



## *LNC EXECUTIVE COMMITTEE*

### *MEETING MINUTES*

*MARCH 21, 2018*

DISTRIBUTION DATE: MARCH 22, 2018

CURRENT STATUS: CANDIDATE FOR AUTO-APPROVAL ON APRIL 5, 2018

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### *CALL TO ORDER*

Nick Sarwark called the meeting to order at approximately 9:33 p.m. (all times Eastern)

### *ATTENDANCE*

Executive Committee members participating were: Nick Sarwark (Chair), Arvin Vohra (Vice-Chair – joined at 10:14 p.m.), Alicia Mattson (Secretary), Tim Hagan (Treasurer), Sam Goldstein (At-Large), Jim Lark (Region 5 Representative), Bill Redpath (At-Large)

LNC Counsel Oliver Hall was present.

Other LNC participants were: David Demarest, Caryn Ann Harlos

Staff participants were: Wes Benedict

Other participants were: Paul Frankel, Wayne Harlos

### *PURPOSE*

The meeting was called to discuss two requests for legal action.

### *LAVERGNE v. US HOUSE*

The Executive Committee had been provided a copy of the complaint in Lavergne v. U.S. House of Representatives. Mr. Hall reviewed the nature of the case. The plaintiff is requesting that the LNC join as a co-plaintiff. Following discussion, the Executive Committee took no action.

### *FRAZIER v. WILLIAMS*

Mr. Hall explained the background of Frazier v. Williams, which arises from two separate ballot access cases in Colorado and involves whether prevailing plaintiffs should be awarded attorney's fees under a particular federal law in particular circumstances. The LNC is being invited to file an amicus brief in support of a petition for certiorari to the U.S. Supreme Court. Two attorneys have expressed possible interest in preparing the brief.

Mr. Redpath moved to authorize an expenditure of up to \$4,000 for an amicus brief, attorney's fees, and printing costs on the Frazier v. Williams case.

Mr. Hagan reviewed remaining budget amounts and then moved to amend to strike \$4,000 and instead insert \$1,659.

Following debate, the vote on the amendment was as follows:

Voting "aye": Goldstein, Hagan, Lark, Mattson

Voting "no": Redpath

Abstaining: Sarwark

The amendment was adopted with a vote total of 4-1.

The main motion became to authorize an expenditure of up to \$1,659 for an amicus brief, attorney's fees, and printing costs on the Frazier v. Williams case.

Mr. Vohra joined the meeting.

Following additional debate, there was no objection to amending the motion to also require that the attorney drafting the amicus provide us with a draft by 7:00 p.m. EDT on March 25<sup>th</sup>.

The main motion became to authorize an expenditure of up to \$1,659 for an amicus brief, attorney's fees, and printing costs on the Frazier v. Williams case, with a requirement that the attorney drafting the amicus provide us with a draft by 7:00 p.m. EDT on March 25<sup>th</sup>.

The vote on the main motion as twice amended was as follows:

Voting "aye": Hagan, Redpath, Sarwark, Vohra

Voting "no": Goldstein, Lark, Mattson

The motion was adopted with a vote total of 4-3.

## **ADJOURNMENT**

The meeting adjourned without objection at 10:25 p.m.