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July 1, 2019

**VIA E-MAIL**

Executive Committee Member  
Hanover County Republican Committee

Re: The Improper Attempt to Remove Ms. Dale Taylor as the Hanover County  
Republican Committee Unit Chairwoman

Dear Executive Committee Member:

As you know, my law firm represents Delegate Chris Peace's campaign for the House of Delegates. Last night, I sent you a letter on behalf of the delegate's campaign, explaining in detail why the Executive Committee's present attempt to remove Ms. Taylor as unit chair is improper under the Party Plan. Today, 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.) We again respectfully implore you to follow this General Counsel opinion, cancel tonight's improper meeting, and accord Ms. Taylor her due process rights under the law.

In my letter yesterday, 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 provided with the signatures of those persons allegedly calling for her removal.

In his binding ruling today, 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.

Here, as mentioned, Ms. Taylor has never once been provided with signatures (physical signatures or e-signatures) of those individuals who are purportedly calling for her 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 Ms. Taylor's removal have not been satisfied, and tonight's meeting must be cancelled.<sup>1</sup>

Regardless of whatever you may think of Ms. Taylor and the job she has done as your chairwoman, she is 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 Hanover County GOP 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.

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

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<sup>1</sup> The notice of removal is deficient for another reason. That is because there is no proof that she was furnished with the removal notice. In this regard, the General Counsel noted in his binding ruling today: "[G]iven that notice in this context is directed to a single individual (the subject of the removal provision) rather than more generally to, for example, many members of an official committee or participants in a nominating content, and that the notice triggers a specified timeframe, due process requires that any notice be reasonably calculated to give actual notice to the recipient and that some evidence support that notice was given." Here, there is no such evidence.

May 29, 2019

Page 3

authority—that it is not necessary for the signatures to be tendered to Ms. Taylor as part of the removal notice. Wyatt’s counsel is incorrect on both points, as discussed above and as demonstrated by the binding ruling that the RPV General Counsel issued today.

Finally, as discussed, if you improperly proceed with tonight’s meeting (you should not proceed with the meeting), any removal of Ms. Taylor would without question violate the Party Plan and the aforementioned General Counsel rulings. Even assuming that the requirements calling for Ms. Taylor’s removal have been satisfied here (they have not been satisfied), Ms. Taylor may only “be removed from office by the vote of two-thirds (2/3) of the other members of the Committee”—not by two-thirds of those who happen to be present at the meeting (if that number is less than two-thirds of the entire committee). (Party Plan, Article VII.C.) *See also* attached 2/2/11 General Counsel Ruling at 3 (“At the meeting, if a motion is made and seconded to remove the member, the member is removed if two-thirds (2/3) of the other members of the committee vote in the affirmative to remove the member.) Thank you.

Sincerely,



Cortland C. Putbrese

cc: Chairman Jack Wilson, Esq.  
John Findlay  
Chris Marston, Esq.  
Members of the Hanover County Republican Committee  
Robert Watson