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## Response to Letter: Robin L. Godfrey 5 March

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Ryan Frankenbergry WVDP <[REDACTED]>  
To: Ryan <[REDACTED]>

Fri, Mar 8, 2024 at 7:16 PM

Mr. Godfrey,

I am in receipt of [your letter and attachment from your client Mr. Hively](#) dated March 5, 2024.

The attachment **confirms your statement was false** regarding Chair Pushkin or the WVDP Board of Appeals alleged knowledge of your client's purported resignation.

Very clearly the email Mr. Hively created was **only** sent to Chase Jarrell **after** the start of the [WVDP BOA hearing of Powell v Hively](#) that began at 2:00 PM on February 16, 2024. **In no way does that action absolve your client of his actions since November 2022 or responsibilities in complying with the Decision of the WVDP BOA.**

Additionally, even if your client attempted a resignation - at any time - to escape charges with the grievance already pending the Board of Appeals, the BOA is not required to accept the resignation per Robert's Rules.

Furthermore, the [Decision of the WVDP BOA](#) ordered specifically **"that Hively turn over all WVYD records and accounts of WVYD to include banking, social media, postal, etc., and the WVSDEC is authorized to take legal action should Hively fail to comply."**

WVDP is aware that Mr. Hively has attempted to avoid this order by communicating with Mr. Jarrell on or about Sunday, February 25, three days after the continuation of the [WVDP BOA Ghearing of Powell v. Hively on February 22](#), in which the final decision was noticed and [clicked by Mr. Hively on February 22 at 12:37 PM](#).

Mr. Jarrell has not been able to provide any access to the Google Workspace, social media sites, or post office box. Mr. Jarrell communicated that the client transferred ownership of the WIX website, but he has "only accessed the WIX account to accept the transfer."

The WVYD website at <https://wvyoungdems.org/> has been removed and currently shows a WIX landing page, indicating the website was removed by someone.

Finally, Mr. Jarrell has communicated that your client requested he be removed from the WVYD United Bank account and the WVYD ActBlue account.

He indicated that he has not been able to make banking changes due to personal circumstances. WVDP's ActBlue contact has contacted me to notify that WVYD's account had been suspended for failing to migrate to a new processing system known as Stripe.

Mr. Jarrell has indicated the actual current United Bank balance is significantly different from the last campaign finance report filed for 2023 Q3. In that report the account balance is stated as \$4,293.60. The actual amount is \$2626.53. Mr. Jarrell indicated that the 2023 Q4 report was not filed due to concerns with discrepancies of past reports and also indicated the WVSOS Campaign Finance staff had been consulted. A full audit will be conducted as ordered by the WVDP BOA in order to ensure compliance with the WVSOS and to account for expenditures made while Mr. Hively was purporting to be WYD President.

Per the [Decision of the WVDP BOA](#), WVDP will continue making a good faith effort with Mr. Jarrell to obtain the bank records and funds as ordered.

This tracked email serves as a **final request** of your client to show good faith and provide the ordered "WVYD records and accounts of WVYD to include banking, social media, postal, etc." by next friday, March 15, two weeks past the original deadline.

Failure to make a good faith effort may require the WVSDEC to take legal action should Hively fail to comply.

This email has been sent:

TO: Robin L. Godfrey

Jacob Hively

CC: Mike Pushkin, WVDP Chair

Teresa Toriseva, WVDP 1st Vice Chair

Sam Petsonk, WVDP 2nd Vice Chair  
Nick Casey, WVDP Treasurer  
WVDP Board of Appeals

Sincerely,

Ryan Frankenberry  
Executive Director - WVDP  
304-932-7020  
[Schedule time](#)  
[Support WVDP](#)

On Fri, Mar 1, 2024 at 4:40 PM Ryan Frankenberry WVDP <[REDACTED]> wrote:  
March 1, 2024

TO: Robin L. Godfrey  
Jacob Hively  
CC: Mike Pushkin, WVDP Chair  
Teresa Toriseva, WVDP 1st Vice Chair  
Sam Petsonk, WVDP 2nd Vice Chair  
Nick Casey, WVDP Treasurer  
WVDP Board of Appeals

Mr. Godfrey,

Chair Pushkin is in [receipt of your letter dated February 28, 2024 \(LINK\)](#).

Your statement, "As you know, Mr Hively resigned his position with the WV Young Democrats," is inaccurate.

At no point and by no means since the grievance was filed and in Mr. Hively's possession on January 8, 2024, has Mr. Hively communicated with Chair Pushkin, myself, or the WVDP Board of Appeals.

[Numerous documented communications](#) were sent to Mr. Hively, including tracked emails and three certified letters. Mr. Hively refused to respond to multiple requests for information and refused to provide a response or attend the WVDP BOA Hearing.

The full [Decision of the WVDP Board of Appeals re: Powell v. Hively](#) may be reviewed at this link:  
<https://drive.google.com/file/d/1qaT4dQ7Z0ZbV36MRmkk8kj4uU9EkGOy/view?usp=sharing>

**Please provide verified documentation of Mr. Hively's purported resignation shared with Chair Pushkin, the WVDP Board of Appeals, and/or the WVSDEC prior to the decision of the WVDP BOA on February 22, 2024.**

Sincerely,

Ryan Frankenberry  
Executive Director  
WV Democratic Party  
304-932-7020  
[Schedule time](#)  
[Support WVDP](#)