

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
Members of the New Hampshire Merrimack County
Republican Committee, et al.

(b) County of Residence of First Listed Plaintiff Merrimack
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

pro se

DEFENDANTS
David Scanlan, Secretary of State,
Chris Ager, Chair New Hampshire Republican State
County of Residence of First Listed Defendant Merrimack
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

Brendan Avery O'Donnell - for Scanlan,
Bryan K. Gould - For Ager

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

☐ 1 U.S. Government Plaintiff

☒ 3 Federal Question
(U.S. Government Not a Party)

☐ 2 U.S. Government Defendant

☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

REAL PROPERTY
☐ 210 Land Condemnation
☐ 220 Foreclosure
☐ 230 Rent Lease & Ejectment
☐ 240 Torts to Land
☐ 245 Tort Product Liability
☐ 290 All Other Real Property

CIVIL RIGHTS
☐ 440 Other Civil Rights
☒ 441 Voting
☐ 442 Employment
☐ 443 Housing/Accommodations
☐ 445 Amer. w/Disabilities - Employment
☐ 446 Amer. w/Disabilities - Other
☐ 448 Education

PRISONER PETITIONS
Habeas Corpus:
☐ 463 Alien Detainee
☐ 510 Motions to Vacate Sentence
☐ 530 General
☐ 535 Death Penalty
Other:
☐ 540 Mandamus & Other
☐ 550 Civil Rights
☐ 555 Prison Condition
☐ 560 Civil Detainee - Conditions of Confinement

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original Proceeding

☐ 2 Removed from State Court

☐ 3 Remanded from Appellate Court

☐ 4 Reinstated or Reopened

☐ 5 Transferred from Another District *(specify)*

☐ 6 Multidistrict Litigation - Transfer

☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity):*
U.S.C.A. Const. Amend. 1; 42 U.S.C. 1983

Brief description of cause:
Election Interference - Interference with Freedom to engage in effective political association

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY *(See instructions):*

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #	AMOUNT	APPLYING IFP	JUDGE	MAG. JUDGE
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

MERRIMACK COUNTY REPUBLICAN COMMITTEE (MCRC) AS REPUBLICAN PRIMARY VOTERS,
ET AL.

PETITIONER(S),

v.

Case No. _____

CHRIS AGER, IN HIS CAPACITY AS CHAIR, NEW HAMPSHIRE REPUBLICAN STATE COMMITTEE,

DAVID SCANLAN, IN HIS CAPACITY AS SECRETARY OF STATE FOR NEW HAMPSHIRE,

RESPONDENT(S).

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

NOW COMES Republican voters of the New Hampshire Merrimack County Republican Committee (“MCRC”), *et al.* (“Petitioner(s)”), both individually and collectively, and respectfully files the foregoing Complaint for declaratory judgment and injunctive relief for election interference¹ as New Hampshire Republican voters come together in order to nominate a Presidential candidate.² In support thereof, the Petitioners state as follows:

¹ In an unrelated matter, the New Hampshire Democratic Party (“NHDEM”) is also experiencing election interference of their own at the hands of outside national political figures, almost rendering the upcoming 2024 New Hampshire Democratic Primary meaningless, without President Biden’s name – the *heir apparent* party nominee – on the NH state primary ballot. *See News Release, Unlawful Voter Suppression Cease-and-Desist Order*, dated 01-08-2024, New Hampshire Department of Justice, Office of the Attorney General, <https://www.doj.nh.gov/news/2024/20240108-democratic-cease-desist.html>.

² *See* 11 C.F.R. § 9032.7 (a) (4).

NATURE OF THE ACTION

1. Until recently, both the Chairman of the New Hampshire Republican State Committee (“NHRSC”) (aka “NHGOP”) (the “Chair”) and the New Hampshire Secretary of State’s office (“NH SOS”), have ignored the provisions of the state law governing the “Special Provisions for State and Presidential Primary Elections” as written – N.H. § RSA 659:14.

2. Under a plain reading of the statute, it states *inter alia* that:

“If the rules of a party permit a person who is registered as an undeclared voter to vote in the party's primary, any person desiring to vote in that party's primary shall also announce the name of that party at the time of announcing the person's name (emphasis added).”

N.H. Rev. Stat. § 659:14. Simply put, if the Party’s Rules or Bylaws expressly allow it, then Undeclared Voters may vote in the Party’s Primary.

3. The statute goes on to say: “The party chairman shall notify the secretary of state in writing prior to the filing period for state offices whether the party has adopted such a rule (emphasis added).” *Id.* Again, simply put, the statute requires that the Party Chair submit *in writing* whether the Party’s Primary elections will be *open* to Undeclared Voters.

4. Currently, the Party’s Bylaws (<https://nh.gop/bylaws/>), the Party’s Platform (<https://nh.gop/platform/>), and the State Convention Organization Committee Report (https://nh.gop/organization_report/) ***are silent*** as to whether the Party has adopted such a rule to authorize Undeclared Voters to vote in the Party’s primary.

5. And the Secretary of State has acknowledged that the NH SOS does not have in its possession any correspondence from the NHGOP Chair declaring the Party’s Primary to be *open*

to Undeclared Voters. See **Exhibit B**, Right-to-Know reply from Secretary of State David Scanlan to Attorney Norm Silber, dated 10-09-2023.

6. Because of this confusion (in where that the Secretary of State’s office has maintained a practice of allowing Undeclared Voters to participate in both the Democratic and Republican primaries), and in order to prevent “party raiding”,³ the Party at its Annual Meeting on January 28, 2023, the NH GOP Annual Meeting (the Party’s highest governing authority), voted to **close** its Presidential Primary for January 2024. See **Exhibit A** – Minutes of the NH GOP Annual Meeting, dated January 28, 2023.

7. Over twelve months ago, under Resolution #2, the NH GOP Annual Meeting directed that Party Chair Chris Ager, *inter alia*, should notify the Secretary of State “*in writing prior to the filing period of state offices that the Republican Party of New Hampshire has adopted the rule that **only voters registered as Republicans** prior to any primary election may receive a Republican ballot (emphasis added).*” *Id.* In short, the Party voted to close its Presidential Primary in order to avoid “party raiding.” See California Democratic Party v. Jones, 530 U.S. 567, 572 (2000).

³ **NBC News** has reported that because President Biden’s name will not appear on the New Hampshire Democratic Party ballot, a newly-formed super-PAC **Primary Pivot** is encouraging Democratic voters to temporarily switch their party affiliations to “undeclared” so they can vote against Trump in the GOP primary. See New Hampshire Democrats weigh whether to cross over and vote in GOP primary, dated October 6, 2023, <https://www.nbcnews.com/politics/2024-election/new-hampshire-democrats-weigh-whether-cross-vote-gop-primary-rcna118756>.

See also NPR’s All Things Considered, aired January 17, 2024, transcript <https://www.npr.org/2024/01/17/1225253439/thousands-of-democratic-new-hampshire-voters-are-switching-party-affiliation>.

Even former New Hampshire U.S. Senator Gordon Humphrey is actively interfering by targeting unregistered college voters to sign up for same-day registration in an effort to spoil Republican party member votes for Donald Trump. See **NH Journal** Former Sen. Humphrey Launches Ad Campaign Urging College Students to Stop Trump, dated January 19, 2024, <https://nhjournal.com/former-u-s-senator-humphrey-launches-ad-campaign-urging-college-students-to-stop-trump/>.

8. Despite repeated attempts by other Party Officials, Party Chair Chris Ager refused to notify the NH SOS in writing that the upcoming 2024 Presidential Primary was ***closed to Undeclared Voters*** as was voted upon and approved by the NHGOP sitting in its Annual Meeting.

9. In September 2023, in an unrelated Right-to-Know request regarding changing of a voter's party affiliation, attorney Norman J. Silber – a Belknap County GOP member, former Belknap County Chair and former state representative – asked Secretary of State David Scanlan to produce any letters from NHGOP Chair Chris Ager to the Secretary of State's office regarding: (1) whether the party has adopted such a by-law or rule that authorizes Undeclared Voters to vote in the Republican Party's 2024 Presidential Primary; and (2) whether the Secretary of State has received written notification from the NHGOP Chair, pursuant to N.H. RSA § 659:14, (II). In his reply email, Secretary Scanlan explicitly stated that "*In response to your RSA 91-A request my office has not been able to locate any written notice of a Republican State Party rule change relative two [sic] which voters can participate in a New Hampshire primary election.*" See Exhibit B, Right-to-Know reply from Secretary of State David Scanlan to attorney Norm Silber, dated 10-09-2023. Simply put, in this reply, Secretary Scanlan admitted that there was no legitimate authority to include Undeclared Voters in the upcoming Presidential Primary.

10. In an email dated October 6, 2023, several of the Party Officials once again implored Party Chair Chris Ager to notify the NH SOS in writing that the 2024 Presidential Primary was officially closed to Undeclared Voters. As part of constructive notice, New Hampshire Secretary of State David Scanlan was copied on the email, and therefore knew or should have known that there exists no authorization to include Undeclared Voters in the upcoming Presidential Primary.

See **Exhibit C**, Letter from Merrimack County Republican Party Committee Chair Testerman to NHGOP Chair Ager, et al., dated October 6, 2023.

11. In a reply email also dated October 6, 2023, Party Chair Chris Ager stated that the “*Resolution violates state law and cannot be adopted.*” See **Exhibit D**, Email from NHGOP Chair Ager to Merrimack County Republican Party Committee Chair Testerman, et al., dated October 6, 2023. However, Chair Ager did not say what state law the Resolution violated.

12. The reply email from Chair Ager also stated that the *suggestion* would require adoption of a By-Law change at the upcoming NH GOP Annual Meeting, slated for January 13, 2024. *Id.* However, Chair Ager’s assertion that a By-Law change must be adopted to **close** the 2024 Presidential Primary is a misinterpretation of N.H. RSA § 659:14 which requires a proactive action by the Chair to **open** the Primary in writing to the NH SOS.

13. Chair Ager’s suggestion is the exact opposite of what must occur – there must be a By-Law or Rule of the Party on point, authorizing Undeclared Voters to participate in the 2024 Presidential Primary **AND** a letter from the NHGOP Chair notifying the Secretary of State of said Bylaw provision. To-date, ***there is no such Rule or Bylaw of the NHGOP authorizing the participation of Undeclared Voters in their primary elections.***

14. Therefore, Party Chair Ager has breached his fiduciary duty to correct the presumption that the Republican Party is open to Undeclared Voters without a written notice from the Chair.

15. And the Secretary of State David Scanlan is also in breach of his fiduciary duty to close the 2024 Republican Presidential Primary without having received proper notice from NHGOP Chair Ager that there is indeed a Rule or Bylaw allowing for the participation of Undeclared Voters.

16. The Petitioner(s) are asking this Court to instruct the New Hampshire Secretary of State to set aside any ballots casts by Undeclared Voters and Same-Day Registration Voters in the upcoming 2024 New Hampshire Republican Presidential Primary until such time as this matter can be resolved as to whether the statute governing Special Provisions for State and Presidential Primary Elections has been violated.

17. The Petitioner(s) are imploring that the current state of affairs deprives the Party of its First Amendment right to enter political association with individuals of its own choosing. See Tashjian v. Republican Party of Connecticut, 479 U.S. 208, 211 (1986). The Petitioner(s) also assert that the State may not constitutionally substitute its judgment for that of the Party. *Id.*

JURISDICTION AND VENUE

18. This court has subject matter jurisdiction under U.S.C.A. Const. Amend 1; N.H. Rev. Stat. § 659:14. Petitioner asserts jurisdiction pursuant to 28 U.S.C. § 1331 as federal questions in that Counts I and II are filed under 42 U.S.C. § 1983 and Count III seeks a declaratory judgment based on the federal constitutional right to freedom of association.

19. Petitioner(s) are Republican Voters of the New Hampshire Merrimack County Republican Committee (MCRC), residing in Merrimack County, New Hampshire. The undersigned Petitioners include:

- Patricia Jorgensen, individually and as the Vice-Chair of the Merrimack County Republican Committee (MCRC);
- NH state Representative David Testerman, individually and as a disenfranchised Merrimack County GOP voter;
- NH State Representative Nikki McCarter, individually and as a disenfranchised Belknap County Republican voter; and,

- Karen Testerman, individually and as the Chair of the Merrimack County Republican Committee (MCRC).

20. The Merrimack County Republican committee met to discuss the matter on 01-17-2024 and passed a motion to go forward with this complaint, by a 15-to-6 vote of the committee. See Exhibit E, Draft minutes of the Merrimack County Republican Party committee, dated 01-17-2024. As a result of this discussion, three dissenting Merrimack County Republican Party officers tendered their resignations at the conclusion of the meeting, and therefore wanted no part of this Complaint.

21. Respondent #1 is Chris Ager, an individual with his principal place of residence in the state of New Hampshire, is a Citizen of New Hampshire, and also in His Official Capacity as the duly-elected Chair of the New Hampshire Republican State Committee (“NHRSC”) (aka “NHGOP”).

22. Respondent #2 is David Scanlan, an individual with his principal place of residence in the state of New Hampshire, is a Citizen of New Hampshire, and also in His Official Capacity as the duly-appointed Secretary of State for the State of New Hampshire.

GENERAL ALLEGATIONS

23. **Count I** – NHGOP Party Chair Chris Ager has failed in his fiduciary duties to properly notify the New Hampshire Secretary of State that the NHGOP has not authorized “*a person who is registered as an undeclared voter to vote in the party's primary.*” N.H. RSA § 659:14. By his actions or inactions, Chair Ager has deprived the Party of its First Amendment right to enter political association with individuals of its own choosing. 42 U.S.C. § 1983; 34 CFR § 9032.7 (a) (4).

24. **Count II** – Secretary of State David Scanlan has failed in his fiduciary duties, after receiving constructive notice, to properly secure from the NHGOP Party Chair whether the party has adopted such a rule that authorizes Undeclared Voters to vote in the Republican Party’s 2024 Presidential Primary, rather than presuming that the primary was open. N.H. RSA § 659:14. By his actions or inactions, Secretary Scanlan has deprived the Party of its First Amendment right to enter political association with individuals of its own choosing. 42 U.S.C. § 1983; 34 CFR § 9032.7 (a) (4).

25. **Count III** – The NHGOP Party Chair Chris Ager and Secretary of State David Scanlan have colluded in violation of NH RSA § 659:14, substituting their judgment for that of the Party and deprived the Party of its First Amendment right to enter political association with individuals of its own choosing. 34 CFR § 9032.7 (a) (4). *See Tashjian v. Republican Party of Connecticut*, 479 U.S. 208, 209 (1986). In so doing, Chair Ager and Secretary Scanlan have “substantially interfere[d] with the Republican Party’s first amendment right to define its associational boundaries, determine the content of its message, and engage in effective political association.” *Tashjian*, 479 U.S. at 213.

ANALYSIS

26. A preliminary injunction is appropriate where: (1) the party is likely to succeed on the merits; (2) the parties are likely to suffer immediate, irreparable injury-in-fact unless the injunction is issued; (3) a balancing of the equities weighs in favor of an injunction; and (4) the injunction is in the public interest. *See League of Women Voter of N.C. v. North Carolina*, 769 F.3d 224, 236 (4th Cir. 2014).

27. Petitioners contend that if Undeclared Voters and Same-Day Registration Voters are allowed to participate in the upcoming 2024 New Hampshire Presidential Primary, irreparable

harm will have occurred and deprived the NHGOP of its First Amendment right to limit its membership as it wishes.

28. In order to prevent “party raiding” – a process in which dedicated members of one party formally switch to another party to alter the outcome of that party’s primary – a State may require party registration for a reasonable period of time before a primary election. See Rosario v. Rockefeller, 410 U.S. 752 (1973); Cf. Kusper v. Pontikes, 414 U.S. 51 (1973).

29. A political party has a First Amendment right to limit its membership as it wishes, and to choose a candidate-selection process that will in its view produce the nominee who best represents its political platform. See N.Y. Bd. of Elections v. Lopez Torres, 552 U.S. 196 (2008). Any interference with the freedom of a party is simultaneously an interference with the freedom of its adherents. Sweezy v. State of N.H. by Wyman, 354 U.S. 234, 250-51 (1957).

30. Although not public officials, political party chairpersons play substantial and discernible roles in state government beyond their statutorily enumerated duties. See Igneri v. Moore, 898 F.2d 870, 874 (2d Cir. 1990). Therefore, political party chairpersons owe a fiduciary duty to the general citizenry based on his “participation in” and “effective control over the processes of government.” See United States v. Margiotta, 688 F.2d 108, 125 (2d Cir. 1982), *cert. denied*.

31. The members of the New Hampshire Republican Party, during its Annual Meeting on January 28, 2023, voted to **close** its Presidential Primary for January 2024 in order to avoid “party raiding.” In so doing, the *body politic* attempted to resolve any ambiguity as to whether the Party wished to allow its Primary to be open to Undeclared Voters, and to provide order and avoid any voter confusion. See Campbell v. Bysiewicz, 242 F.Supp.2d 164, 171 (D. Conn. 2003); Maine Republican Party v. Dunlap, 324 F.Supp.3d 202, 213 (D. Me. 2018).

32. Here in this case, the NHGOP Chair and the NH SOS have colluded, either through ignorance or sheer determination, to ignore the plain meaning of the provisions of the state law governing the “Special Provisions for State and Presidential Primary Elections” – N.H. § RSA 659:14. By their actions or inactions, the NHGOP Chair Ager and Secretary of State Scanlan have deprived the NHGOP of its First Amendment right to limit its membership as it wishes, and to choose a candidate-selection process that will produce the nominee who best represents its political platform. See Alaskan Independence Party v. Alaska, 545 F.3d 1173, 1176 (9th Cir. 2008).

33. There has been a concerted effort, both locally and nationally, to interfere with election processes for both the New Hampshire Democratic and Republican state primaries. Outside forces have effectively (and successfully) neutralized the upcoming 2024 New Hampshire Democratic presidential primary from having any real meaning. The Petitioners in this instant suit are attempting to thwart such efforts from happening to them, as well.

PRAYER

WHEREFORE, the Petitioner(s) respectfully request that this court:

- A. Without an express written notification from the New Hampshire Republican Party Chair to the contrary, this Court DECREES that the Secretary of State will presume that the NHGOP has not given its consent to Undeclared Voters to participate in the upcoming 2024 Presidential Primary, pursuant to NH RSA § 659:14;
- B. Order an INJUNCTION that the Secretary of State instruct immediately all Election Judges within the state of New Hampshire to SEQUESTER the ballots cast by any Undeclared Voters and Same-Day Registration Voters, for the upcoming 2024 Presidential Primary, until this matter is resolved; and

C. That the Court grant such other and further relief as is just and proper.

Respectfully Submitted,

PATRICIA JORGENSEN, *both
individually and as New Hampshire
Merrimack County Republican Committee
(MCRC) Vice-Chair*

Dated: January 21, 2024

By: _____
Patricia Jorgensen, *pro se*
Yellaboat@aol.com
26 Twin Bridge Road
Northfield, New Hampshire
(774) 218-5707

DAVID TESTERMAN, *N.H. State
Representative, Merrimack County
District 03*

Dated: January 21, 2024

By: _____
David Testerman, *pro se*
Dave@sanbornhall.net
9 Stone Avenue
Franklin, New Hampshire 03235
(603) 320-9524

NIKKI McCARTER, *State Representative,
Belknap County District 08*

Dated: January 21, 2024

By: _____
Nikki McCarter, *pro se*
Nikki.McCarter@leg.state.nh.us
107 North Main Street
Concord, New Hampshire 03235
(603) 303-8934

KAREN TESTERMAN, *both individually
and as New Hampshire Merrimack County
Republican Committee (MCRC) Chair*

Dated: January 21, 2024

By: _____
Karen Testerman, *pro se*
karen@karentesterman.com
9 Stone Avenue
Franklin, New Hampshire 03235
(603) 934-7111

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by electronic means and certified mail to:

David Scanlan, Respondent
Secretary of State
ATTENTION: Brendan Avery O'Donnell
Election Law Unit Chief
New Hampshire Department of Justice
1 Granite Place, Concord, NH 03301
brendan.a.odonnell@doj.nh.gov
Telephone: 603-271-3658
Direct Dial: 603-271-1269

Chris Ager, Co-Respondent
Chairman, New Hampshire Republican State Committee
ATTENTION: Attorney Bryan K. Gould
c/o CLEVELAND, WATERS, AND BASS, P.A.
2 Capitol Plaza
Concord, NH 03302-1137

Dated: January 21, 2024

Karen Testerman, *pro se*

EXHIBIT A

MINUTES OF ANNUAL MEETING

NEW HAMPSHIRE REPUBLICAN STATE COMMITTEE

SATURDAY, JANUARY 28, 2023

SALEM HIGH SCHOOL, 44 GEREMONTY DRIVE, SALEM, NEW HAMPSHIRE

The 2023 annual meeting was called to order by Chairman Stephen Stepanek at 10:05 a.m. He reminded members to sign up if they wished to speak to bylaw amendment proposals and resolutions. Chairman Stepanek led the Pledge of Allegiance and invited Pastor Dan Campbell from Manchester to offer an invocation. The chairman appointed the following: Bill O'Brien as Parliamentarian, Jane Lane as Secretary and Andrew Georgevits as Sergeant-at-Arms.

CREDENTIAL REPORT: Chairman Stepanek recognized Scott Maltzie, Chairman of the Credentialing Committee, to provide the Credentialing Report. Scott reported that out of a possible 482 members, 413 or 85.68% were present and he declared a quorum. He moved to accept the Credentialing Report. Motion seconded and passed.

RULES COMMITTEE REPORT: Chairman Stepanek recognized Ray Chadwick, Chairman of the Rules Committee. Ray recognized his fellow committee members, Alan Glassman and Rep. Wayne MacDonald, and explained that the rules for this meeting are based on 2020 rules that governed the last pre-Covid meeting. He moved adoption of the rules. Motion seconded and passed.

OFFICER REPORTS:

1. Secretary's report: Jane Lane presented the minutes of the continuation of the 2021 annual meeting held on April 23, 2022 and the minutes of the 2022 annual meeting also held on April 23, 2022. It was moved and seconded to accept the report. Motion passed.
2. Treasurer's report: Alan Glassman presented his report. He pointed out more than \$129,000 cash on hand as of 12/31/2022. It was moved and seconded to accept the report. Motion passed.
3. National Committeewoman: Juliana Bergeron presented her report, including a brief report of the recent RNC Winter Meeting when Chair Ronna McDaniel was re-elected.
4. National Committeeman: Chris Ager presented his report, including his comments on the recent RNC Winter meeting and New Hampshire's First in the Nation status, at least as far as Republicans are concerned.
5. Vice Chair: Pam Tucker presented her report reflecting on her position for the past 4 years.
6. Chair: Chairman Stepanek spoke to the successes in the 2022 election keeping Republicans in control of the Governor's office, the New Hampshire House and the New Hampshire Senate, and the Executive Council.

7. Jane Lane moved to accept the reports of the National Committeewoman, the National Committeeman, the Vice Chair and the Chair. Alam Glassman seconded the motion and motion passed.

ELECTION OF OFFICERS: Chairman Stepanek reviewed the rules. Nominations and seconding speeches are limited to 2 minutes and candidates have 3 minutes to speak.

Chairman:

Chris Ager was nominated by Bill O'Brien. The nomination was seconded by Rep. Fred Doucette, Chris Maidment and Mary Jane Beauregard. Chris Ager accepted the nomination.

Lou Gargiulo was nominated by Linda McGrath. The nomination was seconded and Lou Gargiulo accepted the nomination.

Vice Chair:

Christine Peters was nominated by Kate Day. Mark Vincent seconded the nomination. Christine Peters accepted the nomination.

Randall Kelly was nominated by Theresa Birnell. Kristin Jackson seconded the nomination. Randall Kelly accepted the nomination.

Ryan Terrell was nominated by Kate Demers. Kyle Sanborn seconded the nomination. Ryan Terrell accepted the nomination.

Executive Director Elliot Gault explained the voting procedures for casting ballots for the Chairman and Vice Chair races and voting for these two positions proceeded.

Treasurer:

Alan Glassman was nominated by Chris Buda. Bill Wright seconded the nomination. Alan Glassman accepted the nomination.

Dawn Johnson was nominated and her nomination was seconded. Dawn was not yet present at the meeting and accepted the nomination later in the meeting.

Assistant Treasurer:

Janice Mathews was nominated by Mark Vincent. Chris Maidment seconded the nomination. Janice Mathews accepted the nomination.

Jim MacEachern was nominated by Rep. Wayne MacDonald. Rep. Jodie Nelson seconded the nomination. Jim MacEachern accepted the nomination.

Assistant Secretary:

Kirsten Larsen Schultz was nominated by Judy Tucker and the nomination was seconded. Kirsten Larsen Schultz accepted the nomination.

Thad Riley was nominated by Gregg Hough. Dave Wheeler seconded the nomination. Thad was not yet present at the meeting and accepted the nomination later in the meeting.

Secretary: Jane Lane was nominated by George Hansel. Mile Aron seconded the nomination. Andrew Georgevits moved to close nominations for the position of Secretary. The motion was seconded and passed. Chairman Stepanek proceeded to cast one vote for Jane Lane for the position of Secretary. Jane Lane accepted the nomination and vote for secretary.

At 11:45 a.m. Chairman Stepanek recessed the meeting for lunch. At 12:45 p.m. he reconvened the meeting and introduced President Donald Trump who offered remarks. Following President Trump's remarks at 1:45 p.m., Chairman Stepanek announced the results of the election of chair and congratulated Chris Ager as the new NHRSC Chair. Chris assumed the chair and offered remarks. He announced that he will appoint Mary Jane Beauregard as Finance Chair which will be confirmed at the next eboard meeting on 2/6/2023. Also at that meeting the eboard will fill the National Committeeman vacancy created when Chris assumed the chairmanship. He also plans an eboard retreat on 4/1/2023.

Vice Chair Election: Chairman Ager announced that no candidate for Vice Chair received a majority to there would be a runoff between the top two vote getters: Ryan Terrell and Christine Peters. They were each given 3 minutes to speak. Following that, the two candidates not present to speak earlier were given their 3 minutes to speak: Dawn Johnson for Treasurer and Thad Riley for Assistant Secretary.

Voting proceeded for the Vice Chair runoff and for the positions of Treasurer, Assistant Treasurer and Assistant Secretary. Also, the five regions caucused to elect the five Regional Vice Chairs.

REMARKS: The main meeting resumed and former Congressman Will Hurd from Texas was introduced and offered remarks.

REGIONAL VICE CHAIR RESULTS:

The results of the regional caucuses were announced. Elected were:

Regional Vice Chair 1	Mark Alliegro
Regional Vice Chair 2	Rep. Tanya Donnelly
Regional Vice Chair 3	Chris Buda
Regional Vice Chair 4	Conrad Schoeffter
Regional Vice Chair 5	Rep. JR Hoell

REMARKS: Speaker Sherm Packard was introduced and offered remarks.

BYLAW DISCUSSION: Chairman Ager invited Chris Buda to the podium to oversee the Bylaw Amendment Debates for the 2023 annual meeting. He stated that there are 8 bylaws proposals to discuss:

#1. Amendment #1: Proposed by Chris Buda relative to voting privileges of county and city committees. The Bylaws Committee recommends adopting this amendment and the Executive Committee voted to amend the recommendation to allow voting privileges to members of city committees but not to extend these voting procedures to other than state committee members in county officer elections. Mr. Buda made a motion to adopt the recommendation as amended by the Executive Committee. Tammy Simmons spoke in favor of the motion. On a voice vote, the amendment is adopted.

#2. Amendment #2: Proposed by Scott Maltzie relative to moving the date of the Annual Meeting to April. The Bylaws Committee recommends adopting this amendment and the Executive Committee voted to support the recommendation. Rep. JR Hoell moved to suspend the rules to act on a resolution. His motion failed on a voice vote. Mr. Maltzie moved to adopt Amendment #2. Chris Wood and Bill Smith both spoke in opposition to the recommendation. On a voice vote, the amendment fails.

#3. Amendment #3: Proposed by Scott Maltzie relative to postponement of Annual Meeting. The Bylaws Committee recommends adopting this amendment and the Executive Committee voted to support the recommendation. Chris Buda moved to adopt the amendment. Bill Smith spoke in favor of the amendment. On a voice vote, the amendment is adopted.

#4. Amendment #4: Proposed by Scott Maltzie who withdrew the amendment.

Tammy Simmons made a motion to table all further amendments and adjourn the meeting. Her motion was ruled out of order. Tammy Simmons made a motion to table all further amendments. Her motion failed on a voice vote.

#5. Amendment #5: Proposed by Karen Testerman relative to a closed primary. The Bylaws Committee does not recommend adoption of this amendment and the Executive Committee voted to support the recommendation not to support this amendment. Karen Testerman moved to adopt the amendment. There were several motions to suspend the rules which were ruled out of order. A voice vote on the amendment was called and the chair ruled there was no clear vote on the voice vote and further ruled that the amendment fails because there was not a 2/3 voice vote in favor.

The Chair announced the result of the voting for contested officer positions. Those elected are:

Vice Chair, Ryan Terrell; Treasurer, Alan Glassman; Assistant Treasurer, Jim MacEachern; Assistant Secretary, Thad Riley.

Tammy Simmons made a motion to table all pending business. The motion failed on a voice vote.

There was more discussion on Amendment #5. There was a motion to overrule the chair's order on the vote on Amendment #5. Motion failed on a voice vote.

#6. Amendment #6: Proposed by JR Hoell relative to filling a vacancy for National Committeeman or National Committeewoman. Rep. Hoell came to the microphone and moved that due

to the contention about Amendment #5 that the similar resolution regarding closed primary be handled at this point in the agenda after which Karen Testerman, who proposed Amendment #5 regarding closed primaries, will withdraw the amendment. His motion was seconded and motion carried on voice vote. With regard to Resolution #2 (closed primaries), Karen Testerman moved adoption of the resolution and spoke in favor of it as did Gary Whitehill. Kate Day moved to table this resolution. Her motion was seconded and motion failed on voice vote. The voice vote on the main motion to adopt the resolution was inconclusive. There was a standing vote and the motion to adopt the resolution carried.

Chris Maidment moved a special order to handle Resolution #1 at this time. His motion was seconded and motion carried on a voice vote. Jim Rubens proposed Resolution #1 relative to an Article V Convention. He moved adoption of the resolution and spoke to it. Karen Testerman and Diane Bitter spoke in opposition to the resolution. Ray Chadwick, Dan Maguire, Victoria Sullivan and Rep. Moffitt spoke in favor of the resolution. The question was called and on a voice vote the resolution was adopted.

Going back to the bylaws discussion, Amendment #6 was withdrawn.

#7. Amendment #7: Proposed by Joe Abasciano relative to calling a special meeting by petition. JR Hoel moved to table this amendment. His motion was seconded and motion carried on a voice vote.

#8. Amendment #8: Proposed by Joe Abasciano relative to Executive Committee meetings. JR Hoell moved to table this amendment. His motion was seconded and motion carried on a voice vote.

Going back to the discussion on resolutions, the next resolution to consider is #3:

Resolution #3: Proposed by Rep. Jason Gerhard relative to vaccines and urging the Attorney General to investigate criminal or wrongful activity relating to development, promotion and distribution of vaccines. Adoption of the resolution was moved and seconded and after discussion, the question was called. On a voice vote, the resolution was adopted.

Resolution #4: Proposed by Claudine Burnham relative to sanctioning any New Hampshire Republican official who attends or supports the World Economic Forum (WEF). Adoption of the resolution was moved and seconded and after discussion, the question was called. On a voice vote, the resolution was adopted.

Resolution #5: Proposed by Claudine Burnham relative to censure of Senate Minority Leader Mitch McConnell. Adoption of the resolution was moved and seconded and after discussion, the question was called. On a voice vote, adoption of the resolution fails.

The business of the 2023 Annual Meeting being concluded, it was moved and seconded to adjourn the meeting. Meeting adjourned at 4:20 p.m.

Respectfully submitted,

Jane P. Lane, Secretary

EXHIBIT B

From: Norman J Silber <njs@silbersnh.com>
Sent: Monday, October 9, 2023 1:03 PM
To: david strang; Norman J Silber; Paul Terry; Steve Mac Donald; David C. & Debbie Murphy; sea1mra@gmail.com; Karen Testerman; Nicole McCarter (nicolermccarter@gmail.com)
Subject: FW: RSA 659:14 & 91-A

FYI- see below.

Norman J. Silber
Member of The Florida Bar & the New Hampshire Bar
243 Mountain Drive
Gilford, New Hampshire 03249-6764
Tel 603-293-0565 (land line- no texts)
Cell 305-803-5400
Email: njs@silbersnh.com

View complete profile: www.linkedin.com/in/norman-j-norm-silber-83269522

“Live free or die: Death is not the worst of evils.”

General [John Stark](#), hero of the [American Revolutionary War](#)

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From: David Scanlan <David.Scanlan@SOS.NH.GOV>
Sent: Monday, October 9, 2023 11:24 AM
To: Norman J Silber <njs@silbersnh.com>
Cc: Orville Fitch <Orville.Fitch@sos.nh.gov>; Chris Ager <chrisager@aol.com>
Subject: RE: RSA 659:14 & 91-A

Good morning Norm,

In response to your RSA 91-A request my office has not been able to locate any “written notice” of a Republican State Party rule change relative two which voters can participate in a New Hampshire primary election.

The current practice of permitting undeclared voters to declare affiliation with the Republican Party and then change back to undeclared or remain in the party after voting has been in place for decades. For me to administer a change related to participation in a party primary would require written notice of a rules change from the party chair.

Sincerely,
Dave

From: Norman J Silber <njs@silbersnh.com>
Sent: Friday, October 6, 2023 12:07 AM
To: David Scanlan <David.Scanlan@SOS.NH.GOV>
Subject: RSA 659:14 & 91-A

Dear Mr. Secretary:

For many years I have been told that we have “open” primaries for the Republican party in our state because, the so-called conventional wisdom goes, the Republican Party of New Hampshire, a/k/a the NHGOP, has not formally adopted a rule closing the primaries to persons not registered as Republicans and has not given notice of such a rule adoption to the Secretary of State.

But that so-called conventional wisdom seems to conflict with, directly, the provision of RSA 659:14.

RSA 659:14-I provides in pertinent part that “If the rules of a party permit a person who is registered as an undeclared voter to vote in the party's primary, any person desiring to vote in that party's primary shall also announce the name of that party at the time of announcing the person's name.”

RSA 659:14-II provides in pertinent part that “The secretary of state shall include on the voter instruction cards required by RSA 658:28 whether a party rule has been adopted which permits a person who is registered as an undeclared voter to vote in the party's primary. The party chairman shall notify the secretary of state in writing prior to the filing period for state offices whether the party has adopted such a rule.”

Thus, it appears that in the absence of the adoption of a rule by the NHGOP permitting “a person who is registered as an undeclared voter to vote in the party's primary” and written notice of same to the Secretary of State by the NHGOP chair, undeclared voters are not to be permitted to vote in the Republican party primaries.

However, if the Secretary of State has, in fact, ever received written notice from the chair of the NHGOP of the adoption by the NHGOP of a rule permitting “a person who is registered as an undeclared voter to vote in the party's primary,” please be kind enough to so advise me, and send me copies of any such notices including the date or dates on which they were received. This should be construed as a formal demand under RSA 91-A.

If no such notice was ever received, and it being assumed that the NHGOP never adopted a rule permitting “a person who is registered as an undeclared voter to vote in the party's primary,” the prior practice of conducting the Republican primaries on an “open” basis has been incorrect and unlawful and should not be repeated in the future unless and until such time, if ever, the NHGOP does adopt such a rule and gives written notice thereof to our Secretary of State.

Any claim that a request for a Republican ballot at the polling place by an undeclared registrant on election day actually constitutes a change of that voter's registration to the R party for the purposes of that election is sophistry at best, and incorrect as a matter of law unless you can cite to a specific RSA that makes it so.

Thank you for your prompt attention to this matter.

Respectfully,

Norman J. Silber
Member of The Florida Bar & the New Hampshire Bar
243 Mountain Drive
Gilford, New Hampshire 03249-6764
Tel 603-293-0565 (land line- no texts)
Cell 305-803-5400
Email: njs@silbersnh.com

View complete profile: www.linkedin.com/in/norman-j-norm-silber-83269522

“Live free or die: Death is not the worst of evils.”

General [John Stark](#), hero of the [American Revolutionary War](#)

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EXHIBIT C

Karen TESTERMAN

Restoring NH's Prosperity, Principles & Responsibility

Republican State Committee Member (NHGOP)
Chairman of the Merrimack County Republican Committee

5 October 2023
Via email and Certified Mail

Mr. Chris Ager
Chairman, NHGOP
10 Water Street
Concord, NH 03301

Dear Mr. Ager:

As you know, at the 2023 annual meeting of the NHGOP held on January 28, 2023, the attached resolution closing the primaries to all but registered Republicans was formally adopted by the body consisting of the required quorum of members of the NHGOP state committee.

As you must also know, there is absolutely no distinction between a “Resolution” and a “By-Law” provision contained in the governing documents of the NHGOP.

Thus, it was your duty under the provisions of NH RSA 669:14-II to give written notice to the NH Secretary of State of the adoption of this resolution, but it is understood that you have not done so.

Additionally, the Bylaw Committee contacted me via phone stating that the amendment submitted should be a resolution. Further they requested that I withdraw the bylaw amendment. Now in your correspondence with others you are stating that this resolution should be a bylaw. I am confused as to which process is correct.

Further, it is my understanding that there has not been any “rule” adopted by the NHGOP that would permit “a person who is registered as an undeclared voter to vote in the party’s primary” as described in RSA 669:14-II.

Thus, this is a formal demand that you comply with your duties a chairman of the NHGOP and send formal written notice to the NH Secretary of State of the adoption of the attached resolution by which the party primaries of the NHGOP must be closed and reaffirm that the NHGOP has never adopted any rule that would permit a person who is registered as an undeclared voter to vote in the party's primary.

Very truly yours,

A handwritten signature in blue ink that reads "Karen Testerman". The signature is fluid and cursive, with the first name "Karen" and last name "Testerman" clearly distinguishable.

Karen Testerman

Attached- Copy of Adopted Resolution

Copy w/enclosure to Honorable David Scanlon, NH Secretary of State, via email and Certified mail

Resolution #2

RESOLUTION TO RESTRICT THE PRIMARIES TO REGISTERED REPUBLICANS

Whereas the Republican Party is a private organization whose membership chooses their nominees during the primary election;

Whereas registered "undeclared" voters can influence the outcome of the nominations;

Whereas sufficient time exists for a voter to declare their party affiliation prior to the day of voting;

Whereas the Revised Statute Annotated 659:14 clearly states "...if the rules of a party permit a person who is registered as an undeclared voter to vote in the party's primary...."; and

Whereas the Secretary of State, David Scanlon, stated in communications "the political parties determine who can participate in their primary" now, therefore, be it:

Resolved: that

1. the Republican State Committee adopts the rule that only voters who register as Republicans 30 days prior to the primary election day may receive and mark a Republican ballot for the primary election;
2. the party chairman notifies the secretary of state in writing prior to the filing period for state offices that the Republican Party of New Hampshire has adopted the rule that only voters registered as Republicans prior to any primary election may receive a Republican ballot;
3. pursuant to RSA 659:14 II, the secretary of state shall include on the voter instruction cards required by RSA 658:28 that the Republican Party of New Hampshire has adopted a rule that does not allow a person who is registered as an undeclared voter to vote in the party's primary;
4. instructs the Secretary of State for the state of New Hampshire that any voter requesting an absentee ballot for the Primary election must be registered as a Republican 30 days prior to submitting a request for a Republican absentee ballot; and
5. urges the Secretary of State to adjust all voting materials to reflect this requirement for prior registration to receive a Republican ballot for the Primary election.

Mover: Karen Testerman, 603-721-9933

Seconders: Omer J. Ahern, Jr. Jose Cambrils Dave Rivers Joe Abasciano Dave Testerman Tricia Jorgensen Eli Clemmer Cathy Qi Eddie Qi Gary Whitehall Alyssa Ehl

EXHIBIT D

From: Chris Ager <chrisager@aol.com>
Sent: Friday, October 6, 2023 10:29 AM
To: MCRC Chairman
Cc: david.scanlan@sos.nh.gov
Subject: Re: Closing the Primary
Attachments: 100523 Closed Primary Resolution.pdf

Karen,

I reiterate what I told you in February 2023 after investigating the Resolutions implementation with the Secretary of State. The Resolution violates state law and cannot be adopted.

My suggestion is to bring forth a By-Law on January 13, 2024 that complies with State Law for consideration and critical analysis of the impact. A passed by-law would be binding. I will help you through the process as desired to ensure the activity meets required standards.

Thank You.

Chris Ager

On Thursday, October 5, 2023 at 04:40:14 PM EDT, MCRC Chairman <mcrccchairman@gmail.com> wrote:

Dear Chairman Ager,

Please find enclosed my concern regarding the decision of the State Party to close the primary.

Sincerely,

Karen Testerman
Chairman
Merrimack County Republican Committee
karen@karentesterman.com
(603) 721-9933 <http://www.merrimackcountygop.com>

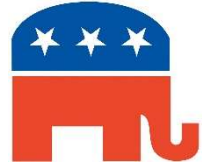
I am only one, but still I am one.
I cannot do everything but still I can do something;
and because I cannot do everything,
I will not refuse to do something that I can do.
Edward Everett Hale

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EXHIBIT E

Merrimack County Republican Committee

January 17, 2024
Alan's of Boscawen
Draft Minutes



Present: Kevin Bastarache, Ernie Bencivenga, Kenna Cross, Thomas Dunne, Marc Griffin, Dorothy Hitchmoth, Trish Jorgensen, Scott Maltzie, Mike Moffett, Ken Park, Jr., David Lovlien, Yury Polozov, Ed Prive, Tresa Salters (guest), Alvin See, Carol Soucy, Dennis Soucy, Dave Testerman, Karen Testerman, Chuck Therrien, Jed Tocci, Robert Wardell, Sumner Weeks, Natalie Wells, Sandra Williams, Marika Yakubovich. Excused: Jose' Cambrils, Mark and Mary Ann Zaccaria

Karen Testerman opened the meeting at 6:02 PM.
Robert Wardell led a prayer.
Pledge of Allegiance.

Clerk's Report:

Motion to accept the report was made by Chuck Therrien, seconded by Trish Jorgensen, and passed unanimously without discussion.

Treasurer's Report:

Yuri Polozov presented the Treasurer's Report:

Bank Balance	\$10,046.91
Paypal Balance	\$106.97
Total Balance	\$10,153.88

Motion to accept the report was made by Ken Park, Jr., seconded by Ed Prive, and passed unanimously without discussion.

A representative from the Young Republicans and College Republicans were invited to speak but were unable to attend.

Vice Chair's Report: Trish Jorgensen

Vote in the FITN NH Primary on Tuesday, January 23.

Pray that the vote is accurately tallied.

Movie night January 31 @ Alans @ 6:00 PM. A survey has been sent out on which movie to show.

Chairman's Report: Karen Testerman

NHRSC Annual Meeting last Saturday:

Bill O'Brien was elected National Committeeman

Mary Jane Beauregard was elected National Committeewoman

Amendment 1 - Technical Corrections and Codification PASSED

Amendment 2 - Limiting Repeated Amendments FAILED

Amendment 3 - Establishing Observer and Voting Members of the Executive Committee; changing the voting status of some members. FAILED

Amendment 4 - Clarification of appointments to Finance Committee; establishing standing Bylaws and Technology Committees; clarifying committees' duties and roles. PASSED

Resolution 1 - supporting controlling access and distribution of chemical abortion pills PASSED

Resolution 2 - regarding the New Hampshire Republican State Committee's budget was not properly submitted and therefore not considered.

Resolution 3 - In Support of Protecting Opportunities for Women and Girls in Sports PASSED

Announced Camp Constitution Event on May 4th @ 7 PM at the Alton Bay Christian Conference Center.

Karen's lawsuit on NH Primary was dismissed by the court due to lack of standing.

Karen presented a history on the primary voting (Open/Closed).

Karen has been contacted by some attorneys about MCRC joining a lawsuit that would enjoin Independent (Undeclared) voters from voting in the NH Primary based on an RSA that requires that the State Parties file notice with the Secretary of State.

A motion made by Trish Jorgensen, seconded by Marc Griffin to join the lawsuit against the New Hampshire Secretary of State's Office on closing the New Hampshire Primary.

There was discussion for and against the motion.

Motion Passed 15-6.

Guest Introductions: Dorothy Hitchmoth of New London and Tresa Salters of Andover.

Town Committee Reports:

Marc: Loudon no meetings at present

Hooksett Summer Weeks indicated that there has been no specific activity. Alyssa promoting poll workers for the Primary.

New Business:

Dan Richard's case is still pending. Will be invited to the next meeting.

The 50/50 Raffle was \$82. Trisha Jorgensen won. Donated the money back to the committee.

The next meeting is on February 20, 2024 @ 6:00 PM.

Adjournment: Motion to Adjourn - Chuck Therrian, Second – Ed Prive. Meeting Adjourned at approximately 7:00 PM.

.

Scott Maltzie for Alyssa Ehl, Clerk