

**In the Supreme Court of Texas,
Austin, Texas**

In Re:

The MoCo Precinct Chair Group, an unincorporated association, and
Ronnie Trojanowski, Caleb Smith, Dale Inman, Betty Anderson, Kenneth Allen,
Paul Crowson, Kristen Plaisance, Lauren Vickers, Bill Philibert, Doris (DJ) Fike,
Steven Lawrence, Susan Carranza, Christina Lightfoot, James (Jim) Doyle,
Wayne Pearson, Theresa Haag, John Wertz, Catherine Locetta, Gwen Withrow,
Dennis Tibbs, Tom Lancaster, Steven Foster, Susan Scruggs, Blake Hall, Daniel
Bingham, Melinda Olinde, Tanya Martinez, Mara Wasar, Patricia Carr, Robert
Walker, Sherry Tavel, Mary Lewis, Kim Weber, Stephanie Cox, Stephanie
Schwantes, Thomas Bartley, Diane Campbell, Jackie Williams, Luis Pedraza,
Patrick Teich, Jon Bouche, Staci Earnest, Charles Shirley, Fred Sunderman, Kent
Frappier, Nelson Reyes, Doug Taylor, Kenneth Earnest, Dale Fessenden, Juanita
Simmons, Scott Robbins, Tammy Kelder, Josh Graff, John Schluter, Allison
Winter, Donna McAleer, Herschel Williams, Kathy Ross, Ginger Russell, Larry
Rogers, Suzanne Rapattoni and Neda Henery.

Relators.

**Original Proceeding
Art. V, Section 3 of the Texas Constitution**

Petition for Writ of Mandamus

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IDENTITY OF PARTIES AND COUNSEL

A. Relators

MoCo Precinct Chair Group, an unincorporated association, includes:

Kenneth Allen (Pct 34, elected)	Bill Philibert (Pct 42, 1/3/23)
Betty Anderson (Pct 31, elected)	Kristen Plaisance (Pct 37, elected)
Thomas Bartley (Pct 103, 7/23/22)	Suzanne Rapattoni (Pct 99, elected)
Daniel Bingham (Pct 85, elected)	Nelson Reyes (Pct 4, elected)
Patricia Carr (Pct 83, elected)	Scott Robbins (Pct 33, elected)
Susan Carranza (Pct 49, elected)	Larry Rogers (Pct 75, elected)
Stephanie Cox (Pct 98, 7/23/22)	Kathy Ross (Pct 67, elected)
Paul Crowson (Pct 36, elected)	Ginger Russell (Pct 74, elected)
James (Jim) Doyle (Pct 56, 10/4/22)	John Schluter (Pct 44, elected)
Kenneth Earnest (Pct 6, elected)	Stephanie Schwantes (Pct 101, 8/13/22)
Dale Fessenden (Pct 17, elected)	Susan Scruggs (Pct 81, elected)
Doris "DJ" Fike (Pct 102, elected)	Juanita Simmons (Pct 19, elected)
Steven Foster (Pct 80, 8/13/22)	Caleb Smith (Pct 26, 8/13/22)
Kent Frappier (Pct 2, elected)	Sherry Tavel (Pct 95, 8/13/22)
Josh Graff (Pct 40, elected)	Doug Taylor (Pct 5, elected)
Theresa Haag (Pct 68, elected)	Patrick Teich (Pct 111, 8/13/22)
Blake Hall (Pct 82, 1/3/23)	Dennis Tibbs (Pct 76, elected)
Neda Henery (Pct 108, elected)	Ronnie Trojanowski (Pct 73, elected)
Dale Inman (Pct 27, elected)	Lauren Vickers (Pct 39, 1/3/23)
Tammy Kelper (Pct 35, elected)	Robert Walker (Pct 87, elected)
Tom Lancaster (Pct 79, elected)	Mara Wasar (Pct 92, 7/23/22)
Steven Lawrence (Pct 48, elected)	Kim Weber (Pct 97, elected)
Mary Lewis (Pct 94 7/23/22)	John Wertz (Pct 69, elected)
Christina Lightfoot (Pct 50, elected)	Herschel Williams (Pct 63, elected)
Catherine Locetta (Pct 71, elected)	Jackie Williams (Pct 107, 8/13/22)
Tanya Martinez (Pct 90, 1/3/23)	Allison Winter (Pct 59, elected)
Donna McAleer (Pct 61, elected)	Gwen Withrow (Pct 72, 7/23/22)
Melinda Olinde (Pct 89, elected)	Jon Bouche (Vice Chair, 7/23/22)
Wayne Pearson (Pct 52, elected)	Staci Earnest (Secretary, 7/23/22)
Luis Pedraza (Pct 110, elected)	Charles Shirley (Treasurer, 7/23/22)

Counsel for Relators: Warren V. Norred, 24045094; C. Chad Lampe, 24045042
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B. Real Parties in Interest:

Montgomery County Republican Party Executive Committee, and	
Kenneth Ditto (Pct 103)	Destiny Stark (Pct 92)
Brenda Dunkley (Pct 101)	Cynthia Stinnett (Pct 94)
Brian Hagan (90)	John Thomas (Pct 26)
Martha Ann Kate (Pct 72)	Richard VonRoble (Pct 80)
Keith Lincoln (Pct 56)	Jeffrey Walding (39)
Jamie Nash (42)	Stephen Wright (Pct 62)
Stanley Oatis (111)	Clarence Lewis (Pct 10)
Jodi Runovar (82)	Raquel Lewis (Vice Chair)
James Smith (95)	Mike Medved (Treasurer)
James Spurgin (104)	Mark Frank (Secretary)

The Real Parties in Interest comprise:

- 1) the Montgomery County Republican Party Executive Committee, as a body;
- 2) the individuals named above who Christ has asserted are precinct chairs and has submitted or is expected to submit to the Texas Secretary of State (the asserted specific precinct is indicated parenthetically); and
- 3) the three individuals who Bryan Christ has purported to have elected as executive officers until he can obtain a quorum and elect them.

C. Respondent:

Bryan Christ, Chair of the Montgomery County Republican Party

Counsel for Respondent:

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ON THE NECESSITY OF AN ORAL HEARING

Relators do not see the necessity of an oral hearing in this case, but will appear and defend this application in oral argument if Respondent requests such or this honorable Court would hear argument on the matter.

APPENDIX, APPLICABLE ABBREVIATIONS, and EVIDENCE

Relators have filed with this petition an appendix of exhibits, comprising declarations of relators and supporting documents.

Relators will refer to specific sections of Robert's Rules of Order, Newly Revised, 12th Edition, using "RONR X:Y" to indicate section X and paragraph Y.

Relators will also refer to the rules of the Republican Party of Texas by the nomenclature "RPT Xa" for Rule X, section a of the Rules.

The Texas Election Code may be referenced as "TEC" for conciseness.

Relators have provided considerable evidence in the form of case law, party rules, county executive rules, and excerpts of Robert's Rules of Order. Additionally, each Relator has written a declaration compiled in the appendix.

STATEMENT OF THE CASE

Underlying Proceeding: This dispute stems from Bryan Christ's failure to faithfully and ministerially provide a list of precinct chairs to the Texas Secretary of State.

Nature of Case and Ruling at Issue: Section 171.024(e) of the Texas Election Code requires chairs of county parties to submit a list of newly appointed precinct chairs from their respective counties to the Texas Secretary of State, a ministerial act enforceable by mandamus in the courts of appeal, including the Supreme Court of Texas, under sections 161.007, 161.009, and 273.081 of the Texas Election Code.

Following a rift in the Montgomery County Republican Party Executive Committee, Chair Bryan Christ has abandoned his duty to preside over properly called meetings and ignored the precinct chair appointments made during meetings he has abandoned. Instead, he has called other meetings with his minority supporters and made competing precinct chairs improperly, and then reported those individuals as filling chair positions to the Secretary of State.

Bryan Christ's inaccurate reports to the Texas Secretary of State violate Texas law, and are the rulings at issue.

The resulting bifurcation of the county party has extended beyond internal strife and threatens the county's operations, preventing the executive committee from functioning properly. Christ is misrepresenting the county's precinct chairs to candidates and vendors who rely on these lists and will cause chaos in upcoming elections and conventions.

Relief Sought Relators ask the Court to issue mandamus requiring Bryan Christ to report the properly nominated precinct chairs to the Secretary of State as described herein.

INTRODUCTION TO PETITION FOR WRIT OF MANDAMUS

TO THE HONORABLE SUPREME COURT OF TEXAS:

Relators file this petition for writ of mandamus to require Bryan Christ, the elected chair of the Montgomery County Republican Party, to report the proper list of precinct chairs to the Texas Secretary of State, a ministerial act over which he has no discretion. Mr. Christ has submitted the names of precinct chairs to the Secretary of State who have not been properly appointed, while leaving others who have been properly appointed off of his submissions.

Additionally, Christ has interfered in the duties of the elected officers of the county executive meeting, particularly the treasurer, as he filed statutorily required financial reports with the Texas Ethics Commission.

Lastly, Christ is now attempting to eliminate his critics by misusing the Texas Election Code to punish those who do not attend special meetings called by his officers who gained their position by using improperly appointed precinct chairs.

Relators ask this Court to evaluate indisputable facts and come to the conclusion that Bryan Christ has and is failing his ministerial duties with regard to precinct chair name submission. While there are many facts that must be evaluated to adjudicate this matter, no genuine fact issue exists and mandamus is appropriate and will resolve the remainder of the issue. This cannot go on.

FACTS

Prelude - the Executive Committee operated as one body until July 25th.

A. Chairman Bryan Christ starts abusing rules for his preferred faction.

Martha Ann Kate was reelected to serve as chair for precinct 72 in May of 2022. On June 7, Kate resigned by email sent to Bryan Christ, Sec. Raquel Lewis, and Vacancy Chair Allison Winter. Christ responded as shown below:¹

From: Bryan Christ <bryan4mcrp@gmail.com>
Date: Tue, Jun 7, 2022 at 12:04 PM
Subject: Re: Precinct chair resignation
To: Ann Kate <annkate43@gmail.com>
Cc: Raquel Lewis <raquel-lewis@outlook.com>, Aywinter@gmail.com <aywinter@gmail.com>, Gwen Withrow <greck@gt.rr.com>

Ann,

I'm sorry to hear that. As a matter of technicality I can accept your resignation only for the current biennium. As far as the SOS is concerned and the Texas Election Code goes, you will be seated as a Pct Chair on June 13th. Related to this, there are two governing clauses in the TEC which preclude a Pct Chair vacancy from being filled until after we have codified our Bylaws for the new biennium at the Organizational Meeting. Feel free to give me a call if you have any questions.

Bryan

On Tue, Jun 7, 2022 at 11:06 AM Ann Kate <annkate43@gmail.com> wrote:
Please accept my resignation as Precinct 72 chairman. After 8 years as chairman I feel it is time for me to let someone else be in charge of my wonderful, heavily Republican, precinct. I hope to become involved in something other than politics, but will continue to support the Republican Party in other ways.

I would like to recommend Gwen Withrow to replace me as chairman of precinct 72. Gwen and her husband recently moved to Bentwater, in Precinct 72, but she has been active in Republican politics for many years and in many capacities. She is currently the SD4 SREC representative.

Good luck to the CEC in the coming two years. I hope some real work will get done for the Party.

Ann Kate
Pct. 72 Chairman

¹ Exhibit 64, Declaration of Gwen Withrow, which includes these and other supporting emails indicating that Kate intended an immediate resignation of her current and future terms.

As detailed below, Kate changed her mind as this dispute unfolded. However, the Precinct Chair Group recognized the resignation as binding, and later filled the vacancy by appointing Gwen Withrow as Precinct 72 chair.²

B. The CEC’s July 19th Organizational Meeting accomplished nothing.

Christ called the Organization Meeting of the Montgomery County Republican Party Executive Committee (“CEC”) on July 19, 2022.^{3,4} This first meeting’s agenda included approval of the agenda,⁵ adoption of bylaws and adjournment at the completion of the agenda. The adoption of bylaws for the current biennium is required by the Republican Party of Texas (“RPT”).⁶

After a quorum was established, the July 19th meeting became mired for hours over a motion to substitute the original agenda for an amended agenda.⁷ After that motion passed, member James Byers claimed that, because the top of the amended

² *Id.*

³ All dates are in 2022 unless otherwise stated.

⁴ All video links in this pleading are authenticated by Exhibit 70, the Declaration of Billy Graff. The July 19, 2022 meeting is online at <https://www.youtube.com/watch?v=zBMEzhhblycA>. Pinpoint cites are to this video. All URLs in this petition were last accessed on February 13, 2023.

⁵ On July 12th, Bryan Christ sent an official meeting call with an agenda and his proposed bylaws for the meeting to be held on July 19. Exhibit 5-1. Later that day, Relator John Wertz sent another set of proposed bylaws (the “Freedom Caucus Bylaws”) to Christ for his dissemination and consideration at the coming meeting. Exhibit 5-2. Christ never posted or sent the proposed Freedom Caucus Bylaws to the CEC’s website, even after Wertz sent a second email to Christ on July 15, demanding that he follow RPT 8(e) which requires a chair to post “any proposed bylaws” on the CEC website and send them to members. Exhibit 5-3 & 5-4.

⁶ Exhibit 5-5

⁷ Exhibit 5-6.

agenda had the title “Freedom Caucus” on it, he did not know what meeting he was attending.⁸ The ensuing chaos fractured the room further.

After more than three hours had passed without substantive progress, Fred Sunderman moved to adjourn to allow the two sides, which could be roughly described as the “Christ Group” and the “Precinct Chair Group” to discuss the issues and resolve the differences, which he intended to be a motion to adjourn “to a convenient time” under RONR 9:17.⁹

A voice vote followed the Sunderman motion to adjourn. The video of the meeting shows that there was no obvious winning side in the voice vote. Christ ignored at least three calls for a division of the house when he announced that the meeting was adjourned, rather than following RONR to ensure that all business was complete under the agenda (RONR 21:3).¹⁰ Christ recognized no call for a division.

Additionally, item No. 11 of the adopted agenda¹¹ stated that the meeting was to “adjourn at the completion of the agenda”, which was not achieved by Christ’s premature adjournment, and no attempt occurred to establish whether the motion to

⁸ <https://www.youtube.com/watch?v=zBMEzhhblycA> at 1:34:36.

⁹ See Exhibit 50, <https://www.youtube.com/watch?v=zBMEzhhblycA> at 3:17:34.

¹⁰ <https://www.youtube.com/watch?v=zBMEzhhblycA> from 3:17:52 to 3:18:15; RONR 62:6-12.

¹¹ See substitute agenda, Exhibit 5-4.

adjourn had been with a two-thirds majority in order to modify the agenda in accordance with RONR.

At the end of the Organizational Meeting, no bylaws had been adopted, no CEC members had been sworn in, and no rules for filling CEC vacancies had been adopted, in violation of TEC 171.024(a), RPT 8e and 8i.¹²

C. Christ failed to preside over a validly called meeting on July 23rd.

To complete the work of the adjourned organization meeting, 39 precinct chairs and Gwen Withrow, a member of the State Republican Executive Committee (“SREC”) representing part of Montgomery County, signed a petition for a second meeting and sent it to Bryan Christ on July 21st (the “Walker Call”). The Walker Call was emailed on July 21 at 8:55 a.m. and set the emergency meeting to be held July 23rd.¹³

CEC member James Byers emailed a second petition call signed by 21 members to Christ at 4:36 p.m. that day (the “Byers Call”).¹⁴

¹² Either the meeting was adjourned and over, as Christ has held, or it was adjourned to a time convenient, as Sunderman and the majority intended. For purposes of this pleading, Relators argue that the issue is irrelevant to the claims made and remedies sought, and accept arguendo that, by operation of RPT 8e, the CEC adopted its previous biennium 2020-2022 Bylaws (“Old Bylaws”) when the Organizational Meeting failed to adopt bylaws before adjourning by operation of RPT rules.

¹³Exhibit 5-7 & 5-8.

¹⁴Exhibit 5-9 & 5-10.

The significant difference between the two calls, beside the fact that the Walker Call was supported by nearly twice the number of signatories as the Byers Call, was the *improper* inclusion of a virtual participation option in the Byers Call.¹⁵

Shortly after the Byers Call was sent, Christ sent a personal email to precinct chairs. In this email, Christ admitted that he accepted that both the Walker Call and the Byer's Call were both valid calls, and both satisfied the requirements necessary to make a legitimate call. He also took the position that the Organizational Meeting on July 19th had been properly and finally adjourned.¹⁶

At the July 23 meeting, around 9:00 a.m., Christ reiterated to those assembled that he had two valid calls for the meeting.¹⁷ To resolve the conflicting agenda in the calls, Christ announced that he would conduct a vote *before* calling the meeting to decide whether to use the agenda in the Walker Call or the Byers Call. Christ stated that this was “not Robert's Rules of Order” and asserted that the conflicting called meetings somehow warranted this approach.

¹⁵ RONR 9:36 describes the requirements for a proper electronic meeting call, and states that the call must “include an adequate description of how to participate in it, e.g., the telephone number to call for a teleconference. The Byers Call had no details regarding any Zoom link or hint of the details of how to participate.

¹⁶ Exhibit 5-11.

¹⁷ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 2:35 in the video.

The room erupted in objection and chaos. Christ continued to insist on an unofficial, out of order vote, so Walker told the chairman that the meeting should be called to order, and if he would not chair the meeting he should leave.¹⁸

Christ eventually gave up his attempt to convince the body that it could take a binding vote before coming to order. **Christ never called any meeting to order.**¹⁹

At about 9:15 a.m. and fifteen minutes after the meeting should have come to order, Robert Walker called the meeting to order pursuant to RONR 62:9-12.²⁰ Several members appealed the decision of Chair Christ, attempting to get him to preside over the meeting. After significant discussion, Walker declared that three appeals had been made and seconded to the chair, and that Christ's authority as presiding chair had been revoked in accordance with Robert's Rules.²¹

Walker asked for the roll call of the members; 55 elected precinct chairs responded as present.²² A later roll call still showed 51 members present.²³ With a membership of less than 100, the body had more than 50% present. The Old Bylaws

¹⁸ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 6:42 in the video

¹⁹ Exhibit 63, Declaration of Allison Winter

²⁰ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 11:55 in the video.

²¹ Exh. 4, RONR 62:12; Exhibit 5-39, Meeting Minutes.

²² <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 28:44; Staci Earnest called the roll.

²³ See Exhibit 5-12, which indicates two roll calls, the first with 55 present, the second with 51.

require a quorum of 25% to conduct non-statutory business, 33% to appoint precinct chairs, and 40% to elect officers.²⁴

The body then elected Dale Inman as its temporary chair, and he proceeded with the agenda.²⁵ SREC member Gwen Withrow swore in the CEC members, a leftover requirement missed during the prematurely-adjourned Organizational Meeting.²⁶ The body approved new bylaws (“New Bylaws”) by a roll call vote of 37 in favor.²⁷ The body then elected officers, including Jon Bouche for Vice-Chairman, Staci Earnest for Secretary, Charles Shirley for Treasurer, and five other steering committee members, and then appointed six precinct chairs, Gwen Withrow (72), Mara Waser (92), Thomas Bartley (103), Mary Lewis (94), Stephanie Cox (98), and Diane Campbell (104), leaving seven precincts without chairs.²⁸

Bryan Christ has asserted that quorum had dropped below 40% and thus could not have legitimately elected officers. However, the record does not reflect that fewer than 40% of the members remained. Christ appears to be asserting that the 37 votes in favor of the bylaw’s adoption establishes that only 37 members were

²⁴ Exh. 3.

²⁵ Bryan Christ interrupted the meeting to announce he was leaving after the election of Inman to preside and left as the members were sworn in.

²⁶ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:08:31 in the video.

²⁷ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:29:26 in the video. This result would have successfully passed even if a 2/3rds majority was required.

²⁸ Christ disputes that Precinct 72 was vacant, asserting that Kate’s resignation was invalid. This is discussed below.

present, but no evidence supports that position. The video record shows that Christ and only a handful of other chairs left the meeting. Neither the video nor meeting minutes indicate that those present had decreased from 55 to below 40 (which would still meet a 40% quorum), nor do they show that any member asked the chair to ensure quorum was met; quorum is therefore presumed under RONR.²⁹

Bryan Christ has also asserted that the vote in favor of all precinct chairs at this meeting is invalid, citing the Vacancy Committee rule which states, “Each vacancy is voted separately.” However, the natural reading of this rule means that the votes to recommend from the Vacancy Committee is by individual vote. There exists no evidence to suggest that the CEC must vote to fill vacancies individually.³⁰

The parties have disputed whether this July 23rd meeting was a legitimate continuation of the July 19th Organizational Meeting. Member Fred Sunderman’s motion to adjourn the July 19th meeting was couched with language indicating that the adjournment was for the purpose of the two factions discussing their differences and returning together and was thus a motion to adjourn to a time convenient.³¹

²⁹ See Exhibit 4, RONR 40:12. The Christ Group asserts that there were 98 members of the CEC at that time, rejecting Kate’s resignation, while the Precinct Group asserts that there were 97 members at that time. In either case, 40 members present exceeds the minimum of 40%. Additionally, three members (Allison Winter, Cathie Locetta and Donna McAleer), were not back from a break when the bylaws vote was taken, indicating that 40 members were present after the Christ Group contingent left the meeting. Exhibit 63, Declaration of Allison Winter.

³⁰ See Old Bylaws, Exhibit 3, Art. VII, Section (2) (vacancy committee votes separately).

³¹ Exhibit 4, RONR 9:17; Exhibit 50, Declaration of Frederick Sunderman.

Christ adjourned the meeting so quickly that the details could not be worked out. However, this distinction is irrelevant, as the Walker Call stated the meeting was to: “Reconvene to complete the continuation of business on the approved agenda from the 2022 Org Meeting on Tuesday, July 19th (6:30pm) that was not completed due to improper adjournment.” Christ had already stated this was a properly called meeting and therefore approved and confirmed the stated purpose of the meeting. The Walker called meeting was proper and a quorum was established to accomplish all that occurred.

D. The Bryan Christ Meeting by Zoom on July 25 is four hours of inaction.

Becky Vance sent out her meeting call on July 20, 2022, to be held on July 25, 2022, to complete the unfinished business that must be completed by the Old Bylaws. The meeting call was signed by 25 precinct chairs.³²

Since the body of chairs present at the Organizational Meeting did not follow the agenda that Christ had presented, he saw the July 25, 2022 meeting as the true and correct continuation of it.³³ He explicitly chose not to recognize the July 23, 2022 meeting as a legitimate meeting in any capacity.³⁴

³² Exhibit 5-13 & 5-14.

³³ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:02:30, 1:06:36, & 1:07:15 in the video

³⁴ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:02:56 in the video.

During the July 25, 2022 meeting, chair Allison Winter raised a point of order, challenging the precinct chairs that then Secretary Raquel Lewis had called during roll call.³⁵ Mrs. Winter pointed out that several of the vacancies were filled, and that Ann Kate had been replaced by Gwen Withrow as part of the agenda completed by the Precinct Chair Group during the July 23, 2022 meeting.³⁶

Christ clarified that he did not recognize Ms. Kate's resignation, asserting that the resignation was sent in the previous biennium, and she had sent an application for her current chair position inside the current biennium period, so she was still presiding as Precinct 72's chair.³⁷ Christ's assertion was contrary to Ann Kate's own emails to Gwen Withrow and all previous written communications.

Christ then allowed Ms. Kate to speak, and she confirmed that she accepted Christ's explanation regarding her resignation, and accepted Christ's ruling that her June 7th email could not include a resignation for the coming biennium. She further stated that she had changed her mind, and that if she chose to resign, she would send a second resignation letter during the current biennium period.³⁸

³⁵ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:03:26 in the video.

³⁶ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:04:04 in the video.

³⁷ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:04:11 in the video.

³⁸ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:05:03 in the video.

Two chair members then appealed, again saying that the meeting on July 23 was a legitimate meeting, and that the agenda presented on July 25 had already been completed.³⁹ Christ again repeated that he did not recognize the July 23 meeting as legitimate, and that this appeal was out of order. He stated that he would regard all points of order for the remainder of the meeting regarding the legitimacy of the July 23 meeting as dilatory.⁴⁰

At about three hours in, there was a motion to adjourn, and Christ's refusal to count the newly added precinct chairs impacted the proceeding by causing the motion to adjourn, which would have passed otherwise, to fail.

The meeting then continued with several votes and various chairs bringing points of inquiry, and after about 4.5 hours, the minutes of the meeting have no indication that any substantive action occurred before the meeting adjourned.⁴¹

After July 25, the CEC divided, each faction purportedly holding meetings and appointing chairs.

A. The CEC has competing calls for August 13 Meetings in separate locations.

On July 30, the two factions of the CEC sent out competing calls for meetings on August 13. CEC Member Tibbs called for a meeting with a petition listing 27

³⁹ Kenneth Earnest at 1:02:30, Herschel Williams at 1:06:36, Kenneth Earnest, again at 1:07:15.

⁴⁰ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:07:21 in the video.

⁴¹ <https://www.youtube.com/watch?v=WPA9jjpn3Zo> at 4:30:42 in the video.

names in support (“Tibbs Call”).⁴² A short time later, Christ sent out a call from Byers (“Byers Call”) with an insufficient 19 signatories for a meeting to be held at the same time but different location than the one identified in the Tibbs Call.⁴³

B. On August 11, Christ uploaded a disputed list of elected precinct chairs.

Bryan Christ uploaded a list of 16 duly elected precinct chairs to the Secretary of States, 48 days past the deadline to submit those names. Christ’s list did not include the six precinct chairs appointed on July 23rd, and did include Martha Ann Kate for precinct 72, though she had submitted a written resignation.⁴⁴

C. The Precinct Chair Group held a successful CEC meeting on August 13.⁴⁵

The call by Tibbs resulted in a meeting of 45 members.⁴⁶ The body appointed individuals to eight vacant precinct chairs,⁴⁷ including Caleb Smith (26), Bobbi Bodenhamer (54), Jennifer Bowling (62), Steven Foster (80), Sherry Tavel (95), Stephanie Schwantes (101), Jackie Williams (107), and Patrick Teich (111).

⁴² Exhibit 5-15.

⁴³ Exhibit 5-16. Under the Old Bylaws, emergency meetings require 20% of the membership. With 27, the Tibbs Call was sufficient. After the vacancies were filled on July 23, the total number of filled precinct chairs was 104. Irrespective of whether the number of vacancies was 97, 98, or 104, the minimum needed to call a meeting would have been $97 \times .2 = 19.4$. For 19 members to be able to call a meeting based on a 20% membership, the membership would have to be *no more than* $19 \times 5 = 95$. The Byers Call indisputably failed to meet the minimum, and it could not act.

⁴⁴ Exhibit 5-28 & Exhibit 5-38.

⁴⁵ Hereafter, this pleading will refer to the “Precinct Chair Group” and the “Christ Group”.

⁴⁶ Exhibit 5-18 & 5-19.

⁴⁷ *Id.*, Trish Fahrenthold Precinct 95 resigned, creating another vacancy.

After electing and swearing in these eight, the Precinct Chair Group also passed a resolution to change bank contacts and set up a standing meeting schedule.⁴⁸

D. On August 13, the Christ Group held a meeting without a valid call.

Though the Byers Call for August 13 was an invalid call due to lack of sufficient signatories, Christ held a meeting as though the call was valid. Minutes of the meeting show that the 30 precinct chairs who attended did not have a quorum to elect officers or fill precinct chair vacancies, and continued to ignore the legitimacy of the July 23rd meeting and the appointments made at that meeting.⁴⁹

Before electing steering committee members, Christ commented that the CEC was operating under the Old Bylaws, ignoring the fact that the CEC had already adopted the New Bylaws during the July 23rd meeting. Christ and those present then purportedly elected members for the steering and other committees, proceeding as though the July 23rd meeting had not already filled those positions.⁵⁰

Relators take the position that the meeting arising out of the Byers call was invalid, and that any actions taken at said meeting were also invalid.⁵¹

⁴⁸ Exhibit 5-19.

⁴⁹ Exhibit 5-17, Minutes from the Christ Group's August 13, 2022 meeting.

⁵⁰ *Id.*

⁵¹ Exhibit 4, RONR 1:6; 25:9.

E. The Precinct Chair Group held a successful September 6th meeting.

Secretary Staci Earnest (Precinct Chair Group) issued a call on August 23 for a meeting to be held on September 6, in accordance with the resolution establishing meeting schedules at the August 13 meeting (Old Bylaws Art. 5, sec. 4; Art 6, sec. 2). RONR 9:2. With an attendance of 49 members, the meeting was well above the 40% quorum threshold for electing officers or committee members, and filling vacancies.⁵²

In an effort to meet the Christ Group halfway, the Precinct Group adopted the Old Bylaws. It then reconfirmed the appointments for precinct chairs appointed on July 23, 2022, and August 13, 2022 with individual votes for each appointee, meeting the 33% minimum quorum required to fill vacancies, and doing so without including chairs that Christ had refused to acknowledge previously.⁵³

The body then passed a resolution requiring calls for meetings based on an emergency to define the emergency in accordance with section 551.045 of the Texas Government Code, “actions that require the immediate action of the CEC and cannot be resolved at the next scheduled meeting” and a second resolution adopting rules regarding electronic meetings.

⁵² Exhibit 5-23.

⁵³ Exhibit 5-24. The meeting’s minutes show a unanimous voice vote of 49 chairs, at least 38 of which are recognized by the Christ Group.

The CEC also affirmed Ann Kate’s resignation on June 7, 2022, affirmed Gwen Withrow’s position as chair, and instructed the Chair to notify the Texas Secretary of State of the new chairs immediately, including: Sherry Tavel (95), Jennifer Bowling (62) Jackie Williams (107), Patrick Teich (111), Diane Campbell (104), Stephanie Cox, (98), Mary Lewis (94) Thomas Bartley (103), Caleb Smith (26), Gwen Withrow (72), Stephen Foster (80), Mara Waser (92), Bobby Bodenhamer (54), and Stephanie Schwantes (101).⁵⁴

The body then passed three resolutions, all unanimously. The first resolved that the August 13, 2022 meeting petitioned by Byers was “Out of Order and Invalid” because the 20% threshold for a meeting call had not been met. The second resolved that the Christ Group of executive officers were relieved of duty, and its committees dissolved. The third resolution sought to compel chairman Christ to fulfill his duties as county chair of the CEC.⁵⁵

F. The Christ Group fails a third time to reach quorum on September 6th.

James Byers sent a petition for a meeting that listed 25 precinct chair members in support, including Ann Kate, who had resigned.⁵⁶ With only 30 members present, the Christ Group failed to reach the 40% quorum required to elect officers or 33%

⁵⁴ Exhibit 5-24.

⁵⁵ Exhibit 5-25, 5-26, 5-27.

⁵⁶ Exhibit 5-21.

to appoint precinct chairs. To resolve the issue, the Christ Group voted to allow appointed officers to serve as temporary officers until the group is able to meet quorum, ignoring the July 23rd election of officers which filled these positions.⁵⁷

Additionally, the Christ Group voted to authorize electronic mail voting to fill precinct chair vacancies per RPT Rule 7(c), and to reduce the quorum required to fill vacancies to 30%. Nothing in the record shows that anyone present recognized that these were limitations set by the Old Bylaws and required an amendment process to change rather than a simple majority.⁵⁸

The Christ Group was unable to fill vacancies and officer roles in various committees. This is the first serious bifurcation of the meetings, where the Christ Group decided to plow forward on its own, irrespective of the Precinct Chair Group's sizeable majority and previous decisions, all of which were valid.

G. The Christ Group uses Zoom in a non-emergency to create a quorum and appoint precinct chairs in its December 5th meeting.

Using the improperly seated chairs and an improper Zoom meeting on December 5, Christ claimed that the meeting had reached the 40% quorum threshold to elect executive officers and appoint chairs. (The minutes do not reflect who was

⁵⁷ Exhibit 5-22.

⁵⁸Exhibit 3, Old Bylaws, Art. III, Sec. 4A sets the quorum at 33% for filling vacancies; Art. XVI governs online meetings and includes a provision for online meetings; Art. XIV governs bylaw amendments, which require a 21-day notice and a committee evaluation process.

physically present and who was attending online.) The Christ Group reported in its minutes that it appointed Jamie Nash (42), Jodi Runovar (82), Brian Hagan (90), and Jeffrey Walding (39) to the list of precinct chairs, doing so without proper notice.⁵⁹

Relators also assert that this meeting was out of order because the majority Precinct Chair Group had previously passed resolutions requiring that all special meetings comply with the Old Bylaws and that online attendance must be justified by a statement of emergency specifying the reason for the emergency. The Christ Group's meeting did not comport with these rules, and without such compliance, was invalid in all respects.⁶⁰

On December 6th, the unity meeting fails, and open warfare results.

A. The Precinct Chair Group attempted reconciliation.⁶¹

On December 6, the Precinct Chair Group held a special CEC meeting, in person, called by Robert Walker, with 26 chairs in total supporting the call. Walker called the meeting as a "Unity Meeting" to "[...] resolve the issues dealing with appointed Precinct Chairs and elected officers [...]"⁶²

The meeting was called to order by Bryan Christ, who asked the Christ

⁵⁹ Exhibit 63, Declaration of Allison Winter.

⁶⁰ Exhibit 5-22.

⁶¹ December 6, 2022 meeting recording <https://www.youtube.com/watch?v=zcwjJB0f9VE>.

⁶² Exhibit 5-30.

Group's secretary Mark Frank to conduct the roll call, despite the meeting being called by the Precinct Chair Group. The Precinct Chair Group then made several objections to this decision, as it was clear to them that Christ was attempting to have the Christ Group officials conduct the business of the meeting and not the elected members of the Precinct Chair Group.⁶³

After much discussion and many objections, the Precinct Chair Group eventually succeeded in having their elected secretary Staci Earnest lead the roll call.

After Earnest completed the roll call and found a quorum of 57 members were present, Christ continued to debate the legitimacy of the Precinct Chair Group's secretary and insisted that the Christ Group's secretary Mark Frank was the only duly elected Secretary. Several members of the Precinct Chair Group made points of order challenging this ruling.⁶⁴

Christ then stated that the meeting was to be "at ease". Several precinct chairs objected to this call and appealed the chair. After Christ refused to put the appeals to a vote, John Wertz cited Robert's Rules of Order 62:9, and appealed to the body for a vote. His vote was upheld unanimously. Because of this, the comments Christ made regarding his Secretary Mark Frank being the sole legitimate secretary, as well

⁶³ Exhibit 5-31.

⁶⁴ Walker, Lawrence, Robbins, & Wertz; Exhibit 5-31.

as his attempt to put the meeting “at ease” during the middle of active discussion were overruled.⁶⁵

Following the appeal vote led by Wertz, Christ stated for a second time that he was making the meeting “at ease”. This was again objected to by multiple members.⁶⁶ Christ continued to insist that his call of the meeting to be “at ease” stood, and that the meeting would not continue forward. Wertz, Walker and others objected to this position, arguing that a meeting could not be brought to ease when members object. Scott Robbins, in particular, referenced Robert’s Rules of Order 8:2.4 which states: “A meeting is said to stand at ease if the chair, **without objection**, simply permits a brief pause without declaration of a recess.”

After Christ again refused to proceed, Wertz moved for a declaration under RONR 62:11 that the chair was vacant because Christ was refusing to perform his duties as chair and the body should elect another presiding officer. The motion passed unanimously, and Christ was removed as presiding officer of the meeting.⁶⁷

The body then passed a Resolution to Censure Chairman Christ for his dereliction of duties, including his failure to submit precinct chair appointee names to the Secretary of State, a violation of the TEC, and supplying the Secretary of State

⁶⁵ Exhibit 5-31; Exhibit 63, Declaration of Allison Winter.

⁶⁶ Wertz, Walker, Frappier, Robbins, Lawrence, and several others. Exhibit 5-31.

⁶⁷ Exhibit 5-31; Exhibit 63, Declaration of Allison Winter.

with his own list of illegitimately elected precinct chairs.⁶⁸

During this proceeding, the body offered Christ the option of speaking to them, and Christ declined, taking the position that the entire meeting was still at ease, as though the majority of the CEC could not act without his permission. Following Christ's comment, the body continued to discuss various issues surrounding his silence, and then adjourned the meeting.⁶⁹

After the meeting had adjourned, and after consulting with his parliamentarian, Christ once again made the assertion that the actions taken at the meeting after he announced that it was "at ease" were invalid, ignoring the body's motions, votes, and resolutions that followed his inaction. Christ was undeterred by Scott Robbins, who addressed Christ directly regarding the Robert's Rules 8:2.4, which militates against a presiding officer's ability to unilaterally declare a meeting to be "at ease" meeting when objections are lodged.

B. The Precinct Chair Group fills more vacant seats on January 3, 2023.

On January 3, 2023, the CEC met in a regularly scheduled meeting in accordance with the December 20, 2022 call. With 51 precinct chairs in attendance, the meeting met quorum to conduct all of its business.⁷⁰ The body unanimously

⁶⁸ Exhibit 5-29.

⁶⁹ Exhibit 5-31

⁷⁰ Exhibit 5-32 & 5-33.

voted to appoint four individuals to vacant chair positions: Lauren Vickers to precinct 39, Bill Philbert to precinct 42, Blake Hall to precinct 82, and Tanya Martinez to precinct 90. Judge Laird swore in the new appointees, leaving only precinct 10 as vacant.⁷¹

After the filling of the vacancies, the body discussed Bryan Christ and his behavior regarding the schism, and then passed a resolution for a vote of no confidence in Chair Bryan Christ.⁷²

C. The Precinct Chair Group complained to the SREC and mediation failed.⁷³

In August of 2022, 52 members of the CEC sent a formal complaint pursuant to Rule 8m to the State Republican Executive Committee. The SREC's Officials Committee examined the issue. RPT Chair Matt Rinaldi and Officials Committee Member Matt Patrick conducted a mediation between the factions in September of 2022 which was unsuccessful.

Matt Patrick wrote a summary of the failed mediation on November 18, 2022, for the Officials Committee. Though this memo was intended to be confidential, it has now been circulated publicly. In the memo, the Christ Group was identified as

⁷¹ Exhibit 5-33 & 5-37

⁷² Exhibit 5-35.

⁷³ Relators include this point so that the Court recognizes that Relators have attempted every means of resolving this dispute before turning to the courts.

concocting false excuses for holding CEC meetings by Zoom. The Christ Group also admitted that the Precinct Chair Group was the larger of the two groups. The mediator specifically called out Christ and his allies for failing to even stay consistent with terms they verbally agreed to when putting together their “best offer” terms and constantly adding new terms.⁷⁴

D. The Christ Group is currently seeking to disenfranchise disfavored chairs by abusing the Texas abandonment rule, TEC 171.029.

As indicated by the declarations of several precinct chairs, e.g., Allison Winter, Nelson Reyes, Melinda Olinde, and others, the Christ Group has begun attempting to remove what it considers disfavored, malcontent elected precinct chairs by accusing them of not attending four meetings and acting in ways inconsistent with ethical behavior as Chair Christ defines it, with an Ethics Committee to call members before it to be disciplined or be removed for abandoning their post if they fail to attend these meetings.⁷⁵

Thus, the Christ Group is adding error to error, first appointing precinct chairs to filled positions, then using those individuals to achieve a false quorum, elect officers to positions that have already been filled, creating confusion at banks and

⁷⁴ The memorandum is attached as a business record maintained by SREC Member Matt Patrick, Exhibit 6.

⁷⁵ See Declarations of Allison Winter, Nelson Reyes, and Melinda Olinde, Exh. 63, 40, and 34.

two state agencies, and now actively attacking elected precinct chairs because they refuse to attend inquisition-style committee meetings effectively for heresy.

The dispute has impacted the CEC's required filings with the Secretary of State and the Texas Ethics Commission.

A. The CEC is required to file reports with the Texas Ethics Commission.

As the Declaration of Charles Shirley shows, Shirley took over the financial reporting to the Texas Ethics Commission when he was elected as treasurer of the CEC on July 23. The CEC also voted to change banking contacts and on August 13, Shirley became its bank contact.

Shirley successfully filed the CEC's "Eight-Day Report" on October 31.⁷⁶ However, in December of 2022, Christ contacted the Texas Ethics Commission and successfully removed Shirley as the point of contact until Shirley and John Wertz worked with the Texas Ethics Commission's general counsel to straighten out the confusion in January of 2023.⁷⁷

B. Bryan Christ has incorrectly reported the precinct chairs to the Texas Secretary of State, a violation of his ministerial duties.

Because the majority Precinct Chair group and the minority Christ Group have both filled precinct chair vacancies and officer positions that the other group

⁷⁶ Exhibit 67, Declaration of Charles Shirley.

⁷⁷ *Id.*

holds as illegitimate, the two lists differ as follows:

	<u>Christ Group</u>	<u>Precinct Chair Group</u>
10	Clarence Lewis ⁷⁸	Vacant
72	Martha Ann Kate	Gwen Withrow
92	Destiny Stark	Mara Wasar
103	Kenneth Ditto	Thomas Bartley
26	John Thomas	Caleb Smith
56	Keith Lincoln	Jim Doyle
62	Stephen Wright	Jennifer Bowling
80	Richard VonRoble	Steven Foster
94	Cynthia Stinnett	Mary Lewis
101	Brenda Dunkley	Stephanie Schwantes
42	Jamie Nash	Bill Philibert
82	Jodi Runovar	Blake Hall
90	Brian Hagan	Tanya Martinez
39	Jeffrey Walding	Lauren Vickers
104	James Spurgin	Diane Campbell
111	Stanley Oatis	Patrick Teich
95	James Smith	Sherry Tavel
VC	Raquel Lewis	Jon P. Bouche
Treas	Mike Medved	Charles Shirley
Sec	Mark Frank	Staci Earnest

Some of those named as Christ Group appointees are unaware of the dispute.⁷⁹

Since September of 2022, Bryan Christ has submitted his preferred names as precinct chairs, deliberately ignoring the appointments made during legitimate meetings called by CEC members. Even if his smaller group met quorum and had the legal ability to appoint chairs (which Relators do not agree as permissible) he cannot ignore these proper appointments.

⁷⁸ The Christ Group alleges that it appointed him by email vote on January 6, 2023, which is not permitted in the Old Bylaws. See Exh. 63.

⁷⁹ See, e.g., Exhibit 53, Declaration of Patrick Teich.

STATEMENT OF JURISDICTION

Section 273.061 of the Texas Election Code grants the Supreme Court subject matter jurisdiction to issue writs of mandamus to compel duties connected with the holding of an election and party conventions, respectively. Additionally, section 161.009 provides Texas courts mandamus authority to require officers of political parties to perform their duties imposed by law.

Political parties generally govern themselves, though section 163.003 of the Election Code requires their rules to be consistent with state law, and section 163.007 allows party rules to be enforced by mandamus as though the rules were statutes. This Court has granted mandamus relief to primary candidates for office when a party failed to perform its non-discretionary duties, e.g., allowing an office to close early and thus prevent a candidate from timely turning in his application. *Painter v. Shaner*, 667 S.W.2d 123 (Tex. 1984).

Additionally, Texas courts have jurisdiction over internal party affairs when asked to adjudicate disputes over whether candidates running in primary elections are qualified for the positions they seek. *In re Sanchez*, 366 S.W.3d 255 (Tex. App.—San Antonio 2012, no pet.).

By law, a county party chair is obligated to maintain a current list of precinct chairs and vacancies with the Texas Secretary of State.⁸⁰ A chair has seven days to report CEC changes and must provide the CEC's membership to party officers and candidates, which the Secretary of State posts on a public website, making these lists available to candidates, campaign vendors, and others.⁸¹

The process of filling vacancies in Texas involves a combination of the following authorities, from highest to lowest: the Texas Election Code; state political party rules; the rules adopted by a county executive committee ("CEC"); and Robert's Rules of Order. Each authority dictates some parameters to the process and delegates to the lower authority the remainder of the details.

Section 171.024 of the Texas Election Code requires each CEC to fill its vacancies, sets minimum standards governing the filling of vacancies, and then delegates to each political party the task of developing its own rules to fill vacancies. RPT 9 allows a CEC to set a quorum for filling vacancies ranging from 25% to 50%. Rule 8e instructs CEC to flesh out these rules at the first meeting following a primary, known as the Organization Meeting. The latest version of Robert's Rules of Order governs proceedings of the Republican Party of Texas and its CECs.⁸²

⁸⁰ TEC 171.024(e).

⁸¹ RPT 8h.

⁸² RPT 5. Exhibit 3, Old Bylaws, Art. X.

The CEC's chair is obligated to call the Organization Meeting, including in its agenda the process to fill CEC vacancies at its Organization Meeting with appropriate bylaws.⁸³ Additionally, the agenda *must* include the swearing-in of its members and adoption of bylaws.⁸⁴

In the present dispute, Relators allege that Respondent has violated the above-described statutes and rules that give jurisdiction to this Court, and other ancillary rules which govern the filling of precinct chairs.

The deliberate actions by a county chair to ignore his ministerial and statutory duty to give notice to the Texas Secretary of State is a violation of a duty under the Texas Election Code, and his duty to report these appointments is a failure of his part of the duty given to CECs to fill precinct chair vacancies.

Additionally, the Texas Constitution confers original jurisdiction on the Texas Supreme Court to issue extraordinary writs. TEX. CONST. art. V § 3. The Court has mandamus jurisdiction under Texas Rule of Appellate Procedure 52.

Rule 51.1(e) of the Texas Rules of Appellate Procedure requires Relators to explain why this application was not first offered to the Ninth District Court of Appeals of Texas, which indisputably also has jurisdiction over this dispute. Relators

⁸³ RPT 8i.

⁸⁴ RPT 8e.

assert that the political connections between Bryan Christ, the elected county chair, and all the elected officials with which he maintains a supportive role, will obligate many judges to recuse themselves. Justice Jay Wright, currently on the Ninth Court of Appeals, represented the Montgomery County Republican Party before taking the bench. Additionally, Kristin Christ, wife of Bryan Christ, has a commercial relationship with many elected officials in the district courts, and operates in the Lake Conroe Area Republican Women PAC and Magnolia Republican Club PAC, among others, which have given funds to many other candidates.

This reasoning is not to besmirch either Montgomery Chair Bryan Christ, his wife Kristin Christ, or any elected officials with whom they have worked; it is simply to circumvent obvious recusal issues.

Additionally, this petition was not first presented to the trial court or court of appeals due to the time-sensitive nature of this matter, as the facts of this case show that serious harm is occurring (removal of elected precinct chairs based on abandonment claims under TEC 171.029(a), and financial reports due to the Texas Ethics Commission are imperiled). This abuse will continue absent prompt relief.

ISSUES PRESENTED

1. Was Martha Ann Kate's written resignation from her precinct chair position on June 7, 2022 effective as to the 2022-2024 biennium?
2. Did the Montgomery County Republican Party Executive Committee ("MCRP") validly fill six vacant precinct chair vacancies on July 23, 2022?
3. Was the August 13, 2022 meeting of the Christ/Byers faction of the MCRP and its actions void for lack of a valid meeting call?
4. Did the Precinct Chair faction of the MCRP validly appoint eight individuals to fill precinct chair vacancies on August 13, 2022?
5. Was the vote to lower the quorum to fill precinct chair vacancies and allow email voting for precinct chairs on September 6, 2022 invalid because such changes would require amendments to the executive committee's bylaws, and those rules were not followed, which among other requirements, would require an unmet 50% quorum to vote on the amendments?
6. Assuming Bryan Christ's duty to report precinct chairs to the Texas Secretary of State is a ministerial duty, what names must he report?

ARGUMENT

Response to Issue 1: Martha Ann Kate resigned from her elected position as chair for precinct 72 for both the 2020-2022 and 2022-2024 bienniums by her unambiguous written resignation provided on June 7, 2022 to Chairman Christ.

Martha Ann Kate resigned in writing by an email sent on June 7th to the county chair and secretary, Bryan Crist and MCRP Secretary Raquel Lewis, after her reelection in March of 2022.⁸⁵ Christ rejected her resignation, asserting that it was ineffective as to the coming biennium.⁸⁶ However, on June 7, 2022, the Old Bylaws were in effect, Art. 3, section 6, of which states:

- If a member or an officer of the Executive Committee wishes to resign,
1. The member or officer must give written notice to the Secretary.
 2. If the notice is not specific to position of resignation, it applies to all positions held within the Executive Committee.
 3. If the notice is not specific to the effective date of the resignation, it is effective immediately upon receipt by the Secretary.
 4. Failure to follow the duties of a member is subject to formal reprimand, ...⁸⁷

Since Ms. Kate's resignation did not specify if she was resigning from her existing term, her future term, or any committee, the resignation applied to all positions held within the Executive Committee, and it was "effective immediately upon receipt" by Raquel Lewis, the MCRP's secretary. *Id.*

There exists no basis for the contention that a precinct chair cannot resign

⁸⁵ Exhibit 64, Declaration of Gwen Withrow.

⁸⁶ Exhibit 64, Declaration of Gwen Withrow.

⁸⁷ Exhibit 3 (2020-2022 Bylaws) (underlining added for emphasis).

before her term begins or is limited by the executive committee's ability to replace her. Additionally, Ms. Kate sent multiple emails to Withrow confirming her intent to resign as soon as Christ received the resignation.⁸⁸

Christ has uploaded a list of chair vacancies to the Secretary of State, apparently multiple times, and all of them show precinct 72 to be held by Kate.⁸⁹

REMEDY REQUESTED: Relators, particularly Gwen Withrow, ask that this Court issue mandamus to require Christ to recognize that Ms. Kate's resignation was valid on June 7, 2022, and further, for Christ to consider void every vote and meeting call in which she participated if her participation was material to the prevailing side.

⁸⁸ Exhibit 64, Declaration of Gwen Withrow.

⁸⁹ Exhibit 5-28.

Response to Issue 2: The Montgomery County Republican Party Executive Committee legitimately filled six precinct chair vacancies and elected officers on July 23, 2022 after Bryan Christ refused to call or preside over the meeting.

The Organizational Meeting held July 19 set the stage for July 23.

Bryan Christ called the Organization Meeting of the CEC on July 19, 2022.⁹⁰

After hours of disputed discussion and no material progress, other than adopting the substitute (amended) agenda, which had a provision to not adjourn until the agenda was complete. Fred Sunderman moved for adjournment to allow the two factions to speak and resolve their differences, intending a motion to adjourn “to a convenient time” under Robert’s Rules. After an inconclusive voice vote, Christ ignored calls for a division of the house and adjourned the meeting.⁹¹ Christ’s adjudication of this motion to adjourn was inconsistent with Robert’s Rules, which as follows:

In announcing an affirmative vote on a motion to adjourn, the chair should usually pause before declaring the meeting adjourned, saying: “The ayes seem to have it. [Pausing and resuming slowly:] The ayes have it, and the meeting is adjourned.” The pause affords time for members to demand a division on the vote to adjourn, or to take any of the other steps just described. If the chair learns, immediately after declaring the assembly adjourned, that a member seeking the floor for one of these purposes had risen and addressed the chair before the adjournment was declared, then, since the adjournment was improper and this breach was promptly noted, the chair must call the meeting back to order-but only long enough for the purpose for which the member legitimately sought the floor.⁹²

⁹⁰ The July 19, 2022 meeting is online at <https://www.youtube.com/watch?v=zBMEzhblycA>. Pinpoint cites are to this video. All URLs in this petition were last accessed on February 13, 2023. Christ’s Email is attached as Exhibit 5-1; The meeting minutes are attached as Exhibit 5-6.

⁹¹ See Exhibit 50, Declaration of Fred Sunderman; See <https://www.youtube.com/watch?v=zBMEzhblycA> at 3:17:34-18:15 for the motion to adjourn to a convenient time, governed by RONR 9:17, attached as Exhibit 4.

⁹² See RONR 21:12, Attached as Exhibit 4.

Though RPT rules require CECs to adopt bylaws and rules for filling their vacancies at their Organizational Meeting, the Montgomery County Republican Party failed both those duties.⁹³ The CEC therefore adopted its 2020-2022 Bylaws (“Old Bylaws”) by operation of RPT 8e, the only effective result of the meeting.⁹⁴

The July 23rd Meeting

To complete the work of the adjourned organization meeting, 39 precinct chairs and SREC member Gwen Withrow signed a petition for a second meeting and sent it to Bryan Christ on July 21st (“Walker Call”).⁹⁵ The Walker Call was emailed on July 21 at 8:55 a.m., and set the emergency meeting for July 23.⁹⁶

CEC member James Byers emailed a *second* petition call allegedly signed by 21 members to Christ at 4:36 p.m. that same day (“Byers Call”).⁹⁷

⁹³ See TEC 171.024(a), RPT 8e and 8i. After a quorum of 69 was met, the July 19th meeting became bogged down for hours over a motion to substitute the original agenda for an amended agenda. After that motion passed, member James Byers asserted a dilatory point that the amended agenda had the title “Freedom Caucus” on it, claiming that he did not know what meeting he was attending. Christ supported the asserted confusion, causing more delay, with the result of a three-hour meeting that accomplished nothing.

⁹⁴ See substitute agenda, Exhibit 5-4, and Meeting Minutes Exhibit 5-6; Relators disagree that Christ could take a mere majority vote to adjourn, because the agenda that was adopted earlier that evening after a motion to substitute explicitly stated, “Adjourn at the completion of this agenda (RONR 21:3,” and would thus require a two-thirds vote to adjourn. However, resolution of the question is not relevant to this pleading. Christ never called either meeting on July 23rd.

⁹⁵ Ms. Withrow serves as State Representative Executive Committee representative for Senate 4; Exhibit 64; Declaration of Ms. Withrow.

⁹⁶ Exhibit 5-7 & 5-8.

⁹⁷ See Exhibit 5-9 & 5-10; The significant difference between the two calls, beside the recognition that the Walker Call was signed by nearly twice as many signatories on the Byers Call, was the *improper* inclusion of a virtual participation option in the Byers Call. RONR 9:36

As the facts above relate, Christ received two valid calls for the July 23rd meeting,⁹⁸ but he never called a meeting. Instead, Robert Walker called the meeting, pursuant to RONR 62:9-12.⁹⁹

Walker asked for the roll call of the precinct chairs.¹⁰⁰ Staci Earnest called the roll; 55 elected precinct chairs responded as present, far exceeding the 25% needed for non-statutory business and 33% to fill precinct chair vacancies.¹⁰¹

The body then elected SREC member Dale Inman to preside over the meeting.¹⁰² Proceeding with the agenda in the Walker Call, SREC member Gwen Withrow was called to swear in the CEC members, a requirement that should have been met during the Organizational Meeting.¹⁰³ The body approved new bylaws

describes the requirements for a proper electronic meeting call, and states that the call must “include an adequate description of how to participate in it, e.g., the telephone number to call for a teleconference. The Byers Call had no details regarding any Zoom link or hint of the details of how to participate.

⁹⁸ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 2:35 in the video.

⁹⁹ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 11:55 in the video; RONR 62:9-12 describes the steps necessary for a body to replace a presiding chair who is failing his duties.

¹⁰⁰ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 28:44.

¹⁰¹ Relators assert that the July 23rd meeting was a continuation of the July 19th Organizational Meeting and quorum was thus “those present”. The meeting included a discussion of whether the meeting was a continued meeting of the July 19th meeting, or a new meeting; this pleading assumes the more stringent requirements under the Old Bylaws at Art. 3, Sec. 4(A) to avoid any factual dispute.

¹⁰² Bryan Christ interrupted the meeting to announce he was leaving after the election of Inman to preside and left as the members were sworn in.

¹⁰³ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:08:31 in the video.

(“New Bylaws”) by a unanimous roll call vote of 37 in favor.¹⁰⁴ The body then elected officers Jon Bouche for Vice-Chairman, Staci Earnest for Secretary, Charles Shirley for Treasurer, additional steering committee members, as well as other committee heads and members.¹⁰⁵ Most importantly, the body appointed six precinct chairs, Gwen Withrow, Mara Waser, Thomas Bartley, Mary Lewis, Stephanie Cox, Diane Campbell, and Allison Winter.¹⁰⁶

Bryan Christ has asserted that quorum had dropped below 40% and thus could not have elected officers, but the record does not reflect that fewer than 40% of the members remained. Christ appears to be asserting that the 37 votes in favor of the bylaws adoption inexorably establishes that only 37 voters were present, but that is a mere assertion without evidence. The record shows that Christ and a handful of others left. Total membership was less than 100 at the beginning of the meeting, so 40 members would meet a quorum requirement of 40%. Neither the video nor minutes of the meeting indicate that the members present had decreased from 55 to

¹⁰⁴ <https://www.youtube.com/watch?v=k-sdj-oDqqs> at 1:29:26 in the video. This result would have successfully passed even if a 2/3rds majority was required.

¹⁰⁵ Specifically, in addition to the three officers elected, the body elected five steering committee members, as well as Allison Winter as Vacancy Chair and John Wertz as Victory Chair;

¹⁰⁶ Christ disputes that Precinct 72 was vacant, asserting that Kate’s resignation was invalid. This was discussed in Issue 1.

less than 40, nor was there any call to ensure quorum was still met; quorum is therefore presumed. RONR 40:12.

Bryan Christ has also asserted that votes in favor of all precinct chairs at this meeting are invalid, citing the Vacancy Committee rule which states, “Each vacancy is voted separately.” However, the natural reading of this rule indicates that it is a rule which governs the Vacancy Committee, and the vote taken by the Vacancy Committee must be by individual vote. There exists no evidence to suggest that the CEC must vote to fill vacant precinct chairs individually.

The parties have disputed whether this July 23rd meeting was a continuation of the July 19th Organizational Meeting. Member Fred Sunderman’s motion to adjourn was couched with language indicating that the adjournment was for the purpose of gaining time for the two factions to discuss their differences and come back together to finish the meeting, and thus a motion to adjourn to a time convenient, governed by RONR 9:17. However, Christ inappropriately adjourned the meeting and ignored calls for a division, so this issue was not properly managed. However, this distinction is irrelevant, as the called meeting was proper and quorum was established to accomplish all that which occurred. And, as previously noted, the amended agenda stipulated the meeting was not to be adjourned until the meeting was completed (RONR 21:3).

Additional Repercussions: As detailed below, Christ’s refusal to recognize Charles Shirley as the CEC Treasurer resulted in a conflicting process after his minority group “temporarily” appointed a treasurer, and both treasurers attempted to file reports with the Texas Ethics Commission. This confusion has already been the subject of several disputes with the Texas Ethics Commission, as the Declaration of Charles Shirley details at length and as discussed above.¹⁰⁷ There is no reason to believe that this dispute will not continue as long as two sets of executive officers are claiming the titles.

REMEDY REQUESTED: Relators ask that this Court issue mandamus to require Christ and the other Real Parties in Interest to recognize that all elections and appointments made on July 23, 2022 were valid, including but not limited to the appointments of Gwen Withrow, Mara Waser, Thomas Bartley, Mary Lewis, Stephanie Cox, Diane Campbell, to the position of precinct chair, and the CEC elected officers Jon Bouche as Vice-Chairman, Staci Earnest as Secretary, and Charles Shirley for Treasurer. Further, Relators ask that you issue mandamus to Bryan Christ, ordering him to submit the named precinct chairs to the Texas Secretary of State in accordance with the Texas Election Code.

¹⁰⁷ Exhibit 67, Declaration of Charles Shirley.

Response to Issue 3: The Byers Call for a meeting to be held on August 13, 2022, was void for lack of sufficient signatories and thus no action taken at the meeting chaired by Bryan Christ that day was valid, including all election of executive officers, steering committee members, and other committee chairs.

As described above, Christ sent out a meeting call based on a petition from Byers with only 19 signatures of CEC members (“Byers Call”).¹⁰⁸

All parties agree that the Old Bylaws govern these meetings, and the Old Bylaws state that a meeting call by petition must be supported by 20% of the membership of the body,¹⁰⁹ as shown below:

Section 2. Meeting Calls

Regular and statutory meetings shall be called by the County Chairman or the Steering Committee. Special meetings of the Executive Committee may be called by the County Chairman, with the approval of a majority of the Steering Committee. Special meetings also may be called by written petition signed by twenty percent (20%) of the total membership (not including vacancies) of the Executive Committee delivered to the Chairman, the Steering Committee, or to the Secretary at least fourteen (14) days before the desired meeting date, or in the event of a stated emergency, two (2) days. The purpose and order of business of the meeting must be stated in the call for any statutory, regular, or special meeting.

According to the Christ Group, the total number of precinct chairs filled on August 13, 2022, was 98, which it reported in its minutes,¹¹⁰ which stated:

2. Roll Call. Quorum is 25%. 111 precinct chair positions, 13 vacancies. 98 active precinct chairs, 28 present. We have a quorum.

¹⁰⁸ Exhibit 5-16. Under the Old Bylaws, calls for an emergency meeting require a petition of at least 20% of the CEC’s membership.

¹⁰⁹ Exhibit 3, Old Bylaws,

¹¹⁰ Exhibit 5-17, Minutes for August 13, 2022 Meeting (Christ Group).

If a group has 98 members, then to have the signatures of 20% of that group one needs 19.6 signatures, which means 19 signatures is not enough. Thus, the meeting call was insufficient, and no efficacious meeting occurred.

If the Court recognized the six appointments made on July 23, 2022, by the CEC meeting that Christ does not recognize, then there would be 101 members, and the failing of the meeting call is even more obvious.

REMEDY REQUESTED: Relators asks that this Court issue mandamus to require Christ and the other Real Parties in Interest to refrain from any action dependent on any authority provided by a motion, resolution, appointment, or other like action taken at the Christ Group's August 13th meeting.

Response to Issue 4: The Montgomery County Republican Party Executive Committee validly appointed eight individuals to fill precinct chair vacancies on August 13, 2022.

The Precinct Chair Group indisputably had 43 members present at its meeting on August 13, 2022.¹¹¹ As reported in the minutes of that meeting, the following were appointed to vacant precinct chair positions: Caleb Smith (26), Bobbi Bodenhamer (54), Jennifer Bowling (62), Steven Foster (80), Sherry Tavel (95), Stephanie Schwantes (101), Jackie Williams (107), and Patrick Teich (111).¹¹²

To alleviate any argument about group votes, the CEC affirmed these same individuals and the six appointed on July 23rd by affirming votes individually on September 6 in an abundance of caution and to eliminate the criticism stemming from the “individual vote” language Christ had used to support his objection to the legitimacy of these appointments.¹¹³

REMEDY REQUESTED: Relators ask that this Court issue mandamus to require Christ and the other Real Parties in Interest to recognize that Caleb Smith (26), Bobbi Bodenhamer (54), Jennifer Bowling (62), Steven Foster (80), Sherry

¹¹¹ Exhibit 5-19, Minutes for the CEC Meeting on August 13, 2022 (Precinct Chair Group).

¹¹² Exhibit 5-20. The Christ Group claims that the body’s appointment of six chairs with one voice vote violated the vacancy committee’s rule at Art. 7, Sec. 2, because each individual must be voted on separately. This bylaw rule does not apply that rule to the filling of vacancies, but is applicable only to the committee’s nomination process.

¹¹³ Exhibit 5-24, Meeting Minutes for September 6, 2022.

Tavel (95), Stephanie Schwantes (101), Jackie Williams (107), and Patrick Teich (111) are the legitimately-appointed chairs of their precincts and to submit the named precinct chairs to the Texas Secretary of State.

Response to Issue 5: The attempts to lower the quorum requirement to fill precinct chair vacancies and allow email voting for precinct chairs on September 6, 2022 were invalid because such a change would require amendments to the committee's bylaws, and such a change did not occur.

The Christ Group purportedly lowered the required quorum from 33% to 30% by a resolution on September 6, 2022, and also passed a resolution to allow email voting to fill vacant precinct chair positions.¹¹⁴

The Christ Group cite RPT Rule 7(c) for their ability to allow electronic mail voting to fill precinct chair vacancies. While RPT rules do allow a CEC to adopt electronic mail voting, the RPT rules do not require a CEC to allow email voting. Thus, the Old Bylaws, which do not allow for such voting, apply. To allow electronic voting and lower the quorum required, the Old Bylaws would have to be amended, which requires substantial steps, including a vote of more than 50% of the CEC's participation. No such vote occurred.

REMEDY REQUESTED: Relators ask that this Court issue mandamus to require Christ to refrain from submitting any name to the Texas Secretary of State as a precinct chair who has obtained his position by a vote at a meeting of less than one-third quorum.

¹¹⁴ Exhibit 5-22.

Response to Issue 6: Assuming Bryan Christ's duty to report precinct chairs to the Texas Secretary of State is a ministerial duty, what names must he report?

The county chair of every party in Texas has a ministerial duty to report the names of validly appointed precinct chairs.

Based on the information above, the Montgomery County Republican party Executive Committee has appointed the following individuals to fill precinct chair vacancies: Sherry Tavel (95), Jennifer Bowling (62), Jackie Williams (107); Patrick Teich (111); Diane Campbell (104); Stephanie Cox (98); Mary Lewis (94); Thomas Bartley (103); Caleb Smith (26); Gwen Withrow (72); Stephen Foster (80); Mara Waser (92); Bobby Bodenhamer (54); and Stephanie Schwantes (101).

There is no arguable dispute over these individuals, whether the discussion is the call of the meeting, the quorum of the meeting, or how they were appointed.

REMEDY REQUESTED: Relators asks that this Court issue mandamus to require Christ to report the names listed above to the Texas Secretary of State as precinct chairs for their respective districts.

PRAYER & CONCLUSION

There is no doubt that this case presents a significant number of small details and facts, each of which have bearing on events downstream. But Relators assert that the commanding facts of the case are not in dispute.

Bryan Christ is not doing the job he was elected to do by the Republicans of Montgomery County. He is abusing his office and playing sandbox bully while defaming or ignoring those who should be his allies. This application for writ of mandamus will not fix this dysfunctional family. However, this case can put this executive committee back on track in a way that will ensure that Texas statutes are followed, that the public has an accurate list of properly-appointed or elected precinct chairs and a proper list of vacancies. It will ensure that the treasurer preferred by the majority of the executive committee can file financial reports required by the Texas Ethics Commission without interference and interact with banks without confusion.

Relators make these requests with the humility of those who know they ask a busy court to resolve a matter based in part on party and parliamentary rules, but if this state cannot corporately ensure that the lowest rung of our representatives is correct, then it cannot hope to master the bigger issues of election integrity.

Relators represent the people in our system who are in the trenches, putting down yard signs, making phone calls, and educating their neighbors. Without this Court's intervention, these people will be subject to the whims of a single person, contrary to Texas law.

To adjudicate this matter, Relators ask that the Court set a briefing schedule allowing two weeks for Bryan Christ to respond, and ten days for Relators to reply. It is Relators' hope that Christ will stipulate to an abatement of his "ethics committee" meetings that target elected precinct chairs during this adjudication. If he is amenable, no injunction will be sought; if he is not amenable, then Relators will file an application for an injunction while this application is pending.

Relators recognize that this application is long and have previously obtained this Court's permission to file a petition of this word length.

Lastly, Relators ask for all other appropriate relief to which they are entitled.

Respectfully submitted,
By: /s/Warren V. Norred
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ATTORNEYS FOR RELATORS

CERTIFICATIONS

CERTIFICATE OF SUPPORT

Pursuant to Tex. R. App. P. 52.3(j), I certify that I have reviewed this Application and concluded that every factual statement in the Petition is supported by competent evidence included in the record filed concurrently.

/s/Warren V. Norred
Warren V. Norred

CERTIFICATE OF SERVICE

In accordance with Tex. R. App. Pro. 9.5(e), the undersigned hereby certifies that a true and correct copy of the foregoing application has been sent by e-service, on this 17th day of February, 2023, by email to Respondent Bryan Christ, his counsel Eric Opiela, and all Real Parties in Interest.

/s/Warren V. Norred
Warren V. Norred

CERTIFICATE OF COMPLIANCE

The undersigned hereby certifies that, pursuant to Tex. R. App. Pro. 9.4(i)(2)(D), the number of words in this document is 9593, based upon the word counter of MS Word.

/s/Warren V. Norred
Warren V. Norred

APPENDIX:

I. Governing Authorities

1. Texas Statutes
2. Bylaws, Republican Party of Texas, September 24, 2022
3. Bylaws, Montgomery County Rep. Party Exec. Comm., 2022-2024
4. Excerpts, Robert's Rules of Order, Newly Revised, 12th Ed.

II. Business Records

5. John Wertz - MCRP Exec. Comm. Communications
 - 5-1 July 12, 2022 Christ Email Notice for Mtg
 - 5-2 July 12, 2022 Wertz Email Prop. Bylaws
 - 5-3 July 15, 2022 Wertz Email Prop. Bylaws Follow up
 - 5-4 July 19, 2022 Wertz Prop. Agenda
 - 5-5 RPT Org. Mtg. Memo
 - 5-6 July 19, 2022 Org Meeting Minutes
 - 5-7 July 21, 2022 Walker Email Notice for Mtg
 - 5-8 July 21, 2022 Walker Call for Mtg
 - 5-9 July 21, 2022 Byers Email Notice for Mtg
 - 5-10 July 21, 2022 Byers Call for Mtg
 - 5-11 July 21, 2022 Christ Statement
 - 5-12 July 23, 2022 Mtg Roll Call
 - 5-13 July 20, 2022 Vance Email Notice for Mtg
 - 5-14 July 25, 2022 Vance Call for Mtg
 - 5-15 July 30, 2022 Tibbs Call for Mtg
 - 5-16 July 30, 2022 Byers Call for Mtg
 - 5-17 August 13, 2022 Mtg Minutes
 - 5-18 August 13, 2022 Mtg Roll Call
 - 5-19 August 13, 2022 Mtg Minutes (2)
 - 5-20 August 13, 2022 Vacancy Report
 - 5-21 September 6, 2022 Byers Call for Mtg
 - 5-22 September 6, 2022 Mtg Minutes
 - 5-23 September 6, 2022 Mtg Roll Call
 - 5-24 September 6, 2022 Mtg Minutes-Amended
 - 5-25 September 6, 2022 Resolution Aug. 13 Mtg Invalid
 - 5-26 September 6, 2022 Resolution to Revoke PEC
 - 5-27 September 6, 2022 Resolution to Compel
 - 5-28 September 9, 2022 SoS FOIA Results
 - 5-29 December 6, 2022 Resolution to Censure
 - 5-30 December 6, 2022 Mtg. Call
 - 5-31 December 6, 2022 Mtg. Minutes
 - 5-32 January 3, 2023 Mtg Agenda
 - 5-33 January 3, 2023 Mtg Minutes
 - 5-34 January 3, 2023 Mtg Roll Call
 - 5-35 January 3, 2023 Resolution No Confidence

- 5-36 January 3, 2023 Vice Chair Report
- 5-37 January 3, 2023 Vacancy Report
- 5-38 June 7, 2022 Ann Kate Resignation Email
- 6. Matthew Patrick - Mediation Memorandum

III. Declarations of Relators

- 7. Kenneth Allen (Pct 34, elected)
- 8. Betty Anderson (Pct 31, elected)
- 9. Thomas Bartley (Pct 103, 7/23/22)
- 10. Daniel Bingham (Pct 85, elected)
- 11. Patricia Carr (Pct 83, elected)
- 12. Susan Carranza (Pct 49, elected)
- 13. Stephanie Cox (Pct 98, 7/23/22)
- 14. Paul Crowson (Pct 36, elected)
- 15. James (Jim) Doyle (Pct 56, 10/4/22)
- 16. Kenneth Earnest (Pct 6, elected)
- 17. Dale Fessenden (Pct 17, elected)
- 18. Doris "DJ" Fike (Pct 102, elected)
- 19. Steven Foster (Pct 80, 8/13/22)
- 20. Kent Frappier (Pct 2, elected)
- 21. Josh Graff (Pct 40, elected)
- 22. Theresa Haag (Pct 68, elected)
- 23. Blake Hall (Pct 82, 1/3/2023)
- 24. Neda Henery (Pct 108, elected)
- 25. Dale Inman (Pct 27, elected)
- 26. Tammy Kelper (Pct 35, elected)
- 27. Tom Lancaster (Pct 79, elected)
- 28. Steven Lawrence (Pct 48, elected)
- 29. Mary Lewis (Pct 94 7/23/2022)
- 30. Christina Lightfoot (Pct 50, elected)
- 31. Catherine Locetta (Pct 71, elected)
- 32. Tanya Martinez (Pct 90, 1/3/2023)
- 33. Donna McAleer (Pct 61, elected)
- 34. Melinda Olinde (Pct 89, elected)
- 35. Wayne Pearson (Pct 52, elected)
- 36. Luis Pedraza (Pct 110, elected)
- 37. Bill Philibert (Pct 42, 1/3/2023)
- 38. Kristen Plaisance (Pct 37, elected)
- 39. Suzanne Rapattoni (Pct 99, elected)
- 40. Nelson Reyes (Pct 4, elected)
- 41. Scott Robbins (Pct 33, elected)
- 42. Larry Rogers (Pct 75, elected)
- 43. Kathy Ross (Pct 67, elected)
- 44. Ginger Russell (Pct 74, elected)
- 45. John Schluter (Pct 44, elected)
- 46. Stephanie Schwantes (Pct 101, 8/13/22)
- 47. Susan Scruggs (Pct 81, elected)
- 48. Juanita Simmons (Pct 19, elected)
- 49. Caleb Smith (Pct 26, 8/13/22)
- 50. Fred Sudermann (Pct. 88, elected)
- 51. Sherry Tavel (Pct 95, 8/13/22)
- 52. Doug Taylor (Pct 5, elected)
- 53. Patrick Teich (Pct 111, 8/13/22)
- 54. Dennis Tibbs (Pct 76, elected)
- 55. Ronnie Trojanowski (Pct 73, elected)
- 56. Lauren Vickers (Pct 39, 1/3/2023)
- 57. Robert Walker (Pct 87, elected)
- 58. Mara Wasar (Pct 92, 7/23/22)
- 59. Kim Weber (Pct 97, elected)
- 60. John Wertz (Pct 69, elected)
- 61. Herschel Williams (Pct 63, elected)
- 62. Jackie Williams (Pct 107, 8/13/22)
- 63. Allison Winter (Pct 59, elected)
- 64. Gwen Withrow (Pct 72, 7/23/22)
- 65. Jon Bouche (Vice Chair, 7/23/2022)
- 66. Staci Earnest (Secretary, 7/23/2022)
- 67. Charles Shirley (Treasurer, 7/23/2022)

IV. Declarations of Non-Party Witnesses

- 68. Lisa Railey
- 69. Bob Bagley
- 70. Bill Graff (videographer)
- 71. Pat Tibbs