



COMMONWEALTH OF KENTUCKY
KENTUCKY GENERAL ASSEMBLY
In the House of Representatives

IN RE: Impeachment of Attorney General Daniel Cameron

PETITIONERS' REPLY IN SUPPORT OF IMPEACHMENT

The Kentucky Constitution grants impeachment powers solely to the legislature, and gives both the legislature, through its charge and sanction process, and citizens, through the right to file an impeachment petition, the ability to object to improper use of power by elected officials. There is no place in this process for refusing to answer serious charges while belittling the private citizens who brought the Impeachment Petition.

AG Cameron argues that the impeachment petition is “just a sign of the times” saying it “has become fashionable.” Cameron cites the second impeachment against former President Trump as some sort of whimsy, rather than recognizing that Trump was impeached twice because of shocking and reprehensible conduct in office. Response, p. 1. Cameron’s offenses include (1) misrepresenting the efforts of citizens forced to serve on the Breonna Taylor grand jury, (2) permitting his political staff to actively recruit rioters for the Capitol attack of January 6th, and (3) undermining the election results of a sister state. Each of these offenses is worthy of impeachment, as each day’s emerging news makes clearer. See: “*77Days: Trump’s Campaign to Subvert the Election*”, New York Times, updated 2/1/21, (discussing the groundless legal attacks which led up to the Capitol riot.) Cameron’s flippant dismissal of these grave issues makes clear this I.C.’s duty: Conduct a meaningful investigation of the allegations, beginning with the documents already demanded by Petitioners.

AG Cameron must also be cautioned by this I.C. against his personal attacks on the Grand Jurors who served this Commonwealth at his command. It reflects poorly on the I.C.

members to permit such venom in an official filing, and Petitioners have filed a separate motion asking that the offensive language be stricken from the record.

Simply put, AG Cameron needs to stop the distraction and answer the questions raised by his Impeachment Petition. His continuing failure to respond is an affront to this inquiry. The uncontroverted record shows that AG Cameron has been involved in offenses fully justifying his impeachment. Attacking citizens who bring such serious claims is unprofessional and brings dishonor to the office. This Impeachment Committee is making time in their busy schedule to address these vital matters and their efforts should not be the subject of mockery by the AG or his counsel.

I. THE AG FAILS TO UNDERSTAND THE SUBSTANCE OF ARTICLE I OF THE PETITION

The Attorney General's counsel spend the bulk of the brief focusing on what a grand jury does and various minutiae involved in the grand jury process. That focus is irrelevant to the matter before this body. The Impeachment Petition against the Attorney General is not about whether the lawyers before the grand jury were good lawyers or whether the AG likes them. Instead, the Impeachment Petition asks whether the AG lied to or misled the public during his inappropriate hour long speech to national media after the grand jury completed its work.

AG Cameron is attempting to re-try the circuit court litigation and grand jury proceedings in this matter. He conflates alleged concerns about the performance of his staff before the grand jury with the specific contentions regarding his own actions that make up the Impeachment Petition. This body's oversight does not and could not extend to whether the lawyers before the grand jury did their job. This impeachment is limited exclusively to the AG's own conduct in very specific instances.

Pages 8-13 of the Response filed by the AG are a poorly defined combination of what a grand jury does and the AG's personal impression of prosecutors working for him. None of that is in any way relevant to the question before this Committee on the Grand Juror issue, which is solely: **Did the Attorney General deceive the public or lie or intentionally misstate what was provided to the grand jurors during his press conference?** That question is neither addressed nor answered in the response. The silence on that matter speaks for itself.

AG Cameron makes a completely new assertion for the first time in his Response. His new claim that the disputed statutes and charges were provided to the grand jurors and **"projected on the wall"** (Response, p. 12) is not true and is expressly denied by Petitioners. Notably, this has never been alleged before (to Petitioners' knowledge and belief), not even after Cameron's national statement on 9/23/20. Curiously, Cameron makes no supporting citation to the recording of the grand jury proceedings for this claim, presumably because none exists. Furthermore, grand jurors inquired about additional body cam videos and were told there wouldn't be enough time for that. They also asked for sketches that witnesses drew for investigators and were told the AG investigators never saw those and they wouldn't be provided. See: Discussion *infra.*, at pp. 9-12.

This raises the obvious question of how Cameron came to believe that the relevant laws were "projected on a wall," or that the jurors received "all the evidence" required to reach a just resolution, when the jurors themselves say this is not true. Having made this factual assertion central to his defense before this I.C., he cannot now claim privilege of any kind. The Petitioners (who were present in the room while the AG was not) dispute this factual defense.

For this reason, the Petitioners' pending Motion for Discovery must be granted, as it demands disclosure of evidence which will show whether it is the Attorney General or the Petitioners who are speaking truthfully.

II. THE IMPEACHMENT PETITION IS PROPERLY BEFORE THIS BODY

The Impeachment Petition is properly before the Legislature. The complaints by counsel for the Attorney General that the Petition is somehow not in a proper form or can't be considered an affidavit despite the clear affidavit language contained in the Petition, are without merit. Kentucky Rule of Civil Procedure 56.05, cited in the AG's Response at pp. 5-6 provides in relevant part that "affidavits shall be made on personal knowledge, shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein." The Petition and affidavit in this case contains the names of the affiants, the substance of the facts they aver, some discussion of relevant law as relates to those facts, their signatures and a notary certificate. There are no other requirements for an affidavit.

The Petition and Affidavit in this case does exactly what the law requires – provides sworn complaints and assertions of law and fact for this body to review. The affidavit and petition also complies with the requirements of CR 43.13, that it be notarized and have the place of signing noted thereon. CR 56.05 further provides that "sworn or certified copies of all papers or parts thereof referred to in an affidavit shall be attached thereto or served therewith" just as the Petitioners did in this case. Finally, the Civil Rule affirms that "affidavits to be supplemented or opposed by depositions or by further affidavits", leaving this body with the right to request additional information and Petitioners with the right to supplement their affidavits as necessary.

This body should note that the Civil Rule also requires AG Cameron to refute the affidavits with sworn testimony of his own, which he did not do. His signature is not found on the document, which means that the Response is not a rebuttal affidavit. Failure to rebut sworn testimony with comparable sworn testimony leaves Petitioners' allegations unrefuted. Clearly, Cameron is hoping this I.C. allows him to avoid making any verified factual assertions relevant to this matter, as a means of escaping oversight and accountability.

Kentucky law does not permit this evasion. Instead, it provides that: [I]f the moving party, by virtue of an "uncontroverted affidavit[] which clearly discloses the fact show[s] that a genuine issue does not exist, the opposing party has an obligation ... by counter-affidavit, or otherwise, to show that evidence is available justifying a trial of the issue involved." *Continental Cas. Co. v. Belknap Hardware & Mfg. Co.*, 281 S.W.2d 914, 916 (Ky.1955). Yet the Attorney General fails to provide such a counter-affidavit, fails to answer the charges against him, and fails to provide exonerating evidence to the waiting public.

AG Cameron should welcome this chance to answer the Petitioners' allegations and the Committee's questions and to assure the public. He does not do so. Instead the Attorney General spends much of his brief attacking private citizens and claiming they can't pin crimes on him. That is not the type of response the public deserves from its highest law enforcement official.

AG Cameron claims, at p. 2 of his Response, that the Grand Jurors may not bring this matter via their counsel and representative Glogower. He demands that they reveal their identities to the public. The Grand Jurors are sworn to secrecy and are maintaining that legal requirement. Accusing those hardworking citizens of "hiding" (Response, p. 10) is disrespectful and improper from the state's highest ranking law enforcement office. As noted by Petitioner

Glogower, the grand jurors have signed agreements with him consenting to have him be their “voice” in this matter, and have been integrally involved in every step of the process. Should this Committee need to see that authorization, under seal, that may be available upon request, if those responsible for the Grand Jury so permit. The Attorney General’s shocking demand, at p. 6, fn. 3 of his Response, that he must know exactly who the protected individuals are and exactly what knowledge is held by each affiant finds no support in any law, and he does not cite one.

The AG is not entitled to expose the brave grand jurors to reprisals for their stance, however much that might personally benefit him. He is entitled to a statement of charges against him, as outlined in the Petition, and he should address those allegations forthrightly.

The Response also attacks Petitioner Smith, who also signed the affidavit and filed the Petition. Response, p. 5. Smith avers to the veracity of the facts outlined in the Petition and raises the concerns found throughout Articles I and II of the Petition. Rather than belittling her or threatening her with perjury actions, the Attorney General should spend his time addressing the matters raised and answering to the concerns of the public.

Appallingly, the Response blames the grand jurors themselves for not obtaining the information and evidence necessary to properly charge those responsible for Ms. Taylor’s death. Response, p. 8. Obviously the grand jurors cannot know what the prosecution has **not** put before them. Only those presenting the case and providing the evidence are responsible for what a grand jury has before it, and that is the subject of Petitioners’ pending discovery. Cameron must promptly comply with these outstanding discovery demands since the responses either prove or disprove his unsworn claims before this I.C. Further delay is unnecessary.

AG Cameron next claims that the grand jury presentation was “one of the longest presentations in Kentucky history.” Response, p. 9. Any career prosecutor in this

Commonwealth can tell the Impeachment Committee otherwise. The fact that our own Attorney General is so misinformed as to the activities of his office is an additional reason for concern. Even if it had been the longest presentation ever, the fact remains that what AG Cameron represented to the public that he provided to the grand jury was not, in fact, what he **did** provide to them. That is the basis of the claim before the I.C.

III. CRIMINAL OFFENSES AGAINST CAMERON ARE CLEARLY CHARGED

In his Response, pp. 10-11, AG Cameron claims that no misdemeanor or other offenses have been raised in the Impeachment Petition. That assertion is incorrect. Numerous criminal offenses are clear from a simple reading of the Impeachment Petition, including inciting domestic terrorism and riot.

It is a matter of public record that Attorney General Daniel Cameron is one of nine (9) AGs who make up the Executive Committee of the Republican Attorneys General Association, which has as its dark money fundraising arm the Rule of Law Defense Fund (RLDF). The Executive Committee of RAGA claimed, after the fact, that its riot recruitment robocalls were “unauthorized”, as stated by AG Cameron at p. 16. But it is clear that the organization funded the calls and only expressed remorse **after** the horrifying actions at the Capitol had taken place.

The Petitioners’ have charged that Cameron, as a top member of the RAGA Executive Committee, bears responsibility for the management of his employees. Cameron calls this claim “abhorrent and contemptuous,” for some reason, (see Response at p. 14), although he does admit that RAGA Director Adam Piper and RLDF recruited protestors for the January 6 assault on the US Capitol. He even details the language used in the inciting robocalls in his Response. Id, at p.

14. Cameron failed utterly his oversight duties and now refuses to accept any blame for his organizations' recruitment of rioters.

Having identified his alibi witness as Adam Piper, until recently the Executive Director of RAGA, AG Cameron should now produce relevant communications between himself and Piper. These documents have already been requested by Petitioners. Obviously this I.C. cannot simply accept Cameron's assertion that he and Piper had absolutely no contact regarding recruitment of Capitol rioters, given Piper's admitted role in doing exactly that. A minimal effort at investigation requires the production of all communications as demanded in discovery. If AG Cameron's defense is legitimate, he will have no objection to this basic safeguard.

Clearly the Petition outlines facts supporting an incitement to riot. KRS 525.040 outlines the criminal offense of "inciting to riot", which is a Class A misdemeanor. Inciting a riot is defined as encouraging five (5) or more persons to riot. The actions at the Capitol included hundreds of individuals, and at least five of those involved have been found to be from Kentucky. The Petition also supports a finding that the Attorney General violated KRS 506.040 "Facilitation of Commission of a Crime", a statute which holds that persons who aided or abetted an offense liable for the criminal acts. As the rioters engaged in state and federal criminal activity, the AG may be found liable for facilitating that activity by encouraging them to go to D.C. and to "take back" the power held in the Capitol.

Regardless of the defenses rioters may raise, it is clear that RAGA's Executive Committee, including AG Cameron, as the entity recruiting radicals by robocall, is still legally responsible for the resulting damages. Kentucky law is clear in holding that even if a co-conspirator is not found guilty, the other involved parties may still be tried for the offense. See, e.g., KRS 506.070. Petitioners' pending discovery requests will allow this Committee to review

the AG's involvement in the national crimes committed and his potential culpability under state law.

The actions taken by Cameron's employee Adam Piper and other RAGA controlled organizations are truly shocking. They planned, bought and executed robocalls exhorting deluded individuals to "march on the Capitol to stop the steal of the Presidency", and take back the election. This riot arranged by RAGA killed eight (including later police officer suicides) and left a battered nation reeling. Nothing could be more damaging to the United States.

The images of the people summoned by RAGA and others scaling the walls of the Capitol, terrorizing staff, erecting a gallows to hang Vice President Pence, and causing untold measure of damages are a world-wide embarrassment. Kentucky's Attorney General was in a unique position to know that the robocalls were going out and, having recently seen similar domestic terrorism instigated at the Kentucky's Capitol, knew what harm would result.

Despite the opportunity to prevent the incident, Daniel Cameron did nothing. His defense that he didn't even know what his organization and the RAGA staff he oversaw was up to is no defense at all. That simply shows that he may have been criminally negligent in his oversight duties. As a result of this inaction or negligence, people died and irreparable damage was done to our nation's Capitol. Ignorance and failure to restrain employees is not a defense to liability.

IV. CAMERON'S ABUSE OF THE GRAND JURY IS AN IMPEACHABLE OFFENSE

AG Cameron argues that the Articles in the Impeachment Petition addressing his grand jury misconduct do not accuse him of any criminal offense. That argument has no merit. The Petition outlines the wrongful action in detail. KRS 522.020 "Official Misconduct in the First Degree" is a Class A Misdemeanor, occurring when a public servant knowingly "refrains from

performing a duty imposed on him by law or clearly inherent to the nature of his office; or violates any statute or lawfully adopted rule or regulation relating to his office.” Id, section (1)(b, c). Those misdemeanor assertions are contained in the body of the Petition. The central question of why the AG appears to have lied about the grand jury’s work is not answered anywhere in his twenty-five (25) page Response. Instead, the Response is a vitriol full attack on those private citizens who served so faithfully and tried to do the best job possible on behalf of the Commonwealth.

Cameron states in his Response that he assumes the allegation is that he refrained from presenting homicide charges to the grand jury. The jurors have stated in various proceedings and forums that they believe additional charges were likely warranted in their individual opinions but also affirmed that when they asked why there were not additional charges offered for consideration, they were told they would not be receiving any additional charges because the prosecutors didn’t believe they could make them stick. That is a far different rationale than the statements made publicly by AG Cameron, either in his hour long press conference, or in his brief.

These facts are contrary to the assertions made in the Response, pp. 9-10 which assert that the jurors did not ask such questions. The jurors did ask questions, and those questions were shut down. More importantly, this is violative and an abuse of RCr 5.14, the Kentucky Rule of Criminal Procedure which requires the special prosecutors to provide legal advice to the grand jurors. See *Matthews v. Pound*, 403 S.W.2d 7 (Ky App 1966). This violation, and the AG’s false or misleading statements in furtherance of it, clearly constitutes an impeachable offense.

AG Cameron’s office failed to comply with its duty to properly advise the grand jury of applicable laws and equip them with sufficient knowledge to address the potential for additional

charges. That prosecutorial duty is contained in the Rules of Criminal Procedure, case law, and is certainly “clearly inherent in the nature of his office.” His office violated this duty by refusing to answer the grand jury’s questions or to provide them with requested evidence that they could have and should have obtained. AG Cameron lied or intentionally misled the public at his press conference on 9/23/2020, changed his narrative but misled or misstated facts again in subsequent interviews, and issued another new, and bold false statement in his Response to these proceedings.

Grand jurors inquired about additional body cam videos and were told there wouldn’t be enough time for that. They asked for sketches that witnesses drew for investigators and were told the AG investigators never saw those and they wouldn’t be provided. In the Grand Jury Recording at 10:04am recall Herman Hall on 9/23 still under oath was given a list of questions:

(1) Were drugs money or paraphernalia recovered? “No ,they did not go forward with initial search warrant”-this is misleading at best since SWAT did a full sweep of the residence and found no drugs, money, or paraphernalia. While technically true that they search warrant was not executed, the residence was searched as a crime scene instead.

(2) Diagrams drawings, “I haven’t seen any type of diagrams drawings”

(3) In relation to interviews “I haven’t seen’ em.”

Id. Clearly, the grand jury proceedings were inaccurate, incomplete, and misleading. The AG’s attempt to conceal or misstate what happened in that proceeding is the issue before this Body. AG Cameron fails to realize that the shortcomings were not solely in what was presented but as importantly in the lies that were told about what charges were presented, against whom, and who ultimately made those charging decisions. In his Response Cameron points out that the jurors and their counsel have stated that a “plethora” of information was presented. What the AG

continues to narrowly, yet artfully, dodge is the fact that he orchestrated the matter in order to provide cover for his intended result.

The Attorney General eloquently spoke about the grand jury presentation in his prepared remarks on 9/23/2020 in front of local and national media. AG Cameron may have believed what he was saying to be true but that does not render it any less false. He never anticipated that three of the citizens of the grand jury would take their role so seriously. He did not expect their integrity to be so pure. He did not envision that they would step forward to point out his factual errors. Instead of embodying his true role as the AG and following the duties of his office, he blames the grand jurors. In so doing, he has committed Official Misconduct, an impeachable offense.

V. CAMERON'S ATTACK ON VOTERS FROM OTHER STATES IS UNCONSTITUTIONAL

AG Cameron abused the public trust and public monies when he improperly joined foreign litigation solely to suppress a sister state's lawful vote. How this simple Article of Impeachment is "unintelligible" is a matter known only to counsel for the AG. (Response, p.17.) Filing briefs attacking an election outside of Kentucky is unconstitutional because the United States Supreme Court just so ruled in *Texas v Pennsylvania*. It is an impeachable offense because it is a clear dereliction of duty which exposes Kentucky's own elections to challenges from all other states.

AG Cameron contends that his conduct does not amount to an offense. Petitioners would show this body that KRS 522.020 "Official Misconduct in the First Degree" is a Class A Misdemeanor, occurring when a public servant knowingly "(a) Commits an act relating to his office which constitutes an unauthorized exercise of his official functions."

Further, KRS 522.050 “Abuse of Public Trust” makes it a felony offense in this Commonwealth for a public servant such as AG Cameron who is entrusted with public monies to use those funds other than as required by the duties of the office. KRS 522.020 “Official Misconduct in the First Degree” is a Class A Misdemeanor, occurring when a public servant knowingly (a) Commits an act relating to his office which constitutes an unauthorized exercise of his official functions.

At p. 19 and 22 of the Response, AG Cameron admits that that he used state funds, state lawyers paid with taxpayer dollars, and the reputation of this Commonwealth, in furtherance of his scheme to file briefs in frivolous lawsuits attempting to deprive voters of their lawful rights in Pennsylvania.

Cameron’s argument to this Committee is that only “Democrats” would ever object to his attack on another state’s election results. This is nonsense. Prominent Republican office holders and conservative legal scholars filed an *amicus* brief in *Texas v Pennsylvania* calling such attacks “a mockery of Federalism” which “would violate the most fundamental Constitutional principles.”

Perhaps Cameron was thinking of this litigation being described as a “mockery” when he hurled that epithet at the brave Petitioners. But the lesson is actually a very simple one: “ELECTION DISPUTES ARE A CONTROVERSY WITHIN ONE STATE, NOT BETWEEN TWO OR MORE STATES.” See *amicus* brief excerpt, Exhibit 1.

Cameron attacked the voters of a sister state. That is without a doubt an “unauthorized exercise of his official functions,” as forbidden by 525.020, *supra*. Interestingly, Cameron admits to filing two (2) such attacks, but hastens to add that he refrained from joining the *Texas v Pennsylvania* case, perhaps realizing that the disenfranchisement of some 20 million Americans

might cause some backlash. But whether he filed three such actions or only two before he decided to stop, the point is the same: Each of the filings is a clear breach of KRS 525.020.

Cameron next actually claims that Kentucky's General Assembly "wants" him to attack voters in foreign jurisdictions. AG's Response, p. 24. Obviously Cameron's unconstitutional attack on voters and "mockery" of federalism is not something anyone should defend. This Committee can only imagine how horrified the voters in Kentucky would be if the Attorney General from Pennsylvania came here to try to take away our voters' rights.

AG Cameron had no authority to waste state funds in such a manner, particularly at a time when Kentucky faces a funding crisis, our children struggle with food insecurity and our families fear unemployment and inability to pay for adequate housing. The power of the Office of Attorney General encompasses addressing such ills, and the time of staff and the state coffers should have been used in that manner. Cameron's unlawful exercise of his official functions has caused great harm and he can offer not a single exculpatory fact in his defense. It is, therefore, an impeachable offense.

VI. CAMERON FAILED IN RAGA BOARD OVERSIGHT

As a member of the Executive Committee for RAGA, AG Cameron had a fiduciary duty to oversee the activities of the organization, including its policy arm RLDF, and the activities of staff. The RAGA website lists "News" on January 5, 2021, that states that RAGA Republican attorneys general across the country are gearing up an initiative to undercut the liberal agenda of the Biden-Harris administration. Quoting Executive Director Adam Piper, they say it will be the last line of defense against massive government overreach. "If we lose the Senate, we are not the last line of defense; we are the only line of defense."

RAGA Director Adam Piper, Cameron's alibi witness, reportedly spent the evening of January 5th planning the Capitol march, along with disgraced General Mike Flynn, Donald Trump Jr., and other top ranking Trump advisors. See: *Tuberville and RAGA Now Directly Implicated in Trump's Coup*, Amee Vanderpool, shero.substack.com, 1/27/21. AG Cameron is one of only 9 Executives overseeing the RAGA organization, which has been implicated in recruiting rioters for the attacks on the Capitol on January 6, 2021. Following exposure of his role in this recruitment scandal, Piper resigned and claimed that neither RAGA nor the Rule of Law Defense Fund (RLDF) was involved with funding or planning the rally. The documents provided herewith to the I.C. prove otherwise. See: Exhibits 2 and 3, identifying RAGA as a "Coalition Partner" and RLDF as "Participating in the March to Save America."

In addition, AG Cameron's employee Adam Piper admits to encouraging the crowds to go to the Capitol, and even speaking to the crowd personally early in the day. RDLF admits it authorized the robocalls which asked "patriots" to "fight to protect the integrity of our elections" and was listed as a participating organization for the "March to Save America." (While the march's website has since been taken down, journalists and others have archived it.)

A corporate board has a duty to remain informed about the actions of the entity and its staff. RAGA's Board, and by extension, AG Cameron, either knew of the impending incitement of deadly harm, or did not engage in the required oversight and by that misfeasance and non-feasance, allowed actions that have resulted in multiple deaths and a million dollars in property damage.

AG Cameron is a member of the small (9 person) Executive Committee/Board of Directors for RAGA, the Republican Attorneys General Association. The duties of a Board of

Directors have commonalities across the nation. Under Kentucky law, statute defines the duties of Boards of Directors at KRS 271B.8-010 and other similar statutes, which states at subsection (2) “All corporate powers shall be exercised by or under the authority of, and the business and affairs of the corporation managed under the direction of, its board of directors, subject to any limitation set forth in the articles of incorporation.” All Boards are responsible for the operations of and actions of the entity they oversee. KRS 271B.8–300 does not abrogate common law fiduciary duty claims against directors in Kentucky but essentially codifies a standard of conduct and standard of liability for directors that is derived from business judgment rule principles. As it explicitly states, the statute requires a Board member to be responsible for actions taken, or not taken, in furtherance of the guidance provided to the entity. *Baptist Physicians Lexington, Inc. v. New Lexington Clinic*, 436 S.W.3d 189, 192 (Ky. 2014).

A comprehensive article on duties of Boards of Directors/Executive Committees for organizations recognized the basic duties of care, good faith, and supervision. Velasco, J. “How Many Fiduciary Duties are There in Corporate Law?” 83 So. Cal. L.Rev. 1231 (2010) Courts across the nation allow suits against Boards of Directors or Executive Committees for inattentiveness, failure to inform themselves of issues involving the entity, or failure to act to prevent harm caused by the entity. *Solution Trust v. 2100 Grand LLC (In re AWTR Liquidation Inc.)*, 548 B.R. 300 (Bankr. C.D. Cal. 2016).

A national treatise which establishes support for litigation shows that failure to be informed and failure to act to protect others is actionable negligence. See: Restatement of Torts, Section 315, “Duty to Control Conduct of Third Persons, General Principle” which provides as follows:

There is no duty so to control the conduct of a third person as to prevent him from causing physical harm to another unless (a) a special relation exists between the actor and the third person which imposes a duty upon the actor to control the third person's conduct, or (b) a special relation exists between the actor and the other which gives to the other a right to protection.

Id. The AG had a duty as a member of the Executive Committee to be informed about the activities of RAGA, Executive Director Piper, and the PAC. If, in fact, he did not exercise his duties of oversight, he is just as culpable as if he had. By failing to act to discover and stop the outrageous behaviors, he exposed hundreds of people, including elected officials and their hard working staff, to risk of injury or death.

The question of whether one individual owes another a duty to warn of impending criminal conduct must be interpreted in light of these Restatement provisions. *James v. Wilson*, 95 S.W.3d 875 (Ky. Ct. App. 2002). In the present case, the small RAGA Executive Committee were the only supervisory authority over the Executive Director and staff, and thus had a clear duty of supervision and oversight. In addition, AG Cameron, as the highest law enforcement official in the Commonwealth, had an express duty to uphold the law, not only in Kentucky, but nationwide. Permitting or allowing RLDF and/or Piper to encourage and support national criminal violations and commission of multiple felonies resulting in deaths, is as stark a violation of that duty as can be imagined.

CONCLUSION

For the foregoing reasons, Petitioners affirm their demand for the impeachment of Attorney General Cameron.

Respectfully submitted

/s/ Anna Stewart Whites /s/

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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing document was served electronically on Clerk of the House, Speaker Osborne and Minority Leader Jenkins, and on counsel for the Attorney General, Hon. Barry Dunn and Hon. Victor Maddox, 700 Capitol Avenue, Suite 118, Frankfort KY 40601 and Hon. Christopher Thacker, Billings Law Firm PLLC, 145 Constitution Street, Lexington KY 40507, this the 2nd day of February, 2021.

/s/ Anna Stewart Whites /s/

Attorney for Petitioners

EXHIBIT 1

Participating in the March to Save America

Web archive: 10:35 PM, Jan. 3

Stop the Steal

WildProtest.com

Turning Point Action

Rule of Law
Defense Fund

Phyllis Schlafly Eagles

Moms for America

Women for
America First

Tea Party Patriots

Peaceably Gather

Eighty Percent Coalition

Black Conservatives Fund

Contribute

web.archive.org/web/20210104185448/https://wildprotest.com/

EXHIBIT 2

Coalition Partners

Web archive: 6:36 AM, Jan. 3

Stop the Steal

WildProtest.com

Turning Point
USA Action

RAGA

Phyllis Schlafly Eagles

Moms for America

Eighty Percent Coalition

Tea Party Patriots

Peaceably Gather

Women for America First

EXHIBIT 3

No. 22O155

IN THE
Supreme Court of the United States

STATE OF TEXAS,
Plaintiff,
v.

COMMONWEALTH OF PENNSYLVANIA, *ET AL.*,
Defendants.

On Motion for Leave to File a Bill of Complaint and Motion for Expedited
Consideration and for Emergency Injunctive Relief or Stay

**MOTION FOR LEAVE TO FILE AND BRIEF OF
CARTER PHILLIPS, STUART GERSON, JOHN DANFORTH,
CHRISTINE TODD WHITMAN, LOWELL WEICKER, *ET AL.*,
AS *AMICI CURIAE* IN SUPPORT OF DEFENDANTS AND
IN OPPOSITION TO (1) MOTION FOR LEAVE TO FILE BILL OF
COMPLAINT AND (2) MOTION FOR PRELIMINARY
INJUNCTION AND TEMPORARY RESTRAINING ORDER OR,
ALTERNATIVELY, FOR STAY AND ADMINISTRATIVE STAY**

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December 9, 2020

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