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June 1, 2020

Mr. James A. Procnier, Trustee
Department of North Carolina
Membership #3201121439441

Mr. William B. Tate, III, Trustee
Department of North Carolina
Membership # 3202014170342

Ms. Lisa M. Comejo, Trustee
Department of North Carolina
Membership # 3204519978514

Dear Trustees:

As National Commander, I have, effective this date, suspended the charter of the Department of North Carolina. I am attaching a copy of my suspension letter for your review and reference.

Furthermore, in order to ensure the preservation of the Department's property and assets, as well as to accomplish proper and responsible oversight and guidance regarding the activities, financial affairs and business operations of the Department, I am placing the Department under trusteeship in accordance with the provisions of *Article 6, Section 6.4, Para. 2 of the National Bylaws*. It would be a great service to me, the National Organization and the Department, if each of you would accept this appointment as a Trustee for the Department of North Carolina.

In your capacity as Trustees, I am directing that you take all necessary action to protect and safeguard the Department's assets. This includes taking immediate possession and control of all real and personal property, financial records, meeting minutes, bank accounts, funds and investments of the Department and of any incorporated entities (Service Foundation).

In your role as Trustees, you should reorganize and restructure the Department in such a manner as will enable the Department to achieve and remain in compliance with the National, Department, and Chapter Bylaws, as well as the Regulations of the National Executive Committee.

As part of your oversight authority and responsibility as a Trustee of the Department, you are empowered to call and conduct Department meetings and to establish any necessary procedures and rules relative to the conduct of the same. You are authorized to establish a special Trustee Account or Accounts for the Department. You are also authorized to execute appropriate resolutions to change the authorized signatures on all current bank accounts and investments of the Department of North Carolina. In this regard, you are authorized to take immediate possession and control of such accounts and investments, as well as any other Department assets and property, whether titled or held in the name of Department or related entity. In the event you find it necessary to do so, this is your authority to contact any financial institution in which funds of the Department, or any of its affiliates, may be deposited or held and request that those accounts be transferred into your names, as Trustees, and/or frozen in accordance with *Article 6, Section 6.4, Para. 1(b) of the National Bylaws*. You are also authorized to expend any

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Department funds you deem necessary to carry out your duties as Trustees. Oversight of Department Employees shall also be controlled by you, as Trustees.

Insofar as any Department fundraising projects or financial activities are concerned, I am requesting the Trustees to conduct any necessary investigation of same and to take all necessary action to collect, safeguard and account for any income now due or hereafter realized from any such Department fundraising project or activity. In the event the Trustees feel it is not in the best interest of the Disabled American Veterans for any such Department fundraising projects or activities to continue, the Trustees are authorized to take all necessary action to immediately terminate same or any part thereof. Alternatively, the Trustees are authorized to permit the continuation of any fundraising activities they deem to be proper, with full oversight by the Trustees.

Your attention is also directed to my suspension and trusteeship letter of this date to the Department Commander, directing her and the membership of the Department to fully cooperate with you, as a Trustee, in every respect and to not interfere with the discharge of your trusteeship duties.

If you deem it necessary to consult with or engage the services of an attorney to assist in any legal matters or proceedings related to the trusteeship or any of the business affairs and operations of the Department, prior written approval from National Headquarters must be obtained. Furthermore, as outlined in *Article 6, Section 6.4, Para. 2 of the National Bylaws*, all acts and actions of the trusteeship shall be subject to the approval or disapproval of the National Commander.

I have delegated the supervision of your activities, as a Trustee, during the period of suspension to National Adjutant J. Marc Burgess and Inspector General Edward E. Hartman. If you have any questions or problems during your tenure as Trustee, you may contact either Mr. Burgess or Mr. Hartman at DAV National Headquarters (859) 442-1020.

I sincerely appreciate your cooperation and assistance in this matter.

Sincerely,



STEPHEN WHITEHEAD
National Commander

SW:kgb
Enclosure

c: Linda S. Gibson, Commander
Department of North Carolina

Levon Cherry, Sr. Vice Commander
Department of North Carolina

Walter McNeil, Treasurer
Department of North Carolina

Thomas Walls
9th District NEC