ATTACHMENT 36

Statement on phone calls, Jan 8, 2019

At 1255, I received a call from Steve Mueller. He asked me if I was going to be conducting the meeting for Post 12162 on 14 Jan. I assured him that I would be conducting the meeting as the State appointed Committee Chairman, due to the post being placed in suspension. He asked if I was authorized or had the authority to negotiate a settlement with the post lawyer. I informed him that the VFW does not negotiate with post lawyers. He stated that if the State Commander, District 20 and Post 12162 could come to a settlement on this issue that things could get back to normal.

His reaction to hearing that there would be no negotiation was to state that there would be a class action law suit filed against the VFW by the members of Post 12162. He stated that he didn't follow the directive from the State Commander to turn over the post minutes because the members voted to go through the post lawyer on the matter and that he as commander of the post had to abide by the members (as he described as the Board of Directors) of the post.

He further stated that the State Commander needed to drop this petty issue and let the post (12162) get back to normal business. That if an agreement was reached, and things got back to normal, he would draw up an agreement about fund raising AORs for the posts in Atascosa County.

He also went on to say that if the Pleasanton post lost its charter that it would be hell on the Jourdanton and Poteet posts. I didn't ask him what he meant by that, I just listened to what he had to say. He then said that I needed to call the State Commander and tell her about the negotiation and that we could end all this with an agreement. I told him I would let her know what he had told me and hung up the phone.

At 1302, I called the State Commander and informed her about what Steve Mueller had told me. She informed me that there will be no negotiation.

At 1308, I called Steve Mueller back and let him know that the Department of Texas VFW does not negotiate with post lawyers. That Department follows the National Bylaws and that the post is bound by those bylaws also. He stated that the membership of Post 12162 had spoken and that they are going to go through the Post Lawyer. I let him know that the only thing the members could vote on at the meeting on 14 Jan was if they wanted to remain a post or surrender the charter. He stated that the franchise (his post, 12162) would be filing a class action law suit. He then stated that the State Commander should just drop all this because he is not a crook and no one is stealing any money. I told him that I would be at the Pleasanton Civic Center on the 14th for the meeting and said goodbye.

John E. Shipley
Commander, District 20 Texas VFW