

FILED
10-10-2023
CLERK OF WISCONSIN
SUPREME COURT

IN THE SUPREME COURT OF WISCONSIN

No. 2023AP1399-OA

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, IN THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE WISCONSIN SENATE,

Respondents.

MOTION TO INTERVENE OF NATHAN ATKINSON, STEPHEN JOSEPH WRIGHT, GARY KRENZ, SARAH J. HAMILTON, JEAN-LUC THIFFEAULT, SOMESH JHA, JOANNE KANE, AND LEAH DUDLEY

Sarah A. Zylstra
(WI Bar No. 1033159)
Tanner G. Jean-Louis
(WI Bar No. 1122401)
Boardman Clark LLP
1 South Pinckney Street, Suite 410
Madison, WI 53701
(608) 257-9521
szylstra@boardmanclark.com
tjeanlouis@boardmanclark.com

Sam Hirsch *
Jessica Ring Amunson *
Elizabeth B. Deutsch *
Arjun R. Ramamurti *
Jenner & Block LLP
1099 New York Avenue, NW, Suite 900
Washington, DC 20001
(202) 639-6000
shirsch@jenner.com
jamunson@jenner.com

**PHV application forthcoming*

Nathan Atkinson, Stephen Joseph Wright, Gary Krenz, Sarah J. Hamilton, Jean-Luc Thiffeault, Somesh Jha, Joanne Kane, and Leah Dudley (collectively, “Proposed Intervenors”), through their counsel, hereby move to intervene in the above-captioned case pursuant to this Court’s Order of October 6, 2023, and Wis. Stat. § 803.09.

Proposed Intervenor Atkinson has not been involved in any redistricting litigation before this Court. Proposed Intervenors Wright, Krenz, Hamilton, Theriault, and Jha were petitioner-intervenors in the *Johnson* redistricting litigation in 2021–2022 and were known then as the “Citizen Mathematicians and Scientists.” On August 4, 2023, Proposed Intervenors Wright, Krenz, Hamilton, Theriault, and Jha filed the *Wright* Petition to Commence an Original Action, which was denied by the Court on October 6, 2023. Proposed Intervenors Kane and Dudley were not parties to the *Johnson* litigation, but they joined the *Wright* Petition in August 2023.

Proposed Intervenors’ grounds for intervention are set forth in a supporting Memorandum, as required by the Court’s Order of October 6. Although the Court’s Order does not expressly so require, consistent with Wis. Stat. 803.09(3), Proposed Intervenors also attach a Petition in Intervention that adopts all the allegations and prayer for relief with

respect to the two claims in the *Clarke* Petition to the Supreme Court of Wisconsin to Take Jurisdiction of an Original Action that remain operative.

Dated: October 10, 2023

Respectfully submitted,

Electronically signed by
Sarah A. Zylstra

Sarah A. Zylstra

(WI Bar No. 1033159)

Tanner G. Jean-Louis

(WI Bar No. 1122401)

Boardman Clark LLP

1 South Pinckney Street,

Suite 410

Madison, WI 53701

(608) 257-9521

szylstra@boardmanclark.com

tjeanlouis@boardmanclark.com

Sam Hirsch *PHV

Jessica Ring Amunson *PHV

Elizabeth B. Deutsch *PHV

Arjun R. Ramamurti *PHV

Jenner & Block LLP

1099 New York Avenue NW,

Suite 900

Washington, DC 20001

(202) 639-6000

shirsch@jenner.com

jamunson@jenner.com

edeutsch@jenner.com

aramamurti@jenner.com

* *PHV application forthcoming*