

**IN THE COURT OF COMMON PLEAS
DELAWARE COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION**

In Re: Residuary Trust Under Will
of George L. Pennock for the Benefit
of the Prohibition Party

No. 114-1937

AFFIDAVIT OF DONALD W. WEBB

STATE OF ALABAMA)
)SS
COUNTY OF SUMTER)

Donald W. Webb, being first duly sworn, deposes and says:

1. I am a member of the Prohibition National Committee (PNC), from Alabama, and have been a member since 1995. I was elected to and began serving on the Executive Committee in 1999.

2. Issues with Mr. Dodge’s lack of satisfactory accountability go back at least to the 1983-1993 era of former PNC Treasurer Earl Higginson. When I became a PNC member in 1995, this was not long after he had resigned. He told me that he had resigned based on legal advice to not be Treasurer in an organization with lack of accountability (his affidavit provides details). I too became concerned and began working with others to seek reform in the shape of satisfactory answers.

3. Some of the issues giving rise to some members' dissatisfaction, including mine, with Defendant Earl F. Dodge included issues such as: (a) the selling of the office building used by the PNC, (b) his not providing me satisfactory explanation of PNC expenditures despite repeated requests, and (c) his not permitting new state affiliates to join the PNC, e.g., Florida, Indiana, and Tennessee, thus obstructing promoting the organization. I feel this behavior by Mr. Dodge was contrary to what Mr. Pennock desired.

4. We answer-seeking delegates at the 1999 Quadrennial Convention came close, within one vote, of defeating Mr. Dodge in 1999 and replacing him as our nominee with Gary Van Horn. I feel

Mr. Dodge thus deemed Mr. Van Horn a threat to his re-election and that such personal reason is the real reason that Mr. Dodge did not notify him in June 2003. It appears that Mr. Dodge could see the handwriting on the wall for 2003, and anticipated being not selected in 2003 unless he could obstruct the process including by excluding everyone not loyal to him personally.

5. The PNC dates from 1869 and historically has been unincorporated. Our Bylaws (Bank Petition Exhibit B, P.052-P.054) date from 1957 and do not contemplate or provide for incorporation. I am familiar with said Bylaws, and our Convention Rules, and past practice, whereby PNC/Prohibition Party members and supporters are invited to attend our Quadrennial Conventions.

6. Despite my years as a member, I did not receive notice from Mr. Earl F. Dodge to attend the meetings at issue in this litigation, the June 2003 meetings. Instead of respecting my membership, Mr. Dodge, in conjunction with Mr. James Partain, told me that I would not be allowed to participate. (Exhibit 1). I protested to no avail.

7. In reaction to being excluded in June 2003, I learned that other members had also not been properly notified pursuant to past practice. In further reaction, I (in caution, as I did not believe that the June 2003 meetings in Dodge's home and church were valid and thus believed that the valid quadrennial meetings were due) began circulating information on what had happened and including a Petition (Exhibit 2) under the Bylaws ten-signature rule to convene the requisite 2003 meetings pursuant to our Bylaws and Convention Rules.

8. My goal was to enable supporters of a valid convention to register their position. Some fifteen (15) members responded affirmatively. This significant number of responses occurred notwithstanding Mr. Dodge's obstruction tactics including refusal to provide satisfactory contact information, as alluded to in our Interrogatories.

9. My goal, and I believe the goal of all of us who signed and participated in the process, was

and is, to take control of the organization as any majority can, pursuant to long-standing American majority rule principles. I am utterly opposed to “organizing a different group,” and did absolutely nothing of the sort. The idea of even doing that did not enter my mind! Nobody in September 2003 made any motion to do such a thing.

10. I asked then Secretary Margaret S. Shickley to formally notify all PNC members of the meeting under the Bylaws ten-signature rule, however, she refused. (Exhibit 3).

11. After she refused, I sought support on this from the person whom Mr. Dodge said was Secretary, Leroy Pletten. Mr. Pletten agreed to look into the matter and verify what happened. Once he did, he supported the convening of the September 2003 meetings at issue in this litigation.

12. The members of what is called in the record the “Dodge group”(or the “Denver Prohibition National Committee, the incorporated group) were notified of and invited to attend the September 2003 meetings, but they did not attend. At the time, I felt that Mr. Dodge was violating his duty to participate and preside, and considered the refusal by what is now called the “Dodge group” to attend was a concerted action, a boycott, to obstruct the organization.

13. With further respect to the November 2004 accusations (Bank Petition Exhibit B, P.045-P.051) that we the majority in September 2003 “organized a different group,” I deem that accusation false. I agree with the view stated by Mr. George Ormsby, a long-time Committee member and Mr. Dodge’s former running mate for Vice-President, who in a letter to Mr. Dodge (Exhibit 4), informed him that our having followed the Bylaws ten-signature rule was “legal.”

14. I attended both the 1999 Prohibition National Convention and the 2001 biennial meeting. I heard nothing, no motion, no debate, no pre- or post-decision discussions, authorizing incorporation or even on the subject.

15. I have carefully read the June 2003 “Minutes” (Initial Petition Bank Exhibit B, P.057,

P.059) by the “Dodge group” and find in them no reference to incorporation status. I believe that if such an historic major change had occurred, it would have been prominently featured.

16. Although a member of the Executive Committee, I had not been included in any discussion, consulting, or vote to incorporate, if any occurred.

17. I am unaware that the “Dodge group” held a biennial meeting in 2005, but in contrast, and pursuant to the unincorporated PNC’s Bylaws, we of the historically unincorporated PNC held the requisite “biennial” meeting in June 2005, in Bedford, Pennsylvania.

18. Mr. Dodge’s incorporation actions were not authorized by me. I was never asked to vote on any incorporation of the PNC. I have thus never considered myself a member of an incorporated PNC; and in view of my keeping in touch with our other members, I know of nobody among us the majority who considers ourselves as anything other than the continuation of the historic 1869 group.

19. I am familiar with Mr. Dodge’s newsletter, *The National Statesman* (Bank Petition Exhibit B, P.021), which on page 1, column 1, says that Leroy J. Pletten was chosen Secretary at the June 2003 events convened by Mr. Dodge. The impression given was that Pletten’s term was no different than that of the others, i.e., four (4) years, the same as the others Dodge reported as having been elected.

20. At Mr. Dodge’s website, <http://www.prohibition.org/statesman-200306.pdf>, Mr. Dodge is still posting that June 2003 newsletter. This leaves the impression of this being still true.

21. I do not understand how Mr. Dodge can be consistent, and say Mr. Pletten was not elected in 2003, but that he and his supporters loyal to him personally were elected. I feel that it is an all or nothing situation; all were elected in June 2003, or none were.

22. I believe that the June 2003 meetings convened by Mr. Dodge were invalid meetings of the historic unincorporated group, thus I deny the validity of the elections of the people supposedly

elected at same.

23. The September 2003 meetings of the historic unincorporated group which I attended did elect Mr. Pletten as PNC Secretary.

24. In view of their record, we at the September 2003 meeting of the historic unincorporated group, did not re-elect the "Dodge group."

25. I am familiar with Mr. George Ormsby's letter informing Mr. Dodge that (a) the September 2003 meeting was valid under the Bylaws, and (b) he could not unilaterally oust Mr. Pletten. Mr. Ormsby is one of Mr. Dodge's former Vice-Presidential running mates.

26. Based upon my years of experience in the organization, I know most if not all the persons in both Mr. Dodge's new incorporated group, and our historic unincorporated group; and recognize that the latter significantly out-numbers the former notwithstanding the number of deaths since 2003.

Respectfully,

Donald W. Webb
P. O. Box 2
Emelle, AL 35459-0002
(601) 692-5156

Subscribed and sworn before me, this __th day of August, 2007, a Notary Public in and for Sumter County, Alabama

Exhibits:

1. Letter from Mr. Dodge
2. Petition Paperwork Pursuant to Bylaws
3. Letter to/from Ms. Shickley
4. Letter from Mr. Ormsby

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2. Petition Paperwork Pursuant to Bylaws
3. Letter to/from Ms. Shickley
4. Letter from Mr. Ormsby

VERIFICATION

I, Donald W. Webb, verify that the statements of fact contained in the foregoing Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that the statements made therein are subject to the penalties of 18 Pa. C. S. § 4904 relating to unsworn falsification to authorities.

Donald W. Webb

Dated: August ____, 2007

8401 18 Mile Road #29
Sterling Heights MI 48313-3042
(586) 739-8343

Re: Case No. 114-1937

13 August 2007

Clerk of Court
Orphans Court Division
Court of Common Pleas of Delaware County
201 W Front Street
Media PA 19063-2708

Dear Clerk of Court:

Enclosed for filing is an Affidavit.

Three sets of documents are enclosed:

- a. one original for the record
- b. one copy for the judge, and
- c. one copy (cover page only) for time-stamping and returning in the enclosed pre-addressed postage pre-paid envelope.

Thank you. Your assistance is appreciated.

Sincerely,

Leroy J. Pletten
Secretary
Prohibition National Committee
8401 18 Mile Road #29
Sterling Heights MI 48313-3042
(586) 739-8343

Enclosures:
3 sets of documents, a/s
and SASE

CERTIFICATE OF SERVICE

I hereby certify that on this date, 13 August 2007, I transmitted the enclosed Affidavit by Donald W. Webb, by hand carry or by at least first class mail, postage prepaid, upon the following:

Clerk of Court
Orphans Court Division
Court of Common Pleas of Delaware County
201 W Front St
Media, PA 19063-2708

Brian P. Flaherty or Chris Soriano, Esq.
Wolf, Block, Schorr, and Solis-Cohn LLP
1650 Arch Street, 22nd Floor
Philadelphia, PA 19103-2097

Bill W. Bodager, Esq.
Black, Stranick and Waterman, LLP
327 W. Front Street
Media, PA 19063-2340

By: _____
Leroy J. Pletten, Secretary,
Prohibition National Committee