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**From:** Padgett, John D. [mailto:jpadgett@mcguirewoods.com]  
**Sent:** Wednesday, May 07, 2008 1:52 PM  
**To:** Tucker Watkins  
**Cc:** tkdblackbelt@comcast.net; Charles E. Judd  
**Subject:** RE: Fluvanna appeal

The provisions in the bylaws are not expressly prohibited by the Plan. Yet, implicitly they violate the requirement that a call be published within a specific timeframe prior to the prefile deadline. The requirement that the candidate be a dues paying member and attend a specific number of meeting prior to the election will make it impossible to comply with the publication requirements of Article VIII (2). Consequently, it is my opinion that the requirements set forth in the bylaws requiring a candidate to attend certain meetings and pay dues constitutes a prefiling requirement. Since the prefile requirements must take place more than 30 days prior to a Mass Meeting the provisions requiring attendance and the payment of dues, as presented in the appeal, are not consistent with the Plan.

If it is determined that the election of the Chairman is null and void and of no legal effect, then Article VI (C) would control. Article VI provides for the methods of election, which includes a party canvass. If it is determined that one Chair has been elected, then the elected Chair should be removed pursuant to the Plan (Article VII (C)) and the vacancy filled by the Unit Committee. (Article VI(F)).

If a meeting is used to fill a vacancy, it will require written notice 7 days prior to the meeting with a specific provision in the call regarding the vacancy election. If a new election will take place, then Article VIII controls and the Call must be published not less than 7 days and not more than 30 days prior to the meeting scheduled to elect the Chairman.

-----Original Message-----

**From:** Tucker Watkins [mailto:blackwalnutfarm@gmail.com]  
**Sent:** Wednesday, May 07, 2008 12:41 AM  
**To:** Padgett, John D.  
**Subject:** Fwd: Fluvanna appeal

I need the rulings on the questions below if possible.

Tucker Watkins  
Chair, 5th District GOP  
2091 Black Walnut Rd.  
Randolph, VA 23962  
434 454-7131  
434 222-9888 cell  
[blackwalnutfarm@gmail.com](mailto:blackwalnutfarm@gmail.com)

Begin forwarded message:

**From:** Tucker Watkins <[blackwalnutfarm@gmail.com](mailto:blackwalnutfarm@gmail.com)>  
**Date:** May 5, 2008 5:16:20 PM EDT  
**To:** 'Padgett, John D.' <[jpadgett@mcguirewoods.com](mailto:jpadgett@mcguirewoods.com)>  
**Subject:** Re: Fluvanna appeal

I am

On May 5, 2008, at 5:13 PM, Padgett, John D. wrote:

you should be listening to Charlie....John

-----Original Message-----

**From:** Tucker Watkins [<mailto:blackwalnutfarm@gmail.com>]  
**Sent:** Monday, May 05, 2008 2:37 PM  
**To:** Charles E. Judd; Padgett, John D.; Mike Thomas  
**Subject:** Fluvanna appeal

Charlie, John, and Mike,

The district committee voted to not recognize either person as unit chairman, to appoint a temporary chairman and to hold a new election.

This decision will be appealed to state central by Doug Johnson.

We need to know the following.

1. Are the Fluvanna by laws in accordance with the state party plan and if not which parts are not and need to be removed. We need specific guidance on those rules about what a candidate needs to do who will be running for chairman. I am attaching them.
2. What is the proper procedure for us to follow to elect a new chair if the district decision is upheld? Can we hold a firehouse primary?
3. How much advance notice do we have to give for the election of chair in the newspaper. Can it be just seven days? Can we use the abbreviated procedures? Can the election be overseen by district committee people from outside Fluvanna?