

January 28, 2019

To: United States District Court
District of South Dakota
Southern Division
AND
Dr. Terry LeFleur
4601 E Clark Street Apt. 8
Sioux Falls, SD 57110

From: Frank Fluckiger
1799 North Hwy 89
Layton, UT 84040

**As required an answer to the amended complaint filed in the court and stamped
2019 Jan 14.**

Count One

12. There was no conspiracy involved. The whole purpose of my correspondence and communication with Lora Hubble, Joel Bergan and others of the Constitution Party of South Dakota was simply to clarify to the best of my knowledge who was in fact the rightful chairman of the Constitution Party in South Dakota. The request was initiated by Lora Hubble and Joel Bergan. The national party was informed in 2016 that Lora Hubble was elected as the new state party chairman.

13. It was my understanding from Lora Hubble that she did write a letter of resignation which was dated on February 2, 2017. However the letter was never tended to Lori Stacey, but kept by Lora. According to Lora it was in a packet of materials that Lora had on the podium during the state convention and was missing at the end of the meeting on July 14th.

14. According to Mr. LeFleur, Joel Bergan on the evening of Feb 2, 2017 appointed Lori Stacey as Interim Chairman of the the party. This is not consistent with the party bylaws. Upon running for office on the Republican Party, Lora automatically disqualified herself from being chairman. (I became aware of this only after I was able to secure a copy of the South Dakota Constitution Party bylaws). Joel Bergan being the vice chairman became the new chairman and according to the party bylaws he **was to serve the remaining unexpired term of the vacating chairman**. As chairman he could appoint a new vice chairman, but not a new chairman as LeFluer so asserts. Furthermore, Joel has said no such meeting ever took place nor is there any written documentation supporting the claim that a meeting was held.

15. LeFleur also claims that a secret meeting was held in Rapid City on or about July 12th. To my knowledge there was never any such meeting held and if there was, I had no knowledge of it, let alone participated in it by phone call.