

**AFFIDAVIT SEEKING RESPONSE FROM AUTHORITY TO HEAR COMPLAINT**

**Plaintiffs:**

Kirk Byram  
Former GOP candidate for Sheriff  
9731 Lakebrook Ct  
Evansville, IN 47711

Steve Hammer  
Former GOP Vand. Co. Comm. Candidate  
14701 Nora Dr  
Evansville, IN 47725

Chad Howard  
GOP Precinct Committeeman  
2332 Waterstone Dr  
Evansville, IN 47725

Cheryl Musgrave  
GOP Vanderburgh County Commissioner  
1216 SE 1st Street  
Evansville, IN 47713-1324

Hobart Scales  
Vanderburgh Co. GOP Secretary  
13445 Saint Wendel Road  
Evansville, IN 47720-8583

Alfonso Vidal  
Gov. Holcomb Transition Team Leader  
9060 Halston Circle  
Newburgh, IN 47630

vs.

**Defendant:** E. Wayne Parke  
5415 Winthrop Ct.  
Evansville, IN 47715  
(812) 455-1685

The above-named plaintiffs do solemnly swear that the facts listed below to be true:

1. Two months after being fired in July 2009 from his role as Vanderburgh County Republican Party ("VCRP") Treasurer by then-Chairman Nick Hermann, Mr. E. Wayne Parke was elected County Chairman in a caucus. Mr. Parke currently serves as Chairman of the VCRP and an elected precinct committeeman.
2. Pursuant to Rule 4-11 of the *Rules of the Indiana Republican Party*, the County Chairman must be a "Qualified Primary Republican."
3. Pursuant to Rule 3-3 of the *Rules of the Indiana Republican Party*, no person shall be eligible for the office of precinct committeeman unless the individual is a "Qualified Primary Republican."
4. Pursuant to Rule 1-24 of the *Rules of the Indiana Republican Party*, "Qualified Primary Republican" is a voter who cast a Republican Party ballot at the most recent primary election in Indiana which the voter voted, and who is a "Republican in Good-Standing."
5. Pursuant to Rule 1-25 of the *Rules of the Indiana Republican Party*, the term "Republican in Good-Standing" is defined as "a Republican who supports Republican nominees and

who does not actively or openly support another candidate against a Republican nominee.”

6. In his capacity as County Chairman, Defendant Parke has unevenly and unfairly enforced these rules against precinct committeemen and office holders. Although we believe his application to be in violation of both the spirit and letter of the rules, we believe his past enforcement requires an even and just application of these same rules against himself.
7. **Because Defendant Parke has repeatedly failed to “support[] Republican nominees” and has actively and openly supported Democrats, all in violation of the aforementioned rules, Defendant Parke does not qualify to serve as Chairman of the Vanderburgh County Republican Party and an elected precinct committeeman.**
8. In 2008, Defendant Parke participated in the Indiana Democratic presidential primary so that he could cast his vote for then-Sen. Hillary Rodham Clinton.<sup>1</sup> Just over a year later, Defendant Parke sought to become the VCRP chairman.
9. In November 2013, with Democrat Vanderburgh County Commissioner Stephen Melcher seeking re-election the following year, Defendant Parke expressed his support and admiration for Mr. Melcher’s performance despite the high likelihood that Mr. Melcher would receive a Republican opponent.<sup>2</sup>
10. In January 2014, Defendant Parke once again endorsed Democrat Vanderburgh County Commissioner Stephen Melcher for his performance in that office even though Mr. Melcher was poised to run that year as a Democrat for either his then-current County Commissioner seat or for State Representative in District 78.<sup>3</sup> Mr. Melcher did go on to run for state representative as the Democratic nominee but lost in the general election to Republican Holli Sullivan. Defendant Parke failed to support Republican nominees in violation of the party rules as he interprets them.
11. In January 2014, because of Defendant Parke’s “implicit endorsement of Kathryn Martin and the explicit endorsement of Commissioner Melcher,” one local media outlet published the following:<sup>4</sup>

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<sup>1</sup> “IS IT TRUE,” *City-County Observer*, May 12, 2014, available at <http://city-countyobserver.com/is-it-true-may-12-2014>.

<sup>2</sup> “IS IT TRUE,” *City-County Observer*, available at <https://city-countyobserver.com/is-it-true-november-7-2013>.

<sup>3</sup> Wayne Parke comment on January 6, 2014 at 10:20 a.m., “GOP Chairman Wayne Parke Makes Endorsements,” *City-County Observer*, January 6, 2014, available at <http://city-countyobserver.com/gop-chairman-wayne-parke-makes-endorsements/#comment-1452747>.

<sup>4</sup> “IS IT TRUE,” *City-County Observer*, January 16, 2014, available at <http://city-countyobserver.com/is-it-true-january-16-2013-2>. (Note that the title erroneously includes a 2013 date but was in fact published in 2014.)

IS IT TRUE that just a couple of weeks ago Vanderburgh County Republican Chairman Wayne Parke wrote in a comment in the City County Observer that his endorsements for the three Vanderburgh County Commissioner seats are Marsha Abell, Joe Kiefer, and Democrat Steve Melcher?...all of these are already sitting commissioners and will be running as incumbents should they choose to do so?...it is probably safe to say that Wayne's premature endorsement of Commissioner Melcher is about to bite him square on the backside now that Melcher has announced his candidacy for the House District 78 seat recently vacated by Suzanne Crouch and filled in a Republican caucus by Holli Sullivan?...Chairman Parke wisely endorsed none of the candidates who were seeking to finish out Representative Crouch's term?...now Wayne is likely to have to deal with another election where he has endorsed the Democrat candidate who is running against a Republican candidate who he chose not to endorse?...between the implicit endorsement of Kathryn Martin and the explicit endorsement of Commissioner Melcher we are wondering if Mr. Parke may soon change parties and challenge Rob Faulkner for the Chairmanship of the Vanderburgh County Democrat Party?

12. In spring 2014, Defendant Parke used approximately \$10,000 of VCRP funds in opposition to the primary candidacy of Republican Bruce Ungenthiem.<sup>5</sup> Defendant Parke's use of official party funds in opposition to a Republican nominee further wedged the local party apart and undermined its ability to function. Defendant Parke failed to support Republican nominees in violation of the party rules as he interprets them.
13. In the 2016 race for Vanderburgh County Commissioner, Defendant Parke consistently opposed Republican County Commissioner candidate Cheryl Musgrave. Defendant Parke even stated publicly in press reports the day before the general election that Republican nominee Cheryl Musgrave "would lose to the Democratic incumbent."<sup>6</sup> Defendant Parke's comments were designed to hurt the Republican nominee and assist the Democrat nominee in violation of party rules by (1) failing to support to the Republican nominee, and (2) actively and openly supporting another candidate against the Republican nominee. (Ms. Musgrave in fact won against the Democratic incumbent despite Defendant Parke's efforts.)
14. In the 2016 race for Vanderburgh County Commissioner, Defendant Parke consistently opposed Republican County Commissioner candidate Sean Selby. Following Mr. Selby's successful nomination for the general election, Defendant Parke shunned Mr. Selby and offered no support in any way to Mr. Selby's campaign. Defendant Parke failed to support Republican nominees in violation of the party rules as he interprets them.

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<sup>5</sup> *HPI Daily Wire*, May 12, 2014, available at <https://howeypolitics.com/PrintArticle.aspx?aid=11331&uid=4832b660-a121-4f90-9e4b-dab08d01f634>.

<sup>6</sup> See Zach Evans, "GOP strips Musgraves from party role for Dem donation," *Courier & Press*, July 11, 2017, available at <https://www.courierpress.com/story/news/local/2017/07/11/gop-strips-musgraves-party-role-dem-donation/103600992>.

15. In October 2017, Defendant Parke demanded that long-time Republican Evansville City Councilman Dan McGinn support specific policy proposals favored by Defendant Parke. He later demanded that Councilman McGinn resign.<sup>7</sup> Defendant Parke did not support Republican nominees as required by the rules under his interpretation and enforcement.
16. In April 2018, Defendant Parke withdrew his support from, and openly attacked, Republican County Commissioner candidate Steve Hammer.<sup>8</sup> Defendant Parke failed to support Republican nominees in violation of the party rules as he interprets them.
17. In April 2018, local media reported that “the Vanderburgh County GOP party is splintered” and “the main reason for this division is because of the way that GOP party Chairman Wayne Parke has treated several candidates and elected officeholders during the last several years”.<sup>9</sup>
18. On November 13, 2018, Defendant Parke sent an email to the entire Vanderburgh GOP email database attacking a sitting Republican officeholder. Defendant Parke did not support Republican nominees as required by the rules under his interpretation and enforcement.
19. By reason of the facts and circumstances stated above, Defendant Parke has breached Rules 4-11 and 3-3 of the *Rules of the Indiana Republican Party*.
20. By reason of the facts and circumstances stated above, Defendant Parke must be removed as the VCRP Chairman and as a precinct committeeman.
21. Pursuant to the *Rules of the Indiana Republican Party*, this Complaint is being communicated and delivered to the VCRP Secretary, the District Secretary, and the State Secretary.

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<sup>7</sup> Zach Evans, “GOP Chairman: McGinn should quit city council,” *Courier & Press*, October 14, 2017, available at <https://www.courierpress.com/story/news/2017/10/14/mcginn-quits-vanderburgh-gop/764798001>.

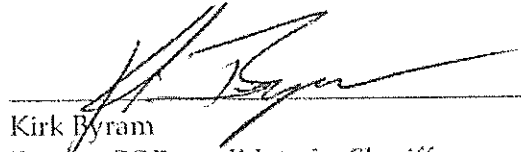
<sup>8</sup> Megan Erbacher, “GOP chairman yanks support of Republican candidate Steve Hammer,” *Courier & Press*, April 27, 2018, available at <https://www.courierpress.com/story/news/politics/elections/2018/04/27/gop-chairman-yanks-support-republican-candidate-steve-hammer/558868002>.

<sup>9</sup> IS IT TRUE, *City-County Observer*, April 25, 2018, available at <https://city-countyobserver.com/is-it-true-april-25-2018>.

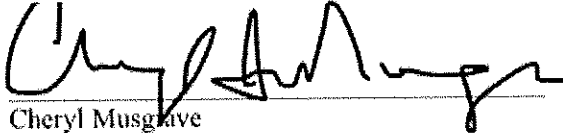
The undersigned Plaintiffs verify that the factual statements in this *Affidavit Seeking Response from Authority to Hear Complaint* are true and correct.



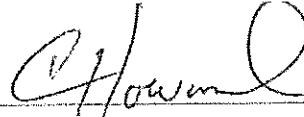
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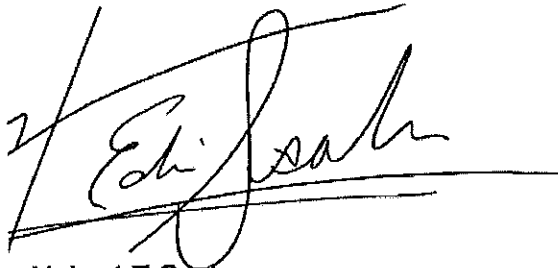
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