

DECLARATION of GWEN WITHROW
(TEX. CIV. PRAC. & REM. CODE § 132.001)

My name is Gwen Withrow; my date of birth is October 24, 1952; and my address is 54 Brookgreen Circle, Montgomery Texas 77356 I declare under penalty of perjury that the following statements are true and correct:

1. I am a resident of Montgomery County and voted in the 2022 Republican Primary.
2. I have been personally present at events concerning a division of the Montgomery County Republican Party Executive Committee (“CEC”), and write this declaration in support of legal action to resolve the division. As the CEC has duties concerning elections, I believe that this division imperils the CEC’s orderly participation in county elections, as I am aware that Bryan Christ, the elected Montgomery County Republican Party Chair, is not accurately recognizing properly seated chairs or managing the CEC’s resources, such as the space leased by the Montgomery County Republican party, its bank account, and its website.
3. I hold the position of Republican Precinct Chair 72 in Montgomery County, which I obtained by appointment on July 23, 2022, after nomination and election by a majority of CEC members, as reflected by the minutes of the CEC meeting held that day.
4. My predecessor, Martha Ann Kate resigned from her position as precinct chair #72 from her position as precinct chair on June 7, 2022, by email to Bryan Christ and Raquel Lewis, and Allison Winter, Vacancy Chairman. Raquel Lewis was the secretary of the Montgomery County Republican Party at the time. I have faithfully reproduced that email here, on which I was copied and received:

From: "Ann Kate"
To: "Bryan Christ", "Raquel Lewis", "Aywinter@gmail.com"
Cc: "Gwen Withrow"
Sent: Tuesday June 7 2022 11:07:12AM
Subject: Precinct chair resignation

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

5. Section 6 of the Montgomery County Republican Party Bylaws¹ governs resignations of precinct chairs, stating that written resignations given in writing to the secretary of the CEC are effective immediately. I have copied the relevant section below:

Section 6. Resignation and Removal

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, censure, and removal in accordance with the resolution adopted by the Executive Committee, TEC 171.029 and RPT rule 8n. Any such action requires two thirds (2/3) approval of members present and voting (not counting vacancies) with at least 50% of the members voting.

6. In spite of the resignation email sent by Martha Ann Kate, her name was called as though she was still on the list of precinct chairs during the July 23, 2022 meeting. During that meeting, the CEC determined that she had resigned, and I was nominated to fill the vacancy caused by Martha Ann Kate at an emergency meeting of the CEC on July 23, 2022, and appointed by the CEC by unanimous vote at that meeting.

7. I have obtained a copy of the list of precinct chairs given by Bryan Christ to the Texas Secretary of State, and learned that Christ has refused to recognize my appointment. I am aware that Christ's failure to list me properly is a violation of his ministerial duties described at section 172.118 of the Texas Election Code.

8. I have also seen a call for a specially called meeting on July 25, 2022, issued by Christ. According to section 2 of the CEC's Bylaws, special meetings must have a list of precinct chairs who are supporting that call which equals 20% of the total membership (not including vacancies). Christ is using Martha Ann Kate on his list of supporting precinct chairs when he called that meeting.

9. I have been a long-time activist in the Republican Party, and currently serve on the State Republican Executive Committee. I am aware that dueling sets of precinct chairmen will cause difficulties as the election draws near. Additionally, precinct chair lists are public information (see section 172.029(b) of the Texas Election Code). As a long-time activist, I am aware that candidates depend on these lists in their outreach efforts.

¹ These by-laws are maintained on the CEC's website at <https://static1.squarespace.com/static/632a33aaad395c03987c7993/t/632f6561c02a616c3061630b/1664050530030/MCRP+2020-2022+Bylaws+-+FINAL.pdf> (last accessed on January 15, 2023).

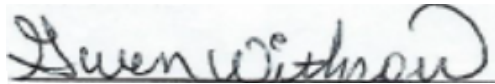
10. Additionally, precinct conventions are historically run by precinct chairs or their agents and allies. If this matter is not resolved, we may well have competing claims and disputes about which precinct convention held for a precinct is valid.

11. Aside from the challenges of disputed precinct chair lists, Christ is refusing to allow access to CEC resources and meeting space, and claiming to fill precinct chair vacancies through a committee of his ~20 supporting precinct chairs, which is not close to a majority of the CEC; all of these appointments appear to be invalid to me.

12. As I have watched the division in the CEC, it appears that about one-third of the precinct chairs support Christ, and two-thirds are opposed to his leadership actions. The result of his lack of support means that none of his meetings can appoint a person to a vacant precinct chair, as such votes require a one-third quorum of the CEC. His divisive approach resulted in a complaint signed by a majority of the CEC in late 2022, along with a vote of no confidence.

13. I have employed Warren V. Norred of Norred Law, PLLC to resolve the CEC division and have contributed to funds to pay for him and his firm for that purpose.

Executed in Montgomery County, State of Texas on January 24, 2023.

A handwritten signature in cursive script that reads "Gwen Withrow". The signature is written in dark ink on a light-colored background.

printed name: Gwen Withrow

From: "Ann Kate"

To: "Bryan Christ", "Raquel Lewis", "Aywinter@gmail.com"

Cc: "Gwen Withrow"

Sent: Tuesday June 7 2022 11:07:12AM

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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

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.

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Ann Kate
Pct. 72 Chairman

From: "Ann Kate"
To: "Gwen Withrow"
Cc:
Sent: Tuesday July 12 2022 7:43:49PM
Subject: Fwd: Notice of CEC Organizational Meeting

FYI in case you didn't get this. As you know, I will be in Dallas babysitting my grandson.

Ann

----- Forwarded message -----
From: **Bryan Christ** <bryan4mcrp@gmail.com>
Date: Tue, Jul 12, 2022 at 5:59 PM
Subject: Notice of CEC Organizational Meeting
To:

All Pct Chairs,

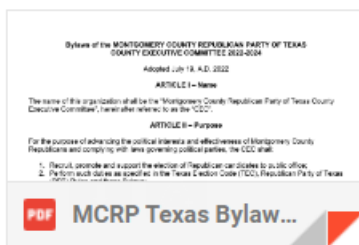
This is the official meeting call for the 2022-2024 CEC Organizational Meeting to be held on July 19th at 6:30p at the Sadler Building. Attached you will find the agenda for the meeting and the proposed bylaws. The proposed bylaws are the collective product of the 5 workshops that many of you participated in. The sharing of ideas and collaboration was wonderful!

The proposed bylaws represent one of many possibilities. **Where there was significant debate, variations have been captured in a separate doc.** This doc will be circulated soon as a set of possible amendments (which we called options) during the workshops. **We will walk through the proposed bylaws and apply these options through the amendment and voting process.**

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Bryan Christ
MCRP Chairman

2 Attachments • Scanned by Gmail ⓘ



From: "Ann Kate"
To: "Gwen Withrow"
Cc:
Sent: Monday June 13 2022 6:57:34PM
Subject: Fwd: Bylaw Workshops

I'm not sure if you will have replaced me by then, but I'll be in Colorado.

----- Forwarded message -----

From: **Bryan Christ** <bryan4mcrp@gmail.com>
Date: Mon, Jun 13, 2022 at 6:34 PM
Subject: Bylaw Workshops
To:

Good evening 2022 Pct Chairs. There will be 4 bylaw workshops conducted in late June / early July. Here are the dates and times. I encourage everyone that can attend to do so. Your thoughts and ideas are important!

Location: Conroe Chamber of Commerce

Saturday, June 25th, 9:30a - 11:30a
Thursday, June 30th, 6:30p - 8:30p
Tuesday, July 5th, 6:30p - 8:30p
Saturday, July 9th, 9:30a - 11:30a

I look forward to seeing you there!

--

Bryan Christ
MCRP Chairman