

Election Settlement Challenged by Board Members as Counsel Calls Dispute Internal

After mediation resolved the Democratic Party's 2026 primary lawsuit, several Board of Elections members reportedly argued Chair Raymond Williams signed the agreement without board approval, while board counsel said the settlement remains unaffected.

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The mediated settlement in a dispute between the Democratic Party of the Virgin Islands and various elections officials was challenged by several members of the Board of Elections, but counsel for the Board shrugged it off as an inconsequential internal dispute.

Earlier this month, the Democratic Party [alleged in a lawsuit](#) that the Election System of the Virgin Islands was moving forward with this year's primary election without taking into account

the party's submitted plan. This, the civil complaint argued, was in contravention of current elections law. Elections Supervisor Caroline Fawkes, and Board of Elections chair Raymond Williams were named as defendants in their official capacities, along with ESVI as an organization.

In the face of an emergency motion for a preliminary injunction against ESVI, Chief Judge Robert Molloy [ordered the parties into mediation](#) ahead of the injunction heading on Wednesday of this week. U.S. Magistrate Emile Henderson III, the mediator, subsequently reported that the conflict had been completely resolved.

However, several members of the Virgin Islands Board of Elections have reportedly raised serious objections to the mediation settlement. Attorneys for the Democratic Party filed an emergency motion on Friday requesting an immediate status conference be conducted. They had received emails from board members, they say, suggesting that Mr. Williams had signed the mediation settlement agreement "without authority and approval of the Board." As such, said settlement was invalid or illegal, the emails reportedly argued.

Further, the motion reported that communication with board counsel Ariel Smith revealed her opinion that while Mr. Williams was sued in his official capacity as chair of the board, "the Board of Elections was not sued." This, the Democratic Party believes, suggests "an anticipatory breach of the MSA, to which the Board was a party."

For her part, counsel for the Board of Elections pushed back on the request for a conference, noting that the settlement agreement does not stipulate that any action must be taken by the Board, and thus there is nothing that threatens the execution of the agreement as it stands. "All actionable items contemplated under the Settlement were approved by Caroline F. Fawkes in her capacity as Supervisor of Elections and as the representative for the Elections System," Ms. Smith argued in opposition to the emergency motion.

"The concerns raised by Board members which were (inappropriately) communicated directly to Plaintiff's counsel...are a matter of internal Board discussion...and not the subject of any case or controversy that would require intervention by this Court," Ms. Smith declared.

The court has not yet responded to the emergency request.