

March 11, 2024

GoReclaimGA, LLC
8815 Windward Parkway
Alpharetta, GA 30005
team@goreclaimga.org, goreclaimgeorgia@gmail.com
803-702-0387

Dear Election Superintendents, Election Board Members, and Designees,

Sincere thanks for your recent remittance of records regarding any “party officials” qualifying Republicans in your county. Also, your overwhelmingly positive feedback on our February 29th letter has inspired hope across Georgia that our counties have courageous, ethical election officials on duty for such a time as this.

We hope you will reject any continual participation in state actions that negatively impact the constitutional rights of your citizens. And, that you would, instead, vigilantly proceed to defend your county per the strict and clear provisions of GA Election Code.

With emphasis, the Georgia Secretary of State Administrations of Brian Kemp and Brad Raffensperger **have recognized a GA Title 14 private corporation, the Georgia Republican Party, Inc. (GRP, Inc.), with authority to exercise total statewide control over party affairs in Georgia.** Counties with or without an additional county-level “Party Inc.” structure still retain officials who are acting **corporately on behalf of the State GRP, Inc. and its Corporate Bylaws (Rules).**¹ **The Republican corporate structure in the State of Georgia is, alarmingly, unavoidable to voters, candidates, and election officials.**

BIG PICTURE: All rules for political parties must be adopted under Chapter 2 of Title 21 per GA Code 21-2-153(e)(9). There appear to be no such rules included in any current state political party registration for the “Republican Party” with the GASOS. There is no known state governing committee filed, which should be 178 elected members. This impacts your ability to currently accept documents of any sort from a “Republican” entity per GA Code 21-2-154. There is no known provision of Law authorizing CORPORATE ENTITIES and CORPORATE DOCUMENTS for a political party. GA Code 21-2-154 requires:

¹ All officials of the “State Republican Party” appear currently poised as officials for the GRP, Inc. - **a private corporation.** According to GRP, Inc. Rule 1.1 & 7.6 (gagop.org), party officials include: “*Members of State Exec Committee, the State Committee, GRP employees, appointed GRP Officials, County Chairmen, members of any County Committee and members of any District Committee.*” All positions of the “Georgia Republican Party” appear to be under a separate entity named the GRP, Inc. that executes a member prohibition in its Articles of Incorporation, but then proceeds to solicit membership in the GRP, Inc. in its Corporate Rule 1.1.

*Such certification [of political party candidates] **shall not be accepted** if the political party **has not registered with the Secretary of State as required in Article 3 of this chapter.** [Chapter 2 of Title 21]*

A very recent **March 8th, 2024 Court Order** regarding four election qualification cases² in the Catoosa County Superior Court affirms our assertion of the primacy of GA Title 21 and Article 2 of the GA Constitution over ALL political party affairs in the State of Georgia. Election officials in Georgia counties must strictly construe³ requirements for political party affairs under ONLY Title 21.

Last week, **in Columbia County**, the 15th largest in Georgia, **the Republican Chairman ethically forfeited any involvement in qualifications** because of the corporate obligations on him as an “official” of the GRP, Inc. and because of entanglements with the Columbia County Republican Party, Inc. This gentleman appears to have done so to protect the candidates, the Rule of Law, and both the U.S. and GA Constitutions. He should be commended.

We believe that similar lawful decisions should also have occurred statewide with denial of designations by both election officials and law-abiding Republicans. Election Law mandates that county rules be consistent with rules of the state governing committee (GA Code 21-2-111(c)) for proper oversight and compliance. We believe that all designations should have been denied⁴ due to unlawful practice of allowing party affairs to be under the state parent “Georgia Republican Party, Inc.” The GRP, Inc. is a private, non-member, like-named corporation under Title 14 Nonprofit Corporate Law.

REGARDING FEES:

If you facilitated the qualification of candidates through corporate “party officials,” which include “County Chairmen” and “members of any County Committee,” you can apparently expect a corporately “tied” check for 50 percent of the fees that they collected per GA Code 21-2-131(c)(1).

If you accepted fees on behalf of what you believe to be a compliant Republican political party, regardless of how long you have done so, we respectfully direct your attention to GA Code 21-2-131(c)(3)(B), which states:

² Catoosa County Clerk of Court SUCV20244000205, SUV2024400208, SUCV2024400211, SUCV2024000213 - Order of Judge Don W. Thompson, Judge of Superior Court, Lookout Mountain Judicial Circuit.

³ “The election law is in derogation of the common law and must be strictly construed.” Schloth v. Smith, 134 Ga. App. 529, 215 S.E. 2d 292 (1975).

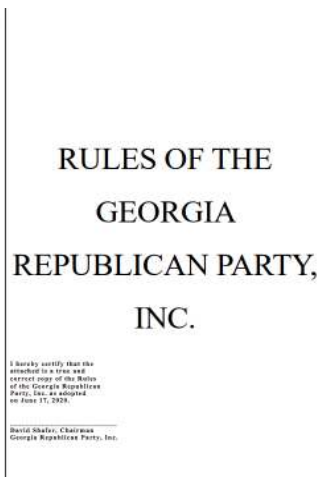
⁴ Justice Charlie Bethel of the GA Supreme Court has recently reminded Georgians: For a government entity whose authority on the relevant point is purely a creature of statute, the absence of statutory authority is the absence of legal authority to act. Camp v. Williams, 314 Ga. 699, 704, 879 S.E.2d 88, 92 (2022).

... 25 percent shall be transmitted to the state executive committee of the appropriate political party and 75 percent shall be retained by the superintendent of the county.

Below, in Attachment A, is a February 22, 2024 letter sent to the Camden County Elections Office by Joshua R. McKoon, the so-called “Chairman” of the “Georgia Republican Party.” Yet, the party has no known assets, except for maybe a circular logo they place at the top of the page. Mr. McKoon is listed with the State Corporations Division (sos.ga.gov) as CEO of the like-named private “GAGOP” corporation “Georgia Republican Party, Inc.”⁵ with assets. He states:

“... there is no other Republican group, party, individual or entity that has the authority to qualify candidates to run for office, per the Rules of the Georgia Republican Party.”

What about the Corporate Rules of the Georgia Republican Party, Inc. under which he was apparently elected?



The Camden letter makes no mention of the “Georgia Republican Party, Inc.” which is the GA Title 14 ruled⁶ and regulated corporation acting as the “State Republican Party.” The text box at the bottom of the letter, however, clearly indicates that McKoon’s letter was **“Paid for by the Georgia Republican Party, Inc.”**

Under the authority of Mr. McKoon, Executive Director Travis Bowden, had also previously issued a February 14, 2024 Memorandum (Attachment B) directing that all fees for state and federal candidates **be written to the Georgia Republican Party, Inc., a private corporate entity.** Further, it asserts that

⁵ <https://ecorp.sos.ga.gov/BusinessSearch>

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<https://gagop.org/wp-content/uploads/2021/04/Georgia-Republican-Party-Inc.-Rules-As-Adopted-June-17-2020-BJVV-er3.pdf>

qualifying is through the “GAGOP,” which is used as a corporate moniker at this time (Attachment C)⁷. The directive of the memorandum seems inconsistent with the directive of the Camden County letter.

Excerpts from the Memorandum⁸:

your Government Issued Photo ID for verification. You must also bring the qualifying fee in the form of a money order, a cashier’s check, your campaign check, or your personal check made payable the “Georgia Republican Party, Inc.” We cannot accept cash payments. **We urge you to pay by money order or certified check because if a**

Make Checks Payable to:

**Georgia Republican Party, Inc.
P.O. Box 550008
Atlanta, GA 30355**

Based on the Memorandum from Executive Director Bowden, it appears that you, the county election superintendent, must also disburse your 25 percent fee-split payment to the Georgia Republican Party, Inc. Confirmation of this is incumbent upon you.

Next, the guidance from the Republican apparatus appears to directly contradict the official state public notice for *Federal and State Qualifying Locations* (Attachment D).⁹ It clearly states: “payable to the Georgia Republican Party,” which is the formerly used member party entity that is not a known receiver of funds at this time.

Republican Party
206 Washington Street, Atlanta, GA 30334
State Capitol Building, Room 216

What should I bring?

- Valid Photo ID
- Completed Declaration of Candidacy & Affidavit (recommended)
- Qualifying fee payable to Georgia Republican Party

⁷ Fulton County Superior Court 2021CV354612. Order of Senior Judge Alford J. Dempsey, Jr. of Fulton County Superior Court, Atlanta Judicial Circuit.

⁸ <https://gagop.org/wp-content/uploads/2024/02/Re-Updated.pdf>

⁹

<https://sos.ga.gov/sites/default/files/2024-03/Federal%20and%20State%20Candidate%20Qualifying%20Locations.V3.pdf>

However, at qualifiers in Room 216 of the Atlanta Capitol, many candidates were told to write their checks to the “Georgia Republican Party.” They were then, alarmingly, given documents stating that their “2024 Qualifying Fee Payment Information” was “**Paid for by the Georgia Republican Party, Inc.**” (Attachment E).

Finally, we urge you to be extremely cautious considering any potential repercussions and/or potential personal liability that you may incur by filing these documents into the public record.¹⁰ The problematic qualification documents include: a) Declarations of Candidacy and Affidavits, b) notarized attestations or affirmations of allegiance to a “political party,” and c) fees entangled with corporation(s). However, GA Code 21-2-153(b)(1-4) and GA Code 21-2-131 mandates that all of these items be handled by or on behalf of lawfully registered, official state and local political party committees and officials.

We are sincerely concerned with the constitutional, civil rights, and/or voting implications of a private corporation appearing to interfere with our elections. This culminates with its requiring candidates to notarize affirmations or attestations of allegiance to what they claim is the “Georgia Republican Party.” Any cloaked corporate agreements or contracts are not in Georgia’s interest.

If compelled to dutifully inquire about these documented conditions that may be unequally protecting the citizens of your county and impacting your responsibilities under GA Code 21-2-70(13)(15), we encourage you to reach out to the Elections Division of the Georgia Secretary of State immediately.

This will also ensure that the “pay to” entity that you provide to your county bursar complies with Georgia Election Law 21-2-131 mandating a “pay to” entity that must be a member and committee-based political party per GA Code 21-2-111(a,b). This is entirely different from a non-member private corporation with a board of directors. Political parties and corporations do not appear to have any lawful way to “merge” under GA Law.

Please feel free to contact us with any questions or corrections to this information.

Very respectfully,

Susan P. Opraseuth
Susan P. Opraseuth (Fulton County)

Sarah Thompson
Sarah Thompson (Bulloch County)

Project Website: goreclaimga.org/home/

¹⁰ GA Code 16-10-20 and 16-20-20.1

ATTACHMENT A:

Joshua R. McKoon, Chairman



Via Email: snettles@camdencountyga.gov

February 22, 2024

Camden Board of Elections
Ms. Shannon Nettles
200 E. 4th Street/P.O. Box 608
Woodbine, GA 31569

Dear Ms. Nettles,

Please be advised that the Camden County Republican Party is fully authorized by the Georgia Republican Party to qualify candidates to run for office.

The Camden County Republican Party is the only official and recognized Republican county party in Camden and there is no other Republican group, party, individual or entity that has the authority to qualify candidates to run for office, per the rules of the Georgia Republican Party.

Thank you for your time and attention to this matter.

Best wishes,

A handwritten signature in black ink, appearing to read "J. McKoon".

Joshua R. McKoon
Chairman
Georgia Republican Party

Paid for by the Georgia Republican Party, Inc. • Not Authorized by any candidate or candidate's committee.
P. O. Box 550008, Atlanta, GA 30355 • 404.257.5559 • 404.257.0779 Fax • www.gagop.org

ATTACHMENT B:

MEMORANDUM

To: All Republican Candidates for State and Federal Offices
From: Travis Bowden, Executive Director
Date: February 14, 2024
Re: State and Federal Candidate Qualifying March 4th – 8th

REVISED UPDATE 2/20/24:

It has been brought to our attention by the Secretary of States office that the new qualifying software **will not print out a Declaration of Candidacy and Affidavit**. To prevent longer than normal lines and speed up the process, we ask each Candidate wishing to qualify to bring a completed and typed out Declaration of Candidacy and Affidavit when you arrive to qualify. So that all the forms are legible, we ask that you to use the online editable pdf version. Please make sure you click on the correct form below – Thank you.

[Federal Candidates Click Here](#)

[State Candidates Click Here](#)

Republican candidate qualifying for state and federal offices will be held beginning at 9:00 a.m. on Monday, March 4, 2024 and continuing until noon on Friday, March 8, 2024 in the State Capitol.

This memo lists important things that you need to know about the qualifying procedures for state and federal office. This memo is intended merely to be a helpful reference guide, not an exhaustive summary of state law or the Party's rules. Each candidate is responsible for ensuring that he or she knows the applicable laws and rules for eligibility, qualifying, and holding public office.

Here are some instructions that will make qualifying a smooth process for you and the Party qualifying officials:

1. In accordance with state law, all state and federal candidates for a political party's nomination will qualify in the State Capitol. Qualifying for Republican candidates for state and federal office will take place in **Room 216 of the State Capitol**. Republican candidates for state or federal offices will not be qualified at any other location.
2. Qualifying begins at **9:00 a.m. on Monday, March 4** and ends at **NOON on Friday, March 8**. Daily operating hours will be 9:00 a.m. until 5:00 p.m. on Monday-Thursday. On Friday, qualifying begins at 9:00 a.m. and ends promptly at 12noon. In accordance with state law, no exceptions can be made, even for candidates who are only a minute late. In order to avoid any last minute problems, please make every effort to qualify **before Friday**.

3. If you intend to have an appointed agent complete the qualification process on your behalf, please notify Travis Bowden at the GAGOP at travis@gagop.org prior to qualifying week. If qualifying by an agent, the agent must come to qualifying in person and must bring (a) a properly completed Declaration of Candidacy and Affidavit, which has been signed by you before a notary public and is notarized, (b) the Republican Oath of Allegiance required by Party Rules, which has also been signed by you before a notary public and is notarized, and (c) the qualifying fee in the form of a money order, a cashier's check, your campaign check, or your personal check made payable to "Georgia Republican Party, Inc." If the affidavit and oath are not fully completed, not signed, not notarized or not dated by you or the agent is unable to pay the fee by money order, cashier's check, your personal check, or a campaign check, the Party **cannot** qualify you, so be sure your agent has the required, completed documents and payment in the correct amount and form. **We urge you to pay by money order or certified check because if a check is returned, you will be disqualified.**

4. If you plan to qualify in person (not through an agent), it is not necessary to complete the Declaration of Candidacy and Affidavit or Republican Oath of Allegiance in advance. Instead, when you arrive at the Capitol to qualify, all required information will be collected from you and the affidavit will be completed electronically and printed for you to sign before a notary; the Party will provide the notary. At the bottom of this memo, you will find a list of all the information you will need in order to qualify. The oath will also be printed and ready for you to sign before the notary. You will be asked to present your Government Issued Photo ID for verification. You must also bring the qualifying fee in the form of a money order, a cashier's check, your campaign check, or your personal check made payable the "Georgia Republican Party, Inc." We cannot accept cash payments. **We urge you to pay by money order or certified check because if a check is returned, you will be disqualified.** If you come to the Capitol prepared with the required information and your payment, the process will be quick, easy, and efficient. If the affidavit and oath are not fully completed, not signed, not notarized, or not dated by you or you are unable to pay the fee by one of the forms of payment listed above, the Party cannot qualify you.

5. Please refer to the fee schedule for the amount of the qualifying fee for the particular state or federal office you are seeking.

For those qualifying in person, please come prepared with the following information:

- **A Government issued Photo ID**
 - Full Name (your last name must match the last name on your voter registration)
- How you want your name is to appear on the ballot – see the attached rule of the State Election Board regarding the appearance of the name on the ballot
- Residence Address (your street address – not a PO Box, although you may also list a PO Box if it is your mailing address)
- Precinct Name (as it appears on your voter card) **NOTE: Make sure your precinct has**

not changed. Many counties have redrawn precincts and the correct precinct name must be specified on the qualifying form.

- Profession, business or occupation, if any
- Number of years you have resided in Georgia
- Number of years you have lived in your county
- Number of years you have lived in your district

In addition, if you wish to designate an email address, web site and/or a P.O. Box address or separate address for public posting on the Secretary of State's website list of candidates, please have that information ready at the time you qualify.

If you have any questions, please contact Travis Bowden at the State Party at travis@gagop.org.

You may also call the Elections Division of the Office of the Secretary of State at (404) 656-2871 or visit www.sos.ga.gov/elections.

The Secretary of State's office has published a helpful qualifying information and forms which you can find at <https://sos.ga.gov/candidate-qualifying-elected-office>

**QUALIFYING FEES FOR
STATE AND FEDERAL CANDIDATES
FOR 2024 ELECTIONS IN GEORGIA**

Office Qualifying Fee

- United States Representative \$ 5,220.00**
- State Senator \$ 400.00**
- State Representative \$ 400.00**
- Justice of the Supreme Court \$ 5,583.36**
- Court of Appeals Judges \$ 5,549.70**
- Superior Court Judges \$ 4,073.71**
- District Attorney \$ 3,884.19**

Make Checks Payable to:

**Georgia Republican Party, Inc.
P.O. Box 550008
Atlanta, GA 30355**

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

JOHN L. PADGETT

Plaintiff,

v.

GEORGIA REPUBLICAN PARTY, INC

Defendant.

CIVIL ACTION FILE

NO: 2021CV354612

ORDER GRANTING SUMMARY JUDGMENT

This matter came before the Court on the Georgia Republican Party, Inc's (the "GAGOP") Motion for Summary Judgment. The Court heard oral arguments on August 22, 2023. Upon review of all the evidence presented, consideration of the oral arguments presented by counsel for each of the Parties, and review of the entire record of the case, the Court, for the reasons set forth below, hereby **GRANTS** the GAGOP's *Motion for Summary Judgment* in support of its counterclaim for breach of fiduciary duties against John L. Padgett ("Mr. Padgett").

FINDINGS OF FACT

The Court makes the following findings of fact and conclusions of law. Mr. Padgett was elected Chairman of the Georgia Republican Party in 2013. At the time of Mr. Padgett's election as Chairman, the public records of the Secretary of State reflect that the GAGOP was an unincorporated entity. On February 3, 2014, Mr. Padgett's personal executive assistant, Qiana Keith ("Ms. Keith") complained to her supervisor about the treatment she received, citing racial discrimination and offensive treatment she had allegedly endured while working under Mr. Padgett's administration (the "Racial Allegations"). Seven days after the "Racial Allegations," public records reflect that Mr. Padgett incorporated the GAGOP. Upon incorporating the GAGOP, Mr. Padgett also became the GAGOP's CEO and CFO.

Office of the Secretary of State
Elections Division



Federal and State Candidate Qualifying Locations

POLITICAL PARTY CANDIDATES

Democratic Party

206 Washington Street, Atlanta, GA 30334
State Capitol Building, Room 230

What should I bring?

- Valid Photo ID
- Completed Declaration of Candidacy & Affidavit (recommended)
- Qualifying fee payable to Democratic Party of Georgia

Money Order or Certified, Campaign, or Personal Check. No cash or credit/debit card payments accepted.

(Public entrance on Mitchell Street)

Republican Party

206 Washington Street, Atlanta, GA 30334
State Capitol Building, Room 216

What should I bring?

- Valid Photo ID
- Completed Declaration of Candidacy & Affidavit (recommended)
- Qualifying fee payable to Georgia Republican Party

NONPARTISAN OFFICE CANDIDATES

Elections Division

Plaza Level
2 Martin Luther King Jr. Drive SE
Atlanta, GA 30334

Professional Licensing Board

237 Coliseum Drive
Macon, GA 31217

South Georgia Office

238 East Second Street
Tifton, GA 31794

POLITICAL BODY CANDIDATES ONLY

Elections Division

Plaza Level
2 Martin Luther King Jr. Drive SE
Atlanta, GA 30334

Dates and time for qualifying:

Monday, March 4, 2024	9:00 am to 5:00 pm
Tuesday, March 5, 2024	8:00 am to 5:00 pm
Wednesday, March 6, 2024	8:00 am to 5:00 pm
Thursday, March 7, 2024	8:00 am to 5:00 pm
Friday, March 8, 2024	8:00 am to 12:00 pm


Nonpartisan, Independent, and Political Body Candidates should bring:

- Valid Photo ID
- Completed Notice of Candidacy & Affidavit (recommended)
- Qualifying fee payable to Georgia Secretary of State

Money Order or Certified, Campaign, or Personal Check. No cash or credit/debit card payments accepted.

Elections Division
2 MLK Jr. Drive, Suite 802, Floyd West Tower | Atlanta, Georgia 30334
Phone: (404) 656-2871 | Email: Elections@sos.ga.gov

ATTACHMENT E:



2024 Qualifying Fee Payment Information

Please provide the following information for reporting purposes to the FEC & State Ethics.
We will not share the information below:

Only the Georgia Republican Party Inc. Title 14 corporation reports income to the FEC & State Ethics.

Those acting as agents for qualifying fee payments for the Georgia Republican Party, Inc. verbally asked many candidates at State Qualifiers to write checks to the Title 21 "Georgia Republican Party."

It appears that there is an arrangement with Synovus Bank to accept checks written to both entities into the corporate account or some other deposit scheme that is unclear to the public.

Per FEC reports, accounts for the Georgia Republican Party, Inc. are held at Synovus Bank, Roswell, GA.

Paid for by the Georgia Republican Party, Inc.
Not authorized by any candidate or candidate's committee.
Post Office Box 550008 - Atlanta, Georgia 30355
404.257.5559 - WWW.GAGOP.ORG - 404.257.0779 (FAX)
Joshua R. McKoon, Chairman - Laurie L. McClain, Treasurer