


BY  _____
CENTRAL DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
SANTA ANA
2012 AUG -8 PM 3:05

FILED

1 RICHARD C. GILBERT / SBN 85912
2 Law Offices of Gilbert & Marlowe
3 950 West Seventeenth Street, Suites C, D & E
4 Santa Ana, California 92706-3573

5 Telephone: 714-667-1038
6 Fax: 714-667-2388

7 Attorney for Plaintiffs

8 U.S. DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION – RONALD REAGAN COURTHOUSE

11 **DELEGATES TO THE REPUBLICAN**)
12 **NATIONAL CONVENTION AS**)
13 **FOLLOWS:**)

14 **Alaska National Delegate,**
15 **BARBARA ANDERSEN; . . .**
16 (See attachment pages)
17 **Plaintiffs,**

18 vs.

19 **REPUBLICAN NATIONAL**)
20 **COMMITTEE;**)
21 **REINCE PRIEBUS, Chairman of the**)
22 **Republican National Committee; . . .**)
23 (See attachment pages)
24 **Defendants.**)

CASE NO. SACV 12 - 00927 DOC (JPRx)

SECOND AMENDED COMPLAINT FOR:

- 1. DECLARATORY JUDGMENT;
- AND
- 2. INJUNCTIVE RELIEF;
Request for Permanent Injunction
(Rule 65 FRCP)

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23 ///
24 ///
25 ///
26 ///
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28 ///

Case No: SACV 12-00927 DOC (JPRx)

- 1 DELEGATES TO THE REPUBLICAN)
- 2 NATIONAL CONVENTION AS FOLLOWS:)
- 3 Arizona National Delegate, Matt Papke)
- 4 Arizona National Delegate, Anna Larsen)
- 5 Arizona National Delegate, Blythe Guvenen)
- 6 Arizona Alternate National Delegate, Alex Judd)
- 7 Arizona Alternate National Delegate, Cassandra)
- 8 Mooneyham)
- 9 Arizona Alternate National Delegate, Joanne)
- 10 Diggins)
- 11 Arizona Alternate National Delegate, Paul Diggins)
- 12 Georgia National Delegate, Sahar Hekmati)
- 13 Georgia Alternate National Delegate, Amanda)
- 14 Parsons)
- 15 Georgia National Delegate, Cheryl Dalton)
- 16 Louisiana State/Pending National Delegate, Scott)
- 17 Chiavetta)
- 18 Massachusetts National Delegate, John Aaron)
- 19 McKeon)
- 20 Maine National Delegate, Cody Whitaker)
- 21 Maine National Delegate, Matthew McDonald)
- 22 Alaska National Alternate Delegate, Tim Dietz)
- 23 Alaska National Alternate Delegate, Tom Idleman)
- 24 Alaska Second National Alternate Delegate,)
- 25 Vincent Fisher)

- 1 Alaska National Alternate Delegate, Danny Golde)
- 2 Alaska National Alternate Delegate, Tom Idleman)
- 3 Alaska National Alternate Delegate, Justin Carro)
- 4 Arizona National Delegate, Kenneth J. Biehl)
- 5 Arizona National Delegate, Janelle Neil)
- 6 Arizona National Delegate, Thurane Aung Khin)
- 7 Arizona National B Delegate, Razi Ann Berry)
- 8 Arizona National B Alternate Delegate, Joni Leckey)
- 9 Arizona National B Alternate Delegate, David)
- 10 Fitzgerald)
- 11 Arizona National B Delegate, James Dutton)
- 12 Arizona National B Delegate, JoAnn Dutton)
- 13 Arizona National B Delegate, Cathy Vallecorsa)
- 14 Arizona National B Delegate, Pace Ellsworth)
- 15 Arizona National Delegate, Dr. Mark Carducci)
- 16 Arizona National B Alternate Delegate, Morgana)
- 17 Gallaway)
- 18 Arizona National A Alternate Delegate, Gregory S.)
- 19 Weisman)
- 20 Arizona National B Alternate Delegate, Gianluca)
- 21 Zanna)
- 22 Arizona National B Delegate, Daniel Forrester)
- 23 Arkansas National Delegate, Zachary Smart)
- 24 Colorado National Delegate, Robert Eskenberry)
- 25 Colorado Alternate National Delegate, Judy Spady)

- 1 Florida Pending National Delegate, Frank Allegro)
- 2 Indiana State/Pending National Delegate, William)
- 3 Hathaway)
- 4 Louisiana Alternate National Delegate, David)
- 5 Abadie)
- 6 Louisiana National Delegate, Kevin Hussey)
- 7 Louisiana National Delegate, Emil Albrecht)
- 8 Louisiana National Delegate, Chester T. "Catfish")
- 9 Kelley)
- 10 Louisiana Alternate National Delegate, Ryan)
- 11 Thames)
- 12 Louisiana National Delegate, David Nata)
- 13 Michigan State Delegate David Wallin)
- 14 Michigan State Pending National Delegate Mrs.)
- 15 David Wallin)
- 16 Nevada National Delegate, James Ayala)
- 17 Nevada National Delegate, Cynthia S. Kennedy)
- 18 Nevada National Delegate, Dr. Mark Carducci)
- 19 Nevada National At Large Delegate, Blake)
- 20 Buffington)
- 21 Nevada Alternate National Delegate, Juanita Cox)
- 22 Nevada National Delegate, Jay Lake)
- 23 Nevada Alternate National Delegate, Robert)
- 24 Terhune)
- 25 Nevada National Delegate, Wayne Terhune)

- 1 Nevada National Delegate, Patrick Kerby)
- 2 Nevada National Delegate, Tory Crockett)
- 3 Nevada National Delegate, Wiselet K. Rouzard)
- 4 New Mexico Alternate National Delegate, Lance)
- 5 Klafeta)
- 6 New Mexico Alternate National Delegate, Charles)
- 7 D. Melton)
- 8 New Mexico National Delegate, Emily Ruch)
- 9 New Mexico National Delegate, Patrick Marron)
- 10 New Mexico Alternate National Delegate, Gary)
- 11 Miles)
- 12 Oklahoma National Slate Delegate, Dax Ewbank)
- 13 Oklahoma Alternate National Delegate, Vickie)
- 14 Babcock)
- 15 Oklahoma Alternate National Slate Delegate,)
- 16 Gregory S. Hendrix)
- 17 Oklahoma Alternate National Slate Delegate, Toni)
- 18 Samanie)
- 19 Oklahoma National Slate Delegate, Trina Burfield)
- 20 Oklahoma Alternate National Delegate, Jason)
- 21 Timm)
- 22 Oklahoma Alternate National Slate Delegate, Gena)
- 23 Brooks)
- 24 Oklahoma National Slate Delegate, Marc Collins)
- 25 Oklahoma Alternate National Slate Delegate,)

- 1 Thomas Ryan)
- 2 Oklahoma National Slate Delegate, JJ Prachyl)
- 3 Oklahoma Alternate National Slate Delegate,)
- 4 Katherine Chadrick)
- 5 Oklahoma Alternate National Slate Delegate,)
- 6 Joanna Francisco)
- 7 Oklahoma National Slate Delegate, Nancy)
- 8 Humphreys)
- 9 Oklahoma National Slate Delegate, Carlos Garza)
- 10 Oklahoma National Slate Delegate, Tyler Thulin)
- 11 Oklahoma National Slate Delegate, Jennifer Senn)
- 12 Oklahoma Alternate National Delegate, Porter)
- 13 Davis)
- 14 Oklahoma National Slate Delegate, Bob Davies)
- 15 Oklahoma Alternate National Delegate, Terri)
- 16 Vivion)
- 17 Oklahoma National Slate Delegate, Jake Peters)
- 18 Oklahoma National Slate Delegate, Matthew Ball)
- 19 Oklahoma Alternate National Slate Delegate,)
- 20 Richard Grimes)
- 21 Oklahoma Alternate National Slate Delegate,)
- 22 Andrew Macdonald)
- 23 Oklahoma Alternate National Slate Delegate,)
- 24 Nathan Davis)
- 25 Oklahoma Alternate National Delegate, Diane)

- 1 Engel Thomas)
- 2 Oklahoma Alternate National Delegate, Joshua)
- 3 Foos)
- 4 Oklahoma Alternate National Delegate, Jerry)
- 5 Essary Jr)
- 6 Oklahoma Alternate National Slate Delegate, Doug)
- 7 Landers)
- 8 Oklahoma Alternate National Slate Delegate,)
- 9 Destiny R. Engle)
- 10 Oklahoma Alternate National Slate, Laura Killian)
- 11 Oklahoma Alternate National Slate Delegate,)
- 12 Robert C Kessler)
- 13 Oklahoma National Slate Delegate, Daniel Hensch)
- 14 Oklahoma National Slate Delegate, Leslie Todd)
- 15 Bigham)
- 16 Oklahoma Alternate National Slate Delegate, John)
- 17 Casimir Kucewicz, Jr.)
- 18 Oregon National Delegate, Duane Taylor)
- 19 Oregon Alternate National Delegate/National)
- 20 Elector to Electoral College, Kevin Renfrow)
- 21 Oregon At Large National Delegate, Lyn Riverstone)
- 22 Oregon Alternate National Delegate, Jason Payne)
- 23 Oregon At Large National Delegate, Larry Ericksen)
- 24 Oregon At Large National Delegate, Diana)
- 25 Hengerer)

- 1 Texas National At Large Delegate, Alan Johnson)
- 2 Texas National Delegate, Jay Stang)
- 3 Texas National Delegate, Hector Medina)
- 4 Texas Congressional District Delegate, Mike Reyes)
- 5 Texas National Delegate, Chris J. Brown)
- 6 Texas Alternate National Delegate, Shawn)
- 7 Mendoza)
- 8 Texas Alternate National Delegate, Edward Beck)
- 9 Texas Alternate National Delegate, Isabel Gonzalez)
- 10 Alabama State Delegate, Loretta Roughton)
- 11 Alaska State Delegate, Daryl Lanzon)
- 12 Arizona State Delegate, Virginia Guest)
- 13 Arizona State Delegate, Pepper Draper)
- 14 Arizona Alternate State Delegate, Annette)
- 15 Hardman)
- 16 Arizona State Delegate, Stacey Salvaggio)
- 17 Arizona State Delegate, Gary Benkendorfer)
- 18 Arizona State Delegate, Devin Tate)
- 19 Arizona State Delegate, Gabrielle Tate)
- 20 Arizona State Delegate, Seraphim Larsen)
- 21 Arizona State Delegate, Cary Lockwood)
- 22 Arizona State Delegate, David Petersen)
- 23 Arizona State Delegate, Dara Vanesian)
- 24 Arizona State Delegate, Karen Johnson)
- 25 Arizona Pending Delegate, Jake Reed)

- 1 Arizona State Delegate, Dr. Gary Miller)
- 2 Arizona State Delegate, Lee Draper)
- 3 Arizona State Delegate, Tom Platt)
- 4 Arizona State Delegate, Mary Platt)
- 5 Arizona State Delegate, Lorrie Mills-Morse)
- 6 Arizona State Delegate, Marko Trickovic)
- 7 Arizona State Delegate, Ashley W. Pritchard)
- 8 Arizona State Delegate, Pat Petrini)
- 9 Arizona State Delegate, Emily Sabo)
- 10 Arizona State Delegate, Renea Rolwes)
- 11 Arizona State Delegate, Cyndi Nichols)
- 12 Arizona State Delegate, Erica Gardner)
- 13 Arizona State Delegate, Jason C. Tillmann)
- 14 Arizona State Delegate, Clair Van Steenwyk)
- 15 Arizona State Delegate, Jeff Bales)
- 16 Arizona State Delegate, Richard Mooneyham)
- 17 Arizona State Delegate, William Goode)
- 18 Arizona State Delegate, Delmas E. Dawley)
- 19 Arizona State Delegate, Joan Lewis)
- 20 Arizona State Delegate, Shondean Coochise)
- 21 Arizona State Delegate, Crystal Coochise)
- 22 Arizona State Delegate, Mervin Fried)
- 23 Arizona State Delegate, Al Diciccio)
- 24 Arizona State Delegate, Craig Urling)
- 25 Arizona State Delegate, Ken R. Rineer)

- 1 Arizona State Delegate, Michael Eilertsen)
- 2 Arizona State Delegate, Harold Shull)
- 3 Arizona State Delegate, Jeanne Manwiller)
- 4 Arizona State Delegate, Samuel Diggins)
- 5 Arizona State Delegate, Laura Hatton)
- 6 Colorado State Delegate, Timothy Branthoover)
- 7 Colorado State Delegate, Bill Holness)
- 8 Colorado County Delegate, Jobadiah Weeks)
- 9 Iowa County Delegate, Edward True)
- 10 Illinois State Delegate, Matthew Blick)
- 11 Illinois State Delegate, Brien Poutry)
- 12 Illinois State Delegate, James Benzik)
- 13 Georgia District Delegate, Claudio Avendano)
- 14 Georgia District Delegate, Barbara Dunne)
- 15 Georgia District Delegate, Donald Woodward)
- 16 Georgia District Delegate, Shirley Woodward)
- 17 Georgia District Delegate, Nancy Holtzclaw)
- 18 Georgia District Delegate, Bob Holzclaw)
- 19 Georgia District Delegate, Jimmy Dalton)
- 20 Georgia District Delegate, GERALYN DANIEL)
- 21 Georgia District Delegate, Sonja Casey)
- 22 Georgia District Delegate, David James)
- 23 Georgia District Delegate, Gerel Barlett)
- 24 Georgia County Delegate, Aaron Guyton)
- 25 Georgia County Delegate, Pasty Cuson)

- 1 Georgia District Delegate, Lynn Warburton)
- 2 Georgia District Delegate, Randy Beacham)
- 3 Georgia District Delegate, Charles Flanagan)
- 4 Georgia District Delegate, Nancy Fabbri)
- 5 Georgia District Delegate, Louie Fabbri)
- 6 Georgia District Delegate, Larry S. O' Bryant)
- 7 Georgia District Delegate, Mark Alarcon)
- 8 Georgia County Delegate, Kalynn Alarcon)
- 9 Georgia District Delegate, Ted Metz)
- 10 Georgia District Delegate, Benjamin Mihalski)
- 11 Georgia District Delegate, Christopher Lamey)
- 12 Georgia District Delegate, Valorie McLain)
- 13 Georgia District Delegate, Marilyn Watts)
- 14 Georgia District Delegate, Lane Watts)
- 15 Georgia District Delegate, Teresa B. Swensson)
- 16 Georgia State Delegate, Carl A. Swensson)
- 17 Georgia District Delegate, Amanda M. Eskew)
- 18 Georgia District Delegate, Richard C. Eskew)
- 19 Michigan Alternate State Delegate, Michael)
- 20 Chaffee)
- 21 Missouri State Delegate, Matthew Hay)
- 22 Maine State Delegate, Michael Ferreira)
- 23 Arizona State Delegate, Laura Hatton)
- 24 Texas State Delegate, Matt Sistruck)
- 25 Alabama Delegate, Loretta Roughton)

- 1 Alabama Resident, Michael Ramzy)
- 2 Alaska Delegate, Daryl Lanzon)
- 3 Alaska Delegate, Barbara Andersen)
- 4 Arizona Delegate, Virginia Guest)
- 5 Arizona Delegate, Pepper Draper)
- 6 Arizona Delegate, Annette Hardman)
- 7 Arizona Delegate, Stacey Salvaggio)
- 8 Arizona Delegate, Gary Benkendorfer)
- 9 Arizona Delegate, Matt Papke)
- 10 Arizona Delegate, Devin Tate)
- 11 Arizona Delegate, Gabrielle Tate)
- 12 Arizona Delegate, Seraphim Larsen)
- 13 Arizona Delegate, Anna Larsen)
- 14 Arizona Delegate, Cary Lockwood)
- 15 Arizona Delegate, David Petersen)
- 16 Arizona Delegate, Dara Vanesian)
- 17 Arizona Delegate, Karen Johnson)
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- 22 Arizona Delegate, Tom Platt)
- 23 Arizona Delegate, Mary Platt)
- 24 Arizona Delegate, Lorrie Mills-Morse)
- 25 Arizona Delegate, Marko Trickovic)

- 1 Arizona Delegate, Ashley W. Pritchard)
- 2 Arizona Delegate, Pat Petrini)
- 3 Arizona Delegate, Emily Sabo)
- 4 Arizona Delegate, Joey Hardman)
- 5 Arizona Delegate, Renea Rolwes)
- 6 Arizona Delegate, Cyndi Nichols)
- 7 Arizona Delegate, Alex Judd)
- 8 Arizona Delegate, Erica Gardner)
- 9 Arizona Delegate, Jason C. Tillmann)
- 10 Arizona Delegate, Clair Van Steenwyk)
- 11 Arizona Delegate, Jeff Bales,)
- 12 Arizona Delegate, Richard Mooneyham)
- 13 Arizona Delegate, Cassandra Mooneyham)
- 14 Arizona Delegate, William Goode)
- 15 Arizona Delegate, Delmas E. Dawley)
- 16 Arizona Delegate, Joan Lewis)
- 17 Arizona Delegate, Shondean Coochise)
- 18 Arizona Delegate, Crystal Coochise)
- 19 Arizona Delegate, Mervin Fried)
- 20 Arizona Delegate, Al Diciccio)
- 21 Arizona Delegate, Craig Urling)
- 22 Arizona Delegate, Ken R. Rineer)
- 23 Arizona Delegate, Michael Eilertsen)
- 24 Arizona Delegate, Harold Shull,)
- 25 Arizona Delegate, Jeanne Manwiller)

- 1 Arizona Delegate, Joanne Diggins)
- 2 Arizona Delegate, Samuel Diggins)
- 3 Arizona Delegate, Paul Diggins)
- 4 Arizona Delegate, Laura Hatton)
- 5 Colorado Delegate, Timothy Branthoover)
- 6 Colorado Delegate, Robert Eskenberry)
- 7 Colorado Delegate, Jobadiah Weeks)
- 8 Colorado Alternate Delegate, Judy Spady)
- 9 Colorado Delegate, Bill Holness)
- 10 Iowa Delegate, Edward True)
- 11 Illinois Delegate, Matthew Blick)
- 12 Illinois Delegate, Brien Poutry)
- 13 Illinois Delegate, James Benzik)
- 14 Florida Delegate, Gerri Weits)
- 15 Georgia Delegate, Sahar Hekmati)
- 16 Georgia Delegate, Claudio Avendano)
- 17 Georgia Delegate, Amanda Parsons)
- 18 Georgia Delegate, Barbara Dunne)
- 19 Georgia Delegate, Donald Woodward)
- 20 Georgia Delegate, Shirley Woodward)
- 21 Georgia Delegate, Nancy Holtzclaw)
- 22 Georgia Delegate, Bob Holzclaw)
- 23 Georgia Delegate, Cheryl Dalton)
- 24 Georgia Delegate, Jimmy Dalton)
- 25 Georgia Delegate, Geralyn Daniel)

- 1 Georgia Delegate, Sonja Casey)
- 2 Georgia Delegate, David James)
- 3 Georgia Delegate, Gerel Barlett)
- 4 Georgia Delegate, Aaron Guyton)
- 5 Georgia Delegate, Pasty Cuson)
- 6 Georgia Delegate, Lynn Warburton)
- 7 Georgia Delegate, Randy Beacham)
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- 9 Georgia Delegate, Nancy Fabbri)
- 10 Georgia Delegate, Louie Fabbir)
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- 13 Georgia Delegate, Kalynn Alarcon)
- 14 Georgia Delegate, Ted Metz)
- 15 Georgia Delegate, Benjamin Mihalski)
- 16 Georgia Delegate, Christopher Lamey)
- 17 Georgia Delegate, Valorie McLain)
- 18 Georgia Delegate, Marilyn Watts)
- 19 Georgia Delegate, Lane Watts)
- 20 Georgia Delegate, Teresa B. Swensson)
- 21 Georgia Delegate, Carl A. Swensson)
- 22 Georgia Delegate, Amanda M. Eskew)
- 23 Georgia Delegate, Richard C. Eskew)
- 24 Louisiana Delegate, Scott Chiavetta)
- 25 Massachusetts Delegate, Renato D'Amico)

- 1 Massachusetts Delegate, John Aaron MeKeon)
- 2 Michigan Delegate, Michael Chaffee)
- 3 Michigan Delegate, Tammy Cech)
- 4 Michigan Delegate, William Bevan)
- 5 Missouri Delegate, Lynn Kempen)
- 6 Missouri Delegate, Matthew Hay)
- 7 South Carolina Delegate, John Perna)
- 8 New Jersey Delegate, Nathan Mooney)
- 9 Nevada Delegate, Jacqlyn Smith)
- 10 Nevada Delegate, F. Marie Hardenbrook)
- 11 Nevada Delegate, Kristene Honzik)
- 12 Texas Delegate, Matt Sistruck)
- 13 Alabama Resident, Jason Williams)
- 14 Maine Delegate, Michael Ferreira)
- 15 Maine Delegate, Michael McDonald)
- 16 Georgia Delegate, Ying Li)
- 17 Arizona Delegate, Cody Whitaker)
- 18 Arizona Delegate, Laura Hatton)
- 19 California Delegate, David Duffina)
- 20 California Delegate, Chris Saraceni)
- 21 California Delegate, John Joseph Vargo)
- 22 Colorado National Delegate, Florence Sebern)
- 23 Iowa National Delegate, Roger Leahy)
- 24 Maine National Delegate, Landon St. Peter)
- 25 Maine National Delegate, Bryan Daugherty)

- 1 Nevada At-Large National Delegate, Blake)
- 2 Buffington)
- 3 Nevada State Delegate, James M. Benthin)
- 4 New Mexico Alternate National Delegate, Barbara)
- 5 Miller)
- 6 Oklahoma Alternate National Slate Delegate, Glen)
- 7 Sherwin)
- 8 Oklahoma State Delegate, Scott Esk)
- 9 Oregon At-Large National Delegate, Lucas Willms)
- 10 Oregon Alternate National Delegate, Elaine Smith)
- 11 Texas Alternate, National Delegate Jason Marshall)
- 12 Kute)
- 13 Texas National Delegate, Brad McCally)
- 14 Vermont Alternate National Delegate, Edward)
- 15 Pomicter, MD)
- 16 California Resident, Francois Chaquette)
- 17 Nevada State Delegate Van Pete Claytor)
- 18 Nevada State Delegate Todd Smith)
- 19 California Resident Francois Chaquette)
- 20 Nevada State Delegate Nick Riley)
- 21 Nevada State Delegate Sandra Bellizzi)
- 22 Nevada State Delegate Mila Farrell)
- 23 Nevada State Delegate Brian Doyal)
- 24 Nevada State Delegate Christopher McMasters)
- 25 Nevada State Delegate Mark Russell)

1 Nevada State Delegate Robert Walker)
 2 Nevada State Delegate Mitra Akhavan)
 3 California State Delegate Paul Henson)
 4 Nevada State Delegate Tyrone Nemeth)
 5 Nevada State Delegate Chad Kortan)
 6 Nevada Alternate Delegate Thomas Hoops)
 7 Nevada Delegate Patrick Kerby)
 8 Nevada State Delegate James M. Benthin)
 9 Nevada State Delegate Eric Rainey)
 10 Nevada State Delegate Washoe County Delegate)
 11 Nevada State Delegate James N. Ayala)
 12 Missouri State Delegate Michael L. Smith)
 13 California State Delegate James L. Rushing)
 14 Nevada State Delegate Heidi Waterman)
 15 Nevada State Delegate Kenneth Bent)
 16)
 17 **Plaintiffs,**)
 18 **vs.**)
 19)
 20 Republican National Committee)
 21 Reince Priebus, as Chairman of the Republican)
 22 National Committee,)
 23 Alabama Republican Party)
 24 Bill Armistead, as Chairman of the Alabama)
 25 Republican Party Chairman)

- 1 Alaska Republican Party)
- 2 Randy Ruedrich, as Chairman of the Alaska)
- 3 Republican Party Chairman)
- 4 Republican Party of American Samoa)
- 5 Mr. Victor Tofaeono, as Chairman of the)
- 6 Republican Party of American Samoa)
- 7 Arizona Republican Party)
- 8 Tom Morrissey, as Chairman of the Arizona)
- 9 Republican Party)
- 10 Arkansas Republican Party)
- 11 Doyle Webb, as Chairman of the Arkansas)
- 12 Republican Party)
- 13 California Republican Party)
- 14 Tom Del Beccaro, as Chairman of the)
- 15 California Republican Party)
- 16 Colorado Republican Committee)
- 17 Ryan Call, as Chairman of the Colorado)
- 18 Republican Committee)
- 19 Republican Party of Connecticut)
- 20 Jerry Labriola, Jr, as Chairman of the)
- 21 Republican Party of Connecticut)
- 22 Delaware State Republican Party)
- 23 John Sigler, as Chairman of the Delaware State)
- 24 Republican Party)
- 25 District of Columbia Republican Party)

1 Bob Kabel, as Chairman of the District of)
2 Columbia Republican Party)
3 Republican Party of Florida)
4 Lenny Curry, as Chairman of the Republican)
5 Party of Florida)
6 Georgia Republican Party)
7 Sue P. Everhart, as Chairwoman of the)
8 Georgia Republican Party)
9 Republican Party of Guam)
10 Mike Benito, as Chairman of the Republican)
11 Party of Guam)
12 Hawaii Republican Party)
13 David Chang, as Chairman of the Hawaii)
14 Republican Party)
15 Republican Party of Idaho)
16 Norm Semanko, as Chairman of the)
17 Republican Party of Idaho)
18 Illinois Republican Party)
19 Pat Brady, as Chairman of the Illinois)
20 Republican Party)
21 Indiana Republican Party)
22 Eric Holcomb, as Chairman of the Indiana)
23 Republican Party)
24 Republican Party of Iowa)
25 Matt Strawm/AJ Spiker, as Chairman of the)

- 1 Republican Party of Iowa)
- 2 Republican Party of Kansas)
- 3 Amanda Adkins, as Chairman of the)
- 4 Republican Party of Kansas)
- 5 Republican Party of Kentucky)
- 6 Steve Robertson, as Chairman of the)
- 7 Republican Party of Kentucky)
- 8 Republican Party of Louisiana)
- 9 Roger Villere, as Chairman of the Republican)
- 10 Party of Louisiana)
- 11 Maine Republican Party)
- 12 Charlie Webster, as Chairman of the Maine)
- 13 Republican Party)
- 14 Republican Party of Maryland)
- 15 Alex X. Mooney, as Chairman of the)
- 16 Republican Party of Maryland)
- 17 Massachusetts Republican Party)
- 18 Robert Maginn, as Chairman of the)
- 19 Massachusetts Republican Party)
- 20 Michigan Republican Party)
- 21 Robert Schostak, as Chairman of the Michigan)
- 22 Republican Party)
- 23 Republican Party of Minnesota)
- 24 Pat Shortridge, as Chairman of the Republican)
- 25 Party of Minnesota)

- 1 Mississippi Republican Party)
- 2 Joe Nosef, as Chairman of the Mississippi)
- 3 Republican Party)
- 4 Missouri Republican Party)
- 5 David Cole, as Chairman of the Missouri)
- 6 Republican Party)
- 7 Montana Republican Party)
- 8 Wes Deschamps, as Chairman of the Montana)
- 9 Republican Party)
- 10 Nebraska Republican Party)
- 11 Mark Fahleson , as Chairman of the Nebraska)
- 12 Republican Party)
- 13 Republican Party of New Hampshire)
- 14 Nevada Republican Party)
- 15 Michael McDonald, as Chairman of the)
- 16 Nevada Republican Party)
- 17 Republican Party of New Hampshire)
- 18 Wayne MacDonald, as Chairman of the)
- 19 Republican Party of New Hampshire)
- 20 New Jersey Republican Party)
- 21 Mayor Samuel Raia, as Chairman of the New)
- 22 Jersey Republican Party)
- 23 Republican Party of New Mexico)
- 24 Monty Newman, as Chairman of the)
- 25 Republican Party of New Mexico)

1 Republican Party of New York State)
2 Edward F. Cox, as Chairman of the Republican)
3 Party of New York State)
4 North Carolina Republican Party)
5 Robin Hayes, as Chairman of the North)
6 Carolina Republican Party)
7 North Dakota Republican Party)
8 Stan Stein, as Chairman of the North Dakota)
9 Republican Party)
10 Republican Party of the Northern Marianas)
11 Islands)
12 Gov. Benigno Fitial, as Chairman of the)
13 Republican Party of the Northern Marianas)
14 Islands)
15 Ohio Republican Party)
16 Robert T. Bennett, as Chairman of the Ohio)
17 Republican Party)
18 Oklahoma Republican Party)
19 Matt Pinnell, as Chairman of the Oklahoma)
20 Republican Party)
21 Oregon Republican Party)
22 Allen Alley, as Chairman of the Oregon)
23 Republican Party)
24 Republican Party of Pennsylvania)
25 Rob Gleason, as Chairman of the Republican)

- 1 Party of Pennsylvania)
- 2 Republican Party of Puerto Rico)
- 3 Hon. Carlos Mendez, as Chairman of the)
- 4 Republican Party of Puerto Rico)
- 5 Rhode Island Republican Party)
- 6 Mark Zaccaria, as Chairman of the Rhode)
- 7 Island Republican Party)
- 8 South Carolina Republican Party)
- 9 Chad Connelly, as Chairman of the South)
- 10 Carolina Republican Party)
- 11 South Dakota Republican Party)
- 12 Tim Rave, as Chairman of the South Dakota)
- 13 Republican Party)
- 14 Tennessee Republican Party)
- 15 Chris Devaney, as Chairman of the Tennessee)
- 16 Republican Party)
- 17 Texas Republican Party)
- 18 Steve Munsteri, as Chairman of the Texas)
- 19 Republican Party)
- 20 Utah Republican Party)
- 21 Thomas Wright, as Chairman of the Utah)
- 22 Republican Party)
- 23 Vermont Republican Party)
- 24 Jack Lindley, as Chairman of the Vermont)
- 25 Republican Party)

1 Republican Party of Virginia)
2 Hon. Pat Mullins, as Chairman of the)
3 Republican Party of Virginia)
4 Washington State Republican Party)
5 Kirby Wilbur as Chairman of the Washington)
6 State Republican Party)
7 Republican Party of West Virginia)
8 Mike Stuart, as Chairman of the Republican)
9 Party of West Virginia)
10 Republican Party of Wisconsin)
11 Brad Courtney, as Chairman of the Republican)
12 Party of Wisconsin)
13 Republican Party of Wyoming)
14 Tammy Hooper, as Chairman of the)
15 Republican Party of Wyoming)
16 And Does 1 Through 10 inclusive.)
17 **Defendants .**)
18 _____)

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STATEMENT OF JURISDICTION

This Court has jurisdiction pursuant to 28 U.S.C. §§ 1343(a)(3), 2201 and 2202, and 42 U.S.C. § 1971(d).

Further, 42 U.S.C. § 1971(d) recites as follows:

The district courts of the United State shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

In pertinent part, 42 U.S.C. §1971(e) offers statutory guidance that:

An application for an order pursuant to this subsection shall be heard within ten days, and the execution of any order disposing of such application shall not be stayed if the effect of such stay would be to delay the effectiveness of the order beyond the date of any election at which the applicant would otherwise be enabled to vote.

This Second Amended Complaint presents a Federal Question for the Court's consideration.

The Federal Question presented is whether the Voting Rights Act (hereafter "VRA") applies to the National Convention of the Defendants to be held in Tampa commencing August 27, 2012.

There is no other issue presented. If the Court concludes that the Voting Rights Act is applicable to the National Federal Election, commonly known as the Republican National Convention. Plaintiffs request injunctive relief pursuant to 42 U.S.C. §1971(c) to order Defendants to apply the law set forth in 42 U.S.C. §1971 and its subparts to the Convention and to provide a copy of the Court's Order to each Delegate participating in the Convention.

1 Plaintiffs are 121 National Delegates, Alternate National Delegates, and 205 State
2 Delegates who elected National Delegates all with standing to be Plaintiffs in this case pursuant to
3 Federal Law discussed herein. All National Delegate Plaintiffs are elected to vote in a Federal
4 Election as part of the Republican National Convention commencing during the week of August 27,
5 2012, for the purpose of nominating a candidate for President of the United States and a candidate
6 for Vice President of the United States.

7 Named Plaintiffs are residents and U.S. Citizens eligible to vote in the United States,
8 including several states within the Jurisdiction of the Ninth Circuit Federal Court who are duly
9 elected National Delegates who are duly elected.

10 Defendants do not intend to apply the Laws of the United States of America to the Federal
11 Election, commonly known as the Republican National Convention commencing August 27, 2012.

12 Rather, Defendants intend to apply their own private rules disregarding the Laws of the
13 United States and further, Defendants claim they can violate their own rules at any time Defendants
14 choose. Defendants have represented this position to this Federal Court on August 6, 2012, on the
15 record in argument.

16 Defendant, Republican National Committee (hereafter RNC) and its Chairman, Reince
17 Priebus, conduct business in all states within the Ninth Circuit of the Federal Court.

18 Defendants include every State Republican Party and party Chairman within the
19 Jurisdiction of the Ninth Circuit. All other Defendants are agents of Defendants within the
20 Jurisdiction of the Ninth Circuit all participating in the same Federal Election to take place in
21 August 2012, pursuant to 11 CFR §100.2(e).

22 All other Defendants are State Republican Party Organizations participating in a Federal
23 Election for the purpose of nominating a candidate for President of the United States and a
24 candidate for Vice President of the United States.

25 Plaintiffs allege that by a Rational Standard the United States has an interest in applying all
26 relevant U.S. Law to a National Convention of a Political Party that convenes for the purpose of
27 nominating a President and Vice President of the United States. [See 11 CFR § 100.2(e).]
28

1 Plaintiffs allege that any U.S. citizen who is eligible to vote may present a claim that any
2 right enumerated within the Voting Rights Act set forth in 42 USC §1971 and its subparts through
3 42 USC §1974 and its subparts based on law.

4 Plaintiffs allege that the Voting Rights Act applies to every U.S. citizen in every State and
5 Territory pursuant to the Equal Protection and Due Process Clauses of the United States
6 Constitution.

7 Plaintiffs allege that Plaintiffs have standing to present this claim in their own names.
8 Plaintiffs allege that it is not required that the Attorney General of the United States is exclusively
9 authorized to present this claim.

10 A National Convention of a political party that convenes for the purpose of selecting
11 nominees for Federal Office such as President and Vice President of the United States is subject to
12 the Voting Rights Statutes commencing with 42 USC §1971 and US Supreme Court Decisions
13 regarding delegates and their right to be unbound to vote their conscience free from any intimidation
14 from any person or entity.

15 Plaintiffs come to Federal Court to seek the guidance of the Court regarding the Federal
16 Question as to whether Plaintiffs are free to vote their conscience on the first and all ballots at the
17 Federal Election known as the Republican National Convention.

18 Plaintiffs do not seek any reimbursement for Court Fees and Plaintiffs do not seek any
19 award of Attorney Fees. Plaintiffs seek only the guidance of the court and Injunction Relief as set
20 forth herein.

21 THE FEDERAL LAW

22 The Federal Laws are as follows:

23 11 CFR §100.2(e): Defining a national convention as a “Federal Election” for the
24 purpose of electing a candidate for federal office. Which states:

25
26 “(e) Caucus or Convention. A caucus or convention of a political party
27 is an election if the caucus or convention has the authority to select a
28 nominee for federal office on behalf of that party.”

1 Hence, State Delegates have standing as Plaintiffs to seek the guidance of the Court.
2 and

3 42 USC §1971(b). Voting Rights Act recites:
4

5 “No person, whether acting under color of law or otherwise, shall
6 intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce
7 any other person for the purpose of interfering with the right of such
8 person to vote or to vote as he may choose, or of causing such other person
9 to vote for, or not to vote for, any candidate for the office of President.”
10

11 Notwithstanding the clarity of the above Federal Laws the Republican National Committee
12 and its Chairman, Reince Priebus, and Defendants are acting to obstruct, intimidate, and harass
13 Delegates from voting their conscience. These Defendants are intentionally violating Federal Laws
14 by seeking to impose their own private rules in place of and instead of the Laws of the United States
15 which are binding on a National Convention of a political party which convenes for the purpose of
16 nominating a President and Vice President of the United States. Further, Defendants have
17 represented to this Federal Court that Defendants have the right to even violate their own private
18 rules. Said representation was made on August 6, 2012, on the record before this Court.

19 No candidate can be assured that they are the nominee until the Delegates vote because the
20 Delegates have a statutory and Constitutional Right to vote their conscience.

21 For purposes of the Federal question before the Court, all RNC Rules are irrelevant
22 because of the Doctrine of Pre-emption pursuant to Article 2 of the U.S. Constitution, the
23 Supremacy Clause, as well as Federal Statutory Law and Case Law which makes the Federal Laws
24 dispositive of the Federal Question before the Court.

25 The fact that the Republican Party is a private organization becomes legally irrelevant
26 when the party convenes a National Convention for the purpose of selecting a candidate for Federal
27 Office, in this case, President and Vice President of the United States. For all purposes the
28

1 convention is an “election” subject to the Laws of the United States including Supreme Court case
2 decisions and Federal Statutory Law.

3 The Convention of a national political party is a “Federal Election” subject to the laws
4 established by the United States Supreme Court and the Legislative Branch of the Federal
5 Government when signed into law by the President of the United States.

6 U.S. Supreme Court Decisions and Federal Statutory Law preempt any contradictory Party
7 Rule or State Law that attempts to deny a Delegate the right to vote in accordance with their own
8 conscience free from any attempt to bind the Delegate to vote for a particular candidate.

9
10 42 USC §1971(e) the word “vote” means all action necessary to make a vote
11 effective.

12
13 The United State Supreme Court held in *Morse v. Republican Party of Va.* 517 U.S. 186
14 (1985) that an interference in the right of a Delegate to vote in accordance with the Delegate’s own
15 conscience undermines the effectiveness of the vote. Several Supreme Court cases similarly hold.
16 The High Court held that all Congressional Statutes in Law must be fully implemented.

17
18 2 U.S.C. 453, Section 108.7, Effect on State Law.

19
20 (a) The provisions of the Federal Election Campaign Act of 1971, as
21 amended, and rules and regulations issued thereunder, supersede and
22 preempt any provision of State law with respect to election to Federal
23 office.

24
25 2 U.S.C. 431(1), Section 100.2, Election.

26
27 (a) Election means the process by which individuals, whether opposed or
28 opposed, seek nomination for election, or election, to Federal office.

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The specific types of elections, as set forth at 11 CFR 100.2 (b), (c), (d), (e) and (f) are included in this definition.

(b) General election. A general election is an election which meets either of the following conditions:

(1) An election held in even numbered years on the Tuesday following the first Monday in November is a general election.

(2) An election which is held to fill a vacancy in a Federal office (i.e., a special election) and which is intended to result in the final selection of a single individual to the office at stake is a general election. See 11 CFR 100.2(f).

(c) Primary election. A primary election is an election which meets one of the following conditions:

(1) An election which is held prior to a general election, as a direct result of which candidates are nominated, in accordance with applicable State law, for election to Federal office in a subsequent election is a primary election.

(2) An election which is held for the expression of a preference for the nomination of persons for election to the office of President of the United States is a primary election.

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(3) An election which is held to elect delegates to a national nominating convention is a primary election.

(4) With respect to individuals seeking federal office as independent candidates, or without nomination by a major party (as defined in 26 U.S.C. 9002(6)), the primary election is considered to occur on one of the following dates, at the choice of the candidate:

(i) The day prescribed by applicable State law as the last day to qualify for a position on the general election ballot may be designated as the primary election for such candidate.

(ii) The date of the last major party primary election, caucus, or convention in that State may be designated as the primary election for such candidate.

(iii) In the case of non-major parties, the date of the nomination by that party may be designated as the primary election for such candidate.

(5) With respect to any major party candidate (as defined at 26 U.S.C. 9002(6)) who is unopposed for nomination within his or her own party, and who is certified to appear as that party's nominee in the general election for the office sought, the primary election is considered to have occurred

1 on the date on which the primary election was held by the
2 candidate's party in that State.

3
4 Code of Federal Regulations 38:

5
6 (e) Caucus or Convention. A caucus or convention of a political party is an
7 election if the caucus or convention has the authority to select a nominee
8 for federal office on behalf of that party.

9
10 In a Memorandum prepared by legal counsel for the RNC, legal counsel agrees with the
11 legal arguments that Delegates are free to vote their conscience on all ballots. [A true and correct
12 copy is attached hereto as Exhibit A.]

13 This Federal Lawsuit is made necessary because the RNC and its Chairman are violating
14 these United States Laws and are promoting and tolerating efforts to deny Delegates their right to
15 vote in accordance with the Voting Rights Act set forth in 42 U.S.C. §1971(b). Indeed, the RNC
16 and its Chairman , and Defendants rely upon the violation of these laws to intimidate Delegates in
17 support of the RNC's position that Governor Romney is the nominee of the Party when Governor
18 Romney does not have the minimum number of Delegates and no vote has yet taken place and the
19 Convention has not begun. There is no historical precedent that Delegates must be bound. In 2008,
20 at the Republican National Convention which nominated John McCain for President, a Delegate
21 who was purportedly bound to vote for Governor Romney exercised his independent conscience on
22 the first ballot and cast his vote for John McCain. Defendant RNC recognized the right of the
23 Delegate to vote his conscience in accordance with the "VRA" and registered the vote for John
24 McCain. Hence, the precedent is that the RNC does historically recognize the "VRA" to preempt its
25 own private rules.

26 Plaintiffs are Delegates elected to nominate the Republican Nominee for President of The
27 United States at a Convention to be held commencing the week of August 27, 2012, in Tampa,
28 Florida.

1 Plaintiffs seek a remedy for a Court Order compelling The RNC and Each State Party
2 Defendant To Inform In Writing by serving a copy of the Order the Court makes Notifying every
3 Delegate that in accordance with the Voting Rights Act, 42 U.S.C. §1971(b) all Delegates at all
4 times are free to vote their conscience.

5 Plaintiffs do not seek any award of attorney fees or court costs or monetary relief of any
6 kind. Given that Plaintiffs only ask that the Rule of Law set forth in United States Supreme Court
7 Cases and Federal Statutes be ordered to be complied with. Hence, Defendants have no financial
8 issues to defend and no meritorious legal issues that Defendants could submit to this Court that are
9 contra to the legal Points and Authorities presented.

10 Plaintiffs are suffering irreparable harm because their right to vote in accordance with the
11 "VRA" is being denied by Defendants.

12 Without the Orders requested from this Court, Plaintiffs will be denied their right to vote in
13 accordance with 42 U.S.C. §1971(b) on the first and all ballots of the Federal Election that is the
14 Convention of the Republican Party set to commence during the week of August 27, 2012, in
15 Tampa, Florida.

16 The Rules of the RNC are attached to the original Complaint as Exhibit B.

17 Hence, the Federal Question is whether the Voting Rights Act applies to the Federal
18 Election, commonly known as the Republican National Convention, set to commence during the
19 week of August 27, 2012, for the purpose of nominating a President and Vice President of the
20 United States.

21 Plaintiffs pray for further relief as set forth in the Prayer.

22
23 PRAYER

24 WHEREFORE, Plaintiffs pray, and respectfully request that the Court enter judgment:


- 25
26 1. For Declaratory Judgment that pursuant to the US Statutes cited, including
27 42 U.S.C. §1971 and its subparts are applicable to the Federal Election, commonly
28 known as the Republican National Convention, and a Court Order to issue

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declaring that all Delegates to the Federal Election also known as the Republican National Convention in August 2012 to vote in accordance with the Voting Rights Act and its subparts, including 42 U.S.C. §1971(b).

2. For an Order that all Defendants serve on every Delegate within their jurisdiction a hard copy of the Federal Court Order not later than a date set by the Court with proof of compliance to be filed with the Court.
3. For any Order the Court deems just to carry out the intent of the Court.
4. Plaintiffs do not request any reimbursement for costs of this Federal Case nor any reimbursement for legal fees.
5. Plaintiffs request the Court to retain jurisdiction over this case throughout the entirety of the Convention being held in Tampa, Florida in August 2012 for the purpose of assuring that the Orders of this Court are complied with.

DATED: August 8, 2012



RICHARD C. GILBERT, ESQ.
State Bar No. 85912

PLAINTIFFS'

EXHIBIT - A

RNC Associate Counsel's Opinion on Rule 38 of the RNC Rules barring the "unit rule"

MEMORANDUM

SUBJECT: RULE NO 38 - UNIT RULE
FROM: RNC COUNSEL
TO: NANCY LORD
DATE: AUG 20, 2008

This Memorandum is based on your request to examine the Republican Party Rules history relating to the so-called "Unit Rule" provision currently found at Rule 38 which states, "No delegate or alternate delegate shall be bound by any attempt of any state or congressional district to impose the unit rule".

This language was initially adopted at the 1964 Republican National Convention, paraphrasing the words of the proponent of the amendment, in order to codify in party rules the actual practice followed in past conventions, namely to allow delegates to vote as they chose even if state law bound them to vote for a specific candidate.

This amendment which modified then Rule 18(a) was initiated by the RNC Rules Committee and adopted by the full RNC at its pre-convention meeting. That '64 language stated, "No Delegate or Alternate shall be bound by any attempt of any State or Congressional District, the District of Columbia, Puerto Rico or the Virgin Islands to impose the unit rule." Based upon a review of the transcripts of the RNC debate on the "Unit Rule", proponents of the '64 amendment argued that their amendment to Rule 18 merely reflected current practice and adopting this Rules change would simply memorialize what was the historical Convention practice, not create a new policy.

During the debate on the "Unit Rule" amendment, there was some concern raised that the new language would be interpreted by some to prohibit the individual states from adopting rules that would bind or allocate delegates to specific candidates. The proponents, however, gave assurances that it was not their intention to effect any "legal or "moral" obligation of the delegates.

Based upon the concern raised that this provision would be erroneously read to prohibit states to bind or allocate delegates a concerted effort was made to defeat the amendment. That effort to reject the addition of the new "Unit Rule" language based on that concern, failed, 59 to 41.

In 1976 the no "Unit Rule" language was modified by the RNC Rules Committee, effectively requiring the 1976 Convention to record delegate votes based on the results of "any binding Presidential Primary or direct election of delegates bound or pledged pursuant to state law." The Convention Rules Committee and the Convention itself accepted this RNC modification without any debate. The additional Rule 18(a) language applicable to the 1976 Republican Convention read as follows, "...however, that in any event, the vote of each state for the nomination for President shall be announced and recorded (or in the absence of an announcement shall be

recorded) in accordance with the results of any binding Presidential Primary or direct election of delegates bound or pledged pursuant to state law. No delegate or alternate shall be bound by any attempt of any state or Congressional district to impose the unit rule.”

The '76 language was deleted in 1980 effectively reverting back to the 1964 language and the current language regarding the “Unit Rule” now found in Rule 38 is consistent with the 1980 language.

Dear Blake and Sean,

Thank you so much for the memorandum [above] regarding the history of the Rule 38.

After studying it, I still have unanswered questions.

From the memo, I am clear that:

1. Rule 38 was not intended "to prohibit the individual states from adopting rules that would bind or allocate delegates to specific candidates".

What I need clarified is the following:

1. Do the RNC Rules require a state's delegation to follow its state laws or state party rules in the matter of binding of their national delegates to vote for a particular candidate? (I believe the answer is no; the RNC Rules are silent on this issue. My understanding is that any "legal" or "moral" obligation of the delegates, under either state law or state party rules, is simply that -- a state party matter. The RNC will not get involved in any such issue unless it deems that there is a violation of Rule 38 - an attempt to invoke the "Unit Rule" - during the time of the national convention.)

2. Do the RNC Rules prohibit a state party from changing its rules regarding the binding of their national delegates after the 2nd Tuesday in the September the year before the convention but before the national convention begins? (I believe the answer is no - the RNC Rules are again silent on this issue.)

3. Do the RNC Rules allow a national delegate to cast their vote for anyone they choose at the national convention, regardless of any vote-binding rules in their state or regardless of whether or not that "candidate" has been officially nominated under the RNC "majority of delegates from five states" rule? (I believe the answer is yes. I cite the actual rolling roll call of the states vote in 2000 as an example. In several states, even though George W. Bush had for many months been the presumptive nominee, several states, including Arkansas (19 for Bush, 5 for Alan Keyes) in the 2nd session on Monday evening, Massachusetts (35 for Bush, 1 for McCain, and 1 abstention) in the 3rd session on Tuesday evening,

4. Is the process of the "rolling roll call of the states" the process by which it is determined which candidates have met the RNC "majority of delegates from five states" rule in order to have their name officially placed in nomination? In other words, or as a corollary, do only those candidates who receive a "majority of delegates from five states" votes during the "rolling roll call of the states" become an official nominee, while any candidates receiving votes who did not receive the required majority of five states' votes simply fall to the floor, having not met the threshold?

Is there any way that you can clarify the answers to these questions in writing before tomorrow morning?

Nancy Lord
Utah Republican Republican National Committeewoman

From: Jennifer Sheehan - Legal
To: Nancy Lord
Cc: Sean Cairncross - Legal ; Blake G. Hall
Sent: Friday, August 22, 2008
Subject: RE: The Unit Rule

Mrs. Lord:

I am going to attempt to clearly answer your questions as listed below.

1. You are correct - the answer is no. The national convention allows delegates to vote for the individual of their choice, regardless of whether the person's name is officially placed into nomination or not.
2. National Party Rule No. 15(e) does prohibit State Parties from changing their delegate selection and allocation process that the State Party had to submit to the RNC no later than Sept. 4, 2007. However, the time frame for submitting a challenge to the national convention delegation based upon these Rules has expired, as any delegate contests had to be filed by August 2, 2008.
3. Yes - see #1 above.
4. Your question is mixing two separate issues. The first issue involves the nominating process, which requires the majority of delegates from five states to put a candidate's name into the official nominating process. The delegates from these five states must sign a nominating form

that is then submitted to the Secretary of the Republican National Convention. After the Secretary receives these forms, the candidates are announced who have been officially placed into the nominating process and are therefore eligible to accumulate votes from the national convention delegates.

The Rules require that a roll call be taken from each state who announces the number of votes that its delegates cast for any eligible candidates, as well as for any person someone would like to cast a vote for in the roll call. You are correct that a person does not have to be officially nominated in order to receive votes, however, this vote is essentially pointless as it will not count towards the official tally.

Therefore to clarify, a candidate must receive the support of the majority of five state delegations in order to be officially placed into the nomination. Only candidates that have been officially nominated can accumulate votes that will count towards the majority of delegates necessary to officially nominate the Republican nominee for President. The Republican nominee for President must receive at least 1191 votes from the national convention delegation in order to receive the official nomination.

Please let me know if you have additional questions or need further clarifications related to this process.

Sincerely,

Jennifer Sheehan
Associate Counsel
Republican National Committee