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April 28, 2008

**HAND DELIVERED**

Washington State Republican Party  
2840 Northup Way, Ste 140  
Bellevue WA 98004

Re: Credentials Challenge against Matthew D. Dubin

Dear Washington State Republican Party:

I am writing this letter in response to a credentials challenge made by Lisa Bailey to my election as a delegate to the Washington State Republican Convention. My opposition to this challenge is on two bases: procedural and substantive.

Before I set forth my response to the challenge, please allow me to introduce myself. I first became politically involved in the 1984 re-election campaign of Reagan-Bush. I was 14 years old, and I spent many cold evenings outside grocery stores handing out campaign literature. Throughout high school I was involved with my local Republican Party in upstate New York, and I was a volunteer at the 1988 Republican National Convention in New Orleans. In the summer of 1987 I was an intern in Washington DC for my Republican Congressman, Benjamin A. Gilman.

At Yale University, I was the Ward Chairman of the local Republican Party. In this capacity, I coordinated a campaign for the City Council (known as the Board of Aldermen). Our candidate came in third behind the Democrat and the Green. In that respect New Haven was a lot like Seattle is today.

After becoming involved in the Reagan-Bush campaign in 1984, I read "Conscience of a Conservative" by Barry Goldwater. I believed and still believe that Senator Goldwater accurately identified the dangers of runaway government, and set forth a blueprint for a successful Republican Party. In 1988 I supported Republican Jack Kemp for President. In 1996 and in 2000 I supported Republican Steve Forbes for President.

Although I have been a member of the Libertarian Party in the past, I am no longer a member of that organization. Pursuant to Rule 10 of the 2008 Washington State Republican Party Rules for Precinct Caucus and for Election of Delegates to State Convention, I freely signed a registration form at my Precinct Caucus stating that I

consider myself to be a Republican, and that I would not participate in the 2008 Caucus or Convention system of any other party. That certification was, and remains true, and is supported by an Affidavit submitted with this letter.

At the 46th Legislative District Caucus, held on March 24, 2008, I received 44 votes and was elected on the first ballot. No candidate received more votes than I did. Clearly the delegates to the 46<sup>th</sup> district Caucus liked what I had to say and as a result they selected me to represent them in Spokane.

I hope you will give my response to this credentials challenge your full attention, and that you will reach a final decision based upon a fair application of the party rules to the facts before you.

### PROCEDURAL OBJECTION

My first objection to Ms. Bailey's challenge is procedural in nature. Credentials challenges are governed by Rule 35 of the 2008 Washington State Republican Party Rules for Precinct Caucus and for Election of Delegates to State Convention, which provides in relevant part:

*Any Republican within a county, commissioner district or legislative district (the original electing unit) that wishes to challenge the certifications of delegates and alternate delegates elected to the state convention or elected to be a member of a state convention committee **shall cause to be postmarked or delivered to the State Headquarters a Notice of Challenge no later than (10) days following the election in question.** No later than twenty (20) days after the election in question or ten (10) days prior to the commencing of the state convention (whichever shall occur first), the person filing the challenge shall file with State Headquarters all documents and statements (which may be in the form of affidavits) supporting the challenge and setting forth the facts upon which the challenge is made accompanied by a statement of position giving fair notice to all of the nature and grounds of the challenge. (Emphasis added).*

The 46<sup>th</sup> Legislative District held its caucus on March 24, 2008. At that caucus, I was elected on the first ballot by a majority of precinct delegates present. Ten (10) days passed on April 3, 2008. Ms. Bailey's challenge is not dated until April 16, 2008. Although I was not provided with a copy of the postmarked envelope, I can only assume that Ms. Bailey failed to comply with the rule requiring that a "Notice of Challenge" be postmarked or delivered to State Headquarters no later than ten (10) days following the election.

Further, it appears from the materials provided to me that Ms. Bailey additionally failed to comply with the rule by failing to provide any documents and/or statements in

support of her challenge within twenty (20) days of my election, or by April 13, 2008. No documents provided to the party by Ms. Bailey after April 13, 2008 should be considered in support of Ms. Bailey's challenge.

Ms. Bailey attempts to mitigate her failure to comply with the procedural rules for challenging the credentials of a delegate by pointing out that the party was moving offices from late March through April 9. However, this argument must be rejected. First, the rule merely requires that the "Notice of Challenge" be postmarked by a certain date. Ms. Bailey could have sent a "Notice of Challenge" to either the old address or the new address within ten (10) days of my election in order to comply with the rule. She failed to do either. Further, according to Ms. Bailey, the new office was opened on April 9, providing ample time for Ms. Bailey to submit documents and/or statements in support of her challenge within twenty (20) days of my election. Again, she failed to do so.

Rule 35 very clearly sets out the procedure to challenge a delegate's credentials. The rule provides no exceptions. Ms. Bailey could easily have complied with the Rule by simply sending a "Notice of Challenge" in a timely manner. Her failure to comply with the rules bars her challenge.

Based on a plain reading of the 2008 Washington State Republican Party Rules for Precinct Caucus and for Election of Delegates to State Convention, Ms. Bailey's credentials challenge must be rejected as procedurally insufficient.

### **SUBSTANTIVE OBJECTION**

If the credentials committee chooses to ignore the dictates of Rule 35 and entertain this challenge on its merits, it nonetheless should reject the challenge.

Put most simply, my opposition to this challenge can be stated in four words: *I am a Republican*. This is true despite any differences of opinion I may have with Ms. Bailey or with other members of the party leadership. I proudly display a bust of Ronald Reagan in my office. The simple fact is that Ms. Bailey's challenge is solely motivated by my support for Republican Congressman Ron Paul to be our Party's candidate for President.

Rule 10 of the 2008 Washington State Republican Party Rules for Precinct Caucus and for Election of Delegates to State Convention provides as follows:

#### ***RULE 10 – Who may participate in the Precinct Caucus***

*Any registered voter of the precinct in which the caucus is being conducted who is willing to state by signing a REGISTRATION FORM and LIST OF PARTICIPANTS AT PRECINCT CAUCUS form that he/she considers him/herself to be a Republican and has not participated and will not participate in the 2008 caucus or convention system of any other party shall*

*be eligible to participate in the caucus....*

The rules are silent as to eligibility for the Legislative District, County and State Conventions, implying that once the conditions set forth in Rule 10 are met, an individual is eligible to continue participating at these higher levels.

I signed the Registration Form at my precinct caucus. It was true then, and it is true now. I am submitting with this letter an affidavit reaffirming what I stated in the Registration form and further setting forth my credentials as a Republican.

It should be noted that the rules require me only to consider myself a Republican *this election cycle*. While I certainly meet that single criterion, the reality is that I have been a Republican all my life (even though sometimes I have been disillusioned by the direction our party has taken).

As set forth in the introduction to this letter, I have been extensively involved with the Republican Party since the age of 14. I was co-founder and Vice President of Teen Age Republicans (TARS) in my High School. I was President of College Republicans at Rockland County Community College in Suffern, New York, and I was Republican Ward Chairman in New Haven, Connecticut when I attended Yale University.

I have volunteered on numerous local, state and national campaigns on behalf of Republican candidates and I probably have the most extensive collection of Ronald Reagan political buttons in the State of Washington.

Ms. Bailey claims that a post on a web site, made by an individual other than me, somehow indicates that I have "no intention of becoming involved in helping out the Republican Party." This allegation is not supported by the materials provided by Ms. Bailey, and is patently untrue.

The post by Bob D., submitted by Ms. Bailey, simply outlines how a group of **Republican** delegates who support Ron Paul for President managed to win 7 of the 14 delegate positions in the 46<sup>th</sup> District. It states in conclusion "I hope to see lots of us in Spokane so we can influence the WA state platform." Although this post thanks me for my organizational effort, I did not write it, nor did I review its contents prior to publication. However, there is nothing in this document which suggests an unwillingness to become involved in helping out the Republican Party as alleged by Ms. Bailey.

In fact, in my 30 second speech at the District Caucus, I stressed the importance of selecting delegates who would influence the State Platform. After all of the speeches were made and the votes counted, no candidate received more votes than I did and I was elected as a delegate to the State Convention on the first ballot.

Washington State Republican Party

April 25, 2008

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The only way Ms. Bailey's challenge can be granted would be to disregard Rule 10, which sets forth the requirements to participate. To do so would not only be a blatant violation of the rules adopted by the party, but would truly disenfranchise the Republicans of the 46<sup>th</sup> Legislative District who overwhelmingly supported me and elected me to represent them at the State Convention.

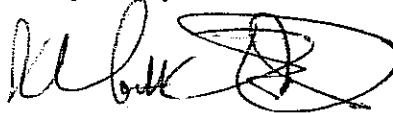
### CONCLUSION

For all of the reasons set forth above, the credentials committee must reject Lisa Bailey's malicious attempt to disqualify me from participating in the Washington State Republican Party State Convention. Procedurally, the challenge fails to comply with the Rules duly adopted by the party. Substantively, the challenge fails to document a single fact or rule violation which is sufficient to disqualify a registered voter (and a Republican) from participating in the State Convention. In the interest of fairness, compliance with the rules, and respecting the preference of the delegates to the 46<sup>th</sup> District Republican Caucus, this challenge should be rejected.

As a side note, I have already paid to attend the convention and have made travel and hotel arrangements. I would appreciate a decision by the credentials committee as soon as possible so that I can confirm my schedule accordingly.

Thank you for your careful attention to this matter of great importance to me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Matthew D. Dubin', with a large, stylized flourish at the end.

Matthew D. Dubin

MDD:abm

Enclosures

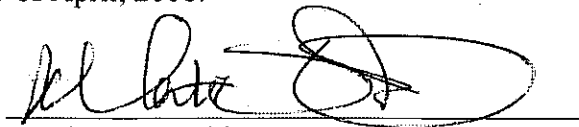
Cc.: Lori Sotelo, King County Chair

**AFFIDAVIT OF MATTHEW D. DUBIN**

I, Matthew D. Dubin, being duly sworn, hereby depose and state as follows:

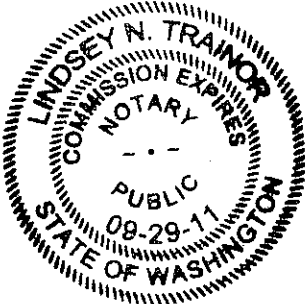
1. I consider myself to be a Republican.
2. I have not participated, nor will I participate in the 2008 caucus or convention system of any party other than the Republican Party.
3. I have been a Republican since the age of 14, and have been involved in volunteer and leadership positions in numerous Republican organizations. I have supported Republican candidates for office at every level.
4. My political philosophy embraces reducing the size of government, reducing taxation, exercising fiscal conservatism, securing our national borders, protecting private property and preserving individual liberties to the maximum extent consistent with a civil society. Although these principles find their roots in the Republican Party, I have sometimes defined this philosophy as "libertarian" or "constitutionalist."
5. Although I have in the past been a member of the Libertarian Party (just like Republican Congressman Ron Paul), I am not currently a member of that organization. I have never participated in the Libertarian Party caucus or convention system.
6. I believe the challenge to my credentials is being made by Lisa Bailey solely as a result of my support for Congressman Ron Paul for our party's nomination for President of the United States. I am fully qualified by the party rules, by ideology and by disposition to participate as a delegate to the Republican Party State Convention.

SIGNED UNDER OATH this 25<sup>th</sup> day of April, 2008.

  
 \_\_\_\_\_  
 Matthew D. Dubin

STATE OF WASHINGTON )  
 )ss.  
 County of King )

Subscribed and sworn before me this 25<sup>th</sup> day of April, 2008.



Lindsey N. Trainor  
 \_\_\_\_\_  
 Signature  
Lindsey N. Trainor  
 \_\_\_\_\_  
 Printed name

My commission expires: 9-29-11