FILED
10-10-2023
CLERK OF WISCONSIN
SUPREME COURT

STATE OF WISCONSIN

IN SUPREME COURT

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 SWEET, and GABRIELLE YOUNG,

Petitioners,

v.

WISCONSIN ELECTIONS COMMISSION; DON MILLIS, ROBERT F. SPINDELL, JR., MARK L. THOMSEN, ANN S. JACOBS, MARGE BOSTELMANN, JOSEPH J. CZARNEZKI, in their official capacities as Members of the Wisconsin Election Commission; MEAGAN WOLFE, in her official capacity as the Administrator of the Wisconsin Elections Commission; ANDRE JACQUE, TIM CARPENTER, ROB HUTTON, CHRIS LARSON, DEVIN LEMAHIEU, STEPHEN L. NASS, JOHN JAGLER, MARK SPREITZER, HOWARD MARKLEIN, RACHAEL CABRAL-GUEVARA, VAN H. WANGGAARD, JESSE L. JAMES, ROMAINE ROBERT QUINN, DIANNE H. HESSELBEIN, CORY TOMCZYK, JEFF SMITH and CHRIS KAPENGA, in their official capacities as Members of the Wisconsin Senate.

Respondents,

WISCONSIN LEGISLATURE,

Intervenor-Respondent.

MOTION TO INTERVENE BY GOVERNOR TONY EVERS

Pursuant to this Court's October 6, 2023, order, Governor Tony Evers, in his official capacity, moves to intervene in this original action under Wis. Stat. § 803.09(1) and (2).[1] The basis for the Governor's intervention is stated in an accompanying memorandum.[2]

Dated this 10th day of October 2023.

Respectfully submitted,

JOSHUA L. KAUL
Attorney General of Wisconsin

Electronically signed by:

Anthony D. Russomanno
ANTHONY D. RUSSOMANNO
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[1] This Court may wish to simply designate the Governor as an "intervenor." However, if the Court wishes to further designate the Governor, he would most appropriately be designed as an "intervenor-petitioner."

[2] The Governor's representation here includes Assistant Attorneys General Brian Keenan, Anthony Russomanno, and Faye Hipsman, together with Attorney General Joshua L. Kaul. The Wisconsin Elections Commission and its officers are separately represented by Assistant Attorneys General Karla Keckhaver, Steven Kilpatrick, Charlotte Gibson, and Thomas Bellavia, together with Deputy Attorney General Eric J. Wilson.

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CERTIFICATE OF EFILE/SERVICE

I certify that in compliance with Wis. Stat. § 801.18(6), I electronically filed this *Motion to Intervene by Governor Evers* with the clerk of court using the Wisconsin Appellate Court Electronic Filing System, which will accomplish electronic notice and service for all participants who are registered users.

Dated this 10th day of October 2023.

Electronically signed by:

Anthony D. Russomanno
ANTHONY D. RUSSOMANNO