

To Whom It May Concern:

In accordance with the Republican Party of Texas' General Rules for All Conventions and Meetings Rule 11b and Rule 27a, I, Vanessa Cahill, an elected delegate of Precinct 65 within the Nueces County of Texas, wish to file a formal challenge against County Chairman Michael A. Bertuzzi for not fulfilling his duties as laid out within these rules and refusing to uphold both Rule No. 14 and Rule No. 22.

Specifically, Texas Republican Party Rule 14 stipulates:

“All meetings of any committee or sub-committee of any convention, whether it be in temporary or permanent organization, shall be open to any delegate or alternate or that convention, any State or County Republican Party Officer, any elected Republican Officeholder or any Republican Candidate. These same people shall have the right to appear before any convention committee or subcommittee and make recommendations for the committee's consideration or testify concerning any item under purview of the committee. The committee may adopt reasonable rules including time limits for such presentations and may establish a reasonable limit of time for these presentations. This privilege shall include delegates and alternates under challenge at any convention.”

Mr. Bertuzzi has intentionally and flagrantly violated these rules and as such has harmed this delegate as well as other delegates to this convention by depriving me of my right to fully participate in this process.

On March 6, 2008, I telephoned and emailed Mr. Bertuzzi to express my interest in serving on any of the committee meetings held prior to the County Convention. Specifically, I requested meeting dates and times for the Nominations and Resolutions Committees as well as offered my services as a volunteer at the County Headquarters.

As shown in EXHIBIT “A”, ATTACHMENT No.1, Mr. Bertuzzi received my email request and forwarded it to Mr. Bergsma, who then forwarded it to me as an attachment to his email stating his concerns. From this exhibit, I have made the reasonable assumption that Mr. Bertuzzi opened and read my request.

On March 13, 2008, after receiving no response to my request, I contacted Mr. Bertuzzi, via telephone, at which time he told me he was not going to give me any information about these meetings.

On March 16, 2008, as shown in EXHIBIT “B”, I sent Mr. Bertuzzi another email requesting clarification on Rule No. 14 which states:

“All meetings of any committee of sub-committee of any convention, whether it be in temporary or permanent organization, shall be open to any delegate or alternate to that convention...”

Mr. Bertuzzi has failed in every instance to provide any notice or contact information regarding the functioning or meeting of the temporary committees as requested. Consequently, I have been deprived of my right to participate in those meetings.

In addition, **Mr. Bertuzzi has knowingly, intentionally and flagrantly violated Rule 22b.**

Texas Republican Party Rule 22b states:

“Transmittal of Precinct Convention Minutes: The Permanent Chairman of the Precinct Convention shall sign and safely transmit to the County Chairman no later than the third day after the date of the precinct convention or deposit in the mail not later than the second day after the date of the precinct convention such record (minutes) and a copy thereof, and maintain a third copy for himself at least

until the end of that year's biennial state convention. In multi district counties, the County Chairman shall deliver the original record to the temporary chairmen of the Senatorial District Conventions.

This copy shall be public record.

I requested a copy of accurate written records (minutes) from every Republican Party Precinct Convention held in Nueces County on March 4, 2008. These rules clearly indicate that the County Chairman is responsible for maintaining a copy of these minutes as public record.

As shown in EXHIBIT "C" and EXHIBIT "D", on March 17, 2008, I made my third request to Mr. Bertuzzi for this information. After failing to receive copies of the requested documents, I traveled to the Nueces County Republican Party Headquarters and again made my request for copies of these records. I spoke with two different individuals who refused to provide the requested documents. I offered to wait until Mr. Bertuzzi could be reached. After waiting for over an hour, I told the secretary that I was going to get a cup of coffee and would return momentarily. When I returned, the headquarters had been closed. I then posted a request at the door (as shown in EXHIBIT "C"). Upon returning to see if the headquarters had been opened, I found my request X-ed out and signed, "NO!! MAB." I assume these initials belong to Mr. Michael A. Bertuzzi (full name as shown in EXHIBIT "E").

Texas Election Code 161.004 states:

"If a document, record, or other paper is expressly required by this title to be filed, prepared, or preserved, it is public information unless this title provides otherwise."

Texas Republican Party Rule 11b provides:

"Any officer or committee chairman of any convention, whether it be in temporary or permanent organization, who intentionally violates the Rules of the Republican Party of Texas or the directives of the Texas Election Code, shall be subject to a challenge filed under the provisions of Rule No.27; and if such challenge is upheld by the convention which hears the challenge, that officer or committee chairman shall be removed from serving as a delegate to any convention of the Party at any level throughout the year."

Mr. Bertuzzi clearly knew the rules. He had been provided with copies of the rules and was the recipient of numerous requests to allow open participation by delegates. He has intentionally violated these rules and the duties of his office. I pray that the delegation present will uphold this challenge and the integrity of the Republican Party.

Sincerely,

Vanessa Cahill
Delegate, Pct. 65