



Santa Clara County DEMOCRATIC PARTY

2901 Moorpark Avenue, Suite 110, San Jose, CA 95128

Volunteer: 408-455-9500 or volunteer@sccdpc.org

REGISTER and VOTE BY MAIL

May 2, 2018

Via email: eak@svlg.com

Ed Kraus
Silicon Valley Law Group
1 N Market St, Suite 200
San Jose, CA 95113

Re: Your May 1, 2018 Letter regarding Pierluigi Oliverio

Dear Mr. Kraus,

Your letter dated May 1, 2018 raises a number of objections to the Santa Clara County Democratic Central Committee (SCCDCC) considering a proposed emergency resolution concerning Mr. Oliverio. Specifically, your letter asserts the resolution may not be considered by the SCCDCC because the resolution is outside the purpose of the SCCDCC as stated in its bylaws, would violate timing and notice requirements for legislation in Article X.F. of our bylaws, and would have the effect of sanctioning Mr. Oliverio as a Member of the SCCDCC without satisfying the procedural requirements of Article VIII of our bylaws.

As to our purpose, the SCCDCC is the governing body of the Santa Clara County Democratic Party. We organize and direct Democratic Party activities in Santa Clara County and have full authority to engage in any activity a political party may lawfully undertake. Expressing an opinion about an elected official and/or candidate is within the scope of our authority and purpose, including the broad purposes stated in our bylaws. As Mr. Oliverio knows, we do not support the candidacy of all Democrats in races in which we have made an endorsement, and in the race for Santa Clara County Supervisor, District 4, we have endorsed Democratic candidates other than Mr. Oliverio.

As to Article X.F., emergency resolutions are governed by the applicable portions of Article XI, which expressly exempts emergency resolutions from being treated as legislation. The "emergency legislation" referred to in Article X.F. is different than an emergency resolution.

Article VIII provides for sanction and removal of Members and Officers of the SCCDCC. The proposed resolution regarding Mr. Oliverio makes no mention of his status as a Member of the SCCDCC and would not affect his rights and privileges as a Member. Therefore, the resolution if adopted would

not sanction Mr. Oliverio in his capacity as a Member and is not subject to the notice and process requirements of Article VIII.

If Mr. Oliverio believes members of the SCCDCC should hear from anyone before taking action at the meeting, he is welcome to invite speakers on his behalf to be present to testify at the appropriate time.

At our meeting on Thursday I will note the objections you've raised on Mr. Oliverio's behalf and my responses above. However, for the reasons stated I consider a motion to take up the resolution as an emergency resolution to be in order.

Sincerely,

A handwritten signature in black ink that reads "Bill James". The signature is written in a cursive, slightly slanted style.

Bill James

Chair, Santa Clara County Democratic Party