

DNC Lawyers Argue DNC Has Right to Pick Candidates in Back Rooms, in Secret!

Attorneys claim the words 'impartial' and 'evenhanded'—as used in the DNC Charter—can't be interpreted by a court of law. DNC wants Silicon Valley billionaires to decide who can run for office!

By [Michael Sainato](#) •

•

On April 28 the [transcript](#) was released from the most [recent hearing](#) at a federal court in Fort Lauderdale, Fla., on the [lawsuit](#) filed on behalf of Bernie Sanders supporters against the Democratic National Committee and former DNC chair [Debbie Wasserman Schultz](#) for rigging the Democratic primaries for Hillary [Clinton](#). Throughout the hearing, lawyers representing the [DNC](#) and Debbie Wasserman Schultz double down on arguments confirming the disdain the Democratic establishment has toward [Bernie Sanders](#) supporters and any entity challenging the party's status quo.

Shortly into the hearing, DNC attorneys claim Article V, Section 4 of the DNC Charter—stipulating that the DNC chair and their staff must ensure [neutrality](#) in the Democratic presidential primaries—is “a discretionary rule that it didn't need to adopt to begin with.” Based on this assumption, [DNC](#) attorneys assert that the court cannot interpret, claim, or rule on anything associated with whether the [DNC](#) remains neutral in their presidential primaries.

The attorneys representing the [DNC](#) have previously argued that [Sanders](#) supporters knew the primaries were rigged, therefore annulling any potential accountability the DNC may have. In the latest hearing, they doubled down on this argument: “The Court would have to find that people who fervently supported [Bernie Sanders](#) and who purportedly didn’t know that this favoritism was going on would have not given to Mr. Sanders, to Senator [Sanders](#), if they had known that there was this purported favoritism.”

Jared Beck, the attorney representing Sanders supporters in the class action lawsuit, retorted that the [DNC](#) Charter is not akin to political rhetoric a politician would use during a campaign, but rather an inherent and important part of democracy in America. The entire argument of the [DNC](#) in this lawsuit is to conflate the promises of a political candidate with those of an election arbiter bound to neutrality by the DNC Charter, and to claim that fraudulent inducement cannot ever be proven as the [DNC](#) attorneys allege, “I think there’s an impossible showing of causation.”

“People paid money in reliance on the understanding that the primary elections for the Democratic nominee—nominating process in 2016 were fair and impartial,” Beck said. “And that’s not just a bedrock assumption that we would assume just by virtue of the fact that we live in a democracy, and we assume that our elections are run in a fair and impartial manner. But that’s what the Democratic National Committee’s own charter says. It says it in black and white. And they can’t deny that.” He added, “Not only is it in the charter, but it was stated over and over again in the media by the Democratic National Committee’s employees, including Congresswoman [Wassermann Schultz](#), that they were, in fact, acting in compliance with the charter. And they said it again and again, and we’ve cited several instances of that in the case.”

Later in the hearing, attorneys representing the [DNC](#) claim that the Democratic National Committee would be well within their rights to “go into back rooms like they used to and smoke cigars and pick the candidate that way.” By pushing the argument throughout the proceedings of this class action lawsuit, the [Democratic National Committee](#) is telling voters in a

court of law that they see no enforceable obligation in having to run a fair and impartial primary election.

The [DNC](#) attorneys even go so far as to argue that the words “impartial” and “evenhanded”—used in the [DNC](#) Charter—can’t be interpreted by a court of law. Beck retorted, “I’m shocked to hear that we can’t define what it means to be evenhanded and impartial. If that were the case, we couldn’t have courts. I mean, that’s what courts do every day, is decide disputes in an evenhanded and impartial manner.”

money, of course that's different. But here, where you have a party that's saying, We're gonna, you know, choose our standard bearer, and we're gonna follow these general rules of the road, which we are voluntarily deciding, we could have -- and we could have voluntarily decided that, Look, we're gonna go into back rooms like they used to and smoke cigars and pick the candidate that way. That's not the way it was done. But they could have. And that would have also been their right, and it

FRANCINE C. SALOPEK, OFFICIAL COURT REPORTER
(954) 769-5657

would drag the Court well into party politics, internal party politics to answer those questions.

Argument from DNC Attorney. US District Court

The judge then questioned the [DNC](#) lawyers about what the Democratic National Committee does and what it is responsible for—and the DNC lawyers had trouble answering these questions. “I’m 90 percent on that,” responded the [DNC](#) attorneys in response to a question as to whether the DNC funded State Primaries.

The judge ended the hearing by stating to both parties he would issue an written order on the [DNC’s](#) motion to dismiss the lawsuit, though no specific timeframe was given as to when that decision may be handed down. If the class action lawsuit moves forward, it would entail a discovery process that would open up the inner workings of the Democratic Primaries and force figures like [Wasserman Schultz](#) to testify in court on their actions and decisions during the Democratic Primaries.

- [SEE ALSO: Hearing Set for Class Action Lawsuit Against DNC](#)