

Appeal of Dale Taylor
Hanover, VA

State Central Committee Appeal Cover Sheet

The Committee requests that appellants fill out this cover sheet and submit it with any appeal. It includes a checklist of items required for a proper appeal by the Party Plan and the Committee's policy, as well as a list of additional factors to consider before filing an appeal.

Name and contact info of appellant:

Date of Appeal filing:

Checklist (Party Plan Requirements)

1. Timeliness—Are you filing within 30 days of the decision from which you are appealing?
 - a. Yes
 - b. No—Your Appeal is Time Barred.

2. Petition Signatures—Is your appeal accompanied by a petition with at least 25 Party members of the unit or district affected (For mass meetings, party canvasses or conventions with fewer than 125 participants, the petition need only have the signatures of 20% of all participants)
 - a. Yes
 - b. No—Your Appeal has insufficient support to be considered.

3. Adverse Affect—Does your appeal state the way in which you are adversely affected by the decision from which you appeal?
 - a. Yes
 - b. No—You are not qualified to Appeal unless you are adversely affected.

For example, "The Faraway County Republican Committee purchased an Elephant costume to be worn by a volunteer in the Labor Day parade for \$1,000 on January 1, 2019. The 12th Congressional District Committee's decision to change our unofficial symbol from an Elephant to a Humpback Whale will force the FCRC, which I chair, to spend an additional \$1,000 on a Humpback Whale Costume."

Checklist (State Central Committee Policy)

- yes 1. Specific—Does your appeal include a specific statement of the decision from which you are appealing? Describing a circumstance or set of facts is not sufficient. Appeals must be made from decisions.

For example, "I appeal the 12th Congressional District Committee's decision on March 25, 2019, when it adopted the following motion: 'that the Humpback Whale replace the Elephant as the unofficial symbol of the Republican Party'"

- yes 2. Remedy—Does your appeal include a specific statement of the remedy you seek? The Committee may craft a different remedy, but having your proposal would be helpful.

For example, "I ask that the State Central Committee overturn the 12th Congressional District Committee's decision so that the Elephant will continue to be the unofficial symbol of the Republican Party."

- yes 3. Grounds for Appeal—Does your appeal include sufficient reasons for the State Central Committee to overturn the decision of the Congressional District Committee?

For example, "The District Committee ignored the fiscal implications of its policies on local committees."

- yes
4. Record—Have you included all relevant material with your appeal? You should include the complete record with your appeal, including materials prepared by both sides for review by unit, legislative district, and/or congressional district committees, as well as any written decision reached by those committees. If you are appealing to the State Central Committee because a Congressional District Committee failed to render a decision in writing within the time prescribed by the Party Plan, you should clearly indicate so in the appeal.

The appeal and complete record should be submitted at least two weeks prior to the State Central Committee meeting. Any rebuttal material should be submitted at least one week prior.

Other Factors to Consider

- yes
1. Impact of Decision—If your appeal is granted, will it change anything. For example, if the 12th District Committee used the term "Humpback Whale", but you believe that it's full species name, "*Meagtera novaeangliae*" would be more appropriate, even if the word changed, the unofficial symbol will look the same. Is there any utility to pursuing the appeal?

- yes
2. Timing—If your appeal will not be considered until the next State Central Committee meeting, will the decision come in time to make a difference?

- yes
3. Clear Error—Was there a clear error? If the District Committee's decision was reasonable, but not the outcome you hoped for, does it warrant appeal to the State Central Committee. Where reasonable people can differ about the correct decision and no clear error was made, do you have a compelling case for the State Central Committee to overturn a District Committee decision?

- yes
4. Precedent—Have you considered how similar matters have been resolved in the past? Have you considered whether any rulings or interpretations by a General Counsel are relevant to the resolution of the dispute? If your position runs against the weight of precedent or the conclusions of a General Counsel opinion, the State Central Committee is unlikely to grant your appeal.

- no
5. New Matters—Does your appeal include any new matters not addressed at earlier proceedings? If your appeal includes facts or arguments not available at the unit, legislative district, or congressional district committees, you should not bring it to the State Central Committee. You may request that the relevant committee reconsider its decision based on that additional information, but the State Central Committee will not likely take an appeal that present new questions. It provides an appeal of last resort and has no jurisdiction to hear new questions.

- yes
6. Attempts to resolve—Have you made all possible efforts to resolve the dispute without resort to an appeal? Accommodations reached by unit, legislative district, or congressional district committees are more likely to be mutually satisfactory and to resolve issues in a more timely fashion than an appeal to the State Central Committee. The parties to any disagreement should make every effort to resolve differences without resort to further appeal.

Appeal of Dale Taylor
to the
Republican Party of Virginia
State Central Committee

August 15, 2019

As per Article X, Section B, Para. 1 of the RPV Party Plan Petitioner Dale Taylor makes this Appeal to the Republican Party of Virginia State Central Committee. The Appellant states, I, Dale Taylor Appeal the 1st Congressional District decision on August 13, 2019 when it adopted a motion to deny the Appeal of the invalidity of actions taken by the Hanover Republican Committee on May 29, 2019.

The First district committee in its deliberations blatantly ignored the RPV Party Plan, binding General Counsel rulings, RONR and long standing precedent in the deliberation of the Appeal. The 1st District committee failed to conduct the Appeal process in good faith and its decision-making was arbitrary, discriminatory and pre-textual by allowing capricious questions and commentary beyond the scope of the Appeal in the hearing. In summary, RPV owes each member facing an Appeal proceeding a fair process that complies with RPV's established rules and that is not infected with bad faith, pre-textual, or other malicious motives.

I, Dale Taylor, state the following in support thereof:

On April 28, 2019, a Hanover County Republican committee was emailed general newsletter that included with what was called an "Official Petition to remove Dale Taylor as Chair". There were the names of 42 individuals also listed but no signatures for any of the individuals.

On May 16, 2019, 7:29am, a Hanover County Republican committee general newsletter was emailed by the Hanover Republican executive committee seeking to find 1/3 of the County committee to sign the Call for a "Special Meeting" to remove the Chairman.

On May 16, 2019, at 7:52PM, a Hanover County Republican committee general newsletter was emailed stating 1/3 of the committee had called a "Special Meeting on May 29, 2019".

On May 29th, 2019 the Republican Party of Virginia ("RPV") General Counsel issued a ruling confirming that the attempt to remove Ms. Taylor is improper. Importantly, under the RPV's Party Plan, a "General Counsel's determination shall be binding unless and until overturned upon Appeal. . . ." (Party Plan, Article X.1.) In his binding ruling, the General Counsel explained that "a mere list of names is insufficient." The General Counsel also noted that "physical signatures" or "e-signatures" obtained through "a commercial e-signature application" like DocuSign would satisfy the signature requirement under the Party Plan.

And importantly, the General Counsel further explained: "**In all cases, the signatures must be included as part of the written notice of charges provided to the subject of the removal petition** so that the recipient had evidence of a valid removal petition meeting the signature requirement." (emphasis added). In reaching this conclusion, the current General Counsel relied in part on a predecessor General Counsel's ruling wherein that prior General Counsel wrote: "The petitioning members must commit their charges against a member in writing and sign the document." For your convenience, I am attaching hereto the General Counsel ruling issued today, along with the prior General Counsel ruling referenced above."

On May 29, 2019, at 12:09 PM, I note that another Hanover County GOP email newsletter blast was sent to the Hanover GOP members that contains a message drafted by Mr. Scott Wyatt's counsel. As an initial matter, we note that such an email is not proper, as it is akin to the Hanover GOP promoting one candidate over another. The use of the Hanover GOP email system in such a biased fashion clearly constitutes the improper

endorsement by the committee of Mr. Wyatt over Delegate Peace. The Party Plan specifically prohibits such acts: “An Official committee [like the Hanover County GOP] shall not endorse . . . any candidate who is running for a Republican nomination for public office. . . .” (Party Plan, Article VII.I.)

Moreover, in that email, Mr. Wyatt’s counsel argues that the Executive Committee has met the requirements of the Party Plan regarding Ms. Taylor’s removal. Specifically, he opines that the list of typed names contained in the prior email blasts calling for Ms. Taylor’s removal satisfies the Party Plan requirement that the notice of removal be signed by one-third of the members of the committee. Moreover, Mr. Wyatt’s attorney claims—without citing to any legal authority—that it is not necessary for the signatures to be tendered to Ms. Taylor as part of the removal notice. Wyatt’s counsel was incorrect on both points, as discussed above and as demonstrated by the binding ruling that the RPV General Counsel issued on May 29, 2019.

In a letter sent in the afternoon of May 29, 2019, by email and delivered in hand to all members of the HRC prior to the meeting by attorney Cortland Putbresi, we explained that the alleged notice of removal fails to abide by the Party Plan for numerous reasons, including the fact that none of the email blast notices relating to her removal were actually “signed by . . . the members of the Committee. (Party Plan, Article VII, § C.) The May 16 email blast (sent at 7:52 p.m.) merely contained a typed list of member names who are purportedly calling for Chairwoman Taylor’s removal. Notably, Ms. Taylor has never been furnished with the signatures of those persons allegedly calling for her removal.

All members of an official committee are entitled to due process and basic fairness here. As the prior General Counsel noted in his attached February 2, 2011 opinion: “I wish to alert you to an overriding principle that applies to all private associations [such as the HRC and its Executive Committee] in the discipline of their members under the law of Virginia. Virginia law requires that private associations afford their members fundamental fairness. Therefore, an official committee undertaking a removal process should, within the framework of procedures set forth above, take strides to afford all of its members, especially those who find themselves the subject of a removal petition, an abundance of fairness.” **In short, the rule of law—not the rule of man—should govern here.**

Here, as mentioned, I, Dale Taylor have never once been furnished with signatures (physical signatures or e-signatures) of those individuals who are purportedly calling for my removal. Rather, all that was circulated in the Hanover GOP newsletter emails was “a mere list of names,” which the current General Counsel has unambiguously noted is “insufficient.” Consequently, the Party Plan requirements necessary for my removal have not been met and my removal in the May 29, 2019 HRC meeting without question violates the Party Plan and the aforementioned General Counsel rulings. Therefore, I request the removal trial held on May 29, 2019 in the meeting of Hanover County Republican Committee be deemed invalid and of no effect, leaving me, Mrs. Dale Taylor the Chairman of the Hanover Republican Committee.

Sincerely,



Dale Taylor

cc: Chairman Jack Wilson, Esq.
Chris Marston, Esq.

We, the undersigned per the Republican Party of Virginia Party Plan Article X, Section B, Paragraph 4 sign in support of the Appeal of the Improper Removal of Ms. Dale Taylor as the Hanover County Republican Chairman.

Deborah K Blanchard Deborah K Blanchard 8/16/19 DB
Printed Name Signature Date Initial

John R. Hubbard John R. Hubbard 8/16/19 JRH
Printed Name Signature Date Initial

John R. Breeden John R. Breeden 8/22/19 ARB
Printed Name Signature Date Initial

Leslee N. Breeden Leslee N. Breeden 8/22/19 LNB
Printed Name Signature Date Initial

YVONNE BROADBENT Yvonne Broadbent 8/27/19 YBR
Printed Name Signature Date Initial

Printed Name Signature Date Initial

Printed Name Signature Date Initial

Printed Name Signature Date Initial

Printed Name Signature Date Initial

Printed Name Signature Date Initial

Printed Name Signature Date Initial

Verner G. Whitecotton [Signature] 8/19/19 [Initials]
Printed Name Signature Date Initial

WAYNE HAYDEN [Signature] 8/20/19 [Initials]
Printed Name Signature Date Initial

Tim Bednar [Signature] 8/20/19 TWB
Printed Name Signature Date Initial

RICHARD L. BATES JR [Signature] 8-20-19 RLB
Printed Name Signature Date Initial

Greg A. Gorbet [Signature] 8-20-19 GAG
Printed Name Signature Date Initial

W O Issgett [Signature] 8-20-19 [Initials]
Printed Name Signature Date Initial

WALTER A. TROWER [Signature] 8-20-19 WAT
Printed Name Signature Date Initial

Samuel C Howard [Signature] 8-20-19 [Initials]
Printed Name Signature Date Initial

Printed Name Signature Date Initial

Printed Name Signature Date Initial

Printed Name Signature Date Initial

We, the undersigned per the Republican Party of Virginia Party Plan Article X, Section B, Paragraph 4 sign in support of the Appeal of the Improper Removal of Ms. Dale Taylor as the Hanover County Republican Chairman.

<u>Linda Peraco</u> Printed Name	<u>Linda Peraco</u> Signature	<u>8/24/19</u> Date	<u>LP</u> Initial
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<u>Barbara Moss</u> Printed Name	<u>Barbara A. Moss</u> Signature	<u>8/24/19</u> Date	<u>BAM</u> Initial
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We, the undersigned per the Republican Party of Virginia Party Plan Article X, Section B, Paragraph 4 sign in support of the Appeal of the Improper Removal of Ms. Dale Taylor as the Hanover County Republican Chairman.

<u>Bretiss I Zacek</u>	<u>Bretiss I Zacek</u>	<u>8/21/19</u>	<u> </u>
Printed Name	Signature	Date	Initial

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Printed Name	Signature	Date	Initial

We, the undersigned per the Republican Party of Virginia Party Plan Article X, Section B, Paragraph 4 sign in support of the Appeal of the Improper Removal of Ms. Dale Taylor as the Hanover County Republican Chairman.

HEYDA VASS [Signature] 08/22/19 HV
Printed Name Signature Date Initial

Chris Vass [Signature] 8/22/19 CV
Printed Name Signature Date Initial

Sarah Ball [Signature] 8/22/19 SB
Printed Name Signature Date Initial

Jean H. Rollins [Signature] 8/22/19 JHR
Printed Name Signature Date Initial

Suzanne M. Retanford [Signature] 8/22/19 SMR
Printed Name Signature Date Initial

Frances M. Sadler [Signature] 8-22-19 FMS
Printed Name Signature Date Initial

Jill Soricker [Signature] 8/22/19 JS
Printed Name Signature Date Initial



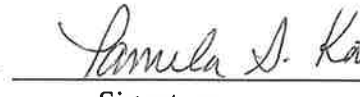

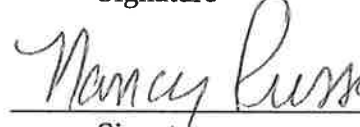
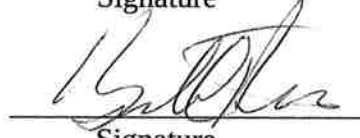
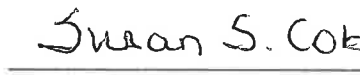
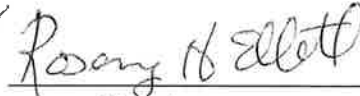
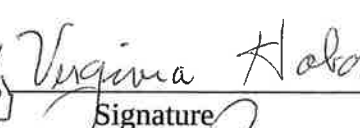
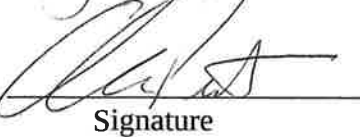

Arthur H. Taylor III [Signature] 8/22/19 T
Printed Name Signature Date Initial

JAMES BAUER [Signature] 8/23/19 JB
Printed Name Signature Date Initial

Printed Name Signature Date Initial

Printed Name Signature Date Initial

We, the undersigned per the Republican Party of Virginia Party Plan Article X, Section B, Paragraph 4 sign in support of the Appeal of the Improper Removal of Ms. Dale Taylor as the Hanover County Republican Chairman.

<u>LYNN V HAMILTON</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>SHH</u> Initial
<u>WILLIAM M. BELCHER</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>WB</u> Initial
<u>Pamela S. Kontra</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>psk</u> Initial
<u>SANDRA PAULUS</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>swp</u> Initial
<u>Nancy Russell</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>NR</u> Initial
<u>BRUNNEN RUSSELL</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>BR</u> Initial
<u>Susan S. Cobb</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>SC</u> Initial
<u>ROSEMARY H. ELLETT</u> Printed Name	<u></u> Signature	<u>8-22-19</u> Date	<u>RE</u> Initial
<u>Virginia Habansky</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>VS</u> Initial
<u>Aaron Proctor</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>AP</u> Initial
<u>Melissa Ball</u> Printed Name	<u></u> Signature	<u>8/22/19</u> Date	<u>MB</u> Initial

ADDENDUM TO APPEAL

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1. Exhibit A – Removal Newsletter – April 28, 2019.pdf
2. Exhibit B - Removal Newsletter - May 16, 2019.pdf
3. Exhibit C - Removal Newsletter - May 16, 2019 (#2).pdf
4. Exhibit D – 2019-05-29-Removal-Petition-Notice-Issues.pdf
5. Exhibit E – 2011-02-02_Wayne Hayden removal questions.pdf
6. Exhibit F – Letter to Hanover GOP Executive Committee re:
Today's General Counsel Ruling.pdf