

The following bullets (12 – 14) came from a response made by National Chairman Frank Fluckiger to a lawsuit from Terry LeFluer. The text in blue is my response to those responses.

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 of South Dakota. The request was initiated by Lora Hubble and Joel Bergan. The National Party was informed in 2016 that Lora Hubble was elected the new state party chairman.

[ANSWER:](#) And yet in the letter dated July 13, 2018, National Chairman Frank Fluckiger Did FAR MORE than simply “clarify.” He directed Lori Stacey to step aside.

13. It is my understanding from Lora Hubbel 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 14<sup>th</sup>.

[ANSWER:](#) This is an absolute falsehood from start to finish.

1. In Exhibit 11, you can see an email From Lora Hubbel sent to Lori Stacey time stamped 5:37pm on the 2<sup>nd</sup> of February. Followed by an email response 30 minutes later time stamped 6:07pm on the same date.
2. In Exhibit 30. Lora Hubble made responded to an article that was written August 1, 2018, down in the comments section of that article that was written August 1, 2018, Lora Hubbel writes that she is publishing a private email that was sent to Frank Fluckiger in which she states:

"The letter you wrote was not read at the convention...I took it as a letter to use at my discretion. I actually had an award to give to Lori for helping with the petition drive – because I did not want people wanting to come into the party to know there was any past of bad blood. There is NO evidence of her filing notice that she became Chair again. In fact, Joel Bergan WANTED to be chair but Lori told him it was “too late” the day after I resigned via email on Feb 2, 2017 (I had no idea if my resignation was accepted – I just walked away from her drama).”

- And by the way, it is also a complete falsehood that “There is NO evidence of her filing notice that she became Chair again.” At the time of Lora’s response, that evidence had been on file with the Secretary of State for over a year and a half. See Exhibit 10, which was downloaded from the SOS website.

14. According to Mr. Lefleur, Joe Bergan on the evening of February 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 asserts. Furthermore, Joel has said no such meeting ever took place nor is there any written document supporting the claim that a meeting was held.

[ANSWER:](#) There are a lot of inaccuracies in this paragraph on both sides.

It has been accepted that in the phone call on the 2<sup>nd</sup> of February, Joel Bergan stated that he did not want the chair. No one on either side of the argument denies that. From that conversation, it is apparent by the filing of a new SOO (Statement of Organization) that due to Joel's leaving the chair, Lori did the only thing she knew and that was to assume the role and file the appropriate paper work. Then at some point and time following the official filing and acceptance of the SOO, Joel Bergan calls Lori Stacey to let her know that he changed his mind and which time Lori Stacey is alleged to have told him that it was too late, that she already filed the documentation listing her as the chairman.

As it has been proven elsewhere, Joel Bergan accepted that he was the Vice-Chairman and that Lori was the Chairman. It can be noted that Joel has on more than one occasion assumed the role as chairman, only to appoint a new vice-chairman and then to resign so that the new vice chairman could assume the chair. And yet denies that this happened with Lori Stacey and yet states that he only he for some reason assumed that he was the vice-chairman under Lori Stacey. Now why on earth would he have assumed that? Further, he accepted this role as vice-chairman until the day before the convention when apparently the Republican Malcontents convinced him that he was somehow still the chairman.

Neither Joel Bergan nor Lori Stacey has asserted that a physical meeting ever took place. Both of them has acknowledge the phone calls, but a bit of a controversy on how the whole 2<sup>nd</sup> phone conversation went down and the results.