

FILED  
08-16-2023  
CLERK OF WISCONSIN  
SUPREME COURT

IN THE SUPREME COURT OF WISCONSIN

No. 2023AP001399

REBECCA CLARKE, RUBEN ANTHONY, TERRY DAWSON, DANA GLASSTEIN, ANN GROVES-LLOYD, CARL HUJET, JERRY IVERSON, TIA JOHNSON, ANGIE KIRST, SELIKA LAWTON, FABIAN MALDONADO, ANNEMARIE MCCLELLAN, JAMES MCNETT, BRITTANY MURIELLO, ELA JOOSTEN (PARI) SCHILS, NATHANIEL SLACK, MARY SMITH-JOHNSON, DENISE (DEE) SWEET, AND GABRIELLE YOUNG,

*Petitioners,*

v.

WISCONSIN ELECTIONS COMMISSION; DON MILLIS, ROBERT F. SPINDELL, JR., MARK L. THOMSEN, ANN S. JACOBS, MARGE BOSTELMANN, AND JOSEPH J. CZARNEZKI, IN THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE WISCONSIN ELECTIONS COMMISSION, MEAGAN WOLFE, IN HER OFFICIAL CAPACITY AS THE ADMINISTRATOR OF THE WISCONSIN ELECTIONS COMMISSION; SENATOR ANDRÉ JACQUE, SENATOR TIM CARPENTER, SENATOR ROB HUTTON, SENATOR CHRIS LARSON, SENATOR DEVIN LEMAHIEU, SENATOR STEPHEN L. NASS, SENATOR JOHN JAGLER, SENATOR MARK SPREITZER, SENATOR HOWARD L. MARKLEIN, SENATOR RACHAEL CABRAL-GUEVARA, SENATOR VAN H. WANGGAARD, SENATOR JESSE L. JAMES, SENATOR ROMAINE ROBERT QUINN, SENATOR DIANNE H. HESSELBEIN, SENATOR CORY TOMCZYK, SENATOR JEFF SMITH, AND SENATOR CHRIS KAPENGA,

*Respondents.*

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AFFIDAVIT OF ELISABETH S. THEODORE IN SUPPORT OF  
MOTION FOR ADMISSION *PRO HAC VICE*

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Elisabeth S. Theodore, after being duly sworn, states:

1. I am an attorney with the law firm of Arnold & Porter Kaye Scholer, LLP, 601 Massachusetts Ave., N.W., Washington, DC 20001. I am serving as counsel for Petitioners in this action, along with Stafford Rosenbaum LLP and others.

2. I admitted to practice law in the highest court of the State of Maryland and the District of Columbia. I have been a member in good standing of the Maryland Bar since

2011, and the District of Columbia Bar since 2014. I have never been the subject of a disciplinary proceeding.

3. I am not a Wisconsin resident, nor am I regularly engaged in the practice of law or other business in Wisconsin.

4. I have not been denied admission to any state or federal court at any time.

5. The law firm of Stafford Rosenbaum LLP also has been retained by and is serving as counsel for Petitioners in this matter. Stafford Rosenbaum LLP is located at 222 West Washington Avenue, Suite 900, Madison, Wisconsin, 53703 and the phone number is (608) 256-0226.

6. I am familiar with the facts of this case and will, if permitted, participate in this action in accordance with the rules of professional conduct for attorneys, the rules of decorum of the Court, and the local rules of the Court.

7. On August 16, 2023, I created an eCourts account, and on August 16, 2023 I submitted an Application for admission *pro hac vice* to the State Bar of Wisconsin, and paid the online fee. True and correct copies of my Application for admission *pro hac vice* and proof of payment of the online fee are attached to this Affidavit as Exhibit 1.

8. I verify under penalty of perjury that the foregoing is true and correct

Further, Affiant sayeth not.

Executed on August 16, 2023.

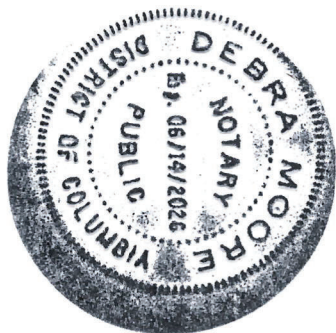


Elisabeth S. Theodore

Subscribed and sworn to before me this  
16 day of August, 2023.



Notary Public, District of Columbia  
My commission expires: 6/14/26.



# Exhibit 1

**STATE OF WISCONSIN, CIRCUIT COURT,** Supreme Court of Wisconsin **COUNTY**

Case Caption: Clarke et al v. Wisconsin Elections  
Commission et al

**Application for  
Pro Hac Vice Admission**

Case No. 2023AP001399

**I DECLARE UNDER PENALTY OF PERJURY:**

1. That I seek to appear pro hac vice in order to represent  
REBECCA CLARKE, RUBEN ANTHONY, TERRY DAWSON, DANA GLASSTEIN, ANN GROVES-LLOYD,  
in the above-captioned matter;
2. That I am admitted to practice law in the highest court(s) of the state(s) or country(ies) of;  
Maryland and the District of Columbia
3. That there are no disciplinary complaints filed against me for violation of the rules of those  
courts (if so, please explain):
4. That I am not suspended or disbarred from practice for disciplinary reasons or reason of  
medical incapacity in any jurisdiction (if yes, please explain):
5. That I am associated with Attorney Atty. Douglas M. Poland, State Bar No. 1055189  
an active member of the State Bar of Wisconsin (name the member of the State Bar of  
Wisconsin and provide his/her Member Number);
6. That I do not practice or hold out to practice law in the State of Wisconsin;
7. That I acknowledge the jurisdiction of the courts of the State of Wisconsin over my  
professional conduct, and I agree to abide by the rules of the relevant division of the Circuit  
Court of the State of Wisconsin, the Wisconsin Court of Appeals, the Wisconsin Supreme  
Court, and the Rules of Professional Conduct for Attorneys, if I am admitted pro hac vice;
8. That I have complied fully with SCR Rule 10.03 (4);
9. That I am applying for admission pro hac vice for the following reasons:  
To represent petitioners in the above-captioned matter

I have applied for admission pro hac vice in the courts of the State of Wisconsin  previously in this calendar year.

I attach hereto evidence of my payment or prior payment of the pro hac vice fee.

Signature of Attorney Elisabeth S. Theodore	8/16/2023 2:17:55 PM	Telephone Number 202-942-5891
Name Printed Ms. Elisabeth Theodore		Email Address (if any) etheodore@gmail.com
Address of Principal Office 601 Massachusetts Ave NW, Washington, WA, 20001, United States		



**STATE BAR  
OF WISCONSIN**

## Receipt:

Name on the card: Elisabeth Theodore

Payment Total: \$250.00

Payment Date: 8/16/2023 2:17:55 PM

Payment Method: Card ending with: \*6568

Transaction Number: AF0E5CB4EC91