

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

AFFIDAVIT OF SEAN HAUGH

SEAN HAUGH, being first duly sworn, deposes and says:

1. I am over 18 years of age, legally competent to give this affidavit and have personal knowledge of the facts set forth in this affidavit.

2. I am the executive director of the Libertarian Party of North Carolina and a registered voter in Durham County.

3. The Libertarian Party of North Carolina is a voluntary unincorporated organization of voters in the state. The party has been in continuous existence in North Carolina since 1976, and it has succeeded in petitioning to be recognized as a political party by the State Board of Elections on seven different occasions since that time.

4. The Libertarian Party of North Carolina is affiliated with the national Libertarian Party, which was founded in 1971 and is active in all 50 states. Nationally, the party has over 200,000 registered voters and its members hold more than 600 elected offices. The Libertarian presidential candidate was on the ballot in all states in 1996 and 2000, and in the 2004 election was on the ballot in 48 states (all except New Hampshire and Oklahoma) plus Guam and the District of Columbia.

5. As of August 22, 2005, when the State Board of Elections voted to decertify the Libertarian Party of North Carolina, there were just over 13,000 voters registered as affiliated with the Libertarian Party statewide.

6. The Libertarian Party of North Carolina has fielded candidates for governor and

lieutenant governor in each election since 1976 except for 1988. Since 2000 the party has placed over 300 candidates on the ballot in North Carolina, for every office from president to county soil and water district supervisor. In 2002 a total of 145 candidates ran as Libertarians, and Libertarians ran for a majority of seats in each house of the General Assembly.

7. Libertarian Party members in North Carolina currently serve as elected members of three different city councils, five different water and sewer district boards and as a county surveyor. About a dozen other Libertarians serve on appointed city and county boards across the state.

8. The Libertarian Party of North Carolina is governed by a 15-member board of directors. The party first employed an executive director in 1990. I have been the executive director since 2000. I have been active in the party since 1994, including being the party candidate for commissioner of insurance in 1996 and for the United States Senate in 2002.

9. The Libertarian Party of North Carolina has adopted by-laws and a party platform and has held an annual convention each year for over 25 years. The party has active local organizations in more than two dozen counties and on a half dozen college campuses in the state. In addition, the party has maintained a web site, www.lpnc.org., continuously since 1996 and has had booths at the Dixie Classic Fair and the North Carolina State Fair for the last several years and as far back as the early 1990s.

10. Preparation of a petition for recognition of a new political party, and distribution of the petition for signatures, is a time-consuming and expensive activity. Based on the number of voters who voted in the 2004 gubernatorial election, a new political party must collect over 69,000 valid signatures to be officially recognized. As a practical matter, a petition may not be completed successfully without hiring individuals to distribute the petitions and collect signatures. The cost

of completing a successful petition is approximately \$100,000 to \$150,000.

11. Although the Libertarian Party is an established political party that has been in continuous existence in North Carolina for nearly three decades, the party's ability to raise money is limited. The expenditure of \$100,000 to \$150,000 to petition for recognition as a new political party each four years depletes most of the party's funds and leaves it with little money to assist candidates. Without such financial assistance, the party's candidates are unable to garner enough votes for the party to remain officially recognized and to have its candidates listed on the ballot.

12. Pamela Guignard, Rusty Sheridan, Justin Cardone and David Gable qualified and filed to run as Libertarian candidates in the 2005 Charlotte municipal elections which are conducted as partisan elections.

13. Richard Norman and Thomas Leinbach qualified and filed to run as Libertarian candidates in the 2005 Winston-Salem municipal elections which are conducted on a partisan basis.

14. When voters' affiliation with the Libertarian Party is cancelled following decertification of the party by the State Board of Elections, the party must devote considerable resources to petitioning for recognition and communicating with voters as to how to re-register and remain affiliated with the party. This process puts the Libertarian Party at a significant disadvantage in maintaining its ongoing party organization.

15. The North Carolina election statutes strongly favor the Democratic and Republican parties over other political parties. In particular, the statutes on ballot access severely hamper the ability of Libertarians to associate together, to vote for candidates of their choice, and to run for office.

16. The decertification of the Libertarian Party by the State Board of Elections on August 22, 2005, coming so close to the municipal elections, leaves Libertarian candidates and voters with

no practical alternative for running for office and supporting their candidates in the Charlotte and Winston-Salem elections.

This concludes my affidavit.

Sean Haugh, Executive Director
Libertarian Party of North Carolina

Subscribed and sworn to before me
this ___ day of _____ 2005.

Notary Public _____

My commission expires: _____