

**Official Contest
of the March 18, 2014
Richmond City Mass Meeting**

In accordance with Article X, Section B of the Plan of Organization of the Republican Party of Virginia ("Party Plan"), we, the undersigned, do hereby formally contest the results of the March 18, 2014 Richmond City Mass Meeting as it pertains to the 3rd Congressional District.

Petitioners:

Signature:	<u><i>Feter Marx</i></u>	Signature:	<u><i>R. C. Worsam</i></u>
Print:	<u>Feter Marx</u>	Print:	<u>Richard C. Worsam</u>
Signature:	<u><i>Brian Landrum</i></u>	Signature:	_____
Print:	<u>Brian Landrum</u>	Print:	_____
Signature:	<u><i>Shaina Kirchhoff</i></u>	Signature:	_____
Print:	<u>Shaina Kirchhoff</u>	Print:	_____
Signature:	<u><i>Stephen Thomas</i></u>	Signature:	_____
Print:	<u>Stephen Thomas</u>	Print:	_____
Signature:	<u><i>Marjorie Harrison</i></u>	Signature:	_____
Print:	<u>Marjorie Harrison</u>	Print:	_____
Signature:	<u><i>Stephen P. Tyndall</i></u>	Signature:	_____
Print:	<u>Stephen P. Tyndall</u>	Print:	_____
Signature:	<u><i>Carolyn V. Worsam</i></u>	Signature:	_____
Print:	<u>CARDLYN V. WORSAM</u>	Print:	_____

SUMMARY

During the 18 March 2014 Richmond City Mass Meeting, there were a number of substantial violations of the Party Plan, the published Call, and Roberts Rules of Order that individually and collectively resulted in unfair and improper proceedings. These violations precluded a fair consideration and election of Delegates to the Third District convention, and instead ultimately resulted in the improper election of only a subset of the properly pre-filed Delegates (the “Slated Delegation”), rejecting sixteen (16) properly pre-filed Delegates.

These infractions include, but are not limited to:

- A flawed credentialing process for the Mass Meeting.
- Failure of the Chair to recognize key valid motions that affected the results

We detail these infractions in the attached filing.

We seek as remedy the following: (1) that all properly pre-filed Delegates to the Third District Convention be deemed elected by the Mass Meeting and immediately eligible to participate in the upcoming Third District Convention; OR, alternatively, (2) that the Richmond City Mass Meeting be re-convened with a proper credentialing process, and according to Roberts Rules and the Party Plan, and that none of the current Richmond City Delegates or Committee Members be deemed elected until this new Mass Meeting is conducted.

COMPLAINTS

1. Flawed Credentialing Process. It is the responsibility of those conducting the Mass Meeting to ensure the integrity of the credentialing process. The Party Plan and the published Call both clearly define the qualifications for participation in the Mass Meeting. To wit, the following criteria apply:
 - a. Participants must be registered voters of the City of Richmond;
 - b. Participants must be willing to state in open meeting if requested their intention to support all of the nominees in the ensuing election; and
 - c. Participants must not have participated in the nomination process of another Party in the past five years.

The Credentialing Process of the Mass meeting was unable to confirm criterion (a), the proper voter registration of the participants in the City of Richmond. In addition, it could not – and did not attempt to -- verify criterion (c), that participants hadn't participated in the nomination process of another Party (i.e., Democrat Primaries).

Witness Stephen Tyndall, a member of the three-member Credentials Committee directly involved in the credentialing process, reported that the Credentials Committee abandoned their process of verifying voter registration after screening the first twenty (20) out of an estimated total of seventy-one (71) participants. According to Mr. Tyndall, they could not find in their voter rolls at least five (5) prospective participants out of first twenty (20) they screened, and that alarmed the Credentials Committee as to the integrity of their database. Mr. Tyndall recalls that out of those seventy-one, approximately forty (40) claimed they were registered to vote in the Third District portion of Richmond City, and the remaining thirty-one (31) claimed they were from the Seventh District portion of Richmond City. Some of those five were known from experience to be registered voters, so this anomaly cast doubt on the integrity of the voter rolls used for the Mass Meeting.

Mr. Tyndall also reports that there was no attempt to verify criterion (b), by asking participants to sign a statement of their intent to support the Party's nominees. Furthermore, he reports there was no attempt to verify criterion (c), by checking to see if any of the prospective participants had voted in a Democrat primary in the past five (5) years.

These assertions appear not to be in dispute. Mr. Tyndall reports that the Mass Meeting Chairman, Mr. Chip Muir, was brought in to the Credentials Committee room and advised of the situation. During the time for the Credentials Committee Report, the Chairman of the Credentials Committee, Ms. Starlett Stevens reported to the body the problems they faced not being able to confirm voter registrations. The Mass Meeting Chairman then took the podium, and tried to resolve the Credentials matters by having all

participants stand and raise their right hands to affirm that they were registered voters in their respective Congressional Districts of Richmond City.

While this mass affirmation might be deemed sufficient to satisfy criterion (b) (open meeting affirmation of intention to support the party's nominees), it is a wholly inadequate method to verify criteria (a) and (c). Well-intentioned participants may think they are registered in the proper jurisdiction when in fact they are not; and some may believe they have not participated in a Democratic Primary when in fact they may have.

Furthermore, no Credential Committee Report was adopted by the body. Therefore there was no formal approval or basis upon which to tally votes for the subsequent business of the Mass Meeting by the body at-large or by Congressional District.

We maintain this fundamental lack of integrity of the credentialing of participants casts doubt on the entire legitimacy of a Mass Meeting that took such a controversial and extraordinary action in the Third District to slate off sixteen (16) Delegates -- for reasons entirely unrelated to Article I qualifications under the Party Plan. Rather, this lack of integrity actually violates Article I Section A of the Party Plan, the Qualification section of the published Call, and our fundamental right of free association under the Constitution (i.e., the right to exclude non-Republicans from our proceedings). The burden of proof of the integrity of the process lies entirely with the organizers of the Mass Meeting, not the petitioners, and the facts presented here cast sufficient doubt on that integrity to sustain this contest of the results.

2. Failure to recognize proper and outcome-determinative motions. The Mass Meeting Chairman ruled out of order at least two proper motions that had direct impact on the election of Delegates. This action of ruling valid motions out of order not only wrongly blocked consideration of actions by the body with regard to the Third District elections, it had a chilling prejudicial effect on the body by creating animosity toward those making such motions.
 - a. Before the Rules Report was adopted, and while the body was still governed solely according to Roberts Rules of Order, a Rules Report was read out to the body for adoption. Participant Stephen Thomas reports that he moved to amend the Rules Report such that all properly pre-filed Delegates be deemed elected (assuming there were no "overfiles" for the positions). Mr. Thomas' motion received a proper second, but was immediately ruled out of order by the Mass Meeting Chairman. Thus, Mr. Thomas' motion was not allowed to even be considered and voted upon. The Chairman gave as the basis for his decision that the Rules Report must be voted on up or down as reported. Nothing in Roberts

Rules supports this ruling [RONR 11th edition, page 546 Section 53 Rules in a Mass Meeting]; thus, the Rules Reports may in fact be amended. This point is particularly important, since the Rules are adopted by the entire Mass Meeting, not just those participants from the Third District. Had Mr. Thomas' valid motion been given due consideration by the entire body (including the Seventh District participants), it is entirely possible that rules would have been adopted from the outset that precluded "slating" (regardless of the ultimate will of the Third District participants). After this point in the meeting, it was clear the body was prejudiced against Mr. Thomas and his associates on all future motions, assuming them to "troublemakers" intent on upsetting the order of the meeting.

- b. During debate on the Third District Delegate Nominations Committee Report, a motion made by Mr. Thomas was initially ruled out of order by the Chairman. Mr. Thomas was attempting to amend a motion on the floor made by Ms. Christy Heath to "slate" the delegates in the Third District. The net effect of Mr. Thomas motion would have added back most of the names being removed by Ms. Heath's slating motion. The Chair initially ruled Mr. Thomas motion out of order on the basis it was not a "friendly amendment". However, while the net effect of Mr. Thomas motion would certainly have weakened Ms. Heath's motion, it did not have the net effect of undoing her motion entirely. Therefore Mr. Thomas motion was in fact in order, and should have immediately been granted consideration by the body. The Chair ultimately did allow Mr. Thomas motion to come to the floor, but not until after Mr. Thomas's credibility had been severely damaged with the body due to having both of his floor motions initially ruled out of order by the Chair.

For these and other related reasons, we submit the proceedings were unfairly and improperly conducted.

REMEDY

Because of these and other infractions, we petitioners seek either one of the two following proposed remedies:

1. All properly pre-filed Delegates to the Third District Convention be deemed elected, and their votes allowed to be cast at the Third District Convention, either in person, or, if this remedy isn't timely, retroactively at RPV via a process set up by RPV to update the results of the Third District Convention Chairman's election; OR, in the alternative,
2. That the Richmond City Committee be required to re-issue a Call to a Mass Meeting and re-convene said Mass Meeting with a proper credentialing process, and run according to the Party Plan and Roberts Rules. Further, none of the current Richmond City Delegates or Committee Members shall be deemed elected until this new Mass Meeting is conducted. If this Mass Meeting does not elect and certify Delegates in time for the Third and Seventh District Conventions, then these Delegates shall be allowed to vote retroactively at RPV via a process set up by RPV staff to update the results of the Third and Seventh District Convention Chairman elections.