

FILED
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Clerk of Circuit Court
Waukesha County
2024CV001353

STATE OF WISCONSIN CIRCUIT COURT WAUKESHA COUNTY
BRANCH 10

ARDIS CERNY,

Petitioner,

v.

Case No. 24-CV-1353

WISCONSIN ELECTIONS COMMISSION, et al.,

Respondents.

**ANSWER AND DEFENSES TO PETITION FOR WRIT OF
MANDAMUS AND DECLARATION CONSTRUING STATUTES**

Respondents Wisconsin Elections Commission, Marge Bostelmann, Ann S. Jacobs, Don M. Millis, Carrie Riepl, Robert F. Spindell, Jr., Mark L. Thomsen, and Meagan Wolfe (collectively, "Respondents"), by their undersigned legal counsel, respond to the petition for writ of mandamus and declaration construing statutes, (Doc. 10), as follows:

Response to unnumbered paragraph on page 1 of the petition:

Respondents admit that Petitioner, by her attorneys, petitions this Court for a writ of mandamus and declaratory judgment. Respondents deny that Petitioner is entitled to any of the requested relief.

I. PARTIES

1. Respondents admit that Petitioner is a registered voter of the City of Pewaukee and lack knowledge or information sufficient to form a belief as to the remaining allegations in paragraph 1.

2. Respondents admit that the Wisconsin Elections Commission (WEC) is a state agency. The remaining allegations in paragraph 2 are legal conclusions to which no response is required. To the extent that the remaining allegations in paragraph 2 misstate the law or contain factual allegations, they are denied.

3. Respondents admit the allegations in the first sentence of paragraph 3. The allegations in the second sentence of paragraph 3 are legal conclusions to which no response is required. To the extent that the second sentence of paragraph 3 misstates the law or contains factual allegations, it is denied.

4. Respondents admit the allegations in paragraph 4.

5. Respondents admit that the Wisconsin Department of Transportation (DOT) is a state agency and that the Division of Motor Vehicles (DMV) in DOT is a division of a state agency. The remaining allegations in paragraph 5 are legal conclusions to which no response is required. To the extent that the remaining allegations in paragraph 5 misstate the law or contain factual allegations, they are denied.

6. Respondents admit the allegations in paragraph 6.

II. INTRODUCTION

A. Requirements for writ of mandamus and declaratory judgment.

7. Respondents admit that Petitioner seeks a writ of mandamus and deny that Petitioner is entitled to the relief requested. The remaining allegations in paragraph 7 are legal conclusions to which no response is required. To the extent that the remaining allegations in paragraph 7 misstate the law or contain factual allegations, they are denied.

8. Respondents admit that section III of the petition attempts to address the first, third, and fourth elements for a writ of mandamus and deny that Petitioner is entitled to any of the requested relief. The remaining allegations in paragraph 8 are legal conclusions to which no response is required. To the extent that the remaining allegations in paragraph 8 misstate the law or contain factual allegations, they are denied.

9. Respondents deny the allegations in paragraph 9.

10. Respondents admit that sections IV and V of the petition attempt to address the second element for a writ of mandamus and deny that Petitioner is entitled to any of the requested relief. Respondents lack knowledge or information sufficient to form a belief as to the remaining allegations in paragraph 10.

11. Respondents deny the allegations in paragraph 11.

12. Respondents deny the allegations in paragraph 12.

B. Respondents' duties to verify accuracy of citizenship information provided by applicants for the purpose of voter registration.

13. The allegations in paragraph 13 are legal conclusions to which no response is required. To the extent that the allegations in paragraph 13 misstate the law or contain factual allegations, they are denied.

14. The allegations in paragraph 14 are legal conclusions to which no response is required. To the extent that the allegations in paragraph 14 misstate the law or contain factual allegations, they are denied.

15. The allegations in paragraph 15 are legal conclusions to which no response is required. To the extent that paragraph 15 misstates the law or contains factual allegations, it is denied.

16. The allegations in paragraph 16 are legal conclusions to which no response is required. To the extent that paragraph 16 misstates the law or contains factual allegations, it is denied.

17. The allegations in paragraph 17 are legal conclusions to which no response is required. To the extent that paragraph 17 misstates the law or contains factual allegations, it is denied.

18. The allegations in paragraph 18 are legal conclusions to which no response is required. To the extent that paragraph 18 misstates the law or contains factual allegations, it is denied.

19. The allegations in paragraph 19 are legal conclusions to which no response is required. To the extent that paragraph 19 misstates the law or contains factual allegations, it is denied.

20. The allegations in paragraph 20 are legal conclusions to which no response is required. To the extent that paragraph 20 misstates the law or contains factual allegations, it is denied.

C. Respondents' failures to verify accuracy of citizenship information provided by registration applicants and to perform other duties.

21. Respondents deny the allegations in paragraph 21.

22. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 22.

23. Respondents affirmatively allege that Exhibit C speaks for itself and deny the allegations in paragraph 23 to the extent, if at all, they are inconsistent with that document.

24. Respondents affirmatively allege that Exhibit D speaks for itself and deny the allegations in paragraph 24 to the extent, if at all, they are inconsistent with that document.

25. Respondents affirmatively allege that Exhibit E speaks for itself and deny the allegations in paragraph 25 to the extent, if at all, they are inconsistent with that document.

26. Respondents affirmatively allege that Exhibit F speaks for itself and deny the allegations in paragraph 26 to the extent, if at all, they are inconsistent with that document.

27. Respondents affirmatively allege that Exhibit G speaks for itself and deny the allegations in paragraph 27 to the extent, if at all, they are inconsistent with that document.

28. Respondents affirmatively allege that Exhibit H speaks for itself and deny the allegations in paragraph 28 to the extent, if at all, they are inconsistent with that document.

29. Respondents admit that Petitioner seeks the relief requested in the petition and denies that Petitioner is entitled to any of the requested relief.

III. A WRIT IS ESSENTIAL TO PREVENT IRREPARABLE HARM CAUSED BY RESPONDENTS' FAILURE TO PERFORM THEIR DUTIES TO PREVENT ILLEGAL REGISTRATION AND VOTING BY NON-CITIZENS THAT VIOLATE AND CANCEL THE RIGHTS AND VOTES OF PETITIONER AND OTHER LEGALLY QUALIFIED AND REGISTERED ELECTORS WHO VOTE.

30. The allegations in paragraph 30 are legal conclusions to which no response is required. To the extent that paragraph 30 misstates the law or contains factual allegations, it is denied.

31. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 31.

32. The allegations in paragraph 32 are legal conclusions to which no response is required. To the extent that paragraph 32 misstates the law or contains factual allegations, it is denied.

33. The allegations in paragraph 33 are legal conclusions to which no response is required. To the extent that paragraph 33 misstates the law or contains factual allegations, it is denied.

34. The allegations in paragraph 34 are legal conclusions to which no response is required. To the extent that paragraph 34 misstates the law or contains factual allegations, it is denied.

35. The allegations in paragraph 36 are legal conclusions to which no response is required. To the extent that paragraph 36 misstates the law or contains factual allegations, it is denied.

36. The allegations in paragraph 36 are legal conclusions to which no response is required. To the extent that paragraph 36 misstates the law or contains factual allegations, it is denied.

37. The allegations in paragraph 37 are legal conclusions to which no response is required. To the extent that paragraph 37 misstates the law or contains factual allegations, it is denied.

38. The allegations in paragraph 38 are legal conclusions to which no response is required. To the extent that paragraph 38 misstates the law or contains factual allegations, it is denied.

39. The allegations in paragraph 39 are legal conclusions to which no response is required. To the extent that paragraph 39 misstates the law or contains factual allegations, it is denied.

40. Respondents deny the allegations in paragraph 40.

IV. RESPONDENT DOT IS PERFORMING ITS DUTY TO PROTECT CITIZENS' SUFFRAGE RIGHTS BY VERIFYING CITIZENSHIP OF APPLICANTS FOR IDENTIFICATION CARDS USED FOR VOTING.

41. The allegations in paragraph 41 are legal conclusions to which no response is required. To the extent that paragraph 41 misstates the law or contains factual allegations, it is denied.

42. The allegations in paragraph 42 are legal conclusions to which no response is required. To the extent that paragraph 42 misstates the law or contains factual allegations, it is denied.

43. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 43.

44. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 44.

45. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 45.

46. The allegations in paragraph 46 are legal conclusions to which no response is required. To the extent that paragraph 46 misstates the law or contains factual allegations, it is denied.

47. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 47.

48. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 48.

49. Respondents lack knowledge or information sufficient to form a belief as to the allegations in the first sentence of paragraph 49. The remaining allegations in paragraph 49 are legal conclusions to which no response is required. To the extent that the remaining allegations in paragraph 49 misstate the law or contains factual allegations, they are denied.

50. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 50.

51. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 51.

52. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 52.

53. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 53.

54. Respondents lack knowledge or information sufficient to form a belief as to the allegations in the first sentence of paragraph 54. The remaining allegations in paragraph 54 are legal conclusions to which no response is required. To the extent that the remaining allegations in paragraph 54 misstate the law or contains factual allegations, they are denied.

55. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 55.

56. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 56.

V. RESPONDENTS ARE FAILING THEIR CLEAR AND POSITIVE DUTIES TO PROTECT PETITIONER'S AND CITIZENS' SUFFRAGE RIGHTS.

A. "Positive and Plain" duties subject to mandamus.

57. The allegations in paragraph 57 are legal conclusions to which no response is required. To the extent that paragraph 57 misstates the law or contains factual allegations, it is denied.

58. The allegations in paragraph 58 state legal conclusions to which no response is required. To the extent paragraph 58 misstates the law or contains factual allegations, it is denied.

59. The allegations in paragraph 59 state legal conclusions to which no response is required. To the extent paragraph 59 misstates the law or contains factual allegations, it is denied.

60. The allegations in paragraph 60 state legal conclusions to which no response is required. To the extent paragraph 60 misstates the law or contains factual allegations, it is denied.

B. WEC is failing its duty to verify the citizenship certification of each voter registration applicant before adding her to the WisVote list as a legally qualified elector.

1. The number of non-qualified registrants illegally included in the WisVote list is substantial.

61. Respondents affirmatively allege that Exhibit G and the Eastman Affidavit speak for themselves and deny the allegations in paragraph 61 to the extent, if at all, they are inconsistent with those documents.

62. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 62. Respondents affirmatively allege that Exhibit G and the Kind Affidavit speak for themselves and deny the allegations in paragraph 62 to the extent, if at all, they are inconsistent with those documents.

63. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 63.

64. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 64.

65. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 65.

66. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 66.

2. WEC has the ministerial duty to verify citizenship information provided in voter registration applications, reject non-citizen applications, and de-activate the WisVote record of any non-citizen or remove it altogether.

67. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 67.

68. The allegations in paragraph 68 state legal conclusions to which no response is required. To the extent paragraph 68 misstates the law or contains factual allegations, it is denied.

69. The allegations in paragraph 69 state legal conclusions to which no response is required. To the extent paragraph 69 misstates the law or contains factual allegations, it is denied.

70. The allegations in paragraph 70 state legal conclusions to which no response is required. To the extent paragraph 70 misstates the law or contains factual allegations, it is denied.

3. WEC takes no steps to verify citizenship of applicants, even though a system is available and utilized by the Department of Motor Vehicles that can do so.

71. Respondents deny the allegations in paragraph 71.

72. The allegations in paragraph 72 state legal conclusions to which no response is required. To the extent paragraph 72 misstates the law or contains factual allegations, it is denied.

73. Respondents affirmatively allege that DMV Form 3004 and WEC's Form EL-131 speak for themselves and deny the allegations in paragraph 73 to the extent, if at all, they are inconsistent with those documents.

74. Respondents affirmatively allege that Form EL-131 speaks for itself and deny the allegations in paragraph 74 to the extent, if at all, they are inconsistent with that document.

75. Respondents affirmatively allege that WEC's MyVote online registration form speaks for itself and deny the allegations in paragraph 75 to the extent, if at all, they are inconsistent with that form.

76. The allegations in paragraph 76 state legal conclusions to which no response is required. To the extent paragraph 76 misstates the law or contains factual allegations, it is denied.

77. The allegations in paragraph 77 state legal conclusions to which no response is required. To the extent paragraph 77 misstates the law or contains factual allegations, it is denied.

78. Respondents deny the allegations in paragraph 78.

C. WEC and DOT are failing their duty to match information “to verify the accuracy of the information provided for the purpose of voter registration.”

1. Wis. Stat. § 85.61(1) requires Respondents Wolfe and Thompson to match “personally identifiable information” in their databases “to verify the accuracy of the information provided for the purpose of voter registration.”

79. The allegations in paragraph 79 state legal conclusions to which no response is required. To the extent paragraph 79 misstates the law or contains factual allegations, it is denied.

80. The allegations in paragraph 80 state legal conclusions to which no response is required. To the extent paragraph 80 misstates the law or contains factual allegations, it is denied.

81. The allegations in paragraph 81 state legal conclusions to which no response is required. To the extent paragraph 81 misstates the law or contains factual allegations, it is denied.

82. The allegations in paragraph 82 state legal conclusions to which no response is required. To the extent paragraph 82 misstates the law or contains factual allegations, it is denied.

83. The allegations in paragraph 83 state legal conclusions to which no response is required. To the extent paragraph 83 misstates the law or contains factual allegations, it is denied.

2. Citizenship is “personally identifiable information” contained in DOT operating record files.

84. The allegations in paragraph 84 state legal conclusions to which no response is required. To the extent paragraph 84 misstates the law or contains factual allegations, it is denied.

85. The allegations in paragraph 85 state legal conclusions to which no response is required. To the extent paragraph 85 misstates the law or contains factual allegations, it is denied.

86. The allegations in paragraph 86 state legal conclusions to which no response is required. To the extent paragraph 86 misstates the law or contains factual allegations, it is denied.

87. The allegations in paragraph 87 state legal conclusions to which no response is required. To the extent paragraph 87 misstates the law or contains factual allegations, it is denied.

88. The allegations in paragraph 88 state legal conclusions to which no response is required. To the extent paragraph 88 misstates the law or contains factual allegations, it is denied.

3. Respondents have failed to require proof of citizenship and match information verifying.

89. The allegations in paragraph 89 state legal conclusions to which no response is required. To the extent paragraph 89 misstates the law or contains factual allegations, it is denied.

90. The allegations in paragraph 90 state legal conclusions to which no response is required. To the extent paragraph 90 misstates the law or contains factual allegations, it is denied.

91. The allegations in paragraph 91 state legal conclusions to which no response is required. To the extent paragraph 91 misstates the law or contains factual allegations, it is denied.

92. The allegations in paragraph 92 state legal conclusions to which no response is required. To the extent paragraph 92 misstates the law or contains factual allegations, it is denied.

93. The allegations in paragraph 93 state legal conclusions to which no response is required. To the extent paragraph 93 misstates the law or contains factual allegations, it is denied.

94. The allegations in paragraph 94 state legal conclusions to which no response is required. To the extent paragraph 94 misstates the law or contains factual allegations, it is denied.

95. The allegations in paragraph 95 state legal conclusions to which no response is required. To the extent paragraph 95 misstates the law or contains factual allegations, it is denied.

96. The allegations in paragraph 96 state legal conclusions to which no response is required. To the extent paragraph 96 misstates the law or contains factual allegations, it is denied.

97. Respondents affirmatively allege that Exhibit I speaks for itself and deny the allegations in paragraph 97 to the extent, if at all, they are inconsistent with that document.

98. Respondents affirmatively allege that Exhibit I speaks for itself and deny the allegations in paragraph 98 to the extent, if at all, they are inconsistent with that document.

99. Respondents affirmatively allege that Exhibit I speaks for itself and deny the allegations in paragraph 99 to the extent, if at all, they are inconsistent with that document.

100. Respondents affirmatively allege that Exhibit I speaks for itself and deny the allegations in paragraph 100 to the extent, if at all, they are inconsistent with that document.

D. WEC is failing its duty to investigate violations of and enforce “laws administered by the commission” that prohibit non-U.S. citizens or other unqualified persons from registering to vote and being included in the state voter WisVote list.

101. The allegations in paragraph 101 state legal conclusions to which no response is required. To the extent paragraph 101 misstates the law or contains factual allegations, it is denied.

102. The allegations in paragraph 102 state legal conclusions to which no response is required. To the extent paragraph 102 misstates the law or contains factual allegations, it is denied.

103. Respondents deny the allegations in paragraph 103.

104. The allegations in paragraph 104 state legal conclusions to which no response is required. To the extent paragraph 104 misstates the law or contains factual allegations, it is denied.

105. The allegations in paragraph 105 state legal conclusions to which no response is required. To the extent paragraph 105 misstates the law or contains factual allegations, it is denied.

106. The allegations in paragraph 106 state legal conclusions to which no response is required. To the extent paragraph 106 misstates the law or contains factual allegations, it is denied.

107. Respondents deny the allegations in paragraph 107.

E. WEC is failing its duty to bring suit to remedy violations of statutes requiring U.S. citizenship and prevent such violations in the future.

108. The allegations in paragraph 108 state legal conclusions to which no response is required. To the extent paragraph 108 misstates the law or contains factual allegations, it is denied.

109. The allegations in paragraph 109 state legal conclusions to which no response is required. To the extent paragraph 109 misstates the law or contains factual allegations, it is denied.

110. The allegations in paragraph 110 state legal conclusions to which no response is required. To the extent paragraph 110 misstates the law or contains factual allegations, it is denied.

F. WEC is failing its duty to promulgate rules ensuring that only citizen are included in the state voter registration list.

111. The allegations in paragraph 111 state legal conclusions to which no response is required. To the extent paragraph 111 misstates the law or contains factual allegations, it is denied.

112. The allegations in paragraph 112 state legal conclusions to which no response is required. To the extent paragraph 112 misstates the law or contains factual allegations, it is denied.

113. The allegations in paragraph 113 state legal conclusions to which no response is required. To the extent paragraph 113 misstates the law or contains factual allegations, it is denied.

114. The allegations in paragraph 114 state legal conclusions to which no response is required. To the extent paragraph 114 misstates the law or contains factual allegations, it is denied.

115. The allegations in paragraph 115 state legal conclusions to which no response is required. To the extent paragraph 115 misstates the law or contains factual allegations, it is denied.

116. Respondents deny the allegations in paragraph 116.

G. WEC is failing its duty to issue procedures and provide resources enabling municipal clerks to include only U.S. citizens in the WisVote list.

117. The allegations in paragraph 117 state legal conclusions to which no response is required. To the extent paragraph 117 misstates the law or contains factual allegations, it is denied.

118. The allegations in paragraph 118 state legal conclusions to which no response is required. To the extent paragraph 118 misstates the law or contains factual allegations, it is denied.

119. The allegations in paragraph 119 state legal conclusions to which no response is required. To the extent paragraph 119 misstates the law or contains factual allegations, it is denied.

120. The allegations in paragraph 120 state legal conclusions to which no response is required. To the extent paragraph 120 misstates the law or contains factual allegations, it is denied.

121. The allegations in paragraph 121 state legal conclusions to which no response is required. To the extent paragraph 121 misstates the law or contains factual allegations, it is denied.

122. The allegations in paragraph 122 state legal conclusions to which no response is required. To the extent paragraph 122 misstates the law or contains factual allegations, it is denied.

123. The allegations in paragraph 123 state legal conclusions to which no response is required. To the extent paragraph 123 misstates the law or contains factual allegations, it is denied.

124. The allegations in paragraph 124 state legal conclusions to which no response is required. To the extent paragraph 124 misstates the law or contains factual allegations, it is denied.

125. Respondents affirmatively allege that WEC's Election Administration Manual speaks for itself and deny the allegations in paragraph 125 to the extent, if at all, they are inconsistent with that document. Respondents affirmatively allege that footnote 9 in paragraph 125 states legal conclusions to which no response is required. To the extent that footnote 9 misstates the law or contains factual allegations, it is denied.

126. Respondents affirmatively allege that WEC's Election Administration Manual speaks for itself and deny the allegations in paragraph 126 to the extent, if at all, they are inconsistent with that document.

127. The allegations in paragraph 127 state legal conclusions to which no response is required. To the extent paragraph 127 misstates the law or contains factual allegations, it is denied.

128. Respondents lack knowledge or information sufficient to form a belief as to the allegations in paragraph 128.

129. The allegations in paragraph 129 state legal conclusions to which no response is required. To the extent paragraph 129 misstates the law or contains factual allegations, it is denied.

130. The allegations in paragraph 130 state legal conclusions to which no response is required. To the extent paragraph 130 misstates the law or contains factual allegations, it is denied.

131. The allegations in paragraph 131 state legal conclusions to which no response is required. To the extent paragraph 131 misstates the law or contains factual allegations, it is denied.

132. The allegations in paragraph 132 state legal conclusions to which no response is required. To the extent paragraph 132 misstates the law or contains factual allegations, it is denied.

H. Respondents are failing their duty to expend public funds in compliance with the laws they administer.

133. Respondents deny the allegations in paragraph 133.

VI. CAUSES OF ACTION

**FIRST CAUSE OF ACTION:
REQUEST FOR WRIT OF MANDAMUS**

134. Respondents incorporate by this reference their responses to all prior paragraphs in the petition.

135. The allegations in paragraph 135 state legal conclusions to which no response is required. To the extent paragraph 135 misstates the law or contains factual allegations, it is denied.

136. Respondents admit that Petitioners requested the relief stated in paragraph 136 and that this Court signed an “Order Regarding Writ of Mandamus” on August 22, 2024, (Doc. 24). Respondents deny the remaining allegations in paragraph 136.

**SECOND CAUSE OF ACTION:
DECLARATION CONSTRUING
52 U.S.C. § 21083(a)(5)(B)(i) AND WIS. STAT. § 85.61(1)**

137. Respondents incorporate by this reference their responses to all prior paragraphs in the petition.

138. The allegations in paragraph 138 state legal conclusions to which no response is required. To the extent paragraph 138 misstates the law or contains factual allegations, it is denied.

139. Respondents deny the allegations in paragraph 139.

140. The allegations in paragraph 140 state legal conclusions to which no response is required. To the extent paragraph 140 misstates the law or contains factual allegations, it is denied.

141. The allegations in paragraph 141 state legal conclusions to which no response is required. To the extent paragraph 141 misstates the law or contains factual allegations, it is denied.

142. The allegations in paragraph 142 state legal conclusions to which no response is required. To the extent paragraph 142 misstates the law or contains factual allegations, it is denied.

143. Respondents deny the allegations in paragraph 143.

Response to headings in petition: Respondents deny the factual allegations in the headings in the petition and declaration construing statutes. To the extent that the allegations in the headings contain legal conclusions, no response is required. To the extent that the headings misstate the law, they are denied. Respondents deny that Petitioner is entitled to any relief whatsoever.

Response to the “Prayer for Relief” on pages 28 through 30 of the petition: Respondents deny that Petitioner is entitled to the relief she requests or any relief whatsoever.

Further response: Respondents deny any factual allegations in the petition for writ of mandamus and declaration construing statutes that are not expressly admitted herein.

DEFENSES

1. Petitioner fails to state a claim upon which relief can be granted.
2. Petitioner lacks standing to assert her claims.
3. Petitioner’s claims are barred by laches.

4. Respondents reserve the right to name additional defenses as they become known.

Respondents demand judgment as follows:

1. Denying a writ of mandamus and declaratory relief;
2. Dismissing the petition for writ of mandamus and declaration construing statutes on the merits and with prejudice as to all other causes of action; and
3. Awarding Respondents any other relief the Court deems just.

Dated this 3rd day of September 2024.

Respectfully submitted,

JOSHUA L. KAUL

Attorney General of Wisconsin

Electronically signed by:

Clayton P. Kawski

CLAYTON P. KAWSKI

Assistant Attorney General

State Bar #1066228

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CERTIFICATE OF SERVICE

I certify that in compliance with Wis. Stat. § 801.18(6), I electronically filed an Answer and Defenses to Petition for Writ of Mandamus and Declaration Construing Statutes with the clerk of court using the Wisconsin Circuit Court Electronic Filing System, which will accomplish electronic notice and service for all participants who are registered users.

Dated this 3rd day of September 2024.

Electronically signed by:

Clayton P. Kawski

CLAYTON P. KAWSKI

Assistant Attorney General

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