

April 22, 2008

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Republican Party of Texas
900 Congress, Suite 300
Austin, Texas 78701
Attn: Tina Benkiser

Ref: Challenges

Madam Chair:

Please deliver the following challenges to the Republican State Officials Committee as constituted in the bylaws of the SREC or in the alternative, if appropriate, to the Temporary Credentials Committee of the State Convention.

The signers of this challenge all of whom voted in the Republican General Primary and reside in the same senatorial district as the delegate or alternate being challenged individually and collectively challenge the delegate status of the following persons:

1. Michael Bertuzzi, Temporary Convention Chairman, Nueces County, Senate District 20, 433 Cape Cod, Corpus Christi, Texas 78412, (361)994-5019, Voter ID1040363931
2. Arden Kendall Peterson, Temporary Credentials Chairman, Nueces County, Senate District 20, 6247 Hidden Cove, Corpus Christi, Texas 78412, (361)994-8864, Voter ID1037993908

Mr. Bertuzzi and Mr. Peterson intentionally violated the Laws of Texas (TEC) and the RPT Rules and in accordance with RPT Rule 11b and Rule 27(b)(1) we hereby specify the grounds for the challenge and detail the specific rule or rules we allege to have been violated:

RPT Rule 21f “**Election** of delegates and alternates to county or senatorial district convention, as the case may be, by majority vote, and certification of eligibility of each delegate and alternate by the precinct convention secretary, where the primary list is available.” And TEC 174.021 “SELECTION OF DELEGATES TO COUNTY AND SENATORIAL DISTRICT CONVENTIONS. The delegates to a political party’s county and senatorial district conventions held under this chapter shall be selected in accordance with party rules **at** precinct conventions held as provided by this subchapter.” And Instructions for the Precinct Conventions, provided by the Republican Party of Texas which instructs precinct convention participants as follows: “Attendance at the precinct convention is not required in order to be elected to the county/senatorial district convention. However, the final list of delegates and alternates must be approved at the precinct convention. No additional names may be added once the precinct convention adjourns.”

Rule 5 PARLIAMENTARY AUTHORITY Unless otherwise provided for by the United States Constitution, Texas Constitution, United States and Texas statutes, or these Rules, the current edition of *Robert's Rules of Order Newly Revised*, which is hereby adopted by reference, shall be the parliamentary authority governing all conventions and meetings of the Republican Party of Texas from the precinct level through the state level, inclusive.

The secretary of the convention read the first roll call of the delegates present. Then Mr. Bertuzzi announced that there would be a 10 minute recess taken because several people were late arriving to the convention. He called all the precinct chairs to the stage. Shortly they returned to their respective seats with the other delegates from their precinct and a second roll call was taken. During this roll call at least 18 precincts had added delegates, one was Precinct 70. A man announced that there now were 2 delegates (instead of only 1 as stated in the first roll call). The chairman of Precinct 70 raised a Point of Order stating that she was the only delegate elected at the precinct convention. Mr. Bertuzzi said "the Credentials Committee was going address that. We're gonna give the presentation under the Credentials Committee." The secretary continued to call roll. After this second roll call was complete she started randomly calling precinct numbers and waiting for responses from precinct chairman.

The Credentials Committee chairman, Kendall Peterson, then began reading another list of delegates who were supposedly shown on the alternate lists. Mr. Peterson stated that they were duly elected by the convention for their respective precincts and recommended that they be seated at the convention. He stated that the alternate list has been submitted. Mr. Kendall said "these are the delegates as elected for their respective precinct conventions held on March 4, 2008" and recommended again that they be seated. He also stated that "they had all voted in the Republican primary on March 4th or early voting in 2008 and that qualifies them for seating at this convention". As he began to read the list several Points of Order were raised when delegates were added that had not been voted on at their precinct conventions as required. Mr. Bertuzzi did not acknowledge one single point of order, none were addressed as required by the rules, forcing us to hold a rump convention. I have attached 2 newspaper articles, in one dated March 30, 2008 Mr. Bertuzzi admits that he "did not recognize the group to speak". In the other dated April 1, 2008 Mr. Bertuzzi states "it's within his rights as chairman to decide whom to recognize." The precinct chairman in Precinct 70, 58 and 17 have copies of their precinct convention minutes showing that the delegates that were being added at the county convention were not at the precinct convention NOR were they elected as delegates or alternates. Copies of these 3 precinct convention minutes are attached. The enclosed audio recording names the known un-elected delegates that were being seated are in Precinct 70—Judith Peterson and Kendall Peterson(the temporary chairman of the Credentials Committee), Precinct 58 –John Longoria and Precinct 17--- Jim Bixler and Barbara Bixler. Having been denied access to any precinct convention minutes in Nueces County, there is no way to determine legitimately elected delegates. Mr. Bertuzzi and Mr. Peterson in conspiracy with the members of the Credentials

Committee intentionally proceeded to seat these un-elected persons as delegates thus destroying the validity of the entire convention by “stuffing” the convention with un-elected voting persons.

The above challenges have been sent via certified or registered mail not later than thirty (30) days following the date of the county convention.