

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**LIBERTARIAN NATIONAL COMMITTEE,
INC.,**

Plaintiff,

v.

**LIBERTARIAN PARTY OF NEW MEXICO,
CHRIS LUCHINI, LAURA BURROWS, PAUL
MCKENNEY, FREDERICK SNOY, and JAMES
WERNICKE,**

Defendants.

CIVIL ACTION NO.:

1:26-cv-1562

JURY TRIAL DEMANDED

DECLARATION OF EVAN MCMAHON

Under 28 U.S.C. §1746, I, Evan McMahon declare as follows, under penalty of perjury:

1. I am the National Chair for the Libertarian National Committee, Inc. (LNC) and national Libertarian Party (NLP).
2. The LNC is the governing arm of the Libertarian Party, the third largest political party in the United States.
3. The LNC owns and maintains a federal registration for the trademark “Libertarian Party” (the “Trademark”). Doc. 1-1 is a true and correct copy of the Trademark registration. Doc. 1-2 is a true and correct copy of the Trademark Status and Document Retrieval results from the USPTO for the Trademark registration.
4. The LNC currently uses the Trademark in commerce. Doc. 1-5 is a true and correct screenshot of the Libertarian Party homepage.
5. The LNC (and its predecessors in interest) has, continuously over the last fifty-two years, supported the NLP in running Presidential candidates and actively running candidates in multiple elections throughout the entire United States, and spent significant sums on national,

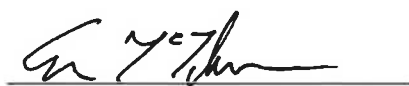
statewide and local political advertising supporting NLP candidates and policies and otherwise supporting the interests of the NLP, all under its “Libertarian Party” Trademark.

6. Despite having the legal right to use the Trademark, the LNC’s current affiliate in New Mexico was forced to register as the “Free New Mexico Party,” and the LNC was forced to spend \$45,000 on ballot access and the LNC’s New Mexico affiliate and the LNC were deprived of the benefit of its Trademark in New Mexico. Doc. 1-11 is a true and correct copy of the letter from the New Mexico Secretary of State, July 3, 2024.

7. The LNC sent or caused to be sent multiple cease and desist letters to the LPNM and its officers demanding that it immediately cease use of the Trademark. Doc. 1-20-23 are true and correct copies of the cease and desist letters dated October 4, 2022, July 9, 2023, September 26, 2025, and May 8, 2026.

8. The Libertarian Party of New Mexico and its officers continue their unauthorized use of the Trademark, in connection with the same services and via the same channels as the LNC’s use, including on websites, social media accounts, on documents online and at local meetings and events, etc. Defendants’ unauthorized use will result in continued confusion amongst voters, candidates and prospective candidates, activists, and others about the affiliation of the Libertarian Party of New Mexico and the source of its political party services- particularly given the upcoming election. This confusion is only compounded by the LPNM’s formal affiliation with a competing national political party, the Liberal Party.

Executed on 05/26/2026

A handwritten signature in black ink, appearing to read "Evan McMahon", is written over a horizontal line.

Evan McMahon