

What's in a name?

or How the North East Tribe of the International Comanche Society, Inc became The Northeast Comanche Tribe, Inc.

The International Comanche Society (ICS) was created in 1973 to bring together like-minded owners of Piper Comanche aircraft in a social group dedicated to ensuring the preservation of their aircraft which were no longer being produced. To place the ICS on a firmer footing they filed Articles of Incorporation in the State of Kansas.

At a time near this incorporation a set of bylaws for the ICS was produced and adopted. Within these bylaws a section entitled "Article X – Tribes" describes the formation of regional "Tribes" within the ICS. The intent was to promote social interaction by members in each region and to provide local governing officers to direct this. One of these regions was the North East as defined by the FAA in their published Airport Facility Directory or AFD. This area comprised the states from Virginia, north to New York, the Atlantic coastal region, and further north through New England. ICS members living in these states were assigned to the North East Tribe of the ICS. Members of each ICS Tribe, by dint of their ICS membership, were subject to the bylaws and standing rules of the ICS, as were the elected officers of each Tribe.

All proceeded peacefully until a change in the US legal environment brought concerns of liability due to local Tribe activities being shared by the other, non-involved Tribes and the ICS as a whole. To avoid this liability risk, the ICS asked each US Tribe to incorporate as a wholly independent organization, severing all legal ties to the ICS. The US Tribes complied with this request and, in 1992, filed Articles of Incorporation, primarily in the State of Kansas. Thus the Northeast Comanche Tribe, Inc, was formed in September of 1992. By mutual agreement the ICS members living in the North East were considered to be members of the Northeast Comanche Tribe, Inc (NeCT). However, the ICS bylaws remained unchanged, continuing to describe the Tribe structure of Article X, and therefore continuing the existence of the North East Tribe of the ICS.

At some point the ICS, in order to solidify their control over the Tribes worldwide, suggested each Tribe adopt bylaws patterned on the ICS bylaws, and containing the defined responsibilities outlined in Article X of the ICS bylaws. Many Tribes did so, perhaps including the North East Tribe. Although present members, including some who were present in 1992, cannot recall voting to adopt bylaws for the North East Tribe, an unidentified printed copy of bylaws was found among old correspondence, and a newsletter report of a meeting where bylaws were approved has been produced. These presumed bylaws are entitled "International Comanche Society, Inc, By-laws of the North East Tribe".

As time went on elections were held for the NeCT officers following the ICS guidelines. The election results were reported to the ICS Secretary as required and made public through ICS communication channels. At the same time a corporate Annual Report was filed for the Northeast Comanche Tribe, Inc, with the Kansas Secretary of State, naming the elected North East officers as officers of the Northeast Comanche Tribe, Inc. People in the ICS leadership and Tribe members began referring to the ICS North East Tribe and the Northeast Comanche Tribe, Inc, as being one and the same thing. Eventually the incorporated NeCT was lost from current membership memory and the corporate annual reports failed to be filed in Kansas. A new group of elected officers became aware that this failure had resulted in the corporation losing its incorporated status. The elected officers then filed in Kansas for reinstatement,

which was granted, and filed an annual report for the current year, naming the elected officers as officers of the corporation. These annual reports have been filed in Kansas each year following, identifying the current NeCT officers each time.

Around 2016 the NeCT elected officers, to define the relationship between the ICS and NeCT, asked the ICS Board to explain the relationship of the two corporations. The reply from the ICS President, on behalf of the Board, was (to paraphrase) that “the Northeast Tribe is completely separate from the ICS. The ICS has no control of the internal operations of the Tribe.” This statement was later reaffirmed by the next ICS President in emails, speech, and *Comanche Flyer* articles.

In 2017 Av Shiloh, as a member of the ICS Board of Directors, accused the North East Tribe of failing to hold annual elections as required by the ICS bylaws. As a result, Shiloh and other Board members organized and conducted an election for the North East Tribe on the ICS website, using the ICS North East Tribe membership email contact list. All communications dealing with this election identified it as being for the North East Tribe of the ICS. Fully one third of the ICS recognized North East members either had no email address, had not updated their ICS email information, or had no access to the internet. The reaction to this condition was (again paraphrasing) “if they don’t have internet then they can’t vote.” At the close of this election the ICS Board, through it’s President, recognized Av Shiloh and his fellow slate members as the elected officers of the Northeast Comanche Tribe, Inc, substituting that title for the North East Tribe of the ICS.

In the summer of 2016 the election being held for the NeCT was suspended, at the demand of Av Shiloh, for “failure to follow our own published election process.” In that election Shiloh was a self-nominated candidate for Tribe Chief, Tribe Rep, and Scribe. His contention was that the refusal to include an elected position of Tribe Rep (not previously separated from the Tribe Chief) and that Peter Morse, controller of the website and receiver of all website cast ballots, should not be allowed to count the ballots for his own contested position, constituted a breach of the election process. The NeCT Board agreed and suspended the election. The Board named a three-person Election Committee to oversee a continuation of the election. Bill Cunniff, as Chair, designed a process for a paper ballot election as requested by the Board. The team spent a number of months developing and confirming a mailing list from our known contact lists. A ballot form was prepared and mailed to that list, with a return-by date at least one month after the mailing in the Spring of 2017, and coinciding with the announced Tribe meeting at the August 2017 fly-in. In mid-September the returned ballots were collected from the Vermont Post Office Box and delivered to the Corporate address Post Office in Putnam CT. The ballots were then carried to Danielson Airport (LZD), sorted by identifying ballot number, and the votes recorded by two independent counters. The voting reelected the current NeCT officers, with Shiloh failing for Tribe Chief by a 91% to 9% margin. These results were communicated to the Tribe by posting on the website and in future email communications. This same election process has been repeated in the years 2019 and 2020, with uncontested slates each time. In the years following, the NeCT returned to a show of hands vote at an AGM announced for the designated fly-in. In each case the slate was uncontested.

Shiloh continued to hold elections for the North East Tribe of the ICS, contacting only North East ICS members who had email access, and with the support of the ICS Board of Directors. He was again elected as Tribe Chief. In 2019 Shiloh produced an “edited and updated” version of the so called “1998 bylaws” to be voted on by the Tribe members. The “update” included a

name change from “International Comanche Society, Inc, By-Laws of the North East Tribe” to “Northeast Comanche Tribe, Inc, a Tribe of the International Comanche Society, Incorporated.” Article II of these new bylaws define them as being for the “Corporation known as Northeast Comanche Tribe, Inc., subject to the International Comanche Society, Inc.” Article III defines ICS membership as being required. Article IV “Council and Officers” expands ICS controls of Tribe operations. A “Special Voting”, conducted as detailed in the ICS bylaws, was held for the ICS North East Tribe members and the 1992 bylaws approved. The ICS Board again verified the results of this voting, referring to Shiloh as the Chief of the now-renamed Northeast Comanche Tribe, Inc. No mention or correction was made to include the “ .. a Tribe of the International Comanche Society, Incorporated” portion of the bylaws title.

The officers of the NeCT (Stumpf et al) continued to conduct Tribe business, holding elections and filing Annual Reports with the Kansas Secretary of State. On August 7, 2020, Av Shiloh, through an attorney, filed a lawsuit in the Eighteenth Judicial District, District Court, Sedgwick County, Kansas Civil Department, asking the Court to determine who are the true officers of the Northeast Comanche Tribe, Inc. This case, with numerous delays and demands for supporting documents, is still awaiting resolution. It should be noted that the litigants are listed as “The Northeast Comanche Tribe, Inc.” and Avraham Shiloh as Plaintiffs, and Christine Stumpf, Ronald Ward, Peter Morse and Malcolm Dickinson (Tribe officers) individually as Defendants. (Shiloh was earlier rebuked by the Court for listing the “The Northeast Comanche Tribe, Inc.” as both Plaintiff and Defendant, hence the specification of four individuals as Defendants). Both sides have offered and rejected terms for settlement and are now working through discovery demands. A trial date has been set for four days in July 2024.

All of this comes down to a simple question: are the two organizations one and the same, as many people refer to them? Or are the North East Tribe (by whatever name) as part of the ICS, Inc, and the Northeast Comanche Tribe, Inc, two wholly separate Kansas entities, having no legal right to control the operations of the other organization as has been confirmed numerous times by the ICS leadership?

Names matter. They cannot be changed at will to suit the purposes of the party using the name.

Peter Morse

June 19, 2023