

May 28, 2019

**VIA E-MAIL**

Executive Committee Member  
Hanover County Republican Committee

Re: The Improper Attempt to Remove Ms. Dale Taylor as the Hanover County  
Republican Committee Unit Chairwoman

Dear Hanover County GOP Executive Committee Member:

My law firm has been retained to represent Delegate Chris Peace's campaign for the House of Delegates. We understand that a Hanover County GOP special meeting has been called for tomorrow, May 29, to try to remove Ms. Dale Taylor as the unit chairwoman. As discussed below, such a meeting is improper and should be cancelled. In the event that this meeting proceeds, that Chairwoman Taylor is improperly removed, and that such removal adversely affects Delegate Peace's attempt to seek the party's nomination, we hereby notify you that the campaign reserves all of its rights to seek legal recourse against you. If the Executive Committee persists on continuing with tomorrow's special meeting, then you are hereby directed to preserve and not destroy any and all evidence that may be used in a court proceeding.

I. Background

On April 28, 2019, an email was distributed from the email address, newsletter@hanovergop.com, which calls for the removal of Ms. Taylor as the Hanover County GOP unit chairwoman. This email contained extremely vague allegations against her with no citation to the Republican Party of Virginia Plan of Organization ("Party Plan"), which governs the party.

Subsequently, on May 16, 2019, another email was distributed from the email address, newsletter@hanovergop.com, at 7:29 a.m., which stated that a "majority of the [Hanover County Republican Committee's] Executive Committee has agreed to call **a special meeting for May 29, 7:00 PM, at the Hanover County Administration Building**, for the purposes of . . . [t]he **vote for, or against, the removal of Unit Chair, Dale Taylor**, based on the specified charges in the petition for removal sent out on April 28th, 2019." (emphasis in the original).

Another email was distributed later that same day (May 16) at 7:52 p.m., stating that "[o]ne-third of the Hanover Republican Committee has agreed to call **a special meeting for May**

**29 . . . for the purposes of . . . [t]he vote for, or against, the removal of Unit Chair, Dale Taylor, based on the specified charges in the petition for removal sent out on April 28th, 2019.”** (emphasis in the original).

Importantly, this later May 16 email merely contained a typed list of Hanover GOP members who are purportedly issuing the notice of removal, but there were no actual signatures that accompanied this email blast. In fact, none of the three email blasts contained or included any signatures of the committee members who are presumably seeking her removal. Upon information and belief, not all of the individuals whose names are listed in the May 16 blast email necessarily support the removal of Ms. Taylor as the unit chair. Moreover, none of the email blasts contained any detailed explanation of the charges against her. And notably, Chairwoman Taylor was never personally served with a copy of any notice, any call for her removal, or any formal petition relating to her removal.

## II. The Present Attempt to Remove Chairwoman Taylor Violates the State Party Plan

These newsletter email blasts regarding the attempted removal of Chairwoman Taylor ignore the plain language requirements of the Party Plan. Specifically, the Party Plan states: “Any Chairman . . . may be removed from office by the vote of two-thirds (2/3) of the other members of the Committee, after being furnished with notice that such removal will be sought, with the charges, in writing, signed by not less than one-third (1/3) of the members of the Committee; and allowing him thirty (30) days within which to appear and defend himself.” (Party Plan, Article VII, § C.)

Here, tomorrow’s special meeting should be cancelled because the alleged notice of removal fails to abide by the Party Plan for numerous reasons. First, none of the email blast notices were actually “signed by . . . the members of the Committee.” (Party Plan, Article VII, § C.) The May 16 email blast (sent at 7:52 p.m.) merely contained a typed list of members who are purportedly calling for Chairwoman Taylor’s removal. But that is insufficient. Without each person’s actual signature, the removal notice fails. Removal of a chairman under the Party Plan is a drastic action, and the signature requirement is a critical component of the Party Plan that allows affected persons (like Chairwoman Taylor) to verify that the people listed in the May 16 email are actually calling for her removal. Here, it appears that certain of the persons listed in that email are in fact not necessarily seeking her removal.

Second, Chairwoman Taylor has not been adequately “furnished with notice . . . with the charges.” (Party Plan, Article VII, § C.) The alleged “charges” contained in the April 28 email blast are extremely vague, and the notice does not even cite to any provision of the Party Plan (or the Hanover County GOP bylaws) that has been allegedly violated. Consequently, Chairwoman Taylor is not and will not be able to properly and effectively defend herself at her removal hearing, which will constitute a deprivation of her due process rights.

Moreover, we note that the accusations leveled against Ms. Taylor in the April 28 email blast, which were apparently widely and publicly disseminated, may be defamatory in nature. Consequently, Ms. Taylor may have a legal cause of action for defamation against those who

were involved with that April 28 email blast. *See Fleming v. Moore*, 221 Va. 884, 889, 275 S.E.2d 632, 635 (1981) (“At common-law defamatory words which are actionable per se are . . . [t]hose which impute to a person unfitness to perform the duties of an office or employment of profit, or want of integrity in the discharge of the duties of such an office or employment [and] . . . [t]hose which prejudice such person in his or her profession or trade.”) (citations omitted); *Tronfeld v. Nationwide Mut. Ins. Co.*, 272 Va. 709, 713-14, 636 S.E.2d 447, 450 (2006) (“A person maligned by defamation per se may recover compensatory damages for injury to reputation, humiliation, and embarrassment without demonstrating any financial loss.”).

Third, as we understand it, Chairwoman Taylor was never “furnished with notice that [her] removal” is being sought, which is required under the Party Plan. (Party Plan, Article VII, § C.) She could easily have been personally served with such notice. She was not. And as mentioned, she has never once been provided with signatures of the members who have supposedly called for her removal.

Fourth, tomorrow’s special meeting is highly premature under the Party Plan. As mentioned, the Party Plan provides that an affected chair (like Ms. Taylor) is allowed “thirty (30) days within which to appear and defend himself” “after being furnished with notice that such removal will be sought . . . signed by not less than one-third (1/3) of the members of the Committee.” (Party Plan, Article VII, § C.) (emphasis added). In other words, the aforementioned thirty-day period begins to run only after the chair receives the notice signed by one-third of the committee.

Here, the May 16 blast email sent at 7:29 a.m. states: “A majority of the HRC’s Executive Committee has agreed to call **a special meeting for May 29. . . . It is necessary to collect one third of the members of the Hanover Republican Committee that agree to support the call** for the special meeting. **If you support this special meeting, please reply or email us** at [newsletter@hanovergop.com](mailto:newsletter@hanovergop.com).” (emphasis in the original). The blast email sent later that same day at 7:52 p.m. provides that “[o]ne third of the Hanover Republican Committee has agreed to call **a special meeting. . . .**” (emphasis in the original). As mentioned, neither of these two emails included actual signatures of the committee members who are supposedly calling for Chairwoman Taylor’s removal.

In light of these two emails, it was not until the evening of May 16 that one-third of the Hanover County GOP supposedly agreed to call for her removal—even though no signatures were provided. Assuming that this constitutes a proper notice of removal under the Party Plan (it does not), then the thirty-day period that Chairwoman Taylor is entitled to under the Plan did not begin to run until that date (May 16). Because the present May 29 meeting falls within that thirty-day period, that meeting is premature under the Plan.

For all of these reasons, the present attempt to remove Chairwoman Taylor is improper under the Party Plan. Consequently, the special meeting that is scheduled for tomorrow (Wednesday, May 29) should be immediately cancelled. If the Executive Committee continues in its quest and does in fact try to remove Ms. Taylor as the unit chair, such an action would be null and void under the Party Plan.

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### III. Litigation Hold Request

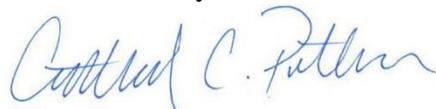
Again, if you proceed with removing Chairwoman Taylor and that removal subsequently adversely affects Delegate Peace's right to be voted on as the party's nominee at the June 1, 2019 canvass, Delegate Peace's campaign intends to take all necessary legal action against the Executive Committee to protect the Delegate's rights.

Thus, as mentioned, we request that you preserve all documents, information, tangible things, emails, and any other electronic communications and documents related to this matter, including but not limited to the following:

- Communications among Executive Committee members related to this special meeting or the attempt to remove Chairwoman Taylor;
- Communications between any Executive Committee member and Mr. Scott Wyatt and/or his campaign, related to this special meeting or the attempt to remove Chairwoman Taylor;
- Communications between any Executive Committee member and anyone else related to this special meeting or the attempt to remove Chairwoman Taylor;
- Documents and communications related to the organization of this special meeting;
- Documents and communications related to the events that transpire at the special meeting, if one is held;
- Documents and communications related to any attempt by anyone to cancel the June 1 canvass;
- Minutes of any Hanover County GOP Executive Committee meeting related to the special meeting or the attempt to remove Chairwoman Taylor; and
- Minutes of the special meeting presently scheduled for May 29.

Please consider this request a litigation hold. Thank you.

Sincerely,



Cortland C. Putbrese

cc: Chairman Jack Wilson, Esq.  
John Findlay

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Chris Marston, Esq.  
Members of the Hanover County Republican Committee  
Robert Watson