

IN THE THIRD DISTRICT COURT OF SHAWNEE COUNTY, KANSAS  
CIVIL COURT DEPARTMENT

DAVID G. MILLER, CHAIRMAN )  
NO LABELS KANSAS PARTY )

Plaintiff, )

vs. )

SCOTT SCHWAB, SECRETARY OF STATE )  
STATE OF KANSAS )

Case No. SN 2026 CV 510  
Division No. 15

Defendant.

**APPLICATION FOR EMERGENCY INJUNCTION**

Plaintiff David G. Miller makes application for an emergency injunction against Defendant pursuant to KSA 60-901 et seq.

**I. STATEMENT OF FACTS**

1. **Plaintiff has standing to seek injunctive relief.** Plaintiff David G. Miller is an individual, a resident of Douglas County, Kansas, and was, until an order was issued by Defendant on May 18, 2026 [**Exhibit A**], registered to vote under the No Labels Kansas (NLKS) designation established by Defendant [**Exhibit B**]. Plaintiff was elected to the NLKS State Executive Committee (NLKS SEC), per Bylaw 4(b) of the *No Labels Kansas Constitution and Bylaws* [**Exhibit C**], which were ratified in a plebiscite election concluded on February 28, 2026. In that plebiscite election, more than 6,000 registered No Labels Kansas voters were mailed a printed ballot [**Exhibit D**] and encouraged to vote on a proposed set of bylaws, as well as an initial slate of recommended members of the NLKS SEC. All party registrants were invited to nominate themselves or other NLKS registrants to serve on the SEC. Said plebiscite culminated in the ratification of the proposed bylaws by more than the required majority of those participating and the proposed initial slate of SEC members was elected. Per NLKS Bylaw 4(b), Plaintiff was

subsequently elected to the NLKS SEC **[Exhibit E]**. Per Bylaw 4(c)(i), Plaintiff was elected on April 27, 2026 by the NLKS SEC to serve as Chairman of No Labels Kansas party **[Exhibit F]**. Per NLKS Bylaw 4(a), the NLKS SEC singularly possesses the authority to act on behalf of No Labels Kansas party and its members. Per NLKS Bylaw 4(c)(ii), the Chairman of NLKS serves as the party's chief executive officer and, in that capacity, is authorized to act on behalf of the NLKS SEC and the party in general in matters of business, law, finance, and public relations. Accordingly, Plaintiff David G. Miller has standing to seek injunctive relief from this court on his own behalf as a registered NLKS voter, on behalf of the NLKS SEC, and on behalf of all voters registered under the No Labels Kansas designation.

2. **Shawnee County District Court is the appropriate venue.** Because Defendant, in his capacity as Secretary of State, represents the State of Kansas and this is primarily a matter governed by state law, Shawnee County District Court is the appropriate venue to seek injunctive relief against Defendant.

3. **Time is of the essence.** On Monday, May 18, 2026, Defendant publicly announced that he had, acting solely on the request of a single individual **[Exhibit G]**, a registered Republican **[Exhibit H]**, terminated No Labels Kansas's designation as a recognized political party in the State of Kansas, an apparent attempt to dissolve the party. Defendant further directed county election officials statewide to immediately alter the voter registration records of more than 7,000 No Labels Kansas registrants to "unaffiliated" without said registrants' knowledge, authorization, or request to do so **[Exhibit A]**. Among the voter registration records altered was Plaintiff's **[Exhibit I]**. Defendant and the election officials he directed have moved with unexplained and alarming speed to execute this dissolution of NLKS and mass-disaffiliation of voters from the party under which they chose to register. Plaintiff alleges that Defendant is moving swiftly to execute this action

because Plaintiff notified Defendant's Director of Elections on May 4, 2026 of NLKS's intent to nominate candidates for office in the 2026 general election. In his email to the Director [Exhibit J], Plaintiff requested that the Director review a proposed draft certificate of nomination for completeness and compliance with applicable Kansas laws, since no standardized form is provided by the Defendant conforming to statutes governing the filing of certificates of nomination by parties not qualified to conduct primary elections. Plaintiff's reason for emailing the Director was to ensure that any certificates of nomination submitted by NLKS by that deadline would not be disqualified over a legal, technical, or formatting shortcoming. Defendant's response was to abruptly issue the aforementioned order on May 18, 2026 which, Plaintiff alleges, was coordinated with said Republican individual specifically to block No Labels Kansas from nominating candidates to run in the November 2026 general election by the statutory deadline, which is **noon on Monday, June 1, 2026**. This Application for Emergency Injunction is not intended to address the Defendant's declaration in a letter from his General Counsel dated May 8, 2026 [Exhibit O] that he will refuse to receive or process certificates of nomination submitted by Plaintiff and NLKS. Separately, Plaintiff is planning to file a Petition for a Writ of Mandamus with the Supreme Court of the State of Kansas compelling Defendant to receive and process any certificates of nomination he receives from NLKS, as he is required to do by KSA 302 et seq. **Rather, this Application for Emergency Injunction seeks to stay or reverse the Defendant's May 18, 2026 order terminating No Labels Kansas's status as a recognized political party and involuntarily altering the party affiliation of more than 7,000 Kansas voters who had already chosen to affiliate with NLKS.** With the deadline for NLKS voters to file candidates for public office now just days away and Defendant's order to effectively dissolve the party and scatter its registered voters an obvious attempt to thwart NLKS's previously stated intention to file

candidates, time is of the essence. Accordingly, immediate injunctive relief is sought so NLKS may continue to exist as a recognized Kansas political party and its registrants may exercise their legal right to participate in the 2026 general election.

4. **Defendant's order of May 18, 2026 is arbitrary, capricious, and outside the bounds of Kansas law.** Per KSA 25-302b, once recognized, a political party in Kansas may only lose its recognition if (a) "it fails to receive at least 1% of the total vote cast for any such office in this state at any general election, or" (b) it "fails to nominate persons for at least one such office." **[Exhibit K]**. No provision exists in Kansas law providing for a single individual or even a group of individuals to request the dissolution of a political party, once it has been recognized and voters have registered under its designation. Additionally, no provision in Kansas law grants the Defendant the authority to act upon such a request and terminate a party's status as a recognized political party, after said party has been recognized and voters have begun to affiliate with it. Further, no provision in Kansas law grants the Defendant the authority to then, acting upon nothing more than his own decision to terminate the party's recognized status, tamper with and alter the party registrations of thousands of Kansans *en masse* without their request, knowledge, or consent. Plaintiff alleges that Defendant may have violated KSA 21-5920 by "knowingly and without lawful authority altering, destroying, defacing, removing or concealing any public record," and that Defendant does not possess such authority, simply by virtue of the office he holds and his own extra-statutory decision to terminate the recognition of a political party based on the request of a single individual, to unilaterally alter a voter's publicly recorded desire to affiliate with a recognized political party. Plaintiff further alleges and is investigating whether Defendant may also be in violation of KSA 25-3301 which requires, "Party affiliation statements shall be preserved for five years" and U.S.C. Title 52 provisions prohibiting election interference.

5. **Defendant's claim to have issued his May 18, 2026 order at the behest of those authorized to act on behalf of NLKS is false.** Defendant publicly asserts that he is acting upon the request of a single individual, a Republican political operative residing in LeCompton, who falsely claims to be the NLKS "Secretary and Treasurer" [Exhibit G]. Neither the Defendant nor this individual has ever provided evidence that he was elected by No Labels Kansas party members or any portion of the party thereof following the party's recognition on January 17, 2024, as required by statute. KSA 25-3307 [Exhibit L] specifically requires that a party seeking official recognition, "shall file a statement of organization and a certified list of officers with the secretary of state. **Such organization shall have obtained official recognition as a political party prior to filing.**" Accordingly, this Republican operative is not the "Secretary and Treasurer" of NLKS, was neither nominated nor elected to the NLKS SEC in the recently conducted party-wide plebiscite, holds no position of authority within NLKS, and is not even registered to vote under the No Labels Kansas designation [Exhibit H]. Further, NLKS Bylaw 4(a), ratified by NLKS voters on February 28, 2026, clearly states that "The State Executive Committee shall direct, administer, and execute NLKS authorized activities." NLKS Bylaw 4(b) stipulates that the State Executive Committee, "shall consist of no fewer than three individuals who qualify as party members under Section 3(a) above" and grants no power to any single individual to exercise a degree of authority on behalf of the party that would result in the party's involuntary dissolution and the forced disaffiliation of thousands of Kansas voters from its rolls. Even proposed, unverified, and never-ratified bylaws submitted months prior to No Labels Kansas's official recognition as a Kansas political party, upon which Defendant falsely asserts that the Republican political operative has the authority to make this request, stipulate, "The State Executive Committee ("Committee") directs and administrates NLKS authorized activities." Even if

Defendant and the Republican political operative attempt to point to those proposed-but-never-ratified bylaws as justification for their actions, those bylaws do not allow, in any circumstance, a single individual to exercise near-dictatorial authority on behalf of the entire party. Plaintiff asserts that this is particularly true when said individual's actions will result in the suppression of the freedoms of speech and association of thousands of NLKS party registrants and the potential disenfranchisement of millions of Kansas voters by depriving them of the right to consider alternatives to the candidates proffered by this state's two dominant parties.

6. **Defendant's justification for issuing his order to dissolve NLKS and disaffiliate its registrants by asserting that NLKS cannot nominate candidates, other than those for President and Vice President, is false.** Defendant attempts to justify his order to terminate NLKS's status as a recognized Kansas political party and disaffiliate its registrants by pointing to the request allegedly authored by the Republican political operative in which it is claimed that NLKS cannot nominate candidates other than those for President and Vice President [**Exhibit G**]. That assertion is false. In that request from the Republican political operative, it was claimed "No Labels Kansas was formed only for the purpose of potentially nominating candidates for President and Vice President. Because No Labels Kansas declined to nominate candidates for those offices in 2024 and has no intention of doing so in the future, its central organizational purpose no longer exists. Consequently, No Labels Kansas hereby requests the termination of any recognition for No Labels Kansas as a state political party and all its functions, duties, requirements, and processes granted under Kansas state law." On July 11, 2025, a similar attempt to block Arizona candidates seeking to run for down-ballot offices under the No Labels party designation was unanimously struck down by the 9<sup>th</sup> Circuit Court of Appeals [**Exhibit M**]. Speaking for the panel, Judge Salvador Mendoza wrote, "The right to vote belongs to party members, not the party leadership,

and that is where it will remain. No Labels attempts to assert top-down control by dictating who may be on its ballot, but a party ‘does not have monolithic control over its own members and supporters.’” Accordingly, the Defendant’s claimed justification for acting upon the request of the Republican political operative is false, without merit, and his May 18, 2026 order should be stayed or reversed.

7. **Defendant is acting with malicious intent.** Plaintiff alleges that Defendant is acting with malicious intent, has demonstrated a pattern of animus toward NLKS from its earliest arrival on the Kansas political scene [**Exhibit N**], is acting in the interest of his own party and his own self-interest as a current declared candidate for Governor, and is abusing his authority as this state’s top election official, knowing that he is shielded by longstanding protections available to him under principles of sovereign immunity. Plaintiff received a letter from Defendant’s general counsel, dated May 8, 2026 [**Exhibit O**], which partially forms the basis for Plaintiff’s planned Petition for a Writ of Mandamus but is provided herein to establish context, threatens Plaintiff with prosecution, allegedly for violating KSA 25-2424 which criminalizes “impersonating a party officer.” The Defendant follows up that threat by stating that “NLKS, the recognized political party, cannot nominate candidates for statewide office, and that pursuant to K.S.A. 25-302b, *it may lose its recognized political party status.*” Plaintiff alleges that the final phrase of that sentence (italicized) demonstrates a continuing pattern of hostility by Defendant toward the very existence of NLKS from its earliest days and foreshadows his underlying intent to see to it that NLKS withers and dies [**Exhibit N**], even if he has to facilitate it. That pattern of hostility is amplified and the foreshadowing manifested in the order issued by Defendant on May 18, 2026 to eliminate NLKS entirely and scatter its more than 7,000 registrants with the obvious intent of blocking it from nominating candidates, thereby setting it on a path to lose its recognition under KSA 25-302b.

8. **The NLKS train has left the station.** NLKS had been, under the leadership of Plaintiff, up and running, raising and expending party funds as authorized by KSA 25 Article 41, planning meetings, conducting internal elections, building party membership, engaging in public debate, carrying out polling, and issuing legally required public disclosure reports. It had been in discussions with candidates about running under its banner, had been planning to nominate several, and has done everything it knows to do to comply with statutes governing the operation of political parties. In short, it is operating in a manner similar to Kansas's four other political parties. Plaintiff alleges that Defendant's actions were politically motivated and timed to derail months of work and thousands of dollars invested by NLKS leaders preparing to nominate candidates and to prevent the party from having sufficient time to recover from Defendant's sweeping, unilateral, and extra-statutory actions which now make it impossible to carry out its planned nomination process. As noted by the 9<sup>th</sup> Circuit Court of Appeals, NLKS belongs to its members, not those claiming party leadership who have not been elected to such posts and haven't, in nearly three years, even bothered to re-register under the party's designation, post-recognition. Neither is NLKS subject to nor bound by the whims, actions, and political agendas of the Defendant who attempts to excuse his illegal actions by claiming they stem from the request of parties who are not affiliated with NLKS and have no authority to dictate its operations or objectives.

9. **No injury to Defendant or the public interest.** The injury posed to Plaintiff and NLKS party registrants outweighs whatever damage the proposed injunction may cause Defendant. The issuance of an injunction against Defendant will not harm Defendant and will not be adverse to the public interest. Plaintiff asserts that, in fact, the public interest will be damaged if Defendant's actions are permitted to stand as, pending the outcome of the planned, separate

Petition for a Writ of Mandamus, more than 2 million Kansas voters may be denied additional choices they have a right to consider on their November 3, 2026 general election ballots.

10. **Relief sought.** Plaintiff prays for judgment in his favor and for the Court to enjoin Defendant from further attempts to dissolve or alter the status of No Labels Kansas as a recognized political party. Plaintiff prays for the Court to immediately order Defendant to reverse his directive to county election officials to disaffiliate registered NLKS voters from their party of choice and restore said voters' affiliation to that under which they had registered prior to the issuance of the Defendant's order. If the Court so enjoins Defendant and reverses Defendant's order to disaffiliate NLKS voters, Plaintiff prays for an extension of the filing deadline set forth in KSA 25-305(a) to September 1, 2026 so that, per NLKS Bylaw 5(b), the party may have time to execute its planned nominating process, now made impossible to execute prior to the June 1, 2026 filing deadline as a result of Defendant's extra-statutory actions. Plaintiff further prays the Court to award Plaintiff actual damages, attorney's fees and expenses, court costs, and any further relief the Court deems just and proper.

Respectfully submitted,

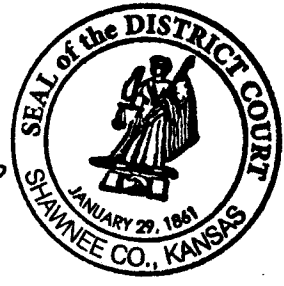
DAVID G. MILLER, CHAIRMAN

BY: 

David G. Miller, Plaintiff Pro Se  
PO Box 3073, 2901 Atchison Circle  
Lawrence, KS 66046  
Office: (913) 349-2268 | Cell: (785) 542-3458  
[chairman@nolabelskansas.com](mailto:chairman@nolabelskansas.com)

SUBSCRIBED AND SWORN TO, before me, a notary public, or deputy Clerk, this 28<sup>th</sup>  
Day of May, 2026. - End of Term

[Signature]  
Deputy Clerk



I certify that on the 28<sup>th</sup> day of May, 2026, I  
I filed the foregoing with the Shawnee County Clerk  
of the Court and a copy will be delivered via hand-  
delivery or electronic mail to:

Secretary of State Scott J. Schwab  
Attn: Clayton Barker, General Counsel  
Docking State Office Building  
915 SW Harrison Street  
Topeka, KS 66612  
Office: (785) 296-4564 | Fax: (785) 294-3051  
clay.barker2@ks.gov | clay.barker@sos.ks.gov



**SCOTT SCHWAB**  
KANSAS SECRETARY OF STATE

EXHIBIT A - P. 1 of 1



- Businesses
- Elections
- Publications
- General Services
- Lobbyist
- Media
- About



## Press Release

### No Labels Kansas Terminates Its Status as Political Party in Kansas

Monday, May 18, 2026

**TOPEKA** At the request of No Labels Kansas, the office of the Kansas Secretary of State terminated its status as an officially recognized political party in the state.

No Labels Kansas was officially recognized as a political party in January 2024 after their petition was approved by the Secretary of State. The party notified the Secretary of State's office on Friday, May 15, of its desire to terminate its status in Kansas.

Countries have been directed, pursuant to state law, to change voter registration records with the No Labels Kansas party to an unaffiliated party affiliation.

Please see attached the [press release](#) and click [here](#) to access voter registration statistics.

###



#### Kansas Secretary of State

📍 Docking State Office Building  
915 SW Harrison Street  
Topeka, KS 66612

📞 785-296-4564

✉️ [kssos@ks.gov](mailto:kssos@ks.gov)

🕒 8:00 a.m. to 5:00 p.m.

#### Elections Division

📞 800-262-VOTE (8683)

✉️ [election@ks.gov](mailto:election@ks.gov)

#### Business Services Division

📞 785-296-4564

✉️ [kssos@ks.gov](mailto:kssos@ks.gov)

#### Publications Division

📞 785-296-BOOK (2665)

✉️ [sos.lawbooks@ks.gov](mailto:sos.lawbooks@ks.gov)

# EXHIBIT B - P. 1 of 1

Approach - [KSVOTERFILE\_0426.APR:Data Entry]

File Edit View Create Browse Window Help



Browse Design New Record Find <Current Find/Sort>

Data Entry \ Walk List - Regular Elections \ Walk List - Spring Elections \ Copy of Data Entry \ Report 1 \ Volunteer Walk List \

## Kansas Statewide Voter File - April 2026

HOUSEHOLD		COUNTY		CITY		ZIP		PHONE	
MILLEPOBOX307366046								0.98959318	
REGISTRATION	COUNTY	PARTY	FIRST	MIDDLE	LAST	DATE			
2708554	Douglas	A	David	Groff	Miller				
ADDRESS1		ADDRESS2		STATE	ZIP	NOV PLAN			
P O BOX 3073		Lawrence		KS	66046				
DOB	DOB	SEX	PHONE	PHONE	SEX				
8/17/1949	12/29/1982	M	(785) 856-1656	(785) 542-3458	N				
HOUSE NO	PREDIR	STREET NAME	STREET NO	POSTOFF	UNIT	CITY		ZIP	
2901		Atchison	Cir					O	
RESID	RESID STATE	RESID	PRESDIR	PRESDIR					
Lawrence	KS	66047	017	Lawrence 17					
CONGRESS	KS SEN	KS HOUSE	REP	USC	LINKDIST	COMMISION			
1	02	044	06	497	07	00			
ELECT1	ELECT2	ELECT3	ELECT4	ELECT5	ELECT6	ELECT7	ELECT8	ELECT9	ELECT10
CG2025	CP2025	GN2024	PR2024	PP2024	CG2023	CP2023	GN2022	PR2022	CG2021

## EXHIBIT C - P. 1 of 3

# NO LABELS KANSAS CONSTITUTION AND BYLAWS (UNDER KAN. STAT. ANN. § 25-101 ET SEQ.)

### 1. Name and Governance.

The name of this party shall be “No Labels Kansas” (hereinafter “NLKS”) and it shall operate under the incorporated name, “No Labels Kansas, Inc.” To conform to and comply with KSA § 25-3307, by ratifying this document via a plebiscite of its registered voters, NLKS shall be governed by this document, which shall serve as NLKS's official constitution, charter, bylaws, rules, and regulations for purposes of Kansas state election law. Upon ratification by NLKS registrants as described in Section 4(b) below, all other draft documents, previous versions, and proposed rules governing the establishment and governance of NLKS will be deemed void and without effect.

### 2. Purpose and Authorized Activities.

NLKS seeks to advance and enact sound public policy. Accordingly, NLKS is dedicated to the promotion of candidates, values, and legislation that conform to its platform and principles. NLKS shall aid in every way possible its nominees chosen at conventions or caucuses organized for such purposes. NLKS shall coordinate and unite under a central, statewide organization the activities of voters who choose to register under its designation and shall work to ensure its growth through voter registration and by attracting disenfranchised members of other political parties.

### 3. Party Membership.

a. Eligibility and Qualification. An individual is an NLKS party member if they are: (i) a U.S. citizen who resides in Kansas; (ii) 18 years of age or older; and (iii) registered to vote under the designation assigned to NLKS by the Kansas Secretary of State (currently “No Labels Kansas”).

b. Rights. All NLKS Members are entitled to participate in NLKS as described in this Constitution and Bylaws.

### 4. State Executive Committee.

a. Powers and Duties. The State Executive Committee shall direct, administer, and execute NLKS authorized activities. The State Executive Committee may also perform other tasks as described in the Constitution and Bylaws.

b. Composition, Initial Appointment, Qualifications, and Terms of Service. The State Executive Committee shall consist of no fewer than three individuals who qualify as party members under Section 3(a) above. The initial members of the State Executive Committee shall be elected by a simple plurality of NLKS registrants participating in a mail-in plebiscite. To vote in said plebiscite, participants must have been recorded by the Secretary of State as being registered under “No Labels Kansas” as of November 5, 2025. Each voter so registered shall be mailed a single ballot for the purpose of i) ratifying this Constitution and Bylaws; and ii) electing the initial members of the State Executive Committee. All ballots cast in said plebiscite must be postmarked by February 23, 2026 and received on or prior to February 28, 2026 to be counted.

## EXHIBIT C - P. 2 of 3

If, following the election of the initial members of the State Executive Committee, a vacancy occurs on the State Executive Committee, the vacancy shall be filled by other members of the State Executive Committee.

### c. Officers.

i. The State Executive Committee shall elect from among its number a Chair, Secretary, and Treasurer. The State Executive Committee may also elect a Vice Chair and other officers it deems are necessary and proper. Each officer shall serve a term that lasts until the officer dies, resigns, or is removed by a vote of no less than two-thirds of the State Executive Committee's other members.

ii. The Chair shall serve as NLKS's chief executive officer, consider requests to use NLKS's name or symbols, preside over all meetings or gatherings convened to conduct NLKS business, and communicate or select a designee to communicate on behalf of NLKS. The Chair shall also establish a designated bank depository account if required by Kansas law, authorize the raising of contributions to NLKS and authorize the expenditure of NLKS funds according to a budget set forth by the State Executive Committee.

iii. The Secretary shall issue all notices required under the Constitution and Bylaws and serve as the Secretary during any convention or caucus of NLKS's Membership.

iv. The Treasurer shall ensure the timely deposit of any contributions to NLKS into NLKS's designated bank depository account, periodically report to the State Executive Committee on NLKS's financial activity, including an accounting of all authorized fundraising efforts, deposits, and authorized expenditures. The Treasurer shall have custody of any funds and financial records of NLKS, ensure NLKS funds are maintained and disbursed properly in a lawful manner, file required periodic state and federal campaign finance reports, and perform any other duties required by Kansas or federal law.

v. The Vice Chair and any other officers deemed necessary and proper by the State Executive Committee shall perform duties as assigned by the State Executive Committee.

d. Meetings. Meetings of the State Executive Committee shall be held at least once each calendar year to elect party officers and to conduct other party business. Either the State Executive Committee's Chair or a majority of the State Executive Committee's members may call for a meeting at any other time. Notice of such a meeting must be distributed to all members of the State Executive Committee prior to the meeting and provide the meeting's purpose, time, place (if any), and method to participate via telephone and/or videoconference. The State Executive Committee's members may participate in a meeting via telephone, video conference, or similar communications equipment. A quorum for the transaction of business at a meeting consists of a majority of the State Executive Committee's members. The State Executive Committee shall take action at a meeting through an affirmative vote of the majority of the State Executive Committee's members who are present at or participating in a duly held meeting. All meetings of the State Executive Committee shall be conducted according to Robert's Rules of Order or other generally accepted parliamentary practices.

e. Action Outside a Meeting. Any action that may be taken during a meeting of the State Executive Committee may be taken without such a meeting, if authorized in writing (including via email or other electronic method) by a majority of all members of the State Executive Committee.

## EXHIBIT C - P. 3 of 3

### 5. Convention or Caucus of Party Membership.

a. Purpose. The State Executive Committee may call a convention or caucus of NLKS party members at any time for the purpose of nominating candidates for any federal, state, or local elective office. NLKS Members may also raise for discussion at such a convention or caucus other matters related to NLKS's authorized activities.

b. Timing and Notice. The State Executive Committee shall set the time, date, and place of conventions or caucuses and timely notify NLKS Members of such. The State Executive Committee may, at its option, choose to facilitate NLKS party members' participation in or observation of the convention or caucus through use of mail-in ballots, telephone, video conference, or similar communications equipment.

c. Convention or Caucus Procedures. The Chair shall preside at all conventions and caucuses. The convention or caucus may adopt its own rules governing the conduct of that convention or caucus. Where such rules are silent, proceedings shall be conducted according to Robert's Rules of Order or other generally accepted parliamentary procedures. A quorum for the transaction of business at the convention or caucus consists of a simple majority of NLKS's Members participating.

### 6. Nominees for Federal, State, or Local Office.

The nominees of NLKS shall be the candidates nominated at a convention or caucus organized for such purpose. The State Executive Committee shall ensure that no more than one candidate is nominated for each office. The State Executive Committee shall timely undertake all necessary and legally required actions for the nominees of NLKS to appear on the general election ballot in Kansas.

### 7. Adoption of Constitution and Bylaws; Amendments Thereto.

This Constitution and Bylaws shall be initially ratified and adopted as described in Section 4(b) above. Upon ratification, these Bylaws may be amended, as necessary, by a majority of the State Executive Committee.

#### Certification of Ratification and Adoption

February 28, 2026

*Per Bylaws 1 and 4(b) above, I hereby certify that this document was mailed to 6,007 Kansas residents registered to vote under the No Labels Kansas party designation as of November 5, 2025. The No Labels Kansas Constitution and Bylaws printed above, having received more than the required majority of ballots cast by said NLK registrants and returned on or before February 28, 2026, are hereby declared ratified and adopted.*

  
\_\_\_\_\_  
Kristian D. Van Meteren, Interim Chairman and Secretary



INSTRUCTIONS

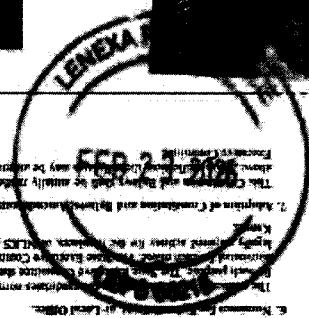
Vote Signature

[Redacted signature area]

- John Altevogt (Edwardsville)
- Doctora Shultz (Leawood)
- Kristian Van Meteren (Thayer)
- Others (please print legibly):

ATTENTION: I certify that I am (i) a U.S. citizen who resides in Kansas; (ii) 18 years of age or older; and (iii) registered to vote as of November 5, 2025 as a member of "No Labels Kansas" party. By signing and returning this ballot, I hereby vote to adopt and ratify the Constitution and Bylaws printed on this ballot. Per Section 4(b), I also hereby vote for or nominate the following individuals to serve as initial members of the No Labels Kansas State Executive Committee:

TAB HERE



3. Election of Officers and Directors. The State Executive Committee may call a convention or caucus of NLKS party members in any time for the purpose of electing officers and directors. The convention or caucus shall be held at the call of the State Executive Committee. The State Executive Committee may also call a convention or caucus of NLKS party members in any time for the purpose of electing officers and directors. The convention or caucus shall be held at the call of the State Executive Committee. The State Executive Committee may also call a convention or caucus of NLKS party members in any time for the purpose of electing officers and directors. The convention or caucus shall be held at the call of the State Executive Committee.

TAB HERE

No Labels Kansas  
 PO Box 51  
 Bonner Springs, KS 66012-0051

FOLD HERE

1. Name and Governance. The name of this party shall be "No Labels Kansas" (hereinafter "NLKS") and a shall operate in accordance with the Kansas Non-Profit Corporation Act, Chapter 60, Kansas Statutes Annotated, and shall operate without effect. The purpose and authorized activities of NLKS shall be to elect and govern the establishment and governance of NLKS. NLKS shall be a non-profit corporation organized under the laws of the State of Kansas. NLKS shall have the right to sue and be sued in any court of law. NLKS shall be a non-profit corporation organized under the laws of the State of Kansas. NLKS shall have the right to sue and be sued in any court of law.

2. Purpose and Authorized Activities. NLKS shall be a non-profit corporation organized under the laws of the State of Kansas. NLKS shall have the right to sue and be sued in any court of law. NLKS shall be a non-profit corporation organized under the laws of the State of Kansas. NLKS shall have the right to sue and be sued in any court of law.

# EXHIBIT D - P. 3 of 3

United States Postal Service

## Postage Statement—USPS Marketing Mail

Post Office, Note Mail Arrival Date & Time (Do Not Round Stamp)

<b>Mailer</b>	<b>Permit Holder</b> Name, Address, Email, Telephone <b>TSG</b> 1305 S FOUNTAIN DR OLATHE KS 66061-7204	<b>Mailing Agent</b> (If other than permit holder) Name, Address, Telephone <b>KC Presort, LLC</b> 2820 Roe Lane, Bldg U Kansas City, KS 66103	<b>Mail Owner</b> (If other than permit holder) Name, Address <b>No Labels Kansas</b> <b>NL Plebiscite Mailer</b>
	EPS Cust. Ref. No. <b>N/A</b> CRID <b>N/A</b>	<b>816-536-7667</b> CRID <b>3050644</b>	CRID <b>6711107</b>

<b>Mailing</b>	Post Office of Mailing <b>KANSAS CITY MO 64121-9997</b>	Mailer's Mailing Date <b>02/18/2026</b>	Federal Agency Cost Code <b>N/A</b>	Statement Seq. No. <b>1</b>	For Automation Pieces, Enter Date of Address Matching and Coding <b>02/11/2026</b>	No. & Type of Containers <b>32 - EMM Trays</b>	
	Type of Postage <input checked="" type="checkbox"/> Permit Imprint <input type="checkbox"/> Precanceled Stamps <input type="checkbox"/> Metered	Processing Category <input checked="" type="checkbox"/> Letters <input type="checkbox"/> CMM <input type="checkbox"/> Flats <input type="checkbox"/> Catalogs <input type="checkbox"/> Marketing Parcels	Total # of Pieces in Mailing <b>6,014</b>	SSF Transaction#		For Carrier Route Pieces, Enter Date of Address Matching and Coding <b>N/A</b>	For Carrier Route Price Pieces, Enter Date of Carrier Route Sequencing <b>N/A</b>
	For Mail Enclosed within Another Class <input type="checkbox"/> Bound Printed Matter <input type="checkbox"/> Library Mail <input type="checkbox"/> Periodicals <input type="checkbox"/> Media Mail	Move Update Method <input type="checkbox"/> Ancillary Service Endorsement <input checked="" type="checkbox"/> NCOALink <input type="checkbox"/> ACS	Weight of a Single Piece <b>0.0350</b> pounds	<input type="checkbox"/> Letter-size or flat mailpiece contains DVD/CD or other disk.			
	Combined Mailing/Discount/Incentive <input type="checkbox"/> Mixed Class <input type="checkbox"/> SCF Pallet Discount <input type="checkbox"/> Marriage Mail Incentive <input type="checkbox"/> Single Class <input type="checkbox"/> Delivery Sort Container <input type="checkbox"/> Catalogs		Political Campaign Mailing <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Election Mail- Official Ballots <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Election Mail- Non-Ballot Material <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	For Pieces Bearing a Simplified Address Enter Date of Delivery Statistics File or Alternative Method <b>N/A</b>	

Parts Completed (Select all that apply):  A  B  C  D  E  F  G  L  S  Z  NSA

<b>Postage</b>	<b>1</b>	<b>Subtotal Postage (Add parts totals)</b>	<b>\$2,296.40</b>		
	<b>2</b>	Price at Which Postage Affixed (Check one). <input type="checkbox"/> Correct <input type="checkbox"/> Lowest <input type="checkbox"/> Neither Complete if mailing includes pieces bearing metered/PC Postage or precanceled stamps.	<b>0</b> pcs. x \$	<b>\$ = Postage Affixed</b>	<b>-</b>
	<b>3</b>	<b>Incentive/Discount Flat Dollar Amount</b>			<b>-</b>
	<b>4</b>	<b>Permit #</b> _____	<b>Net Postage Due (Line 1 +/- Lines 2, 3, 4)</b>		<b>\$2,296.40</b>

<b>USPS Use Only</b>	Additional Postage Payment (State reason)	
	For postage affixed, add additional payment to net postage due; for permit imprint, add additional payment to total postage.	<b>Total Adjusted Postage Affixed</b>
	Postmaster: Report Total Postage in AIC 130 (Permit Imprint Only, Excluding Simplified Addressing (I <sup>2</sup> O))	<b>Total Adjusted Postage Permit Imprint</b>
Postmaster: Report Total Postage in AIC 268 (Simplified Addressing (EDDM), Permit Imprint Only)	<b>Total Adjusted Postage Simplified Addressing (EDDM)</b>	

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Signature of Mailer or Agent	Printed Name of Mailer or Agent Signing Form <b>Ronald L. Cline</b>	Telephone <b>816-536-7667</b>
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<b>USPS Use Only</b>	Weight of a Single Piece _____ pounds	Total Weight	Are postage figures at left adjusted from mailer's entries? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, reason:	<b>Round Stamp (Required) Payment Date</b>	
	Total Pieces	Total Postage			
	Presort Verification Performed? (If required) <input type="checkbox"/> Yes <input type="checkbox"/> No				
	I CERTIFY that this mailing has been inspected for each item below if required: (1) eligibility for postage prices claimed, (2) proper preparation (and presort where required); (3) proper completion of postage statement; (4) payment of annual fee; and (5) sufficient funds on deposit (if required)		Date Mailed Notified		Contact
	USPS Employee's Signature		By (Initials)		Time AM PM
		Print USPS Employee's Name			

## EXHIBIT E - P. 1 of 3

### **NO LABELS KANSAS PARTY (NLKS) STATE EXECUTIVE COMMITTEE MEETING MINUTES**

DATE: 3/9/2026  
LOCATION: 15297 Brandt Road, Leavenworth, KS 66048  
PRESENT: John D. Altevogt, Kristian D. (Kris) Van Meteren  
ABSENT: Victoria Schultz

#### **CALL TO ORDER**

At 12:35 PM, the meeting was opened for a discussion of recent events involving No Labels Kansas and parties with an interest in its success. A conversation regarding the following topics ensued:

#### **RESULTS OF PLEBISCITE ELECTION CONCLUDED 2/28/26**

Kris Van Meteren gave John Altevogt, an update on the plebiscite election by all Kansas voters registered under the NLKS designation as of 11/5/2025. Van Meteren indicated that plebiscite ballots (Exhibit A, following these minutes) had been mailed to all 6,006 so-registered voters and that the results were as follows:

**PART A** - On the question of ratifying and adopting the proposed and provided NLKS Constitution and By-Laws (printed on the ballots and attached as Exhibit B, following these minutes):

**100% of returned ballots**

**PART B** - On the question of electing NLKS registrants to serve on the State Executive Committee, as prescribed in the proposed and now ratified NLKS Constitution and By-laws, each of these individuals received the following percentages of ballots returned:

**John D. Altevogt (Edwardsville) - 81%**  
**Victoria Schultz (Leawood) - 75%**  
**Kristian D. Van Meteren (Thayer) - 69%**

Van Meteren indicated that there was one name written in, as provided for on the ballot, but that, due to an insufficiency of other ballots also naming the written-in individual, that individual was not elected.

Per the newly adopted NLKS Constitution and By-Laws, Van Meteren and Altevogt certified the results of the NLKS plebiscite election. Van Meteren agreed to serve as Secretary and Interim Chairman. Altevogt volunteered to serve as Treasurer.

#### **THREATENED PROSECUTION OF VAN METEREN FOR 2024 NLKS CANDIDATE FILINGS**

Van Meteren gave Altevogt an update on threatened criminal proceedings against Van Meteren by Secretary of State Scott Schwab and the office of Attorney General Kris Kobach for his alleged violation of KSA 25-2424

## EXHIBIT E - P. 2 of 3

(impersonating a party officer, a misdemeanor) and KSA 25-2412 (election forgery, a felony) in the 2024 election.

Van Meteren indicated that, due to a personal conflict, Kobach had handed the case off to former Solicitor General, Anthony Powell. Powell, who recently was appointed to a federal judgeship, had appointed Sedgwick County District Attorney, Marc Bennett, to serve as a special prosecutor in the matter.

In late July or early August of 2024, Bennett indicated to Van Meteren that he intended to file one misdemeanor and two felony charges against Van Meteren on Schwab's assertion that Van Meteren had violated KSA 25-2424.

Van Meteren responded, countering Bennett's arguments, claiming that fundamental constitutional liberties were in play and that Schwab acted outside of his statutory authority in wading into what, at best, could be labeled an intraparty dispute, assuming any other individual apart from the Secretary of State wished to contest Van Meteren's leadership of NLKS. No other such party has stepped forward.

Following that reply by Van Meteren, Bennett did not make good on his threat to press charges and in the intervening months has remained silent on the issue. That has left Van Meteren with a potential prosecution, as well as a disparaging news story about the impending prosecution planted either by Schwab or those allied with him, hanging over his head. Further, Bennett's failure to either proceed with or dismiss his threatened prosecution left NLKS without any leadership or efforts on the part of anyone else to formally organize the party.

Van Meteren informed Altevogt that when he reached out to Bennett on 3/5/2026 seeking an update as to Bennett's intentions to prosecute, Bennett did not reply. Instead, Van Meteren received an email on 3/6/2026 from Dan Dunbar, a contract special prosecutor in Shawnee County, who said that Bennett had handed the case over to him, that he had read the exchanges between Van Meteren and Bennett, and was reviewing the matter. He advised that if Van Meteren had retained counsel, all communications henceforth should be through counsel. Van Meteren replied to Dunbar, indicating that he had not retained counsel and did not intend to unless or until it was made clear whether he would be charged as Bennett previously threatened.

As of this meeting of the NLKS State Executive Committee, Van Meteren had heard no more from Dunbar, Bennett, Kobach, Powell, or Schwab but indicated that he would continue to monitor the situation and advise other State Executive Committee members as to the disposition of the threatened prosecution against him.

### **CONFORMING TO NLKS CONSTITUTION AND BYLAWS** **RE: COMPOSITION OF STATE EXECUTIVE COMMITTEE**

A conversation ensued regarding conforming to the newly adopted NLKS Constitution and Bylaws regarding the composition of the State Executive Committee. Van Meteren noted that 6,006 individuals, including Van Meteren and Altevogt, had registered to vote under the NLKS designation as of the day following the November 2025 General Election (11/5/2025). Van Meteren informed Altevogt that, as of the date of this meeting (3/9/2026), no other individual reputed to be officers, directors, or managers of NLKS had re-registered to vote under the NLKS designation. The voter registration records for the four individuals previously named by Schwab to be the "legitimate" officers of NLKS, based on nothing more than an unsigned document submitted to him in August of 2023 prior to official recognition of NLKS as an official Kansas political party, are attached to these minutes as Exhibit C and are summarized below:

## EXHIBIT E - P. 3 of 3

**Glenda Reynolds (Whitewater) - Deceased (Democrat, until her death)**  
**Shane Mathis (LeCompton) - Republican**  
**Ernest Reynolds, (then of Whitewater, now of Wichita) - Democrat**  
**Victoria Schultz (Leawood) - Unaffiliated**

Upon discussing Ms. Schultz's failure to re-register as an NLKS voter, Van Meteren and Altevogt found her election to the State Executive Committee to be non-compliant with Sections 3(a) and 4(b) of the newly adopted NLKS Constitution and By-Laws. Accordingly, they voted 2-0 to declare her position on the State Executive Committee vacant.

In compliance with Section 4(b) of the NLKS Constitution and By-Laws, Van Meteren then moved and Altevogt seconded the motion to fill the vacancy created by Victoria Schultz's removal from the State Executive Committee with David G. Miller of Lawrence, contingent upon and not effective until Mr. Miller re-registers to vote under the NLKS designation. The motion passed 2-0.

### **UPDATE ON WEBSITE AND POSSIBLE FUNDRAISING EFFORTS**

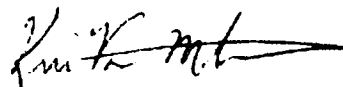
Van Meteren then showed Altevogt a newly designed and published website for No Labels Kansas ([www.nolabelskansas.com](http://www.nolabelskansas.com)). Some discussion ensued regarding the structure and possible content of the site.

Van Meteren and Altevogt then discussed a fundraising-by-text campaign to raise financial resources for NLKS. Van Meteren indicated that he had identified 4,000+ NLKS party registrants with textable phone numbers and that, with Altevogt's approval, he could and would soon send a solicitation via text message to those registrants, seeking their financial support for the party. Altevogt agreed with this proposal and Van Meteren indicated he would get said solicitation out as soon as possible.

### **DISCUSSION OF KANSAS POLITICAL LANDSCAPE IN 2026 / ADJOURNMENT**

A casual conversation then followed regarding the Kansas political landscape going into the 2026 primary and general elections. The meeting adjourned at 2:30 PM.

Respectfully Submitted.



3/9/26

Kristian D. Van Meteren, Secretary and Interim Chairman

## Exhibit F - P. 1 of 1

# NO LABELS KANSAS PARTY (NLK) STATE EXECUTIVE COMMITTEE MEETING MINUTES CONFIDENTIAL

DATE: 4/27/2026  
LOCATION: Via Email, per NLK Bylaw 4(c)  
MEMBERS PRESENT: John D. Altevogt  
Kristian D. (Kris) Van Meteren  
David G. Miller  
GUESTS PRESENT: Douglas A. Johnson  
ABSENT:

### CALL TO ORDER

At 4:28 PM, a meeting of the State Executive Committee (SEC) of No Labels Kansas Party was opened by Interim Chairman, Kris Van Meteren, for the purpose of submitting his resignation and electing a new Chairman of No Labels Kansas Party, per NLKS Bylaw 4(c)(i).

### RESIGNATION OF INTERIM CHAIRMAN

Given unresolved concerns stemming from the threatened-but-yet-to-be-executed prosecution of Kris Van Meteren dating back to 2024, Van Meteren offered to resign to mitigate any potential legal or public relations issues that might complicate the growth and advancement of No Labels Kansas Party. He offered to remain on the State Executive Committee as the party's Vice Chairman and a volunteer. SEC members David G. Miller and John D. Altevogt accepted Van Meteren's resignation as Chairman, thanked him for his willingness to continue his volunteer efforts, and accepted his offer to continue serving on the SEC as the party's Vice Chairman.

### ELECTION OF REPLACEMENT CHAIRMAN

Van Meteren then nominated David G. Miller to serve as Chairman of No Labels Kansas Party. In response to Van Meteren's nomination, at 4:31 PM, Miller said "I humbly accept." At 5:26 PM John Altevogt seconded the nomination and, without further discussion, Miller was elected by acclamation.

### ADJOURNMENT

The meeting was concluded and adjourned at 5:28 PM.

Respectfully Submitted,

  
\_\_\_\_\_  
Kristian D. Van Meteren, Member - NLK SEC

EXHIBIT G - P. 1 of 1

NO LABELS KANSAS

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May 15, 2026

**VIA ELECTRONIC DELIVERY**

The Honorable Scott Schwab  
Kansas Secretary of State  
Memorial Hall, 1<sup>st</sup> Floor  
120 SW 10<sup>th</sup> Avenue  
Topeka, KS 66612-1594

RE: Termination of No Labels Kansas as a Political Party


Dear Mr. Secretary:

Please accept this letter as official notification from No Labels Kansas that it is voluntarily withdrawing its status as a political party.

As you know from the No Labels Kansas State Committee's initial submission, which included an adopted copy of the organization's Constitution and Bylaws, No Labels Kansas was formed only for the purpose of potentially nominating candidates for President and Vice President. Because No Labels Kansas declined to nominate candidates for those offices in 2024 and has no intention of doing so in the future, its central organizational purpose no longer exists. Consequently, No Labels Kansas hereby requests the termination of any recognition for No Labels Kansas as a state political party and all its functions, duties, requirements, and processes granted under Kansas state law.


If you have any questions, please do not hesitate to contact me at the below email address.

Sincerely,

DocuSigned by:  
  
E922547CDABE41A...  
Shane Mathis  
Secretary and Treasurer  
No Labels Kansas

[Back to Lookup](#) / [Registrant Detail](#)

**Shane Allen Mathis**

 LeCompton, KS 66050 - Douglas

Political Party  
**Republican**

Precinct  


08/04/2026 2026 Primary Election

**Election Details**

We did not find an advance or provisional ballot associated with the selected election.

**Polling Location**



Polls open from  
**7:00 AM to 7:00 PM**

[Back to Lookup](#) / [Registrant Detail](#)

**David Groff Miller**

Lawrence, KS 66047 - Douglas

Political Party  
**Unaffiliated**

Precinct

**Election Details**

08/04/2026 2026 Primary Election

We did not find an advance or provisional ballot associated with the selected election.

**Polling Location**

Parking Info

**Park to Vote Signs**

Polls open from  
**7:00 AM to 7:00 PM**

## EXHIBIT J - P. 1 of 2

**From:** David G. Miller  
**To:** Bryan A. Caskey [SOS]  
**Bcc:** [REDACTED]  
**Subject:** Requesting review of attached Certificate of Nomination.  
**Date:** Monday, May 4, 2026 3:14:00 AM  
**Attachments:** No Labels Kansas Party Certificate of Nomination - BLANK.pdf

---

Good Morning, Mr. Caskey:

As the Chairman of No Labels Kansas Party, I am preparing for a nominating convention at which No Labels Kansas intends to nominate candidates for public office.

As we understand KSA 25-302, because the only two parties allowed to conduct primary elections are the Republican and Democratic Parties, other parties like No Labels Kansas are required to submit Certificates of Nomination, along with the appropriate filing fees. Because the State of Kansas does not appear to provide standardized forms or certificates for this purpose, we've drafted and attached our own Certificate of Nomination and are asking you, as the statewide Director of Elections, to review it for completeness and compliance with all applicable Kansas laws.

Regarding nominations for Governor and Lt. Governor, we understand that they must run together as a ticket. Please advise if that will require two, separate certificates of nomination or if this proposed form can be altered to accommodate both names.

Your review of the attached draft by Friday of this week (5/8/26) will be much appreciated. If edits need to be made to this Certificate of Nomination to make it compliant and acceptable by your office, please pass those edits along to me and we'll be happy to

**EXHIBIT J - P. 2 of 2**

accommodate. If it is approved as-is, your acknowledgement of such will be most helpful.

Thanks much in advance. I look forward to hearing back from you by week's end.

Kindest regards,

David G. Miller, Chairman

No Labels Kansas Party

PO Box 51, Bonner Springs, KS 66012-0051

913-349-2268 | [chairman@nolabelskansas.com](mailto:chairman@nolabelskansas.com)

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**25-302b. Recognized political party; loss of recognition.** Any recognized political party whose nominee for any office for which the officer is elected from the state as a whole fails to receive at least 1% of the total vote cast for any such office in this state at any general election, or which fails to nominate persons for at least one such office, shall cease to be a recognized political party. The secretary of state shall notify all county election officers that such party has ceased to be recognized.

**History:** L. 1984, ch. 137, § 4; L. 1995, ch. 192, § 3; July 1.

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**MEETINGS**

04/26/2026 Meeting Notice  
Agenda

Item 1 Proposed mins. 3/8/26  
Item 2 ULC KGS mtgs.  
Item 5 KLISS update  
Item 6 Computer refresh

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**25-3307. Political organizations; designation on voter affiliation lists; recognition as a political party.** (a) Any political organization seeking the right of designation on voter affiliation lists after the effective date of this act shall file a statement of organization and a certified list of officers with the secretary of state. Such organization shall have obtained official recognition as a political party prior to filing. However, current status as a recognized political party is not required.

(b) The secretary of state may adopt rules and regulations prescribing the method of listing members of all registered political organizations in voter registration and affiliation.

**History:** L. 1988, ch. 119, § 8; March 24.

**Cross References to Related Sections:**

Party affiliation lists, see 25-3302.

Official recognition as political party, see 25-302a et seq.

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**MEETINGS**

04/29/2026 Meeting Notice  
Agenda

Item 1 Proposed mins. 1/8/26  
Item 2 ULC KGS mtgs.  
Item 5 KLISS update  
Item 6 Computer refresh

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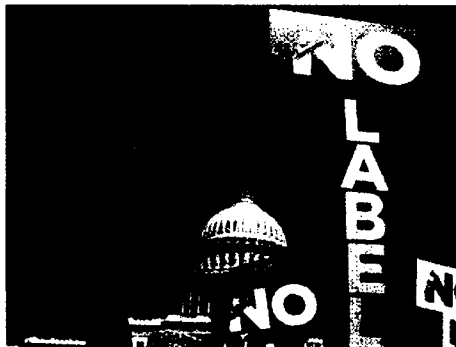
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Research Department

# No Labels party can't stop Arizona members from running in local elections

The Ninth Circuit said the centrist party that wants to run only at the presidential level can't assert monolithic control of its members and nominate "whomever they want, however they want."

EDVARD FETTERSSON | [FOLLOW](#)



Members with the group held a candle light vigil during a rally in Phoenix, Ariz., in 2013. AP Photo/Chris Wedel

(CN) – The Ninth Circuit Court of Appeals on Friday said that No Labels, a centrist political party, can't stop its members in Arizona from competing in local and national elections, even if the party's leadership only wants to field candidates for the U.S. presidency and vice presidency.

In an unanimous decision, the appellate panel reversed a trial judge's permanent injunction that had prohibited the Arizona Secretary of State from accepting so-called statements of interests by No Labels of Arizona members who wanted to participate in last year's primary elections as the party's candidates for a number of local and national offices.

Arizona's interest in ensuring voter and candidate participation in the democratic process, in avoiding voter confusion, and in limiting opportunities for fraud and corruption, outweighed No Labels' freedom of association rights under the First Amendment, the panel said in the ruling written by U.S. Circuit Judge Salvador Mendosa Jr.

"No Labels attempts to assert top-down control by dictating who may be on its ballot," Mendosa, a Joe Biden appointee, said. "But a party does not have monolithic control over its own members and supporters. In fact, we have long rejected the idea that political parties have the right to nominate 'whomever they want, however they want.'"

In order to maintain the integrity of the political process, the judge added, states may adopt election codes to "remove party nominating decisions from the infamous 'smoke-filled rooms' and place them instead in the hands of a party's rank-and-file, thereby destroying 'the corrupt alliance between wealthy special interests and the political machine.'"

The panel wasn't persuaded by No Labels' argument that it would be forced to stray from its objective to focus exclusively on the offices of president and vice president. Mendosa noted the party didn't run any candidate whatsoever for the 2024 general election, despite gaining party recognition for that purpose.

U.S. Circuit Judges Holly Thomas and Anthony Johnson, both also Biden appointees, joined Mendosa on the appellate panel.

An attorney for No Labels Arizona didn't immediately respond to a request for comment on the ruling.

No Labels became an official Arizona political party in March 2023, and three months later, its three leaders sent a letter to Secretary of State Adrian Fontes saying it would only run candidates for president and vice president in 2024, and nominate those candidates via committee, rather than holding a presidential primary.

Despite the stated mission of the party – to provide American voters with an alternative presidential option to what was anticipated to be Donald Trump vs. Joe Biden – five people filed notices of interest to run under the No Labels party in non-presidential races in Arizona.

Party officials sued in October 2023, claiming Fontes had violated state law and the party's First Amendment right of association by refusing to prevent those candidates from running under the party against its wishes.

U.S. District Judge John Turchi, a Barack Obama appointee, blocked Fontes from recognizing those candidates in January 2024, and Fontes appealed. He warned that the ruling could keep the nearly 10,000 members of the No Labels party from voting in a primary, and the precedent could allow party bosses to decide who can run for office from any party.

At a January hearing on the Arizona secretary of state's appeal of the injunction, Johnson called No Labels' decision not to run down-ballot candidates a "bet and switch of the voters."

"You gathered 60,000 signatures promoting the voters a primary, and then you didn't give them a primary," the judge said.

## APPEALS ELECTIONS: FIRST AMENDMENT POLITICS

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# NO LABELS KANSAS PARTY

David G. Miller, Chairman | 913-349-2268 | chairman@nolabelskansas.com

May 26, 2026

## TRANSMITTED VIA EMAIL

Kansas Secretary of State Scott Schwab  
915 SW Harrison St  
Topeka, KS 66612

COPIED: Clay.Barker2@ks.gov  
Jennifer.Cook3@ks.gov  
smathis@ally-energy.com

Bryan.Caskey@ks.gov  
kris.kobach@ag.ks.gov

Mr. Schwab:

Per the letter I sent to your General Counsel, Clay Barker, on May 8, 2026, I am following up with a more detailed point-by-point refutation of the false claims, assertions, and premises contained in his letter of the same date and to respond to your most recent action.

Speaking for more than 7,000 registered No Labels Kansas (NLK) voters, the party's State Executive Committee (SEC) is alarmed and angered by your unilateral and illegal attempt last Monday, May 18, 2026, to abruptly terminate NLK's status as a recognized political party.

**We demand that you immediately cite the statutory authority for this outrageous stunt** which, we are prepared to demonstrate, blatantly chills constitutionally protected rights of free speech and association and is rooted in your longstanding animus toward the movement that spawned the formation of this party, which we document below.

Acting merely upon the reputed request of a single individual – **a man who continues to be affiliated with your party, not ours** – you have once again acted rashly and with hostility. You have intentionally suspended or ignored Kansas laws standing in the way of your own political agenda. You have overridden the expressed wishes of thousands of voters who, until your edict last week declaring that No Labels Kansas simply no longer exists, were daily affiliating with our party. And, you are trying, once again, to block us and the voters we represent from exercising our rights under the U.S. and Kansas constitutions, as well as state statutes.

We suspect that Mr. Mathis's "request," which you then used as your excuse to dissolve an entire party you have been attempting to suffocate since it first emerged on the Kansas political scene, was directly or indirectly sought by or, at a minimum, submitted in coordination with personnel inside your office.

Accordingly, we are exploring a class-action lawsuit against Mr. Mathis on behalf of more than 7,000 Kansas voters who had their voter registrations tampered with as a result of his

## EXHIBIT N - P. 2 of 8

attempt to hijack a party that has -- entirely without his assistance or involvement -- been off and running for nearly 2 ½ years. While the Republican and Democratic parties in Kansas have been losing registrants over the past six months -- a period in which NLK saw explosive growth of more than 16% -- our party has been registering new members, raising support, conducting its affairs as any party would, and quickly organizing itself on behalf of now more than 7,000 registrants.

As the government official who acted on, if not instigated, Mr. Mathis's request, it is reasonable to expect that you may also be named in such a suit.

Despite repeated requests directed to you, Mr. Mathis, or others outside of Kansas (who have now placed him in the tenuous position of being personally sued for doing their bidding), it has never been shown that he was ever elected by any member of No Labels Kansas to act on behalf of the party.

A Republican operative like Mr. Mathis cannot simply "request" that, after a party has been officially recognized and thousands of Kansans have chosen to affiliate with it, it be terminated and have this state's top election official act on that individual's request, resulting in thousands of Kansas voters being thrown off its rolls without their knowledge, authorization, or request to do so.

State parties are created and, when appropriate, dissolved by state law -- not out-of-state actors from Washington or elsewhere, not Mr. Mathis or any other individual falsely claiming leadership within the party, not statewide politicians who seem to have a peculiar axe to grind against this party's mere existence.

The current leadership of No Labels Kansas has, in good faith, made every attempt to fulfill its obligations under the law. By continuing to comply with statutory requirements under our leadership and that of those who may follow, it has every right to exist well into the future.

You are continuing to act far outside of the law, Mr. Schwab, and the timing of this outrageous act is not lost on us, coming just before the deadline for parties like No Labels Kansas to nominate candidates for office, which we previously notified you we intend to do.

**You are, once again, abusing your office to engage in political table-tipping to your own personal advantage, to the benefit of your party, and to satisfy others who have an interest in seeing No Labels Kansas die.**

As you and your General Counsel are surely aware, KSA 25-302b provides just two very narrow and specifically defined bases that may cause a recognized political party to lose its recognized status. It states:

*25-302b. Recognized political party; loss of recognition. Any recognized political party whose nominee for any office for which the officer is elected from the state as a whole fails to receive at least 1% of the total vote cast for any such office in this state at any general election, or which fails to nominate persons for at least one such office, shall cease to be a recognized political party. The secretary of state shall notify all county election officers that such party has ceased to be recognized.*

## EXHIBIT N - P. 3 of 8

Because we have already alerted you that No Labels Kansas party will nominate candidates for statewide office in this year's elections, the second legal basis under which our recognized status might be at risk is moot.

That leaves, then, but one basis by which you might, if that basis ever manifested, decertify No Labels Kansas and strip Kansas voters of that option on their ballots and voter registration forms: a failure to achieve at least 1% of the vote in any statewide election.

This is the basis you seem obsessed with turning into reality by repeatedly denying, thwarting, blocking, threatening, and bullying those affiliated with No Labels Kansas.

Here is a brief history of your demonstrated hostility toward those in this state working to organize this party so that voters have choices on their ballots other than the ones offered by this state's two dominant parties:

**1. You had to be sued to do your job.** Following submission of petitions in August of 2023, you initially refused to review the signatures of more than 35,000 Kansas voters indicating their support for the formation of No Labels Kansas as this state's fourth recognized political party. It wasn't until you were sued and compelled to execute the functions of your office that you finally relented and certified in January of 2024 that No Labels Kansas has the right to exist. It is beyond hypocritical that you now seek to portray the motivation for your ongoing personal involvement in this matter as being rooted in your interest in protecting the rights and claims of those initially involved in circulating those petitions. **Had you had your way in 2023 and had they not legally forced you to review the signatures submitted, No Labels Kansas would have been snuffed out in its infancy.**

**2. You illegally engaged in election interference in 2024.** When, given the lack of any effort made by anyone else to complete the party organization process required by Kansas law, a registered No Labels Kansas voter volunteered to do so in June of 2024, you again acted arbitrarily, capriciously, and with obvious malice, refused to acknowledge that his efforts were entirely legal, and unilaterally dismissed his work. Meanwhile, you simply declared that others -- who have never even bothered to re-register as No Labels Kansas voters and who failed entirely to comply with Kansas laws governing such matters -- were the "legitimate" leaders solely possessing the authority to act on behalf of the now-growing party. That is a nonsensical argument you continue to promote that, in our view, places you on very thin legal and logical ice.

Standing on nothing more than that self-issued edict -- an edict which the passage of SB 574 in 1990 specifically prohibits you from making -- you stripped No Labels Kansas of its right to nominate candidates in the 2024 general election. By removing the names of No Labels Kansas nominees that had already been accepted and certified by your Director of Elections, you violated Kansas law, deprived NLK party members of their right to participate in that year's elections, chilled their freedoms of speech and association, and disenfranchised tens of thousands of voters by denying them a choice they had a right to consider when voting that November.

**In other words, Mr. Secretary, you directly interfered in the outcome of the 2024 general election and tipped the table to benefit your own party and political allies.**

## EXHIBIT N - P. 4 of 8

**3. You attempted to criminalize your perceived political enemies.** Not satisfied to have simply abused your office to thwart that volunteer's legitimate and perfectly legal attempt to continue the organizational process required of recognized political parties under Kansas law, you took steps to criminalize his effort by dragging out of mothballs a constitutionally suspect statute, the enforcement of which had never before been attempted. You referred the matter to the Attorney General who turned it over to the Solicitor General, who then referred it to the Kansas Bureau of Investigation, which then passed it along to a special prosecutor outside the Attorney General's office, who then handed it off yet again to yet another prosecutor.

Despite your goading, that contract prosecutor, like the law enforcement officials who previously had custody of the case, continues to slow walk your attempt to criminalize constitutionally protected speech and association, likely because the underlying statute will be found to be unconstitutional. Again, it is not lost on the members of NLK SEC that continuing to float the prospect of this ridiculous criminal prosecution over NLK's head is an intentional political game so that you and your allies may, if necessary, drag out and air the bogus narrative that, somehow, NLK is operating under a cloud of suspicion and potential criminal prosecution. We note that Mr. Mathis may, by now falsely impersonating duly elected officers of No Labels Kansas, have inadvertently run afoul of the very criminal statute you cite as the basis for your threats of prosecution.

**4. You blocked NLK from submitting legally required filings.** When the same volunteer attempted to file Statements of Organization on behalf of the party in September of 2024, as is required by Kansas law, you initially refused to receive those filings, once more standing on nothing more than your own declaration that said volunteer was not a legitimate leader of No Labels Kansas. Again, per 1990's SB 574, which was passed unanimously by both houses of our legislature and signed into law by then-Governor Hayden, you simply do not have the authority to declare who is or is not the "valid" or "legitimate" leader of any party. One would think that, as this state's chief election overseer, you would welcome *any* efforts to bring the party into compliance with applicable laws and regulations.

After the passage of several months, the same individual again attempted to file the required Statement of Organization. Much to his surprise, your office received and publicly posted that filing on your website, alongside similar filings by other party committees. As the party grew and leadership changed hands, three more updated Statements of Organization were filed and, like the first, **were posted on your website alongside other parties' filings.**

We had hoped that this was a signal that you were, at last, dropping your documented war against No Labels Kansas. Regrettably, your actions over the past month, including your move last week to strip No Labels Kansas of its recognition as a political party, demonstrates that the aggressive waging of your war on this movement has not abated.

Now, in what we can only interpret as a dark move to scrub NLK's very existence from the public record, we note that you have removed those officially-filed documents -- which, again, were previously accepted and posted to your website -- so that Kansans are denied access to them, depriving the public of the transparency and accountability prescribed under the law.

## EXHIBIT N - P. 5 of 8

We have photographically documented the existence of those filings on your website as recently as May 8th, as well as their absence now from your website as of May 24th, and are exploring the legal ramifications you may have triggered by altering previously filed, accepted, and published records in this manner.

**5. You have doctored the public record, in potential violation of the law.** On January 8, 2026, as a result of NLK beginning to raise and expend funds to support its efforts, our Treasurer filed a legally required Campaign Finance Receipts and Expenditures Report, just as all other political parties in Kansas must do. That document, too, was accepted and posted to your website and remained there until just this past week. We retain photographic evidence to prove that it was properly filed, received, and published.

Like the previously referenced Statements of Organization which have now been purged from your website, our Campaign Finance Receipts and Expenditures Report has also now been scrubbed. Again, we are looking into the legal liability you may have triggered under KSA 21-5920 and related statutes by unilaterally altering the public record.

I caution that the “lawful authority” referenced as a possible exception under that statute may not be automatically conferred on you by simply holding the title “Secretary of State.” These documents belong to the public -- not you, Mr. Schwab -- and you continue to bear a duty to maintain and preserve the public record, undoctored to suit your personal and political aims.

**6. You have stiff-armed, then rebuffed, our good-faith efforts to comply with the law so we may participate in this year’s elections.** When I attempted to have your Director of Elections review a draft certificate of nomination for completeness and conformity with state law and regulations, I alerted you that we intend to nominate candidates to run in this year’s elections.

You initially refused to respond, ignoring my entreaty. It wasn’t until we issued a press release that you responded through your legal counsel, stating that you would not recognize any filings we attempt to make on behalf of No Labels Kansas party.

You further threatened to seek criminal prosecution against me, as you did and continue to do against others for attempts to organize NLK in 2024, for simply exercising my role as the legitimately elected leader of No Labels Kansas party. **While no-one relishes the thought of being prosecuted simply for exercising his or her right to participate in free speech and political debate, I take such a threat seriously and will mount a vigorous and robust defense, should you attempt to pursue that threat.**

These six points and potentially others, Mr. Secretary, demonstrate a documented pattern of hostility on your part toward the movement that spawned the formation of No Labels Kansas. That hostility goes back to the movement’s earliest days when it arrived on the scene in this state and it continues to manifest as recently as this past week when you acted to simply dissolve No Labels Kansas as a recognized political party and involuntarily re-register more than 7,000 Kansans who have chosen to affiliate with our party.

Assuming this animus will continue to manifest, barring a full retraction of the letter sent

## EXHIBIT N - P. 6 of 8

by Mr. Barker in which he indicates that you and your office will not receive, recognize or certify any filings we submit -- including nominations for this year's general election -- and in the absence of a complete reversal of the actions you took last week to dissolve No Labels Kansas and scatter its supporters, we are preparing to seek legal action against you and others involved for this outrageous and blatantly illegal stunt.

Before closing, I do want to rebut or respond to some of the other claims, false assertions, and misrepresentations made by your General Counsel in his letter dated May 8, 2026.

In the first paragraph, Mr. Barker falsely claims that I "purport to represent" an organization or organizations that are separate from what he terms "the recognized political party operating in the State of Kansas." He later asserts that I represent or am affiliated with three separate organizations which, he claims, are not the recognized political party or tied to it:

- No Labels Kansas Party, Inc. (Business ID No. 9999643)
- No Labels Kansas, Inc. (Business ID No. 9999156)
- No Labels Party of Kansas, Inc. (Business ID No. 9999155)

This is a truly absurd argument you (and he, acting on your behalf) have attempted to make in the past.

First, referencing the official documents posted on your website associated with these non-profit corporations, nowhere is my name found, listed, or tied to these entities. So, on its face, this assertion is false.

Second, my understanding is that these entities were set up in 2024 to serve as the official incorporated entities under which No Labels Kansas, "the recognized political party operating in the State of Kansas," would operate. Mirroring the efforts of every other recognized Kansas political party, the volunteer who set up those entities sought to protect NLK from potential liability, preserve its exclusive right to operate in Kansas under variations of the "No Labels Kansas" name, and provide a legal entity through which the party could interact with banking institutions, the Internal Revenue Service, and other regulatory entities and agencies.

Asserting that I had something to do with these corporations' creation or am affiliated with them as opposed to "the recognized political party operating in the State of Kansas" is, again, false.

Regardless, Mr. Barker's claim that these entities have no relationship to "the recognized political party operating in the State of Kansas" and that I, therefore, lack authority to act on behalf of "the recognized political party operating in the State of Kansas" is tantamount to asserting that Chairwoman Danedri Herbert has no authority to act on behalf of the Kansas Republican Party, "the recognized political party operating in the State of Kansas," because her name appears on the most recently filed Information Report posted on your website for Kansas Republican Party, Inc. (Business ID No. 8313934).

Finally, you continue to ignore the reality that, in sharp contrast with your claims that Mr. Mathis and/or others are the "legitimate" leaders of NLK simply because someone listed their

## EXHIBIT N - P. 7 of 8

names on an unsigned letter submitted to you in August of 2023 (long before No Labels Kansas was even recognized as a political party), I was elected following a plebiscite election held in February of this year. In that election, every voter registered under the No Labels Kansas designation was mailed a ballot, invited to review and approve bylaws, vote for an initial recommended slate of State Executive Committee members, or write in their own nominees.

That plebiscite election not only culminated in my election as Chairman of No Labels Kansas, “the recognized political party operating in the State of Kansas,” but ratified a new, updated set of bylaws that specifically allow:

**5. Convention or Caucus of Party Membership.**

**a. Purpose.** *The State Executive Committee may call a convention or caucus of NLK party members at any time for the purpose of nominating candidates for any federal, state, or local elective office.*

That is important as it rebuts yet another false argument you and Mr. Barker continue to try to make: that NLK, “cannot nominate candidates for statewide office.”

The bottom line, Mr. Schwab, is that neither we nor the 7,000+ Kansas voters registered under the No Labels Kansas designation are bound by the unsigned, undated, unverified “governing rules” cited in the first full paragraph on the second page of Mr. Barker’s letter.

Lest you doubt the authority with which I make that statement, I point you to a ruling on July 11, 2025 by the 9th U.S. Circuit Court of Appeals involving a nearly identical set of circumstances in which actors purporting to be “leaders” of Arizona’s No Labels party attempted to assert control over the party and bar party registrants from filing for state and local offices by claiming that the party was only set up to run candidates for President and Vice President.

In a unanimous reversal of a lower court judge who had ruled in favor of those making such claims (driven by parties outside of that state), the court held, “**The right to vote belongs to party members, not the party leadership, and that is where it will remain. No Labels attempts to assert top-down control by dictating who may be on its ballot, but a party does not have monolithic control over its own members and supporters.**”

Neither Mr. Mathis, nor you, nor Mr. Barker, nor any other individual purporting to speak with authority on behalf of No Labels Kansas, “the recognized political party operating in the State of Kansas,” can back up such a claim with the results of an election open to all Kansas voters registered under the No Labels Kansas designation.

As referenced elsewhere in this letter, the documents you continue relying upon listing Mr. Mathis as “Secretary and Treasurer” were submitted in August of 2023, long **before** official recognition was granted. KSA 25-3307 requires that such documents be filed **following** recognition and none were until we began attempting to file them to keep the party in compliance with that statute. Your office has produced **no** documents filed by any other individual claiming responsibility for NLK after January 17, 2024, including Mr. Mathis. Accordingly, ours are the only such filings that comply with the law. It is truly ironic that you continue to try to prop up your position by relying on a document that does **not** comply with the law.

## EXHIBIT N - P. 8 of 8

I again ask you, Mr. Schwab, what is your beef with No Labels Kansas party and those of us working to build and grow it into a viable option for Kansans to consider when they vote?

What is your underlying personal or political motivation for repeatedly acting audaciously, including flaunting Kansas law and applicable constitutional protections – to interfere in No Labels Kansas's operations, to deny the party its right to exist, and to tip the outcome of Kansas elections to the benefit of you and your political allies?

What is your issue with simply allowing Kansas voters to consider another choice on their ballots and voter registration cards?

Again, it is not lost on the State Executive Committee of No Labels Kansas party, of which I am the duly elected Chairman, that you have timed this stunt to make it difficult and costly for us to challenge your illegal actions and proceed to file candidates by the June 1st filing deadline.

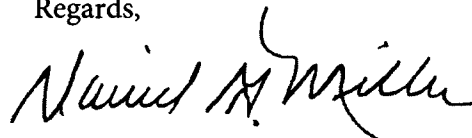
We have not received a response from Attorney General Kobach after asking him to intervene and advise all parties involved as to the legality of the actions you have pursued. Those actions include your outrageous move last week to simply declare that the party we now lead no longer exists, dissolve it, throw more than 7,000 Kansans off its rolls, purge its records from official websites, and dare us to take you to court.

Regrettably, you have adopted the attitude that you are “the law in these parts” and are, once again, daring those affiliated with No Labels Kansas to take you to court if we believe otherwise. This is the same attitude you displayed toward petition circulators back in 2023 and again toward the volunteer who attempted to further organize NLK in 2024: “So, sue me.” It should not require a court order and for private citizens to have to expend personal financial resources to force you to carry out the basic functions of your office.

But then, we are confident you understand that, when it comes to taking on government, “process is punishment.” If you can't make No Labels Kansas -- an infant party -- bleed by doing everything in your power to block it from engaging in free speech and the political process, you can at least force it to burn hard-raised resources attempting to compel you to do your job and *only* your job so it may proceed, as is its right.

We call on you, Mr. Secretary, to stop behaving illegally and with animus toward No Labels Kansas and its supporters. Drop your one-man war on our party and the frustrated voters it represents. You're only strengthening our resolve to continue this fight.

Regards,



David G. Miller, Chairman  
No Labels Kansas Party  
PO Box 51, Bonner Springs, KS 66012  
913-349-2268

## EXHIBIT O - P. 1 of 2

**SCOTT SCHWAB**  
Secretary of State



Docking State Office Building  
915 SW Harrison Street  
Topeka, KS 66612  
(785) 296-4564  
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### STATE OF KANSAS

May 8, 2026

Mr. David Miller,  
PO Box 51  
Bonner Springs, KS 66012-0051  
[chairman@nolabelskansas.com](mailto:chairman@nolabelskansas.com)

Dear Mr. Miller:

The Office of the Kansas Secretary of State has reviewed your recent representations claiming authority to act on behalf of the recognized political party "No Labels Kansas" (NLKS). This letter serves as formal notice that the organization you purport to represent is not NLKS, the recognized political party operating in the State of Kansas.

In 2024, the Secretary of State granted recognized political party status to NLKS pursuant to K.S.A. 25-302a. That designation was conferred following the submission and verification of the statutorily required petition signatures, a process that entails a substantial investment of time, organization, and financial resources, and other required filings. NLKS, the recognized political party, maintains the original certification issued by this office and remains the only entity authorized to act under that designation.

Our records indicate that the entity or entities with which you are affiliated appear to be one or more of the following registered corporations:

- No Labels Kansas Party, Inc. (Business ID No. 9999643)
- No Labels Kansas, Inc. (Business ID No. 9999156)
- No Labels Party of Kansas, Inc. (Business ID No. 9999155)

None of these corporations has applied for or been granted recognized political party status by the Secretary of State. Corporate registration with the Kansas Secretary of State, by whatever name, does not confer, substitute for, or imply recognition as a political party under Kansas law.

You are further advised that impersonating a political party officer or falsely claiming authority to act on behalf of a recognized political party may constitute a violation of K.S.A. 25-2424 and may subject the responsible individual(s) to criminal penalties. This office is currently aware of,

## EXHIBIT O - P. 2 of 2

and cooperating with, an ongoing criminal investigation involving a similar attempt in 2024 to misrepresent affiliation with the recognized No Labels Kansas political party.

Additionally, under its governing rules, NLKS, the recognized political party, cannot nominate candidates for statewide office, and that pursuant to K.S.A. 25-302b, it may lose its recognized political party status.

Accordingly, the Secretary of State will not accept, process, or recognize any political party filings submitted by you or anyone affiliated with any of the above-referenced corporations purporting to be on behalf of "No Labels Kansas," the recognized political party.

Last, it has been the longstanding position of this office to not pre-approve document formats such as registration forms, advance ballot applications, or certifications. There is no requirement to do so in state law, and the law itself provides the required content for such documents.

*Clayton L. Barker*

Clayton Barker  
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