mr. Lawless purports to have made some decision
20 about a proposed special meeting. Were you involved in
21 whatever decision making process Mr. Lawless is referring to?

22 A No, I was not involved in this.

23 Q Okay. He also says something about after careful
24 consideration there will be no special meeting. Were you
25 involved in the consideration?

1 A No.

2 Q Okay. Is there anything on this email that says that the
3 meeting on the 27th will be moved to another date?

4 A No. I saw this and took it that it was just being canceled.
5 Not rescheduled.

6 Q Do you know who sends the notices of meetings under the
7 bylaws?

8 A The secretary.

9 Q Can the secretary designate someone to do that?

10 A I believe she could.

11 Q Okay. This email says that proxies should be returned to
12 Stephanie Rectenwal. Can you tell whether or not Stephanie
13 Rectenwal is a member in good standing?

14 A I don't have those records in front of me, but I believe she
15 was a good -- a member in good standing at the time.

16 Q Can Stephani Rectenwal tell whether other people based on
17 their financial records are members in good standing?

18 A No, she doesn't have access to the records.

19 Q Okay. So she wouldn't be able to verify whether any of the
20 proxies were financially adequate?

21 A No, she would have to check with Angela as secretary or
22 myself.

23 Q Did she check with you about any of the proxies?

24 A No.

25 Q If someone does not make their payments under the bylaws and

1 their membership rights and privileges are revoked, is the
2 revocation automatic?

3 A Bylaws do state that it's an automatic.

4 Q And it's immediate?

5 A Yes.

6 Q And once they pay does that somehow become a retroactive
7 activation of their rights and responsibilities, or is that
8 just going forward?

9 A It is not retroactive but it would be immediate.

10 Q Okay. Do you know what the Policy Subcommittee is?

11 A Yes.

12 Q Do you know what the Policy Subcommittee does?

13 A Somewhat.

14 Q Okay. Is one of the things the Policy Subcommittee does is to
15 resolve disputes or conflicts regarding the bylaws?

16 A Yes.

17 Q Okay. Do you know whether the Policy Subcommittee resolved
18 any dispute as it relates to the January 6th, 2024, meeting?

19 A I know the Policy Subcommittee did a report with findings on
20 that meeting and then had that brought to us at the January
21 13th meeting to vote for approval on.

22 Q Okay. And you were at that January 13th meeting?

23 A I was.

24 Q And you voted to approve what the Policy Committee did?

25 A I did.

1 Q And part of what you approved were the findings that the
2 January 6th, 2024, meeting was invalid?

3 A Correct.

4 THE COURT: Counsel, I'm afraid I'm going to have to
5 pause you just to keep you honest in my timeline here, and
6 plus I note we're kind of entering into areas that other
7 witnesses have covered sufficiently for me. I will give you a
8 chance to redirect after the cross-examination so you do have
9 a moment to gather your thoughts. I know I'm shorting you
10 more than you would like --

11 MS. HOWARD: Yes. You're doing me like my children,
12 your Honor.

13 THE COURT: And that's the last thing I want do,
14 believe me.

15 CROSS-EXAMINATION

16 BY MR. LAUDERBACH:

17 Q Good afternoon, Ms. Standerfer. How are you?

18 A I'm well. How are you?

19 Q Fine, thank you. I believe that you testified that the State
20 Committee members as of January 6th were 106?

21 A Correct.

22 Q If the Office of National Committeewoman was vacant it would
23 be 105, right?

24 A If that's the case, yes.

25 Q Half of 105 is 52.5?

1 A Yes.

2 Q You're treasurer, right? You're good at math? Fifty-two
3 point five, right?

4 A Correct.

5 Q Round that up, it's 53, right? Okay. You are the treasurer
6 of the Michigan Republican Party?

7 A I am.

8 Q You are the keeper of the financial records?

9 A Correct.

10 Q All right. And your predecessor was supposed to turn the
11 financial records over to you, right?

12 A Correct.

13 Q Who was your predecessor?

14 A My predecessor was Marcus Cairns.

15 Q Okay.

16 A C-a-i-r-n-s.

17 Q And you became the treasurer when?

18 A Officially it was I believe September 24th. It was a Sunday.

19 Q Okay. Now, the bylaws don't talk about dues payments, do
20 they?

21 A The bylaws talk about dues payments.

22 Q Let's look at that. Let's look at Article III, Section -- I'm
23 sorry. Yeah, Article III, section E. It's Exhibit 1 in the
24 book in front of you and I'm going to have to get you there
25 quick because I think the Judge is going to tell me we're

1 running out of daylight here.

2 It says, "To help defray State Committee Meetings
3 costs, each regular member of the Committee must
4 annually contribute at least twenty-five dollars to a
5 regulated fund of the Committee by April 1st at 11:59
6 p.m."

7 A Correct.

8 Q "Beginning on April 2nd, the fee increases to at least fifty
9 dollars", right?

10 A Correct.

11 Q It says to make a contribution to a regulated fund.

12 A Correct.

13 Q And there are two regulated funds, right? State and federal?

14 A Correct.

15 Q Okay. Do you review the FEC filings?

16 A Yes.

17 Q When you became the treasurer did you become the person who is
18 responsible for filing the FEC reports?

19 A Yes.

20 Q So you reviewed them before they're filed?

21 A You can't really review them before they're filed with the way
22 the software works.

23 Q You can review the data that it goes into the report?

24 A Correct.

25 Q Okay. Um, who filed the report on February 3, 2024?

1 A I did.

2 Q I'm going to show you a copy of it. You were the treasurer of
3 the Michigan Republican Party on February 3rd of 2024, right?

4 A I'm assuming you're going to show me that Marcus's name is on
5 it?

6 Q Yeah.

7 A I'm aware of that.

8 Q Okay. Marcus Cairns signed as treasurer on February 3rd of
9 2024?

10 A Correct.

11 Q Okay. You didn't put Marcus Cairn's name on it, did you?

12 A I did not. That was already in the software, and I went and
13 tried to fix it and my access has been taken away.

14 Q Okay. Um, Sue Allor made a contribution to the Michigan
15 Republication Party on April 26th of 2023, didn't she?

16 A Correct.

17 Q In the amount of \$125?

18 A Correct.

19 Q Okay. Kristin Lee made a contribution in the amount of \$50 on
20 April 25th, didn't she?

21 A That is not what my records show.

22 Q Okay. If a business record or an Excel spreadsheet of the
23 Michigan Republican Party said she did, wouldn't you be the
24 person who should know that?

25 A Yes, if I created the spreadsheet I would know that.

1 Q You created it, or if you're the keeper of it?

2 A Which spreadsheet are you referring to?

3 Q Is there a time when Google Drive link for the Michigan
4 Republican Party became public?

5 A I believe so.

6 Q Do you know if someone was able to grab an Excel spreadsheet
7 from that Google Drive? That has all of the contribution
8 information from 2023?

9 A I don't know if that's what they grabbed or not.

10 Q Would you like to see it?

11 A Sure.

12 MS. HOWARD: Would she like to see what?

13 MR. LAUDERBACH: The spreadsheet.

14 MS. HOWARD: What spreadsheet.

15 MR. LAUDERBACH: It's the 4,000 page spreadsheet
16 that Maggie Kurtzweil testified about.

17 THE COURT: Has it been shared with counsel?

18 MR. LAUDERBACH: We can put it up -- we have it
19 electronically.

20 MS. HOWARD: No, is it an exhibit?

21 THE COURT: I don't think it's been introduced
22 because I don't -- though I have plenty of pages in front me I
23 don't have 4,000. I know that. So it's not an exhibit.

24 MR. LAUDERBACH: All right. Can I show it to the
25 witness?

1 MS. HOWARD: No, I would object to it. I --

2 THE COURT: Well, why don't you show counsel first
3 so she can see what you're talking about, and then we can see
4 if the witness can testify.

5 MR. LAUDERBACH: All right. Let's get to Kristin
6 Lee here. Number, date, time, name.

7 MS. HOWARD: Where is this from?

8 MR. LAUDERBACH: Anedot.

9 MS. HOWARD: Your Honor, I would object to the
10 entry. I mean, even just showing it to her isn't -- it's an
11 authenticated Excel spreadsheet on Mr. Lauderbach's laptop
12 which I have not seen before. No one has testified about it.
13 I have no idea who made it. The witness would not have any
14 idea who made it. I have no idea why we would be showing her
15 this.

16 THE COURT: Well, why don't see what the witness has
17 to say about it.

18 Mr. Lauderbach, you may --

19 MR. LAUDERBACH: All right.

20 THE COURT: -- show her and see if she recognizes
21 it. If she does, maybe we've got something to talk about. If
22 not, we can move on because we're running out of time. I know
23 that.

24 BY MR. LAUDERBACH:

25 Q Ms. Standerfer, when somebody makes an Anedot contribution,

1 does it assign a transaction number?

2 A Yes.

3 Q Okay. Do you see transaction numbers on this Excel
4 spreadsheet? C2F3 -- see those numbers?

5 A Yes.

6 Q Okay. And see down here the far left column, a code number as
7 well with dates, times, donation, contributor?

8 A Yes.

9 Q Okay. Does that appear to be information of the Michigan
10 Republican Party?

11 A I don't know.

12 Q Okay.

13 A I have nothing to do with that spreadsheet.

14 Q And you are the keeper of the financial records?

15 A That is correct.

16 Q If a witness gets on the stand and testifies that this
17 spreadsheet came from the Michigan Republican Party are you
18 going to deny it?

19 MS. HOWARD: Object to the form of the question.
20 She has testified she's the keeper of the records. So if it's
21 not a record --

22 MR. LAUDERBACH: Exactly.

23 MS. HOWARD: -- it's not a record.

24 THE COURT: Okay. I think I have the testimony that
25 it isn't her record and why don't we move on just simply

1 because we're going to run out of time.

2 MR. LAUDERBACH: I'll -- your Honor, I'll pass the
3 witness but I've got a rebuttal witness I'd like call.

4 THE COURT: Okay, very well. Boy, any redirect on
5 Ms. Standerfer.

6 REDIRECT EXAMINATION

7 BY MS. HOWARD:

8 Q The only thing I asked you is do you know if any of the
9 numbers on whatever this is on Mr. Lauderbach's laptop are
10 correct?

11 A Without having time to review it I don't know. I do know that
12 that Google Drive did not originate from me. That was prior
13 to me and I don't know what's on there. All records I keep
14 are on our Microsoft account.

15 Q Thank you.

16 MS. HOWARD: And your Honor, I don't know what this
17 rebuttal witness is, but I guess we'll hear about it before I
18 tell you if I object.

19 THE COURT: All right. Anything further from Mr.
20 Sandford(sic)?

21 MR. LAUDERBACH: Nothing.

22 THE COURT: Ms. Standerfer. Boy, it's getting late
23 in the day.

24 Thank you, Ms. Standerfer.

25 THE WITNESS: Thank you.

1 THE COURT: You may step down from the witness
2 stand.

3 All right, Mr. Lauderbach, you've proposed a
4 rebuttal witness. We are just about out of our time here.

5 (At 4:09 p.m., witness excused)

6 MS. HOWARD: And your Honor, I am going to object.
7 I was cut short on my witness. I haven't called my last
8 witness, Mr. Wall, and now he's trying to call a rebuttal
9 witness after saying we moved as quick as possible, we have to
10 hurry it up. That -- that --

11 MR. LAUDERBACH: It should be five minutes.

12 MS. HOWARD: -- that is patently unfair.

13 THE COURT: All right. Well, rebuttal witnesses are
14 normally, you know, only determined by what's testified to
15 during trial. I'm going to cut this one very short, five
16 minutes total, two-and-a-half minutes to each counsel.

17 Go ahead and call your rebuttal witness, Mr.
18 Lauderbach.

19 MR. LAUDERBACH: April Snyder, your Honor.

20 THE COURT: And has Ms. Snyder been present and not
21 sequestered?

22 MR. LAUDERBACH: She's been out in the hallway, your
23 Honor.

24 THE COURT: Okay, very good.

25 MR. LAUDERBACH: Thank you.

1 THE COURT: Do you solemnly swear or affirm that
2 your testimony today will be the truth and nothing but the
3 truth?

4 MS. SNYDER: I do.

5 THE COURT: Thank you. You may have a seat.

6 APRIL SYNDER

7 (At 4:10 p.m., called by Mr. Lauderbach and sworn by
8 the Court, testified as follows)

9 DIRECT EXAMINATION

10 BY MR. LAUDERBACH:

11 Q Ms. Snyder, good afternoon.

12 A Hello.

13 Q You're a member of the Michigan Republican State Committee?

14 A Yes.

15 Q All right. Was there a time when the Google Drive account for
16 the Michigan Republican Party allowed you to access financial
17 information of the party?

18 A Yes.

19 MS. HOWARD: Objection. This is not appropriate
20 rebuttal. What is this rebutting?

21 MR. LAUDERBACH: There has been testimony and there
22 have been exhibits that these people didn't pay. There's a
23 document that came from the Michigan Republican Party that
24 shows they paid.

25 MS. HOWARD: You have not authenticated the

1 document.

2 MR. LAUDERBACH: That's what I'm doing.

3 THE COURT: All right. Let's allow the witness to
4 testify. I understand the objection and it is obviously
5 preserved for the record.

6 Why don't you go ahead and quickly explain to me how
7 we got from Microsoft to Google who are fierce competitors in
8 the spreadsheet marketplace, and then finish up with this
9 witness so we have some cross-examination time.

10 BY MR. LAUDERBACH:

11 Q Google Drive is a cloud storage space, correct?

12 A Yes.

13 Q So if you go to a Google Drive, you can download a Microsoft
14 Excel spreadsheet, correct?

15 A Yes.

16 Q Did you do that?

17 A Yes.

18 Q Okay.

19 MR. LAUDERBACH: May I approach, your Honor?

20 THE COURT: You may.

21 MR. LAUDERBACH: All right.

22 BY MR. LAUDERBACH:

23 Q Show you a spreadsheet that is on my computer. Did you send
24 that to me?

25 A I sent it to -- yes, you and -- yes.

1 Q All right. And does it have transactions reflecting donations
2 to the Michigan Republican Party throughout 2023?

3 A Yes, it does.

4 Q Does it list the date?

5 A Yes, it does.

6 Q Does it list the times?

7 A Yes.

8 Q Does it say who it's from?

9 A Yes, it does.

10 Q Is there a column for amount?

11 A Um, yes.

12 Q And is there a column for the contributor's address and so
13 forth?

14 A Yes.

15 Q Credit card number?

16 A Yes.

17 Q At least the last four digits?

18 A Yes.

19 Q All right. Do some columns say if it came from Anedot versus
20 a regular credit card contribution?

21 A Yes.

22 Q Okay.

23 MR. LAUDERBACH: Your Honor, I'd move for the
24 admission of -- I don't know what number we're on but we do
25 have it on a thumb drive that's in the court's computer.

1 THE COURT: Am sorry, I didn't have the witness
2 state and spell your name for the record.

3 THE WITNESS: Last name Snyder, S-n-y-d-e-r.

4 THE COURT: And your first name?

5 THE WITNESS: April.

6 THE COURT: April, all right. A-p-r-i-l?

7 THE WITNESS: Yes.

8 THE COURT: Thank you. All right. Any questions?
9 I'd take it you'd like to voir dire the witness?

10 MS. HOWARD: Yes.

11 VOIR DIRE

12 BY MS. HOWARD:

13 Q Are you the treasurer of the Michigan Republican Party?

14 A No, I am not.

15 Q Are you the vice treasurer?

16 A No, I'm not. Do we have one?

17 Q Have you ever been the treasurer of the Michigan Republican
18 Party?

19 A No.

20 Q So you are not charged with keeping the financial records of
21 the Michigan Republican Party?

22 A Nope.

23 Q Nor have you ever been charged with keeping the records of the
24 Michigan Republican Party?

25 A Nope.

1 Q You have no duty or authorization to verify the accuracy of
2 financial records as it relates to the Michigan Republican
3 Party.

4 A I can't answer that question yes or no.

5 Q You are not the secretary so under the bylaws you do not have
6 any duties or responsibilities to verify the accuracy of the
7 financial records of the Michigan Republican Party, at least
8 under the bylaws; is that correct?

9 A I can't answer that question the way you worded it yes or no.

10 Q Okay, is that because you don't know what the bylaws are, or
11 is it because you are not the treasurer?

12 A No. Would you like me to clarify?

13 Q No. I would like to know do you have access to Anedot?

14 A Like as general person? I can go to the website.

15 Q Okay. Did you go back and check all of the Anedot records
16 against whatever this spreadsheet is that you produced?

17 A No.

18 Q Okay. Do you know whether nor not anyone has added any
19 information to this spreadsheet when you -- what you --
20 somehow obtained it from Microsoft and moved it over to
21 Google?

22 A When I obtained it nobody had added anything.

23 Q Okay. How do you know that?

24 A Because inside that document there was a text message, a
25 screenshot of a text message to Carrie Lynn from somebody who

1 Carrie Lynn was acting as part of the Mackinaw staff and it's
2 requesting access to the documents so that they can change
3 permissions. So when you go to the Google doc and you try to
4 share it, it's automatically restricted that only the people
5 with access can get it. So you have to physically change the
6 setting that anybody with the link can get it. And then it
7 defaults to viewer.

8 Q So --

9 A So the screenshot shows how it was locked down that they had
10 to ask permission to edit the document.

11 Q So anybody who adds permission to edit the document and got
12 permission to edit the document could've edited the document.
13 That's what you're telling us?

14 A Yeah, so like if Carrie Lynn or Joel Studebaker, or Lori
15 Skibo, or the people that owned those particular documents --

16 Q Sure.

17 A -- gave them permission, then hopefully they're giving them to
18 trusted sources.

19 Q Right. Hopefully. So you don't know who they gave permission
20 to edit the documents?

21 A No.

22 Q So you have no idea if these records are accurate.

23 A Why would they not be accurate.

24 Q Oh, my goodness. No more questions.

25 THE COURT: Your --

1 MS. HOWARD: Your Honor, I object to the admission
2 of this authenticated whatever this is.

3 MR. LAUDERBACH: It's offered as a spreadsheet that
4 she obtained from the Google Drive account. The Court can
5 consider -- can consider the weight and sufficiency of it, but
6 she's testified that it has donation amounts, dates, names,
7 addresses, Anedot receipt numbers, and so forth. I think
8 she's authenticated it.

9 THE COURT: Well, how -- I guess my question is how
10 do you have access to this Google Drive account of a
11 Republican State Republican party?

12 THE WITNESS: Are you asking me the question?

13 THE COURT: Yes.

14 THE WITNESS: Um, my -- I received it online. It
15 was on social media. It was leaked. It was in numerous
16 telegram chats, it was on Facebook, it was in Signal. So the
17 document was leaked. And I don't know -- they even have like
18 a \$90,000 security program that Joel Moss has provided but
19 somehow it was leaked.

20 MS. HOWARD: It was leaked and it's perfectly
21 accurate.

22 THE COURT: All right. Yeah, I'm afraid this one is
23 going to fail on the lack of --

24 MR. LAUDERBACH: Okay.

25 THE COURT: -- trustworthiness. I'm going to

1 decline admission of the document.

2 MR. LAUDERBACH: Thank you, your Honor.

3 UNIDENTIFIED GALLEY PERSON: Yeah.

4 THE COURT: All right. And I believe we've run out
5 of time for witnesses. What I would like is about 10 minutes
6 to pull my thoughts together. I will take the bench and rule
7 at 4:30.

8 MR. LAUDERBACH: Thank you.

9 MS. HOWARD: Your Honor, are we not allowing any
10 closing statements?

11 THE COURT: I am not. I have been closed a couple
12 of times already. I can't take any more of it. So -- and I
13 just got so much to organize here that I'd like to take the
14 time to do it properly.

15 MR. LAUDERBACH: Thank you, your Honor.

16 (At 4:16 p.m., court recessed)

17 (At 4:30 p.m., court reconvened)

18 THE COURT: Please, be seated.

19 All right. We are on the record again in the matter
20 of Pego, et al versus Karamo. The two issues before the Court
21 are first -- well, we are here in fact on plaintiff's request
22 for a preliminary injunction, and also to be resolved by the
23 Court at this time is the defendant's motion to dismiss made
24 at the close of plaintiff's proofs.

25 As an initial matter, I'm going to find -- Counsel,

1 I did ask for a stipulated set of facts, however since we
2 haven't been able to achieve agreement on some very basic
3 things I haven't seen one. Does one exist?

4 MS. HOWARD: We were not able to agree on very basic
5 things, your Honor.

6 THE COURT: I basically suspected I'll put together
7 a set of facts as best I can out of my own recollection.

8 So it's undisputed in this matter that Ms. Kristina
9 Karamo was properly elected as the chair of the Michigan
10 Republican State Committee -- and I want to get my words here
11 correct because they are important, and as I'm going to state
12 many times, the words are important -- on February of 2023.
13 There -- during that time there came a time in November 4th,
14 of 2023, when a member of the -- and this is a regular member
15 of the Michigan Republican State Committee, provided notice to
16 the Policy Committee and to all members of the committee. And
17 there is a general agreement here that the proper membership
18 of that committee would be at a maximum 108. For all parts
19 and purposes of our discussion here, remained at 107, though
20 the point was at least brought forth in argument that if one
21 of those members, that being a former National Committeewoman
22 Ms. Berden may not have been qualified throughout that would
23 make the number 106. But in any case, the numbers we have
24 been operating on here have been 106 or 107 total members of
25 the committee. Again, somewhat depending on facts that

1 weren't completely developed, and that was a proposal to amend
2 the bylaws for removal of officers of the committee by
3 lowering the percentage of votes required for that action from
4 75 percent to 60 percent. And that was provided more than 30
5 days before any meeting at which the proposed amendment was to
6 be voted on.

7 Now, what's the import of that? Doesn't appear that
8 in anyone's argument that the bylaw provision had to be
9 changed to create a removal of Chairwoman Karamo, therefore
10 that turned into, you know, less than relevant fact as to how
11 the bylaw amendment went down. However, notably, it did
12 provide notice to everyone on the committee that something was
13 afoot, and the thing that was afoot was gee, members of the
14 committee are using the bylaws of the committee to try and
15 achieve sumac(sic). And then the question though whether that
16 was properly done is what I will address in due course here.

17 On December 2nd of 2023, members of the committee
18 did submit a written request for a special meeting pursuant to
19 Article XV of the bylaws, that's XV. I'm not confident enough
20 in my Roman numerology from whenever I learned that in middle
21 school but I'm going to do my best here. That written request
22 did state multiple purposes including transparency,
23 accountability, unity, proposed bylaw amendment, review and
24 possible removal of Kristina Karamo, Dan Hartman, Robert
25 Owens, and Jim Copas. And that written request was signed by

1 39 committee members at the time, though there have been some
2 arguments that some of them may not have been in good
3 standing. However, the requisite amount being 33.3, or a
4 third members of the committee signing, there hasn't been any
5 convincing proof printed that less than a third that signed
6 the member -- that signed that were able to sign at the time
7 that they did. And I'll address the issue of standing and
8 good standing, dues paying, et cetera as I go through my
9 ruling here.

10 Ms. Karamo did acknowledge receipt of the request
11 for the special meeting indicating that she would hold a
12 special meeting, but the meeting that she indicated she would
13 hold did not list the purposes requested, and of course most
14 notably did not list the removal as -- as chairwoman. Then
15 subsequently on December 16th, 2023, Ms. Karamo called a
16 special meeting to be held on January 13th, 2024, and attached
17 an agenda which again did not include any of the purposes that
18 were listed in the December 2nd, 2023, special meeting request
19 that it was supposed to respond to.

20 On -- some point there was a scheduled date December
21 27th meeting that never came to pass apparently. The notice
22 was sent out. In fact, several of the members that testified
23 received the notice of the December 27th meeting, but -- and
24 also testified that late in the day, perhaps the day before, a
25 message came around saying that there isn't going to be a

1 meeting on December 27th of 2023.

2 On December 31st of 2023, a committee member who had
3 signed that original December 2nd, 2023, request gave notice
4 allegedly to all the members of the committee and as testified
5 to today to the secretary of the committee of the members
6 called for a special meeting to be held on January 6th of
7 2024, and included the same agenda items as were proposed in
8 the December 2nd, 2023, request for a special meeting. Most
9 germane for we're discussing here the removal -- removal of
10 the chairwoman.

11 And there doesn't seem to be any disagreement that
12 that notice was submitted at least five days before the
13 special meeting date which was scheduled, as I said, on
14 January 6th, and stated the purpose for the meeting as
15 required by the bylaws. So the bylaws provided for a very
16 short notice period when a special meeting was not scheduled
17 as anticipated either by the secretary or the chairperson of
18 the committee, and that was utilized here to call it within
19 five days.

20 On January 6th of 2024, this special meeting was
21 held and was attended by at least 45 members of the committee.
22 Again, there were additional fore-members who provided a
23 proxy, a specific designation of someone to attend the meeting
24 for them. And 22 additional proxies were selected for members
25 who were not present and who had not provided for a proxy, and

1 that is allowed by Article III, Subsection I of the bylaws.
2 And that is an important provision just as a note by the Court
3 here. It's a very loose proxy provision. It doesn't say that
4 there even have to be written proxies. It allows the filling
5 of many seats by proxy and doesn't place any sort of quality
6 control necessarily on the identification or -- it does have
7 some qualifications for the proxies. They do have to be from
8 the same district that they are replacing someone from, and
9 they of course have to be qualified electors of the state of
10 Michigan. Very basic requirements, however, for the proxies.
11 Not difficult to meet. As you can imagine, if carloads of
12 people are traveling to this it would be easy enough for a
13 person, a committee chair to bring a chair load of people who
14 might be proxies if needed. And it turns out upon arrival at
15 the meeting that because of, you know, the lower number in
16 attendance that proxies were needed to form a quorum. So
17 proxies were utilized, but they were utilized as far as the
18 Court can tell in accordance with the bylaws that have been
19 represented to the Court.

20 All right. There is a matter of the bylaw's
21 requirement for a removal of an officer for submission of a
22 petition bearing 50 signatures -- 50 percent of the members in
23 good -- or members of the committee signatures to even call
24 the matter to a vote. And that petition is necessary to be
25 filed certainly before the vote, though the bylaws are silent

1 on the timing of it thus allowing, as appears to have happened
2 here, a situation where the petitions, or the petition bearing
3 the 50 signatures was filed literally minutes before an actual
4 vote was taken. And that vote, you know, was brought to the
5 floor for a vote by the members following the bylaws
6 themselves and the incorporated *Roberts of Rules of Order* that
7 the bylaws specifically mentioned, and of course incorporate
8 by reference into their rules.

9 So that on 1:49 p.m., on January 6th, 2024, before
10 they -- well, at least before the commencement is -- before
11 the vote anyways, the petition requesting a vote be taken to
12 remove Ms. Karamo was filed with the secretary of the Michigan
13 Republican State Committee that did, at least apparently, bear
14 the signatures of 54 members of the Committee in good
15 standing. Thus constituting a half, what everyone apparently
16 at the same time was on the same sheet on music that there
17 were at that point 107 members of the entire committee in good
18 standing at the time.

19 The meeting was convened at 1:59 p.m. per minutes
20 that were taken not by the secretary, the duly elected
21 secretary of the Michigan Republican State Committee, but by
22 Ms. Anne DeLisle who did testify in court here and was serving
23 as permitted by the rules of order as the secretary pro tem
24 because the elected secretary Ms. Gillisse wasn't there. Nor
25 had she in writing appointed a specific representative to

1 serve as secretary during the meeting which she possibly
2 could've done under the rules or in the bylaws, but it doesn't
3 appear to have happened. There wasn't anyone else there
4 designated to serve as the secretary. And ultimately the
5 bylaws were amended per the vote, and the vote there was 39 in
6 favor, 86.6 of those present and voting, therefore passing
7 with more than the 66.67 percent of those required to be there
8 by the bylaws to amend the bylaws.

9 As I said, the amendment of the bylaws however
10 doesn't seem to have been necessarily central to this dispute
11 because in any case the next vote which is the motion to
12 remove Ms. Karamo as chair was made. Forty of the 45 members
13 present and voting voted in favor of the motion to remove Ms.
14 Karamo amounting to 88.8 percent of the committee.

15 Post that January 6th meeting, there was still a
16 January 13th meeting that had been called by Chairwoman Karamo
17 while she was the chair of the Michigan Republican Party. And
18 I think even the parliamentarian who got up and testified said
19 well, you know, there would be a way you can cancel it but he
20 wasn't certain that that had been done properly. Thus we had
21 a January 13th meeting. Now, bear in mind the agenda for that
22 meeting had changed and ultimately been restated I guess;
23 however it was by Chairwoman Karamo after the January 6th
24 removal. So if the January 6th removal is valid, then the
25 amendment of course by her of the agenda for the meeting could

1 be questioned as improper.

2 Now, it also could've been done by the secretary at
3 Chairwoman Karamo's direction and that might have been a
4 legitimate modification of the meeting. In any case, the
5 January 13th meeting eventually got an agenda including the
6 vote on Chairwoman Karamo's continuing services as the chair.
7 At that meeting she was retained as the chair by a large
8 majority of the committee members present, and notably under
9 the rules there was a proxy to conduct that meeting on January
10 the 13th creating the current situation where some members
11 believe that the January 6th removal was valid. Others are
12 advocating for the January 13th outcome keeping and retaining
13 Chairwoman Karamo.

14 There were also other business conducted at the --
15 that January 13th meeting that included the receipt of a
16 report from the Policy Committee finding that the, at least
17 the six individuals that are involved in this lawsuit as
18 plaintiffs, had engaged in a conflict of interest. They found
19 that under the bylaws. The bylaws do provide for findings of
20 conflict of interest in some circumstances, and the matter was
21 recommended by the Policy Committee for a vote of the
22 membership present. And they voted to remove those people on
23 the basis that they had engaged in conflicts of interest which
24 not only removes them from the committee but also at least
25 attempts to institute -- and I'm not ruling today on the

1 constitutional of the matter -- a five-year ban on their
2 participation as committee members in the future on that same
3 committee. So it is a relatively strict sanction. The five
4 aggrieved committee members brought this action asking the
5 Court to rule, and that's what I intend to do.

6 So the first matter before the Court is the motion
7 to dismiss. The request for preliminary injunction. However,
8 dismissal would require that I find that even with the
9 evidence presented by the plaintiffs that no set of facts that
10 could allow them to prevail in my final ruling whether it be
11 today on a preliminary injunction which is a different
12 standard than I would have at trial, or ultimately at trial.
13 They have not met that standard. Evidence has been presented
14 in fact, and as I'll explain further, that the plaintiffs did
15 satisfactorily follow the bylaws in conducting this removal of
16 Chairwoman Karamo and thus showed at least factually that they
17 have a case and an argument that that removal was proper.

18 So that is initially dismissed. There is, I will
19 note and will note again, that there is a trial date set in
20 this matter for June, and that is, you know, if the lawyers
21 and witnesses and those in the galley have felt like I have
22 rushed things along or moved them too fast, well, that trial
23 date does provide for the normal things you get in a civil
24 trial; discovery, depositions, pretrial motion practice, and
25 ultimately the idea of being the fullest of those facts to be

1 presented to the Court so that I can make that final ruling at
2 the date set for this in June.

3 But for today, the request is for simply for a -- a
4 preliminary injunction. And Michigan law is quite well
5 defined in the terms of the four factors that are required. I
6 don't think there's much dispute about it here where the Court
7 evaluates those four factors to grant or deny a preliminary
8 injunction. And I'm going to go through them one at a time.

9 Those four factors are continued -- are contained in
10 our Court of Appeals decision, that being *Michigan AFSCME*
11 *Council 25 versus Woodhaven-Brownstone School District*, that
12 being at 293 Mich App 143, page 148, a 2011 case of the
13 Michigan Court of Appeals. And the first one is the
14 likelihood the plaintiffs will prevail at trial is the first
15 factor that I am asked to evaluate. And I find today that the
16 plaintiffs are likely to prevail at trial because the removal
17 of Chairwoman Karamo was proper pursuant to the bylaws of the
18 Michigan Republican State Committee. And I'm going to go into
19 that in more detail, but first, you know, it is important to
20 take a note of what bylaws are in fact. And that is they say
21 it right in the title. They are bylaws. They are private
22 laws that small organizations -- not small organizations.
23 Organizations adopt in order to conduct their internal
24 affairs. Everyone is bound by them; the membership. You
25 don't swear an allegiance to them like we do the Constitution

1 or the laws of the State of Michigan usually, but the members
2 by being part of a membership organization agree to operate
3 within the bylaws.

4 As I discussed those bylaws, I do operate under
5 Michigan law that guides me on how to interpret written
6 material. And the very first law out of interpreting material
7 be it bylaws and contracts, or statutes or constitution, is
8 read the document, read the document, and read the document.
9 Those are the first three rules that I always go by. You do
10 read it, and if it's capable of being interpreted as to a
11 plain meaning, then that's the way it's to be interpreted.

12 A second rule is you read it as a whole. In other
13 words, I don't take bylaw, you know, Roman III and say well,
14 III-A says this and I'm going to go and make up a meaning for
15 that without reference to the whole packet of bylaws. We read
16 the entirety of the document. And here I have the advantage
17 of well, these aren't contested bylaws. There isn't a fight
18 about bylaws, their adoption. There's general agreement that
19 we're operating under a set of bylaws, at least as both
20 parties provided to me as amended December 3rd, 2022, and then
21 as I stated also later on January 6th of this year at that
22 special meeting.

23 So what do I learn from the bylaws? Well, first of
24 all, I did hear from an expert Parliamentarian Mr. Thomas
25 Balch, and his report, though qualified in important respects,

1 does in general support plaintiff's conclusion and find that
2 the defendant's alternate readings of the bylaws and several
3 important parts, while those are possible meanings, are
4 inconsistent with other bylaws and thus conflicting with that
5 second rule of interpretation that I need to read the document
6 in it's entirety from start to finish. We call it the four
7 corners of the documents as lawyers. I don't think anyone
8 else necessarily does that.

9 So first and foremost, was the January 6th special
10 meeting properly called. Well, first we have to look to the
11 bylaws to the very unique provisions guiding special meetings.
12 And again, the words give us a lot of guidance here. These
13 are special meetings. These are out of the ordinary. These
14 aren't just the regular meetings of, you know, members that
15 might go from time to time, or that we might schedule at the
16 beginning of the year. These are special meetings. They have
17 different and special rules. And the first and foremost is
18 that the chair shall call the special meeting on the written
19 request of a third of the members within 15 days. And the
20 next requirement here, and I'm sure I'm going to the right
21 section here -- is that -- and this is of course the last
22 sentence of Article VI, governing meetings, subsection B last
23 sentence states, "Notices of special meetings shall state the
24 purpose of such meetings." That shall, as everyone knows,
25 mandatory. Not may state, not might state. Shall state. And

1 that is assumed to be right from the first word that special
2 meeting is being requested they shall state their purpose.
3 And the parliamentarian explained that quite well. Why would
4 you do that? Well, that's to alert people that there's a
5 special meeting. Hey, if you want to get down there, if your
6 voice wants to be heard, if you want to cast -- cast a vote at
7 that meeting, this is when it's going to happen. Here's the
8 date, and here is what's going to happen during that meeting
9 contained on that agenda. So that's required. And a special
10 meeting that gets noticed without that, well, then it's a
11 defective notice of the special meeting and -- and is non-
12 effective.

13 So -- see if I can get back onto my notes here. All
14 right. And that's what -- that's what's defective about
15 Chairwoman Karamo's call for a different special meeting. Not
16 that she couldn't call for a special meeting. She could. But
17 she didn't have that list of things asked for by the people
18 requesting the original special meeting on December the 2nd,
19 and that rendered that response inadequate. She didn't call
20 the meeting and the requisite 15 days then expired, and what
21 that did is it shifted control over the terms of that meeting,
22 at least some of the control, to the members of the -- that
23 submitted the request for the special meeting itself.
24 Allowing any such requester, that is any of the signatories on
25 that first request for a special meeting to call the meeting

1 and within that, arguably to call the time, date, location,
2 and it can't be cured by the January 7th inclusion of the vote
3 on the chairperson after receipt of those 54 signed petitions.
4 And, you know, as we heard today at least arguably the opinion
5 well, maybe those 54 petitions are valid as of today. Thus,
6 you know, in an abundance of caution we need to call the
7 question for this next meeting on January 13th.

8 First of all, Chairwoman Karamo had already been
9 removed prior to that date and thus didn't have that power to
10 control the agenda. Second of all, the fact that it was
11 included then indicates it obviously could've been included
12 right from the outset as well regardless of the status of the
13 54 signatures on the petition.

14 So in other words, the chairwoman could've called
15 that meeting on January the 13th with the requested agenda,
16 but chose not to do so and throwing us into sort of the
17 different procedure that got us to where we are today. And it
18 was her duty to specify, you know, to give that specific
19 response we're going to have a meeting on these particular
20 topics because those have been requested. And brings me to
21 another important, you know, idea of the law that impacts
22 other parts here too. And that's if you don't act when the
23 law requires you to act, you're referred to as sleeping on
24 your rights, slumbering on your rights, and the law never
25 likes that.

1 The best example, you know, perhaps for me is if I
2 call someone into a hearing here for, you know, a case
3 conference or something like that and that individual doesn't
4 show up, or heaven forbid the lawyer doesn't show up, and I
5 know no lawyers advise their clients not to show up for such
6 things, that, you know, they're in danger of being found in
7 contempt of court for disregarding the Court's order. And
8 further, you know, and if there's a substantive question that
9 I have to decide, well they're not going get to make their
10 argument, to have their say. So I recall from my 20 years of
11 practicing law, all lawyers live and die by their -- all trial
12 lawyers anyways, by their calendars and their court calendars.
13 We don't miss hearings when they're scheduled. And if we do,
14 heaven forbid we backpedal as quickly as possible and try to
15 fix that if it's possible. And it's not always possible.

16 All right. So we have the two special meetings and
17 we -- we have notice go out. There was question raised today
18 of well, did this notice go out to all the members of the
19 committee or only some of the members of the committee, and
20 you know, who had notice of the meeting on January 6th that
21 was going to call this important question.

22 Well, competing with that is that there are also
23 emails going out to more or less the same group of people,
24 that is the regular members of the committee from the -- and
25 I'm going to just say Chairwoman Karamo's staff saying not

1 January 6th isn't legitimate. These people don't have a leg
2 to stand on, you don't need to show up. Well, needless to say
3 it's going to cut down on attendance when you have the
4 chairperson saying that with regard to a meeting. And I'll
5 address the -- because that allegation has been made by both
6 sides here of kind of trying to depress attendance at
7 meetings, and I'm going to address that with regard to Ms.
8 DeLisle in just a moment here. But first, I also need to
9 address the idea of the 54 signatures on -- required on that
10 petition. And they are required by the bylaws, that is
11 section IV, (G) (2) which says that, you know, the majority of
12 the entire committee must sign.

13 Now, a brief argument was made when Mr. Campbell was
14 here that, Judge, you know, the entire committee is bigger
15 than this voting committee. We've got exoficio members.
16 We've got other members of the committee and this is by no
17 means the entire committee. Well, everything else in those
18 bylaws refers to the 108 members who are entitled to be voting
19 members, that is regular members of the committee. The
20 exoficio and things, they can show up, they can appoint
21 proxies, they can weigh in on certain questions. But the one
22 thing they can never do is vote. So I don't think there's any
23 basis for saying well, it should've been a bigger number
24 there.

25 Now, let's take the hint, why is that provision in

1 the bylaws? Well, of course I don't know who any of these
2 are. I don't hear from anyone that wrote these bylaws, but
3 one can cede by looking at that that if we're going to
4 undertake something as serious as the removal of an officer
5 there must be at least half of the committee who think we
6 should hold the vote. Not that they're going to vote in favor
7 of it, but that indicate that we should hold the vote. That
8 brings us to the content of these petitions of which there are
9 54.

10 Now, it's important to note, and this does bear
11 somewhat on my ruling, that the bylaws don't describe 54
12 separate petitions with separate signatures. They say a
13 petition with 54 signatures. Why is that important? Well, it
14 indicates to me at least as the Court that that petition is
15 going to be not submitted piece mail or trickle in over an
16 amount of time when it is submitted to, you know, the
17 leadership of the party, to the secretary in this case, you
18 know, for -- for -- for the record, but rather that it's going
19 to be submitted at one time. It is in effect a single
20 petition.

21 Now, here the petitions were gathered by signatures
22 over a period of months. During that period of months there
23 may have been signers that signed when they didn't have their
24 dues up to date and arguably were not in good standing to
25 sign. However, because of that requirement for a petition,

1 the -- the requirement that those signatures be valid on
2 there, certainly there's no basis to say that it should be
3 triggered any earlier than the date they were submitted, that
4 is January 6th, 2024.

5 I have heard some questions about a couple of
6 signers here, one of whom might be living in Tennessee, might
7 be in jail in Tennessee. I can't quite tell from the records
8 in front of me here. But in any case, may have disqualified
9 her right from the get-go. And certainly, you know, in the
10 state situation like that where you've got a non-Michigan
11 resident signing a petition to remove an officer of a Michigan
12 political party, well, could that be construed and argued as
13 fraudulent? Sure, it could be. That would be the sort of
14 fraudulent activity that could void an effort like this.
15 However, it has been pointed out that, you know, this basis to
16 remove her apparently has existed for a while and for whatever
17 reason she hasn't been removed yet. And I don't know who the
18 decision-maker is there. I do know it's not specified under
19 the bylaws. There is a way to remove her, but it hasn't been
20 invoked yet. There has been no vote taken. There's been no
21 formal removal noted in the record. So in the absence of
22 that, well then the only thing to go with is the number you
23 got before you. And if I liken it to other signatures
24 requirements, you know, documents are evaluated as what they
25 contain. We don't require, for example, a police officer to

1 be all knowing when he signs a search warrant, you know, for a
2 vehicle or a house. They just have to relay honestly the
3 facts that they believe constitute the cause and the facts
4 that are stated in the warrant.

5 So you know, to some extent in the evaluating
6 written documents I think the expectation is well, the
7 document when it's utilized looks like is what it purports to
8 be. And that brings us to the content of these documents and
9 the alleged, you know, the point fortunately argued by Mr.
10 Campbell that some of these would be void due to fraud or
11 deception.

12 First of all, the document itself is quite clear as
13 to what it says. It's labeled a petition requesting that a
14 vote be taken to remove, in all caps, Kristina Karamo as an
15 officer of the Michigan Republican State Committee. It then
16 cites the bylaws directly saying Article IV officers of the
17 bylaws of the Michigan Republican State Committee, Subsection
18 G, removal of officers, subsections 2 and three states,

19 "2, Removal By The Committee. Any officer may be
20 removed as an officer and member of this Committee by
21 the Committee upon a seventy-five percent (75%) vote
22 of the Committee present and voting at any meeting of
23 the Committee, provided there is a quorum present, and
24 such seventy-five percent (75%) vote must be made in
25 person by such members and not by proxy; provided,

1 further, that in order to bring the question before
2 the Committee as to the removal of an officer, the
3 petition requesting such a vote be taken, bearing the
4 signatures of at least fifty percent (50%) of the
5 entire Committee (no proxies allowed), shall be filed
6 with the chairman..." -- and I thought that said in
7 good standing but I guess it just says 50 percent of
8 the entire committee. And then again in parentheses
9 "... (or if the Chairman is the officer in question,
10 then such petitions shall be filed with the
11 Secretary) ."

12 And then there's another paragraph that really
13 hasn't been relevant to the decision here.

14 Then there's a final in bold couple sentences that
15 read "By completing this petition and providing your
16 signatures, you are requesting the vote be taken to remove
17 Kristina Karamo. This petition is not a vote or a ballot for
18 removal." And that's all true. It isn't a vote or -- what it
19 is doing is it's calling for a vote for removal. So the idea
20 that, you know, by these three signers, Mr. Balog, Marcum, and
21 the Youth Vicechair Lindsey, and these are in a -- one of the
22 exhibits that I had carefully set aside and now have buried or
23 lost somewhere on my bench. There was a -- a -- you know, I'm
24 going to refer to as withdrawal or -- I'm going to say
25 disowning. It was a disavowal of their signatures. Let's see

1 if I can't dig it out.

2 The argument was made effectively by Mr. Campbell
3 that gee, if those three signatures were void and introduced
4 by fraud or fraudulent, then, you know, they could -- could
5 make them void as we call it in the law, ab initio, the minute
6 they were signed. And to no effect. However, in order to do
7 that they would have to demonstrate, and the word they used is
8 misappropriation of their signatures.

9 Now, a strict wording of misappropriation says well,
10 you took my signature on one document, and you copied it on
11 one document and you pasted it onto another document, and you
12 said hey, you signed my document. Well, that's not what
13 happened here. By the very words of the email itself we've
14 stated -- and this is dated -- and again, importantly, January
15 6th. However, it is at 9 p.m.

16 States, "We, the undersigned, are emailing
17 because there are various problems within the state
18 committee that needed to be addressed in a
19 professional setting with an open debate for everyone.
20 However, any of us may feel when it comes to the state
21 party chair other officers, today's meeting is not how
22 we intended any issues within the party to be
23 resolved.

24 We signed the petition for a meeting that was to
25 be scheduled for December 27th."

1 Well, of note that petition itself doesn't say
2 December 27th anywhere on it. It's just a blanket
3 authorization to request a vote. Now, were they told, you
4 know, this was going to happen on December 27th and maybe make
5 plans to get there and then have those plans thwarted when the
6 meeting date changed? Well, it could've been, but no evidence
7 was presented of that in the courtroom here.

8 So thus -- and then they go down and reference
9 here, "This meeting was called an illegitimate meeting
10 according to the state committee chair and we intend
11 to be at the meeting she has called for January 13th
12 where we expect a debate and vote on the issues at
13 hand."

14 And then they talk about the proxies, although it
15 doesn't appear to be particularly relevant because none of
16 these three were voting or present by proxy. What purely they
17 were disagreeing with was the utilization of their signatures
18 on these 54 petition -- or I'm sorry, the 54 signatures on the
19 petition document.

20 So even if I take everything that they say in there
21 as true, they simply don't establish that their signatures
22 were induced by fraud. They may have been used differently
23 than the signers intended, but everyone knows that a signed
24 rental contract for, you know, 13 payments for your new Roto-
25 Rooter, that you know, by the time you signed that contract

1 and it comes -- the copy comes to you in mail, by gosh, you're
2 up to 14. You say wait, I thought I was signing for 13, that
3 you're going to lose the contract action unless someone
4 changed it fraudulently behind your back. And that, again, is
5 not what it appears to have happened with regard to these
6 petitions.

7 So the the disavowal didn't indicate fraud or
8 deception, and on top of it the disavowal is late. The
9 disavowal occurs at 8:09:50 p.m., and there seems to be the
10 unchallenged fact before the Court that that vote for removal
11 occurred earlier in the afternoon between two and 3 p.m. Thus
12 in effect they were trying to go to the polls after they --
13 the polls closed, and said you know what, I want to get in
14 there. Just like if I go down to vote tonight at 8:30 and the
15 poll has closed I'm pretty sure I can't go in there and vote,
16 nor can I go in and change the vote I made at 8:00 this
17 morning. You know, it -- they just simply ran out of -- out
18 of time to do it.

19 The issue of the payments. Well, I've heard varying
20 testimony today about who paid and who didn't pay, and who's
21 paid up. What it occurs to me is that, you know, there aren't
22 any facts. But the certainty is that many committee members
23 were doing duties potentially including even the secretary
24 with uncertainty as to whether their dues were paid up for the
25 year or not. I didn't hear any testimony that any of the

1 signatories here knew they didn't pay dues, never intended to
2 pay dues. In fact, they were members heaven forbid of the
3 Michigan Democratic party to which they were paying dues.
4 Nothing like that, you know, that would indicate that they
5 were fraudulently intending not to pay the dues. And on top
6 of it, these aren't even called dues in the bylaws. We call
7 them contributions which to me gives a certain voluntariness
8 to the payment rather than, you know, the mandatory you pay
9 your dues or you can't act. And there was clear -- and the
10 bylaws very clearly support the idea that if a person doesn't
11 make the contribution, first it increases to \$50 and then
12 after that once you've paid \$50 you are -- you regain your
13 rights under the bylaws. So -- and that that is regularly
14 utilized by various members of the committee who might forget
15 to pay dues. Or who might forget that they didn't pay their
16 Michigan -- I saw an email in there that says well gee, I paid
17 my county dues and I paid my national due. I forgot to pay
18 the Michigan party dues. Things like that do happen, and the
19 bylaws certainly envision people of goodwill fixing that non-
20 payment by making a payment and bringing themselves back into
21 good standing.

22 It also isn't clear whatsoever to me that there's
23 any provision in the bylaws requiring vetting of the proxies.
24 As I've already said, those are extremely loose and could be
25 verbal by, you know, my read of the bylaws. And secondarily

1 vetting of the validity of the petitions.

2 So again, the presumption becomes well, those
3 petitions come in. They're facially valid. Could they be
4 challenged down the road? Yeah, sure. That's what we're
5 doing right now. As I said, if it turns out that Ms. Berden
6 was, you know, trying to, you know, cause a -- a major rift in
7 the party by her moving out of state, and somewhat like my
8 recollection that the Texas Democratic Legislatures has moved
9 out of state to thwart a vote on redistricting of all things,
10 well, then that would be a more questionable action. But I
11 have not seen that from the record in front of me.

12 Is it possible that people erroneously paid thought
13 they paid and hadn't paid? It certainly is. But it also
14 appears that there's a great deal of leeway in allowing them
15 to pay and catch up, and that is anticipated by the terms of
16 the bylaws. So I don't find that that creates the sort of
17 fraud that would force me to invalidate those petitions.

18 Just like that, there is no advance timing
19 requirement when they're submitted to the secretary. Is it
20 shark elbow tactics to submit them 10 minutes before the vote?
21 I guess you could characterize it as that. However, it is
22 totally permitted under the rules here which do not say any
23 particular amount of time in advance that they need to be
24 submitted to the secretary.

25 All right. And lastly, you know, with regard to

1 those -- well, I already made the point on the recantations
2 that they were late. I think -- I don't have to beat that
3 horse anymore.

4 Next question before the Court, was there a valid
5 quorum at the January 6th meeting. The bylaws clearly do
6 require a quorum, but again, we're dealing with a very loose
7 general proxy requirement. Now, the argument's been advanced
8 that a higher quorum was actually called -- required for this
9 meeting because this was a special meeting that contemplated
10 the removal of an officer, and indeed the chairperson of the
11 entire party. However, there is no support in the bylaws for
12 that. In fact, that 75 percent requirement, well, that
13 applies to the members present and voting which the
14 parliamentarian again explained present and voting is a term
15 of art. You're there and you vote. And there isn't a, you
16 know, a broader way or a different way to interpreter those
17 words or to reasonably apply those to the quorum requirements.
18 And he also makes the point in his report and also on the
19 stand that if I were to require 75 percent quorum, well it
20 would render the language if a quorum is present, which is in
21 that same quorum requirement surplus. And that's another rule
22 of construction as we're told. Well, Judge, don't add any
23 words to the document, but certainly don't take any words out
24 of the document either or say those aren't important or not to
25 be paid attention to. If you can, give effect to all the

1 words in the document.

2 So quorum must be something, but there's not
3 sufficient support in the language of the bylaw that it means
4 that it has to be a higher quorum there because it would never
5 define the quorum either. As the parliamentarian pointed out,
6 if you said well, if it's a 75 percent supermajority required
7 on the vote, well that doesn't really say -- the question of
8 quorum is as separate question. The only place to look for
9 quorum then is back in the bylaws Section Roman V -- I'm
10 sorry, Roman VI-C defining quorum as a simple majority and
11 allowing it to be built by the liberal use, to say the least,
12 of proxy.

13 Which brings me to the fourth question, the question
14 of who's going to likely to prevail here. Were there
15 sufficient votes at that meeting for removal? And that answer
16 would be yes. That one is quite simple mathematically. The
17 vote was 40 to 5. It equals an 88 percent majority for
18 removal, and is sufficient to remove Chairwoman Karamo from
19 her duly elected position as chairperson.

20 The argument's been made here, but Judge, you're not
21 allowing the majority to make the decision. And that is true.
22 This is -- I won't even argue that 40 percent is a majority.
23 With my math deficiencies well-known, 40 percent is anywhere
24 near a majority of 107 members. It is a decision made by a
25 minority of members, but it is as decision that is permitted

1 by those bylaws and procedural rules that govern the meetings
2 and the conduct of business within the party. And you might
3 say well, that seems un-American to you, but I would reference
4 you to the United States Congress, the battles for the Speaker
5 of the House and of course the electoral colleges are all
6 examples where the majority or the largest number of votes
7 doesn't always win and people very effectively utilized
8 procedural options to maximize their influence even though
9 they're not in the majority. So and that's why those -- and
10 again, I'm not here to say whether those bylaws right, wrong,
11 or otherwise, they are what they are. They say what they say.

12 And I will note since I've made so much of this
13 ruling dependent on these documents and bylaws, all of the
14 documents that I've reviewed are going to be part of the
15 public record for this case. They will be available. I wish
16 electronically, but that is still a wish here in Kent County.
17 We are still working on our electronic document management.
18 So the way that they're available is by going to the Clerk's
19 Office and asking to hand them over the transom as we used to
20 call it to get the -- get the files that I relied upon to make
21 my decision.

22 There is a doctrine in equity. What I've decided
23 here and I'm deciding in this preliminary injunction is an
24 equitable decision. I'm not awarding anyone money. What I'm
25 doing is I'm saying such and such is the state of affairs,

1 declaring legal rights. And you have to have clean hands if
2 you come into equity. And I looked at the question of did the
3 sides, particularly the plaintiff who brought suit here come
4 into this with clean hands. And first thing I examined in
5 addition to the issues I raised potentially earlier, Ms.
6 DeLisle's instruction which I did listen to saying do not log
7 on to the December 2nd dually noticed State Committee meeting
8 which was a last-minute change to be an online meeting,
9 allegedly to thwart a quorum at the meeting. However, I would
10 agree it is undesirable behavior by a member of a committee,
11 however, I don't think it rises to the level of shocking,
12 unconscionable, or an illegal conduct that would trigger that
13 unclean hands doctrine. It is, again, a sharp-elbowed tactic,
14 but not contrary to the bylaws or the rules.

15 And then second, the argument that Ms. DeLisle was
16 procedurally out of order by serving as secretary pro tem and
17 the district chair. Well, not supported by the bylaws. The
18 bylaws do provide for a secretary and *Robert's Rules of Order*
19 do provide for a pro tem, that is a temporary to act when the
20 secretary is not available. It does not provide very much
21 guidance on how that person is to be selected or can be
22 selected, but the certainty was is that the appointed
23 secretary, elected secretary Ms. Gillespie -- Gillisse was not
24 present at the meeting and thus Ms. DeLisle had a -- the
25 potential to act as the secretary pro tem and did so in

1 recording the minutes of that meeting which she testified she
2 had done before.

3 So factor 2 in analyzing a preliminary injunction is
4 the danger that the parties seeking the injunction will suffer
5 irreparable harm if the injunction is not issued. I analyzed
6 this first in the sense of the harm to the six individual
7 named plaintiffs. After all, they are the ones that brought
8 this suit. They are the ones, you know, most impacted by,
9 along with Ms. Karamo obviously, by the Court's decision. And
10 first of all, the thing that stuck -- stuck in my craw I think
11 is an old expression. I don't exactly where it's from, is
12 this idea that they were expelled, evicted, thrown off the
13 committee at the January 13th meeting and with a five-year ban
14 on future participation. Now, those are provided in the
15 bylaws, however that was a special meeting. There was never a
16 special meeting notice that I saw anywhere that said boy,
17 we're going to talk about kicking any members off much less
18 the specific plaintiffs in this case. And that does violate,
19 you know, kind of our fundamental notions of fairness and due
20 process. After all, if someone is going to take an action
21 against us, we'd like to know about that at least sometime in
22 advance of it and have some opportunity to respond be it a
23 letter of writing, showing up at the meeting, whatever. But
24 that didn't appear to me anywhere in the evidence of the case
25 to happen here.

1 I also think there is quite a bit of question there
2 about the use of the conflict provisions. My reading of those
3 conflict provisions is that they define a conflict in
4 financial terms. That is, something worth more than \$500.
5 And I didn't see any evidence, nor did Ms. DeLisle testify to
6 any evidence that she had been promised anything, much less
7 something worth \$500 or more for engaging in this -- in this
8 conduct.

9 Now, was there a conflict of Chairman Karamo?
10 Absolutely. But that's not the kind of conflict that the
11 conflict provisions are intended to prohibit. In fact, you
12 know, generally in political debate it's assumed that there
13 will be some conflict between members of any organization.

14 Also, the harm here is the idea that the bylaws have
15 been disregarded by that January 13th expulsion, and also by
16 the failure to call the special meeting and then kind of a
17 backtracking to say well, you know, it -- your meeting wasn't
18 valid in the first place and now we're going to, you know, go
19 and vet petitions and vet signatures and things like that in
20 hopes that maybe we can knock that number down one below where
21 it needed to be and overturn the decision. Well, you know,
22 and those are certainly out there and available. You can go
23 through those, and that's what we're going to go through in
24 the trial in this matter. However, there really isn't any
25 cure there. The conflict provisions don't provide a good way

1 to resolve a conflict of this nature between members. They
2 don't say, for example, refer it to the Community Dispute
3 Resolution Center, or the American Arbitration Association or
4 anything like that. Nor do they say for that member call up
5 or write a letter to the chairman of the Republican National
6 Committee. They don't have any authority or dispute, you
7 know, formal resolving authority that are given by these
8 bylaws. So -- and there's also no monetary remedy. I can't
9 say well, you know, Ms. DeLisle, you were deprived of your
10 ability to associate politically as you wanted to do when you
11 were kicked out and I can award you a certain amount of money
12 as compensation for that. That -- it's not the sort of thing
13 that allows or contemplates a financial remedy.

14 Um, so in other words, Ms. DeLisle and the other
15 plaintiffs were left with little choice but to bring this
16 matter into court. You know, I don't think anyone's choice
17 ever is to say let's go to court and let a randomly selected
18 judge who may or may not know the law and the statutes behind
19 it decide our case, but that is indeed what has happened --
20 what has happened here.

21 Factor 3, the risk of the parties seeking the
22 injunction would be harmed more by the absence of an
23 injunction than the opposing party would be by the granting of
24 the relief. Well, the absence of an injunction here has been
25 effectively argued by plaintiff in that it's created an

1 environment filled with things the law hates; uncertainly and
2 confusion. The law would much rather have a 80 percent
3 certain decision and go with that than it would, you know, a
4 big void of uncertainty out there. After all our -- our whole
5 effort to write laws and bylaws is to create some sort of
6 certainty and guidelines for the way we act out in society.

7 So and I did hear testimony from both sides that
8 there is confusion and chaos. People don't know who their
9 rightful district chair is and they don't know which very
10 realistically right now how is an individual to know which
11 convention to go to. Would they go to Detroit? Well, some
12 will because they think Ms. Karamo's right. And some may come
13 to Grand Rapids because they feel Ms. Pego had the upper hand
14 in this matter. But it would -- creates this specter of two
15 committees and conventions trying to do the same thing largely
16 drawing from the same base of people and -- but that are at
17 odds with each other about very critical decisions.

18 And it's not limited to the certainty of the
19 individuals. Certainly, I did hear that testimony I believe
20 was Ms. Kurtzweil who said that, you know, it certainly
21 impacts the donors who might be less confident in donating as
22 certainly not knowing who the leadership of the party is. If
23 they feel like that's uncertain, there is a treasurer where
24 they can write a check to now. But it doesn't take a huge
25 leap to understand where a donor would be hesitant if they

1 don't know who's calling the shots on the distribution of that
2 money.

3 Mr. Hartman did testify there that even, you know,
4 with \$250,000 that apparently filtered down not by donors of
5 Michigan but by the National Republican Congressional
6 Committee, well, you know, there was uncertainty about, you
7 know, what are we going to do with that money. How is that
8 going to be distributed. And that just simply can't in an
9 election year ever serve the interest of the party to support
10 its candidates for public office. And that would range from,
11 you know, county commissioners and drain commissioners, all
12 the way to President of the United States. People have to
13 know who the official party is, and if they donate money they
14 should have at least a reasonable assurance that that is going
15 to be utilized for the purposes that they designated it to.

16 Further, we just simply to have two delegations
17 selected by two conventions and send them off to Milwaukee.
18 First of all, the Michigan statute says there's only one
19 committee. And I do have to start with the Michigan statute,
20 that is 168.597, that only identifies one committee. So if
21 Michigan law doesn't contemplate dueling committees decided at
22 the convention by, you know, the other delegates, the National
23 Delegates Convention, and instead it thinks about a situation
24 where we have one committee that is designated the Michigan
25 Republican State Committee and is able to act in the name of

1 that committee for all parts and purposes. And I think that
2 resolution of that confusion, even though in the form of a
3 preliminary injunction has a value here certainly to the
4 plaintiffs. And the question is well, is there a downside?
5 And the downside is yeah, Ms. Karamo is unquestionably harmed
6 by the granting of the injunction and the affirmation of the
7 vote for her removal. She ran and was elected in due course
8 and in a -- in an election that no one here has contested or
9 said was rigged or improper or anything else, she by all
10 accounts by the Court anyway, she ran with the purpose to
11 motivate new Republican voters and get people out to the polls
12 and do all the things a party chair is supposed to do. And a
13 rebuke, particularly one that's delivered through a procedural
14 maneuver of the committee, would be hard -- harmful to anyone
15 to take. However, she does maintain the unquestioned right to
16 continue her participation in party affairs. She's not
17 subject to any five-year ban. Certainly in an ideal world Ms.
18 Karamo would be incorporated into, you know, whatever becomes
19 of the Michigan Republican Party during this election year
20 because certainly she has a strong following, and a committed
21 following and she's earned that for good reason because she
22 came in with some new ideas and motivated people to be
23 energized. It certainly never is lost on me that just about
24 everyone who testified and up here, they're not paid
25 professionals doing this stuff. These are people that

1 volunteer their weekends, time away from their families and
2 their regular professions to go out and do it because they're
3 convinced that this cause is worth supporting. So and Ms.
4 Karamo, that is certainly true of as much as more than anyone
5 else given the amount of effort she has put forth into this
6 project.

7 The harm to the public interest. Well, if the
8 standard was boy, we're making the Republican party look
9 terrible, that ship's already sailed out of here. You know,
10 the fact that we're all sitting here in the courtroom today
11 indicates that, and of course, you know, legitimately
12 broadcast by our news media, et cetera. However, I do think
13 the public interest is sort of by the ruling today first and
14 foremost following Michigan law, that statute 168.597, there
15 can only be one committee and this does indicate that there is
16 one committee. It, to some degree, will alleviate uncertainty
17 and confusion including among Republican presential primary
18 voters who by my watch anyways -- and Wendy's departure
19 indicates to me that I've gone way over my time here -- are
20 open for two more hours. Every presidential primary voter
21 should be able to vote in confidence that their primary vote's
22 going to be carried forth by delegates to the National
23 Convention, and Michigan is going to be represented in
24 accordance with its population and importance in selecting the
25 next candidate for President of the United States. And

1 without -- with two slates of delegates its going to be
2 impossible to know who those delegates are, much less where
3 they come from or who they might vote for at the Convention.

4 And both sides have the -- described for me in court
5 here today the results of this leadership struggle as chaos.
6 And I -- I do think it's important for everyone that the
7 general public belief in the workings of the electoral system
8 that we have is preserved. So I do think that the public
9 interest is served by a granting of the injunction today.

10 So I do have an order that I've prepared and I'm
11 going to read it now and then I'll sign it. I do have copies
12 available for all parties.

13 And that order states, "Order Granting
14 Plaintiffs' Motion For Preliminary Injunction.

15 This matter comes before the Court on Plaintiffs'
16 Motion for Preliminary Injunction. After reviewing
17 the motions and briefs filed by the parties, hearing
18 oral arguments, and otherwise being fully informed,
19 this Court hereby grants Plaintiffs' Motions for the
20 reasons stated on the record.

21 Therefore, this Court finds, that as of January
22 6th, 2024, Ms. Karamo was removed as chair of the
23 Michigan Republican State Committee and that Malinda
24 Pego became the Acting Chair of the Michigan
25 Republican State Committee, and that any actions of

1 Ms. Karamo since January 6th, 2024 purporting to be
2 taken on behalf of the Michigan Republican State
3 Committee are void and have no effect.

4 This Order prohibits Ms. Karamo, or any other
5 person acting for or on her behalf, from: (1) holding
6 herself out as the chair of the Michigan Republican
7 State Committee, in person to the media or on social
8 media; (2) calling any meeting of the Michigan
9 Republican State Committee; (3) conducting, or
10 attempting to conduct, any business in the name of the
11 Michigan Republican State Committee or the Michigan
12 Republican Party; (4) accessing any postal boxes held
13 in the name of the Michigan Republican State
14 Committee, or the Michigan Republican Party; (5)
15 accessing any bank accounts held in the name of the
16 Michigan Republican State Committee or the Michigan
17 Republican Party; (6) filing or causing to be filed
18 any report or other documentation required by state or
19 federal campaign finance or election law; and (7)
20 engaging in any communication, including on social
21 media, that purports to be issued on behalf of the
22 Michigan State Committee or the Michigan Republican
23 Party.

24 This order is effective immediately, and has
25 retroactive applications -- actions after January 6th

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

of 2024, by Ms. Karamo purporting to act as chair.

The trial date of June 10th of 2024 remains in this courtroom.

It is so ordered.

And this not the final order and does not close this case."

So thank you all for your --

MR. LAUDERBACH: Thank you, your Honor.

THE COURT: -- for your persistence in bringing this. It's been a long three days. Court is adjourned.

MR. LAUDERBACH: Thank you.

MS. HOWARD: Thank you, your Honor.

(At 5:37 p.m., proceedings concluded)

STATE OF MICHIGAN)

COUNTY OF KENT)

I certify that this transcript, consisting of 223 pages, is a complete, true, and correct transcript to the best of my ability of the proceedings and testimony taken in this case on February 27, 2024.

3/20/2024 | 2:22 PM EDT

Elizabeth M Shearer

Date

Elizabeth Shearer, CER 8971
Certified Electronic Recorder
180 Ottawa Avenue NW, Suite 10200-B
Grand Rapids, Michigan 49503
(616) 632-5086