

FILED  
10-16-2023  
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,*

GOVERNOR TONY EVERS, IN HIS OFFICIAL CAPACITY;  
NATHAN ATKINSON, STEPHEN JOSEPH WRIGHT, GARY KRENZ, SARAH J. HAMILTON,  
JEAN-LUC THIFFEAULT, SOMESH JHA, JOANNE KANE, AND LEAH DUDLEY,

*Intervenors-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; ANDRÉ JACQUE, TIM CARPENTER, ROB HUTTON,  
CHRIS LARSON, DEVIN LEMAHIEU, STEPHEN L. NASS, JOHN JAGLER, MARK SPREITZER,  
HOWARD L. 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;  
BILLIE JOHNSON, CHRIS GOEBEL, ED PERKINS, ERIC O'KEEFE, JOE SANFELIPPO,  
TERRY MOULTON, ROBERT JENSEN, RON ZAHN, RUTH ELMER, AND RUTH STRECK,

*Intervenors-Respondents.*

---

APPENDIX OF UNPUBLISHED OPINIONS CITED BY  
ATKINSON INTERVENORS

---

Sarah A. Zylstra (Bar No. 1033159)  
Tanner G. Jean-Louis (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\*  
Jenner & Block LLP  
1099 New York Avenue, NW, Suite 900  
Washington, DC 20001  
(202) 639-6000  
shirsch@jenner.com  
*(additional counsel listed on inside cover)*

Elizabeth B. Deutsch\*  
Arjun R. Ramamurti\*  
Jenner & Block LLP  
1099 New York Avenue NW  
Suite 900  
Washington, DC 20001  
(202) 639-6000  
jamunson@jenner.com  
edeutsch@jenner.com  
aramamurti@jenner.com  
\* *Pro hac vice applications pending*

**TABLE OF CONTENTS**

*Baumgart v. Wendelberger*, No. 01-C-0121, 2002 WL 34127471  
(E.D. Wis. May 30, 2002), *amended*, 2002 WL 34127473 (E.D. Wis.  
July 11, 2002)..... Add. 1

*Baumgart v. Wendelberger*, No. 01-C-0121, 2002 WL 34127473  
(E.D. Wis. July 11, 2002) ..... Add. 40

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**

2002 WL 34127471

2002 WL 34127471

Only the Westlaw citation is currently available.

United States District Court,  
E.D. Wisconsin.

James R. BAUMGART, Roger M. Breske, Brian T. Burke, Charles J. Chvala, Russell S. Decker, Jon Erpenbach, Gary R. George, Richard Grobschmidt, Dave Hansen, Robert Jauch, Mark Meyer, Rodney Moen, Gwendolynne S. Moore, Kimberly Plache, Fred A. Risser, Judy Robson, Kevin W. Shibilski, Robert D. Wirch, Spencer Black, James E. Kreuser, Gregory B. Huber, each individually and as members of the Wisconsin State Senate, Intervenor–Plaintiffs,

v.

Jeralyn WENDELBERGER, chairperson of the Wisconsin Elections Board, and each of its members in his or her official capacity, John P. Savage, David Halbrooks, R.J. Johnson, Brenda Lewison, Steven V. Ponto, John C. Schober, Christine Wiseman and Kevin J. Kennedy, its executive director, Defendants,

and

Scott R. JENSEN, in his capacity as the Speaker of the Wisconsin Assembly, and Mary E. Panzer, in her capacity as the Minority Leader of the Wisconsin Senate, Intervenor–Defendants.

Scott R. JENSEN, in his capacity as the Speaker of the Wisconsin Assembly, Mary E. Panzer, in her capacity as the Minority Leader of the Wisconsin Senate, Plaintiffs,

v.

Jeralyn WENDELBERGER, chairperson of the Wisconsin Elections Board, and each of its members in his or her official capacity, John P. Savage, David Halbrooks, R.J. Johnson, Brenda Lewison, Steven V. Ponto, John C. Schober, Christine Wiseman, Kevin J. Kennedy, its executive director, Defendants,

and

James R. BAUMGART, Roger M. Breske, Brian T. Burke, Charles J. Chvala, Russell S. Decker, Jon Erpenbach, Gary R. George, Richard Grobschmidt, Dave Hansen, Robert Jauch, Mark Meyer, Rodney Moen, Gwendolynne S. Moore, Kimberly Plache, Fred A. Risser, Judy Robson, Kevin W. Shibilski, Robert D. Wirch, Spencer Black, James E. Kreuser, Gregory B. Huber, each individually and as members of the Wisconsin State Senate, Intervenor–Defendants.

No. 01–C–0121, 02–C–0366.

|

May 30, 2002.

**Attorneys and Law Firms**

[Daniel Kelly](#), [Patrick J. Hodan](#), Reinhart Boerner Van Deuren, [Eric M. McLeod](#), [Gordon P. Giampietro](#), Michael Best & Friedrich, Milwaukee, WI, [James R. Troupis](#), [Raymond P. Taffora](#), Michael Best & Friedrich, Madison, WI, for Plaintiffs.

[James E. Bartzen](#), [Michael P. May](#), [Sarah A. Zylstra](#), Boardman Suhr Curry & Field, Madison, WI, [Randall L. Nash](#), O'Neil Cannon & Hollman, Milwaukee, WI, for Intervenor–Plaintiffs.

Before EASTERBROOK, Circuit Judge, [STADTMUELLER](#), Chief District Judge, and [CLEVERT](#), District Judge.

AMENDED MEMORANDUM OPINION AND ORDER

PER CURIAM.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**

2002 WL 34127471

\*1 These consolidated actions challenge the constitutionality of the current apportionment of Wisconsin Assembly and Senate districts and seek declaratory, injunctive and other relief under the Constitution and laws of the United States, including the Fourteenth Amendment, the Fifteenth Amendment, § 2 of the Voting Rights Act of 1965, [42 U.S.C. § 1973](#) and [42 U.S.C. § 1983](#), as well as the laws and Constitution of the State of Wisconsin.<sup>1</sup> Both sets of plaintiffs ask the court to declare that the existing apportionment of the Wisconsin Senate and Assembly is unconstitutional and invalid. Moreover, they seek an order enjoining the eight members of the Wisconsin Elections Board from taking any actions related to elections under the existing apportionment plan, and an order redistricting the State of Wisconsin into 99 Assembly and 33 Senate Districts. As a consequence, the parties urge the court to adopt a reapportionment plan and maps that they have proffered as a remedy for the malapportionment following the 2000 decennial census.

<sup>1</sup> The complaint also sought reapportionment of Wisconsin's congressional districts, as the 2000 census resulted in Wisconsin losing one of its nine seats in congress. However, during the pendency of this case, the Wisconsin Legislature passed, and Governor Scott McCallum signed, a bill reapportioning the congressional districts, and the congressional portion of this case became moot on April 11, 2002 (the day on which the trial in the state legislative portion of this case began).

Chief Judge Joel M. Flaum of the Court of Appeals for the Seventh Circuit convened this panel and authorized it to hear both actions, pursuant to [28 U.S.C. § 2284](#), when the Wisconsin legislature failed to enact a plan of reapportionment. As a consequence, a trial on the merits was conducted on April 11 and April 12, 2002. For the reasons that follow, the court finds the existing Wisconsin Assembly and Senate districts violative of the “one person, one vote” standard articulated by *Reynolds v. Sims*, [377 U.S. 533, 555](#), [84 S.Ct. 1362](#), [12 L.Ed.2d 506 \(1964\)](#), and will implement a reapportionment plan to remedy the defects in those districts.

## PROCEDURAL HISTORY

These actions were initiated with the filing of a complaint on February 1, 2001, by a group of Wisconsin voters naming the Wisconsin Elections Board and its members as defendants. Those voters alleged that Wisconsin's federal congressional districts violated the “one-person, one vote” principle articulated in art. I, sec. 2 of the United States Constitution.<sup>2</sup> Two groups of state legislators then filed motions to intervene. The first, the Baumgart intervenors, represent the Democratic members of the Wisconsin Senate, while the second, the Jensen intervenors, represent the Republican leaders of the State Senate and State Assembly. The motions to intervene were granted in November 2001. Subsequently, several other groups and individuals filed motions to intervene. The motions of Senators Gwendolynne Moore and Gary George were granted, and the motions of the African–American Coalition for Empowerment, Citizens for Competitive Elections, and Wisconsin Manufacturers and Commerce Association were denied. However, they were named amicus curiae.

<sup>2</sup> Case No. 01–C–0121 was randomly assigned to Senior District Judge John W. Reynolds. Pursuant to [28 U.S.C. § 2284](#), Chief Judge Flaum named Circuit Judge Frank H. Easterbrook and Chief District Judge J.P. Stadtmueller to a three-judge panel to hear the case. The case was subsequently reassigned, pursuant to General L.R. 3.1, to District Judge C.N. Clevert.

\*2 On April 12, 2002, to remedy a possible jurisdictional defect, the Jensen intervenors filed a separate complaint (the “Jensen action”) against the members of the Elections Board reasserting the state apportionment issues raised in the earlier case. The new filing, Case No. 02–C–0366, was assigned to Judge Clevert as a related case. Later that day, Chief Judge Flaum appointed Judges Easterbrook and Stadtmueller to the panel hearing the second case. The two cases were then consolidated, and the Baumgart intervenors intervened in the second action (02–C–0366).

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**

2002 WL 34127471

## BACKGROUND

The United States Census Bureau released its final 2000 census data on March 8, 2001, showing that Wisconsin's total population is 5,463,675. Dividing this population into ninety-nine equipopulous state assembly districts and thirty-three equipopulous senate districts would yield Assembly districts containing 54,179 persons and state senate districts containing 162,536 persons. However, populations in the existing state Senate and Assembly districts vary substantially from these numbers. For example, Senate District 6 deviates more than 22 percent from the perfect senate district numeric population, and Assembly District 18 deviates more than 26 percent from the perfect assembly district numeric population. All parties agree that as drawn, Wisconsin Senate and Assembly districts are unconstitutional.

## DISCUSSION

The reapportionment of state legislative districts requires the balancing of several disparate goals. These are summarized below.

“The Equal Protection Clause requires that the seats in both houses of a bicameral state legislature must be apportioned on a population basis. Simply stated, an individual's right to vote for state legislators is unconstitutionally impaired when its weight is in a substantial fashion diluted when compared with votes of citizens living in other parts of the State.” *Reynolds v. Sims*, 377 U.S. 533, 568, 84 S.Ct. 1362, 12 L.Ed.2d 506 (1964). With respect to reapportionment, population equality is the “most elemental requirement of the Equal Protection Clause.” *Connor v. Fitch*, 431 U.S. 407, 409, 97 S.Ct. 1828, 52 L.Ed.2d 465 (1977). See also *Chapman v. Meier*, 420 U.S. 1, 22, 95 S.Ct. 751, 42 L.Ed.2d 766 (1975). However, the Supreme Court has not pronounced a threshold for a constitutionally acceptable level of deviation from absolute population equality. The three-judge panel that redistricted the State of Wisconsin in 1982 stated that population deviations should be of the “*de minimis*” variety, which it defined as below 2 percent. *AFL-CIO v. Elections Bd.*, 543 F.Supp. 630, 634 (E.D.Wis.1982).<sup>3</sup> The 1992 reapportionment panel noted that because the 1990 decennial census contained errors and was out of date by the time of trial, the court not need fall for the “fallacy of delusive exactness” in fashioning a plan, and that “below one percent [deviation in voting power] there are no legally or politically relevant degrees of perfection.” *Prosser v. Elections Bd.*, 793 F.Supp. 859, 865–66 (W.D.Wis.1992).<sup>4</sup>

<sup>3</sup> In contrast, Congressional redistricting may create a much more rigorous standard for “*de minimis*” population deviations. See *Vieth v. Pennsylvania*, No. 1:CV-01-2439, 2002 U.S. Dist. LEXIS 6188 at \*15 (M.D. Penn. April 8, 2002) (finding plan creating Congressional districts unconstitutional because the most- and least-populous districts differed in population by nineteen persons.)

<sup>4</sup> The *Prosser* Court noted that the parties refer to both the maximum deviation, which is the difference in population between the least and the most populous district divided by the mean population of all districts, as well as the average by which the districts deviate from the average population.

\*3 Although population equality is the primary goal while constructing legislative districts, it is not the only one. In the context of Congressional redistricting plans, the Supreme Court has observed that “court-ordered districts are held to higher standards of population equality than legislative ones,” but that “slight deviations are allowed” if supported by “historically significant state policy or unique features.” *Abrams v. Johnson*, 521 U.S. 74, 98, 117 S.Ct. 1925, 138 L.Ed.2d 285 (1997) (internal citations omitted).

Historically, federal courts have accepted some deviation from perfect population equality to comply with “traditional” redistricting criteria. These criteria include retaining previous occupants in new legislative districts, known as “core retention,” see *Karcher*, 462 U.S. 725, 740, 103 S.Ct. 2653, 77 L.Ed.2d 133 (1983); avoiding split municipalities, see *id.*; drawing districts that are as contiguous and compact as possible, see *id.*; respecting the requirements of the Voting Rights Act, 42 U.S.C. §

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**

2002 WL 34127471

1973; maintaining traditional communities of interest, see *AFL-CIO*, 543 F.Supp. at 636; and avoiding the creation of partisan advantage, see *Prosser*, 793 F.Supp. at 867 (noting that “[j]udges should not select a plan that seeks partisan advantage”). Avoiding unnecessary pairing of incumbents, a criterion discussed by the Supreme Court in *Karcher*, 462 U.S. at 740, was expressly rejected by the 1982 Wisconsin reapportionment panel, see *AFL-CIO*, 543 F.Supp. at 638 (stating that the panel did not consider incumbent residency in drafting its plan).

Courts in Wisconsin have accepted some deviation from perfect population equality in view of two special considerations. The first involves senate elections. In Wisconsin, state senators have four year terms. State senators from even-numbered districts run for office in years corresponding to the presidential election cycle, and state senators from odd-numbered districts are elected during midterm elections. Thus, in midterm legislative election years such as 2002, if voters are shifted from odd to even senate districts, they will face a two-year delay in voting for state senators. Delays of this nature are referred to as “disenfranchisement.” See *Prosser*, 793 F.Supp. at 866.

The second consideration is the avoidance of ward boundary splits and, where possible, municipal boundary splits. Article IV, section 4 of the Wisconsin Constitution provides that assembly districts are “to be bounded by county, precinct, town or ward lines, to consist of contiguous territory and be in as compact form as practicable.” At one time this language was interpreted as prohibiting the creation of Assembly districts that crossed county lines. Indeed, in 1964 the Wisconsin Supreme Court declined to divide any counties when reapportioning the state, thereby creating a maximum population deviation of 76.2%. See *Wisconsin ex rel. Reynolds v. Zimmerman*, 23 Wis.2d 606, 623 (1964). Although avoiding the division of counties is no longer an inviolable principle, respect for the prerogatives of the Wisconsin Constitution dictate that wards and municipalities be kept whole where possible. This is in accord with the decisions of two earlier Wisconsin three judge panels. The 1982 and 1992 reapportionment panels did not divide any wards in their respective reapportionment plans, and the 1992 panel rejected a proposed plan that achieved 0% population deviation by splitting wards. See *Prosser*, 793 F.Supp. at 866.

\*4 With these considerations in mind, we turn to the plans submitted in these cases. A total of sixteen plans were submitted to the court. The Jensen intervenors filed nine plans (variations on a theme with different standards of population equality), the Baumgart intervenors three, while Senator George, the African American Coalition for Empowerment, Citizens for Competitive Elections, and Wisconsin Manufacturers and Commerce each filed one. Of the multiple plans submitted by the Jensen and Baumgart intervenors, the court considered only two for each group, JP1 Alternate A (Alt A) and JP1 Alternate C (Alt C) for the Jensen intervenors, and Leg Dem B and Leg Dem C for the Baumgart intervenors.

The two Jensen intervenor plans—Alt A and Alt C—have the lowest levels of population deviation of any of the filed plans, with maximum deviations of .97 and 1.00%, respectively. Moreover, they have the highest levels of core retention, lowest levels of disenfranchisement, and highest levels of compactness of any of the plans submitted.

On the other hand, the partisan origins of the Jensen plans are evident. First, they pair a substantial number of Democratic incumbents, while several Republican incumbent pairs are pairs in name only, with one of each retiring or running for another office. Second, it appears that the Jensen Assembly plans are designed to move a number of incumbent Democrats into strongly Republican districts and either pack Democrats into as few districts as possible or divide them among strong Republican districts. On the Senate side, the Jensen plans include questionable splits on the county level in districts with Democrat incumbents, and appear to have been designed to ensure Republican control of the Senate.

The Baumgart plans are riddled with their own partisan marks. Leg Dem B and Leg Dem C divide the City of Madison into six districts radiating out from the Capitol in pizza slice fashion. The Leg Dem plans have higher levels of population deviation, lower levels of core retention, higher levels of disenfranchisement, and lower levels of compactness than the Alt A and Alt C plans, in part because they renumber the Senate districts in Milwaukee County (again for presumed partisan advantage).

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**

2002 WL 34127471

Senator George's plan is identical to Leg Dem C in all but the southeastern corner of the state. His plan contains a substantial level of absolute population deviation (2.67% in his amended plan), and disenfranchises more voters than any of the above plans, also due to renumbering districts in Milwaukee County.

At trial, the parties pursued two issues vigorously: what effect, if any, does § 2 of the Voting Rights Act have on creation of legislative districts in Milwaukee, and how the court should determine the relative partisan fairness of the reapportionment plans filed in this case (with each side claiming that their plan struck the proper balance of partisan fairness).

The Voting Rights Act issues are the result of demographic changes that occurred in Milwaukee County since redistricting in 1992. The 1992 redistricting panel created five African–American majority-minority districts and one African–American minority influence district, along with one Latino majority-minority district. Over the subsequent decade, demographic trends resulted in the African–American influence district becoming a majority-minority district. Those same demographic trends resulted in at least one district having a greater than 80% African–American population.

\*5 Under the Supreme Court's ruling in *Thornburg v. Gingles*, 478 U.S. 30, 106 S.Ct. 2752, 92 L.Ed.2d 25 (1986), extended to single-member districts in *Grove v. Emison*, 507 U.S. 25, 40–41, 113 S.Ct. 1075, 122 L.Ed.2d 388 (1993), three things must be present to warrant the consideration of race as the primary basis for drawing districts: first, the minority group must be “sufficiently large and geographically compact to constitute a majority in a single-member district”; second, the minority group must be “politically cohesive”; and third, the majority must “vote[ ] sufficiently as a bloc to enable it ... to defeat the minority's preferred candidate.” 478 U.S. at 50–51.

The parties agree that the African–American community in the City of Milwaukee is large enough and compact enough to constitute a majority in several districts, and the parties share the view that African–Americans generally vote for Democrats. However, they disagree as to whether block voting occurs in the City of Milwaukee, and if so, what remedy should be applied.

The Jensen and Baumgart intervenors argued mutually contradictory positions with respect to whether § 2 of the Voting Rights Act should be considered in this case. The Jensen intervenors alleged that there was no evidence of block voting by whites in the City of Milwaukee, which, if correct would negate any justification under *Grove* for reliance upon race in constructing voting districts. However, the Jensen intervenors' expert, Bernard Grofman, testified by affidavit that the only way to respect communities of interest in Milwaukee is to draw district lines that create six African–American majority-minority districts, and avoid “packing” African–American votes. Indeed, the Jensen plans appear to have relied upon race as the basis for creating districts in the City of Milwaukee: a simple inspection of the Jensen plans of Milwaukee and the plans showing Milwaukee's minority population leads to the conclusion that the Jensen plans were crafted to chop the areas of Milwaukee with the highest African American populations and to balance those areas with areas of greater white population from outer sections of the City of Milwaukee.

In contrast, the Baumgart intervenors presented expert testimony that all of the *Gingles* criteria were present in Wisconsin in general and the City of Milwaukee in particular, but that the Jensen plans divided the African–American population too thinly and would result in the inability of African–Americans to elect candidates of choice. The Baumgart intervenors' expert noted that a minority district requires an African–American voting age population of at least 60% to guarantee the election of candidates of choice, and that only their plans satisfied this criterion. Somewhat counterintuitively, the Baumgart intervenors' expert asserted that the court must reject the Jensen plans for failure initially to satisfy the *Gingles* factors (even though he urged the court to find that the Baumgart plans are consistent with *Gingles* ).

\*6 At the final hearing the parties debated the relative partisan impact of their plans. The Jensen intervenors contended that their plans were fair, using a “base-race” analysis, and resulted in “competitive” districts. The Baumgart intervenors in turn submitted that the Jensen plans were flawed because they packed the Democrats into a lesser number of districts and that the Jensen plans give the Republicans a five-seat majority in an even election.



**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**

2002 WL 34127471

Analysis reveals that the “base-race” method used by the Jensen intervenors is only as reliable as the elections chosen, and may be biased if special factors are present in the base-races used for the estimate. *See Prosser, 793 F.Supp. at 868* (noting that the ground for using base-races was destroyed on cross examination, as the races chosen “were riven by special factors”). The three base-races relied upon by Jensen's expert were saturated with special factors: the 1998 gubernatorial election, paired three-time incumbent Tommy Thompson (possibly the most popular governor in Wisconsin's history) against political newcomer Ed Garvey; the 1996 secretary of state election, paired Doug LaFollette (a distant relative of Progressive icon “Fighting Bob” La Follette and former Governor Phillip La Follette) against Linda Cross; and the 2000 presidential election, perhaps the closest in this state's history. Moreover, the base-race analysis was determined merely by averaging the vote percentages for each candidate in all of the districts without considering differences in population between the districts, thus biasing the analysis in favor of underpopulated districts.

The Baumgart intervenors' method for analyzing political fairness was more sophisticated than the base-race method and is correct in the results found, namely, that even if the Democrats win a bare majority of votes, they will take less than 50% of the total number of seats in the Assembly. The problem with using this finding as the basis for a plan is that it does not take into account the difference between popular and legislative majorities, and the fact that, practically, there is no way to draw plans which use the traditional criteria and completely avoid this result. Theoretically, it would be possible to draw lines for Assembly districts that would assure that the party with the popular majority holds every seat in the Assembly. *See Prosser, 793 F.Supp. at 864*. However, Wisconsin Democrats tend to be found in high concentrations in certain areas of the state, and the only way to assure that the number of seats in the Assembly corresponds roughly to the percentage of votes cast would be at-large election of the entire Assembly, which neither side has advocated and would likely violate the Voting Rights Act.

Having found various unredeemable flaws in the various plans submitted by the parties, the court was forced to draft one of its own. As was done in 1992, a draft version of the plan was submitted to the parties for comment and analysis. The parties were allowed five days to analyze the draft and to comment to the court.

\*7 The court undertook its redistricting endeavor in the most neutral way it could conceive—by taking the 1992 reapportionment plan as a template and adjusting it for population deviations. The process began with district adjustments in the southeastern corner of the state. That area was chosen for two reasons. First, Milwaukee County has experienced the state's greatest population loss over the past decade, while the region immediately to its west has experienced the greatest population growth. Thus, the greatest population deviation in the state lies within this area. Second, the parties devoted much of their trial time to discussing how their plans would affect Milwaukee County.<sup>5</sup>

<sup>5</sup> The population shifts in the area necessitated the elimination of one assembly district in Milwaukee County and the creation of one assembly district in the high-growth area west of the county.

When making the necessary changes to the boundaries of the existing districts, the court was guided by the neutral principles of maintaining municipal boundaries and uniting communities of interest. There was also an attempt to keep population deviation between districts as low as possible while respecting these principles.

As part of its efforts, the court had to decide whether to renumber the assembly districts in southeastern Wisconsin to accommodate the migration of one entire district out of Milwaukee County. And there was an attempt to create physically compact senate districts and maintain communities of interest when making this decision.

Obviously, the process involved some subjective choices. For example, the court had to decide *which* communities to exclude from overpopulated districts and to include in underpopulated districts. Where possible, the court relied on affidavits supplied by the parties describing the natural communities of interest to direct these subjective choices. (Senator George's submissions provided particular guidance within Milwaukee County in this regard.)

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**

2002 WL 34127471

Adherence to these criteria resulted in a plan containing five African–American majority assembly districts, one Latino majority assembly district, and one African–American “influence” assembly district. The racial and cultural minority populations in these districts appear sufficient to permit African–Americans and Latinos to elect candidates of choice. Hence, it was unnecessary to decide whether racially polarized voting occurs in southeastern Wisconsin (thereby necessitating the conscious creation of majority-minority districts pursuant to the Voting Rights Act).

The court's plan embodies a maximum population deviation of 1.48%, which is lower than the population deviation of the best of the Baumgart intervenors' plans and slightly higher than the population deviations of the Jensen intervenors' plans, and within the de minimis 2% threshold set by the *AFL–CIO* court. Presumably, because of the methodology used, the court's plan meets or exceeds the submissions of the parties and amici with respect to most traditional apportionment criteria. The average level of core retention is 76.7%, versus 73.9% for the Jensen plans and 74% for the Baumgart plans. The court plan splits 50 municipalities, as compared to 51 for the Jensen plans and 78 for the Baumgart plans. The number of voters disenfranchised with respect to Senate elections is 171,613, versus 206,428 for the Jensen plans and 303,606 for the Baumgart plans. District compactness levels are also higher than those for the Jensen and Baumgart plans, using the smallest circle and perimeter to area measures.<sup>6</sup> Finally, the court plan respects traditional communities of interest in the City of Milwaukee.

<sup>6</sup> The court's plan is also superior to all plans submitted by amici with respect to the traditional redistricting criteria.

\*8 Now, therefore,

IT IS ORDERED that the Wisconsin State legislative districts described in Chapter 4 of the Wisconsin Statutes (1999–2000) are declared unconstitutional.

IT IS FURTHER ORDERED that all elections to be held in the Wisconsin State legislative districts as described in Chapter 4 of the Wisconsin Statutes (1999–2000) are enjoined.

IT IS FURTHER ORDERED that the 99 Wisconsin State assembly districts described below are organized into 33 senate districts as follows:

**I. SENATE DISTRICTS**

First senate district: The combination of the 1st, 2nd and 3rd assembly districts.

Second senate district: The combination of the 4th, 5th, and 6th assembly districts.

Third senate district: The combination of the 7th, 8th, and 9th assembly districts.

Fourth senate district: The combination of the 10th, 11th, and 12th assembly districts.

Fifth senate district: The combination of the 13th, 14th, and 15th assembly districts.

Sixth senate district: The combination of the 16th, 17th, and 18th assembly districts.

Seventh senate district: The combination of the 19th, 20th, and 21st assembly districts.

Eighth senate district: The combination of the 22nd, 23rd, and 24th assembly districts.

Ninth senate district: The combination of the 25th, 26th, and 27th assembly districts.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

Tenth senate district: The combination of the 28th, 29th, and 30th assembly districts.

Eleventh senate district: The combination of the 31st, 32nd, and 33rd assembly districts.

Twelfth senate district: The combination of the 34th, 35th, and 36th assembly districts.

Thirteenth senate district: The combination of the 37th, 38th, and 39th assembly districts.

Fourteenth senate district: The combination of the 40th, 41st, and 42nd assembly districts.

Fifteenth senate district: The combination of the 43rd, 44th, and 45th assembly districts.

Sixteenth senate district: The combination of the 46th, 47th, and 48th assembly districts.

Seventeenth senate district: The combination of the 49th, 50th, and 51st assembly districts.

Eighteenth senate district: The combination of the 52nd, 53rd, and 54th assembly districts.

Nineteenth senate district: The combination of the 55th, 56th, and 57th assembly districts.

Twentieth senate district: The combination of the 58th, 59th, and 60th assembly districts.

Twenty-First senate district: The combination of the 61st, 62nd, and 63rd assembly districts.

Twenty-Second senate district: The combination of the 64th, 65th, and 66th assembly districts.

Twenty-Third senate district: The combination of the 67th, 68th, and 69th assembly districts.

Twenty-Fourth senate district: The combination of the 70th, 71st, and 72nd assembly districts.

Twenty-Fifth senate district: The combination of the 73rd, 74th, and 75th assembly districts.

Twenty-Sixth senate district: The combination of the 76th, 77th, and 78th assembly districts.

Twenty-Seventh senate district: The combination of the 79th, 80th, and 81st assembly districts.

\*9 Twenty-Eighth senate district: The combination of the 82nd, 83rd, and 84th assembly districts.

Twenty-Ninth senate district: The combination of the 85th, 86th, and 87th assembly districts.

Thirtieth senate district: The combination of the 88th, 89th, and 90th assembly districts.

Thirty-First senate district: The combination of the 91st, 92nd, and 93rd assembly districts.

Thirty-Second senate district: The combination of the 94th, 95th, and 96th assembly districts.

Thirty-Third senate district: The combination of the 97th, 98th, and 99th assembly districts.

**II. ASSEMBLY DISTRICTS**

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

First assembly district. All of the following territory constitutes the first assembly district:

- (1) Whole county. Door County.
- (2) Brown County. That part of Brown County consisting of the towns of Green Bay, Humboldt, and Scott.
- (3) Kewaunee County. That part of Kewaunee County consisting of all of the following:
  - (a) The towns of Ahnapee, Carlton, Casco, Lincoln, Luxemburg, Montpelier, Pierce, Red River, and West Kewaunee.
  - (b) The villages of Casco and Luxemburg.
  - (c) The cities of Algoma and Kewaunee.

Second assembly district. All of the following territory constitutes the 2nd assembly district:

- (1) Brown County. That part of Brown County consisting of all of the following:
  - (a) The towns of Bellevue, Eaton, Glenmore, Ledgeview, New Denmark, Rockland, and Wrights town.
  - (b) The villages of Denmark and Wrights town.
- (2) Kewaunee County. That part of Kewaunee County consisting of the town of Franklin.
- (3) Manitowoc County. That part of Manitowoc County consisting of all of the following:
  - (a) The towns of Cooperstown, Franklin, Gibson, Kossuth, Maple Grove, Mishicot, Two Creeks, and Two Rivers.
  - (b) The villages of Francis Creek, Kellnersville, Maribel, and Mishicot.
  - (c) The city of Two Rivers.

Third assembly district. All of the following territory constitutes the 3rd assembly district:

- (1) Brown County. That part of Brown County consisting of the towns of Holland and Morrison.
- (2) Calumet County. That part of Calumet County consisting of all of the following:
  - (a) The towns of Brillion, Chilton, Harrison, Stockbridge, and Woodville.
  - (b) The villages of Sherwood and Stock bridge.
  - (c) The cities of Brillion and Chilton.
  - (d) That part of the city of Appleton located in the county.
  - (e) That part of the city of Menasha located in the county.
- (3) Outagamie County. That part of Outagamie County consisting of all of the following:
  - (a) The town of Buchanan.
  - (b) The villages of Combined Locks and Kimberly.
  - (c) That part of the village of Little Chute comprising wards 5, 6, 7, and 11.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (4) Winnebago County. That part of Winnebago County consisting of that part of the city of Appleton comprising wards 41 and 49.

Fourth assembly district. All of the following territory in Brown County constitutes the 4th assembly district:

- \*10 (1) The village of Allouez.
- (2) That part of the village of Ashwaubenon comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, and 12.
- (3) The city of De Pere.
- (4) That part of the city of Green Bay comprising ward 46.

Fifth assembly district. All of the following territory constitutes the 5th assembly district:

- (1) Brown County. That part of Brown County consisting of all of the following:
  - (a) The towns of Hobart and Lawrence.
  - (b) That part of the village of Ashwaubenon comprising ward 9.
  - (c) That part of the city of Green Bay comprising wards 47, 48, and 49.
- (2) Outagamie County. That part of Outagamie County consisting of all of the following:
  - (a) The towns of Black Creek, Cicero, Freedom, Kaukauna, Oneida, Osborn, Seymour, and Vandenbroek.
  - (b) The villages of Black Creek and Nichols.
  - (c) That part of the village of Little Chute comprising wards 1, 2, 4, 8, 9, 10, and 12.
  - (d) That part of the village of Howard located in the county.
  - (e) The cities of Kaukauna and Seymour.
- (3) Shawano County. That part of Shawano County consisting of the town of Maple Grove.

Sixth assembly district. All of the following territory constitutes the 6th assembly district:

- (1) Oconto County. That part of Oconto County consisting of all of the following:
  - (a) The towns of Abrams, Bagley, Brazeau, Breed, Gillett, How, Maple Valley, Morgan, Oconto Falls, Spruce, and Underhill.
  - (b) The village of Suring.
  - (c) The cities of Gillett and Oconto Falls.
- (2) Outagamie County. That part of Outagamie County consisting of all of the following:
  - (a) The towns of Bovina, Deer Creek, Ellington, Liberty, Maine, and Maple Creek.
  - (b) The villages of Bear Creek and Shiocton.
- (3) Shawano County. That part of Shawano County consisting of all of the following:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(a) The towns of Angelica, Belle Plaine, Grant, Green Valley, Hartland, Herman, Lessor, Morris, Navarino, Pella, Richmond, Seneca, Washington, Waukechon, and Wescott.

(b) The villages of Bonduel, Bowler, Cecil, and Gresham.

(c) The city of Shawano.

(4) Waupaca County. That part of Waupaca County consisting of all of the following:

(a) The town of Matteson.

(b) The village of Embarrass.

Seventh assembly district. All of the following territory in Milwaukee County constitutes the 7th assembly district:

(1) That part of the city of Greenfield comprising wards 1, 2, 3, 4, 5, 8, 13, 14, 15, 16, 17, 18, 19, 20, and 21.

(2) That part of the city of Milwaukee comprising wards 184, 185, 186, 187, 188, 189, 190, 193, 194, 195, 196, 197, 198, 199, and 231.

Eighth assembly district. All of the following territory in Milwaukee County constitutes the 8th assembly district: that part of the city of Milwaukee comprising wards 63, 64, 132, 133, 134, 135, 139, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 291, 292, and 293.

Ninth assembly district. All of the following territory in Milwaukee County constitutes the 9th assembly district: that part of the city of Milwaukee comprising wards 136, 137, 138, 140, 141, 142, 143, 144, 145, 146, 182, 183, 200, 217, 218, 219, 220, 221, 242, 243, 244, 245, 246, 247, 248, 294, 295, and 296.

**\*11** Tenth assembly district. All of the following territory in Milwaukee County constitutes the 10th assembly district:

(1) That part of the city of Glendale comprising wards 1, 6, and 12.

(2) That part of the city of Milwaukee comprising wards 1, 2, 3, 11, 13, 16, 17, 19, 41, 48, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 157, 161, 164, 165, 166, 176, 177, and 178.

Eleventh assembly district. All of the following territory in Milwaukee County constitutes the 11th assembly district: that part of the city of Milwaukee comprising wards 4, 5, 6, 7, 8, 9, 10, 12, 14, 15, 18, 20, 21, 22, 23, 26, 27, 28, 78, 79, 80, 115, 156, 158, 159, 160, 162, and 163.

Twelfth assembly district. All of the following territory constitutes the 12th assembly district:

(1) Milwaukee County. That part of Milwaukee County consisting of all of the following:

(a) That part of the city of Milwaukee comprising wards 24, 25, 74, 75, 76, 77, 83, 148, 149, 151, 152, 153, 154, 155, 264, 266, 267, 268, 269, 270, 271, 272, and 273.

(b) That part of the city of Wauwatosa comprising wards 23 and 24.

(2) Waukesha County. That part of Waukesha County consisting of that part of the city of Milwaukee comprising ward 274.

Thirteenth assembly district. All of the following territory in Milwaukee County constitutes the 13th assembly district:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (1) The village of West Milwaukee.
- (2) That part of the city of Milwaukee comprising wards 37, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 282, 283, 284, 285, 288, and 289.
- (3) That part of the city of Wauwatosa comprising wards 1, 2, 3, 4, 7, 10, 11, 12, 13, 14, and 15.

Fourteenth assembly district. All of the following territory constitutes the 14th assembly district:

- (1) Milwaukee County. That part of Milwaukee County consisting of all of the following:
  - (a) That part of the city of Milwaukee comprising wards 286 and 287.
  - (b) That part of the city of Wauwatosa comprising wards 5, 6, 8, 9, 16, 17, 18, 19, 20, 21, and 22.
  - (c) That part of the city of West Allis comprising wards 16, 17, 18, 28, 30, and 32.
- (2) Waukesha County. That part of Waukesha County consisting of all of the following:
  - (a) The village of Elm Grove.
  - (b) That part of the city of Brookfield comprising wards 1, 2, 3, 7, 9, 15, 23, and 24.

Fifteenth assembly district. All of the following territory in Milwaukee County constitutes the 15th assembly district:

- (1) That part of the city of Milwaukee comprising wards 191 and 192.
- (2) That part of the city of West Allis comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 31, and 33.

Sixteenth assembly district. All of the following territory in Milwaukee County constitutes the 16th assembly district: that part of the city of Milwaukee comprising wards 60, 61, 62, 65, 66, 70, 71, 72, 73, 105, 106, 107, 108, 109, 110, 111, 112, 174, 175, 179, 180, 297, 298, 299, 311, 312, 313, and 314.

**\*12** Seventeenth assembly district. All of the following territory in Milwaukee County constitutes the 17th assembly district: that part of the city of Milwaukee comprising wards 29, 30, 31, 32, 33, 34, 35, 36, 81, 82, 84, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 127, 128, 167, 168, 169, 170, and 171.

Eighteenth assembly district. All of the following territory in Milwaukee County constitutes the 18th assembly district: that part of the city of Milwaukee comprising wards 67, 68, 69, 126, 129, 130, 131, 172, 173, 181, 275, 276, 277, 278, 279, 280, 281, 290, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, and 310.

Nineteenth assembly district. All of the following territory in Milwaukee County constitutes the 19th assembly district: that part of the city of Milwaukee comprising wards 39, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 235, 236, 237, 238, 239, 240, 241, 251, 252, and 255.

Twentieth assembly district. All of the following territory in Milwaukee County constitutes the 20th assembly district:

- (1) The cities of Cudahy and St. Francis.
- (2) That part of the city of Milwaukee comprising wards 216, 222, 223, 224, 225, 226, 227, 228, 230, 233, 234, 249, 250, 253, 254, 256, and 257.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

Twenty-first assembly district. All of the following territory in Milwaukee County constitutes the 21st assembly district:

- (1) The cities of Oak Creek and South Milwaukee.
- (2) That part of the city of Milwaukee comprising wards 229 and 232.

Twenty-second assembly district. All of the following territory in Milwaukee County constitutes the 22nd assembly district:

- (1) The villages of Fox Point, River Hills, Shorewood, and Whitefish Bay.
- (2) That part of the city of Glendale comprising wards 2, 3, 4, 5, 7, 8, 9, 10, and 11.
- (3) That part of the city of Milwaukee comprising wards 38, 40, 147, and 150.

Twenty-third assembly district. All of the following territory constitutes the 23rd assembly district:

- (1) Milwaukee County. That part of Milwaukee County consisting of all of the following:
  - (a) The village of Brown Deer.
  - (b) That part of the village of Bayside located in the county.
  - (c) That part of the city of Milwaukee comprising wards 258, 259, 260, 261, 262, 263, and 265.
- (2) Ozaukee County. That part of Ozaukee County consisting of all of the following:
  - (a) The village of Thiensville.
  - (b) That part of the village of Bayside located in the county.
  - (c) That part of the city of Mequon comprising wards 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21.
- (3) Washington County. That part of Washington County consisting of that part of the city of Milwaukee comprising ward 262.

Twenty-fourth assembly district. All of the following territory constitutes the 24th assembly district:

- (1) Washington County. That part of Washington County consisting of all of the following:
  - (a) The town of Germantown.
  - \*13 (b) That part of the town of Richfield comprising wards 6, 7, 8, 11, 12, and 13.
  - (c) The village of Germantown.
- (2) Waukesha County. That part of Waukesha County consisting of all of the following:
  - (a) The village of Butler.
  - (b) That part of the village of Menomonee Falls comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 28, and 29.

Twenty-fifth assembly district. All of the following territory constitutes the 25th assembly district:

- (1) Calumet County. That part of Calumet County consisting of all of the following:



**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (a) The town of Rantoul.
- (b) The villages of Hilbert and Potter.
- (2) Manitowoc County. That part of Manitowoc County consisting of all of the following:
  - (a) The towns of Cato, Centerville, Eaton, Liberty, Manitowoc, Manitowoc Rapids, Meeme, Newton, and Rockland.
  - (b) The villages of Cleveland, Reedsville, St. Nazianz, Valders, and Whitelaw.
  - (c) The city of Manitowoc.

Twenty-sixth assembly district. All of the following territory in Sheboygan County constitutes the 26th assembly district:

- (1) That part of the town of Sheboygan comprising ward 2.
- (2) The village of Kohler.
- (3) The city of Sheboygan.
- (4) That part of the city of Sheboygan Falls comprising ward 10.

Twenty-seventh assembly district. All of the following territory constitutes the 27th assembly district:

- (1) Calumet County. That part of Calumet County consisting of all of the following:
  - (a) The towns of Brothertown, Charlestown, and New Holstein.
  - (b) The city of New Holstein.
  - (c) That part of the city of Kiel located in the county.
- (2) Fond du Lac County. That part of Fond du Lac County consisting of all of the following:
  - (a) The towns of Calumet, Forest, and Marshfield.
  - (b) The villages of Mount Calvary and St. Cloud.
- (3) Manitowoc County. That part of Manitowoc County consisting of all of the following:
  - (a) The town of Schleswig.
  - (b) That part of the city of Kiel located in the county.
- (4) Sheboygan County. That part of Sheboygan County consisting of all of the following:
  - (a) The towns of Greenbush, Herman, Mosel, Plymouth, Rhine, Russell, and Sheboygan Falls.
  - (b) That part of the town of Sheboygan comprising wards 1, 3, 4, 5, 6, and 7.
  - (c) The villages of Elkhart Lake, Glenbeulah, and Howards Grove.
  - (d) The city of Plymouth.
  - (e) That part of the city of Sheboygan Falls comprising wards 1, 2, 3, 4, 5, 6, 7, 8, and 9.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

Twenty-eighth assembly district. All of the following territory constitutes the 28th assembly district:

(1) Burnett County. That part of Burnett County consisting of all of the following:

(a) The towns of Anderson, Daniels, Dewey, Grantsburg, La Follette, Lincoln, Meenon, Roosevelt, Siren, Trade Lake, West Marshland, and Wood River.

(b) The villages of Grantsburg, Siren, and Webster.

(2) Polk County. That part of Polk County consisting of all of the following:

\*14 (a) The towns of Alden, Apple River, Balsam Lake, Black Brook, Bone Lake, Clam Falls, Clayton, Clear Lake, Eureka, Farmington, Garfield, Georgetown, Laketown, Lincoln, Lorain, Luck, Milltown, Osceola, St. Croix Falls, Sterling, and West Sweden.

(b) The villages of Balsam Lake, Centuria, Clayton, Clear Lake, Dresser, Frederic, Luck, Milltown, and Osceola.

(c) The cities of Amery and St. Croix Falls.

(3) St. Croix County. That part of St. Croix County consisting of all of the following:

(a) That part of the town of Somerset comprising wards 1, 3, 4, and 5.

(b) The village of Somerset.

Twenty-ninth assembly district. All of the following territory constitutes the 29th assembly district:

(1) Dunn County. That part of Dunn County consisting of all of the following:

(a) The towns of Lucas, Menomonie, and Stanton.

(b) The village of Knapp.

(c) The city of Menomonie.

(2) Pierce County. That part of Pierce County consisting of all of the following:

(a) The towns of Gilman and Spring Lake.

(b) The village of Elmwood.

(c) That part of the village of Spring Valley located in the county.

(3) St. Croix County. That part of St. Croix County consisting of all of the following:

(a) The towns of Baldwin, Cady, Cylon, Eau Galle, Emerald, Erin Prairie, Forest, Glenwood, Hammond, Kinnickinnic, Pleasant Valley, Richmond, Rush River, Springfield, Stanton, Star Prairie, and Warren.

(b) The villages of Baldwin, Deer Park, Hammond, Roberts, Star Prairie, Wilson, and Woodville.

(c) That part of the village of Spring Valley located in the county.

(d) The cities of Glenwood City and New Richmond.

Thirtieth assembly district. All of the following territory constitutes the 30th assembly district:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(1) Pierce County. That part of Pierce County consisting of all of the following:

- (a) The towns of Clifton, Diamond Bluff, Oak Grove, River Falls, Trenton, and Trimbelle.
- (b) The village of Ellsworth.
- (c) The city of Prescott.
- (d) That part of the city of River Falls located in the county.

(2) St. Croix County. That part of St. Croix County consisting of all of the following:

- (a) The towns of Hudson, St. Joseph, and Troy.
- (b) That part of the town of Somerset comprising ward 2.
- (c) The village of North Hudson.
- (d) The city of Hudson.
- (e) That part of the city of River Falls located in the county.

Thirty-first assembly district. All of the following territory constitutes the 31st assembly district:

(1) Jefferson County. That part of Jefferson County consisting of all of the following:

- (a) The towns of Cold Spring, Concord, Farmington, Hebron, Palmyra, and Sullivan.
- (b) The villages of Johnson Creek, Palmyra, and Sullivan.

(2) Walworth County. That part of Walworth County consisting of all of the following:

- (a) The towns of Lafayette, La Grange, Spring Prairie, Sugar Creek, and Troy.
- (b) The city of Elkhorn.

**\*15** (3) Waukesha County. That part of Waukesha County consisting of all of the following:

- (a) The towns of Eagle, Ottawa, and Summit.
- (b) The villages of Dousman, Eagle, and Oconomowoc Lake.
- (c) That part of the city of Oconomowoc comprising wards 7, 8, 9, 10, 11, 12, and 13.

Thirty-second assembly district. All of the following territory constitutes the 32nd assembly district:

(1) Kenosha County. That part of Kenosha County consisting of the town of Wheat land.

(2) Walworth County. That part of Walworth County consisting of all of the following:

- (a) The towns of Bloomfield, Darien, Delavan, Geneva, Linn, Lyons, Sharon, and Walworth.
- (b) The villages of Darien, Fontana-on-Geneva Lake, Sharon, Walworth, and Williams Bay.
- (c) That part of the village of Genoa City located in the county.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(d) The cities of Delavan and Lake Geneva.

Thirty-third assembly district. All of the following territory in Waukesha County constitutes the 33rd assembly district:

- (1) The towns of Delafield and Geneses.
- (2) That part of the town of Mukwonago comprising wards 1, 2, 4, 5, 6, 7, 8, 9, and 10.
- (3) That part of the town of Waukesha comprising wards 3, 7, and 8.
- (4) The villages of Chenequa, Hartland, Nashotah, North Prairie, and Wales.
- (5) The city of Delafield.
- (6) That part of the city of Pewaukee comprising ward 7.
- (7) That part of the city of Waukesha comprising wards 8, 10, 11, 12, 13, 14, and 15.

Thirty-fourth assembly district. All of the following territory constitutes the 34th assembly district:

- (1) Whole county. Vilas County.
- (2) Oneida County. That part of Oneida County consisting of all of the following:
  - (a) The towns of Crescent, Enterprise, Hazelhurst, Lake Tomahawk, Minocqua, Monico, Newbold, Pelican, Piehl, Pine Lake, Schoepke, Stella, Sugar Camp, Three Lakes, and Woodruff.
  - (b) The city of Rhinelander.

Thirty-fifth assembly district. All of the following territory constitutes the 35th assembly district:

- (1) Whole county. Lincoln County.
- (2) Langlade County. That part of Langlade County consisting of all of the following:
  - (a) The towns of Ackley, Ainsworth, Antigo, Elcho, Neva, Norwood, Parrish, Peck, Rolling, Summit, Upham, and Vilas.
  - (b) The city of Antigo.
- (3) Marathon County. That part of Marathon County consisting of all of the following:
  - (a) The towns of Halsey, Hamburg, Harrison, and Hewitt.
  - (b) The village of Athens.
- (4) Oneida County. That part of Oneida County consisting of the towns of Cassian, Little Rice, Lynne, Nokomis, and Woodboro.

Thirty-sixth assembly district. All of the following territory constitutes the 36th assembly district:

- (1) Whole counties. Florence County, Forest County, and Menominee County.
- (2) Langlade County. That part of Langlade County consisting of all of the following:
  - (a) The towns of Evergreen, Langlade, Polar, Price, and Wolf River.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

\*16 (b) The village of White Lake.

(3) Marathon County. That part of Marathon County consisting of all of the following:

(a) The town of Elderon.

(b) The village of Elderon.

(c) That part of the village of Birnamwood located in the county.

(4) Marinette County. That part of Marinette County consisting of all of the following:

(a) The towns of Amberg, Athelstane, Beecher, Dunbar, Goodman, Lake, Middle Inlet, Niagara, Pembine, Porterfield, Silver Cliff, Stephenson, Wagner, and Wausaukee.

(b) The villages of Crivitz and Wausaukee.

(c) The city of Niagara.

(5) Oconto County. That part of Oconto County consisting of the towns of Doty, Lakewood, Mountain, Riverview, and Townsend.

(6) Shawano County. That part of Shawano County consisting of all of the following:

(a) The towns of Almon, Aniwa, Bartelme, Birnamwood, Hutchins, Red Springs, and Wittenberg.

(b) The villages of Mattoon and Wittenberg.

(c) That part of the village of Birnamwood located in the county.

Thirty-seventh assembly district. All of the following territory constitutes the 37th assembly district:

(1) Dane County. That part of Dane County consisting of all of the following:

(a) The towns of Albion, Christiana, and Deerfield.

(b) The villages of Deerfield and Rochdale.

(c) That part of the village of Cambridge located in the county.

(2) Jefferson County. That part of Jefferson County consisting of all of the following:

(a) The towns of Aztalan, Jefferson, Koshkonong, Lake Mills, Milford, Oakland, Sumner, Waterloo, and Watertown.

(b) That part of the town of Ixonia comprising wards 1, 3, and 4.

(c) That part of the village of Cambridge located in the county.

(d) The cities of Fort Atkinson, Jefferson, Lake Mills, and Waterloo.

Thirty-eighth assembly district. All of the following territory constitutes the 38th assembly district:

(1) Columbia County. That part of Columbia County consisting of that part of the city of Columbus located in the county.

(2) Dodge County. That part of Dodge County consisting of all of the following:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (a) The towns of Ashippun, Clyman, Elba, Emmet, Hustisford, Lebanon, Lowell, Portland, and Shields.
- (b) The villages of Clyman, Hustisford, Lowell, and Reeseville.
- (c) That part of the city of Watertown located in the county.
- (d) Dodge County. That part of Dodge County consisting of that part of the city of Columbus located in the county.
- (3) Jefferson County. That part of Jefferson County consisting of all of the following:
  - (a) That part of the town of Ixonia comprising ward 2.
  - (b) That part of the city of Watertown located in the county.
- (4) Waukesha County. That part of Waukesha County consisting of all of the following:
  - (a) The town of Oconomowoc.
  - (b) The village of Lac La Belle.
  - (c) That part of the city of Oconomowoc comprising wards 1, 2, 3, 4, 5, and 6.

Thirty-ninth assembly district. All of the following territory constitutes the 39th assembly district:

- \*17 (1) Columbia County. That part of Columbia County consisting of that part of the village of Randolph located in the county.
- (2) Dodge County. That part of Dodge County consisting of all of the following:
  - (a) The towns of Beaver Dam, Burnett, Calamus, Chester, Fox Lake, Herman, Hubbard, Leroy, Lomira, Oak Grove, Rubicon, Trenton, Westford, and Williams town.
  - (b) The villages of Brownsville, Iron Ridge, Kekoskee, Lomira, and Neosho.
  - (c) That part of the village of Randolph located in the county.
  - (d) The cities of Beaver Dam, Fox Lake, Horicon, Juneau, and Maxville.

Fortieth assembly district. All of the following territory constitutes the 40th assembly district:

- (1) Outagamie County. That part of Outagamie County consisting of all of the following:
  - (a) The town of Hottonia.
  - (b) The village of Hortonville.
  - (c) That part of the city of New London located in the county.
- (2) Shawano County. That part of Shawano County consisting of that part of the city of Marion located in the county.
- (3) Waupaca County. That part of Waupaca County consisting of all of the following:
  - (a) The towns of Bear Creek, Caledonia, Dayton, Dupont, Farmington, Harrison, Helvetia, Iola, Larrabee, Lebanon, Lind, Little Wolf, Mukwa, Royalton, St. Lawrence, Scandinavia, Union, Waupaca, Weyauwega, and Wyoming.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (b) The villages of Big Falls, Iola, Ogdensburg, and Scandinavia.
- (c) The cities of Clintonville, Manawa, Waupaca, and Weyauwega.
- (d) That part of the city of Marion located in the county.
- (e) That part of the city of New London located in the county.

Forty-first assembly district. All of the following territory constitutes the 41st assembly district:

- (1) Whole county. Green Lake County.
- (2) Fond du Lac County. That part of Fond du Lac County consisting of all of the following:
  - (a) The towns of Alto, Metomen, and Ripon.
  - (b) The villages of Brandon and Fair water.
  - (c) The city of Ripon.
- (3) Marquette County. That part of Marquette County consisting of all of the following:
  - (a) The towns of Crystal Lake, Mecan, Neshkoro, and Newton.
  - (b) The village of Neshkoro.
- (4) Waupaca County. That part of Waupaca County consisting of all of the following:
  - (a) The town of Fremont.
  - (b) The village of Fremont.
- (5) Waushara County. That part of Waushara County consisting of all of the following:
  - (a) The towns of Aurora, Bloomfield, Coloma, Dakota, Leon, Marion, Mount Morris, Poysippi, Richford, Saxeville, Springwater, Warren, and Wautoma.
  - (b) The villages of Coloma, Lohrville, Redgranite, and Wild Rose.
  - (c) The city of Wautoma.
  - (d) That part of the city of Berlin located in the county.

Forty-second assembly district. All of the following territory constitutes the 42nd assembly district:

- (1) Adams County. That part of Adams County consisting of all of the following:
  - (a) The towns of Dell Prairie and New Haven.
  - \*18** (b) That part of the city of Wisconsin Dells located in the county.
- (2) Columbia County. That part of Columbia County consisting of all of the following:
  - (a) The towns of Caledonia, Fort Winnebago, Lewiston, Marcellon, Newport, and Wyocena.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(b) The villages of Pardeeville and Wyocena.

(c) The city of Portage.

(d) That part of the city of Wisconsin Dells located in the county.

(3) Marquette County. That part of Marquette County consisting of all of the following:

(a) The towns of Buffalo, Douglas, Harris, Montello, Moundville, Oxford, Packwaukee, Shields, and Westfield.

(b) The villages of Endeavor and Oxford.

(c) The city of Montello.

(4) Sauk County. That part of Sauk County consisting of all of the following:

(a) The towns of Baraboo, Delton, Fairfield, and Greenfield.

(b) The villages of Lake Delton and West Baraboo.

(c) The city of Baraboo.

(d) That part of the city of Wisconsin Dells located in the county.

Forty-third assembly district. All of the following territory constitutes the 43rd assembly district:

(1) Dane County. That part of Dane County consisting of that part of the city of Edgerton located in the county.

(2) Jefferson County. That part of Jefferson County consisting of that part of the city of Whitewater located in the county.

(3) Rock County. That part of Rock County consisting of all of the following:

(a) The towns of Avon, Beloit, Center, Fulton, Janesville, Lima, Milton, Newark, Plymouth, Porter, Rock, and Spring Valley.

(b) The villages of Footville and Orfordville.

(c) The city of Milton.

(d) That part of the city of Edgerton located in the county.

(4) Walworth County. That part of Walworth County consisting of all of the following:

(a) The town of Whitewater.

(b) That part of the city of Whitewater located in the county.

Forty-fourth assembly district. All of the following territory in Rock County constitutes the 44th assembly district: that part of the city of Janesville comprising wards 1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25.

Forty-fifth assembly district. All of the following territory constitutes the 45th assembly district:

(1) Rock County. That part of Rock County consisting of all of the following:

(a) The towns of Bradford, Clinton, Harmony, Johnstown, La Prairie, and Turtle.



**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (b) The village of Clinton.
- (c) The city of Beloit.
- (d) That part of the city of Janesville comprising wards 5, 6, and 12.
- (2) Walworth County. That part of Walworth County consisting of the town of Richmond.

Forty-sixth assembly district. All of the following territory in Dane County constitutes the 46th assembly district:

- (1) The towns of Cottage Grove, Dunkirk, Pleasant Springs, Rutland, and Sun Prairie.
- (2) That part of the town of Dunn comprising wards 1 and 7.
- (3) The village of Cottage Grove.
- (4) That part of the village of Oregon comprising wards 2, 3, and 4.
- \*19 (5) The cities of Stoughton and Sun Prairie.

Forty-seventh assembly district. All of the following territory constitutes the 47th assembly district:

- (1) Columbia County. That part of Columbia County consisting of all of the following:
  - (a) The towns of Arlington, Columbus, Courtland, Dekorra, Fountain Prairie, Hampden, Leeds, Lodi, Lowville, Otsego, Pacific, Randolph, Scott, Springvale, and West Point.
  - (b) The villages of Arlington, Cambria, Doylestown, Fall River, Friesland, Poynette, and Rio.
  - (c) The city of Lodi.
- (2) Dane County. That part of Dane County consisting of all of the following:
  - (a) The towns of Bristol, Dane, Mazomanie, Medina, Roxbury, Vienna, Windsor, and York.
  - (b) The villages of Dane, DeForest, and Marshall.
- (3) Sauk County. That part of Sauk County consisting of all of the following:
  - (a) The town of Merrimac.
  - (b) The village of Merrimac.

Forty-eighth assembly district. All of the following territory in Dane County constitutes the 48th assembly district:

- (1) The town of Blooming Grove.
- (2) That part of the town of Dunn comprising wards 2, 3, 4, 5, and 6.
- (3) The village of McFarland.
- (4) The city of Monona.
- (5) That part of the city of Madison comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 33, 55, and 56.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

Forty-ninth assembly district. All of the following territory constitutes the 49th assembly district:

- (1) Whole county. Grant County.
- (2) Iowa County. That part of Iowa County consisting of all of the following:
  - (a) That part of the village of Livingston located in the county.
  - (b) That part of the village of Montfort located in the county.
  - (c) That part of the village of Muscoda located in the county.
- (3) Lafayette County. That part of Lafayette County consisting of all of the following:
  - (a) The town of Benton.
  - (b) The village of Benton.
  - (c) That part of the village of Hazel Green located in the county.
  - (d) That part of the city of Cuba City located in the county.
- (4) Richland County. That part of Richland County consisting of all of the following:
  - (a) The towns of Dayton, Eagle, Orion, and Richwood.
  - (b) The village of Boaz.

Fiftieth assembly district. All of the following territory constitutes the 50th assembly district:

- (1) Whole county. Juneau County.
- (2) Monroe County. That part of Monroe County consisting of all of the following:
  - (a) The towns of Clifton and Glendale.
  - (b) The village of Kendall.
- (3) Richland County. That part of Richland County consisting of all of the following:
  - (a) The towns of Marshall, Richland, Rockbridge, Westford, and Willow.
  - (b) That part of the village of Cazenovia located in the county.
  - (c) The city of Richland Center.
- (4) Sauk County. That part of Sauk County consisting of all of the following:
  - (a) The towns of Dellona, Excelsior, Freedom, Ironton, La Valle, Reedsburg, Washington, Westfield, Winfield, and Woodland.
  - \*20 (b) The villages of Ironton, La Valle, Lime Ridge, Loganville, North Freedom, and Rock Springs.
  - (c) That part of the village of Cazenovia located in the county.
  - (d) The city of Reedsburg.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

Fifty-first assembly district. All of the following territory constitutes the 51st assembly district:

- (1) Iowa County. That part of Iowa County consisting of all of the following:
  - (a) The towns of Arena, Brigham, Clyde, Dodgeville, Eden, Highland, Linden, Mifflin, Mineral Point, Moscow, Pulaski, Ridgeway, Waldwick, and Wyoming.
  - (b) The villages of Arena, Avoca, Barneveld, Cobb, Highland, Hollandale, Linden, Rewey, and Ridge way.
  - (c) That part of the village of Blanchardville located in the county.
  - (d) The cities of Dodgeville and Mineral Point.
- (2) Lafayette County. That part of Lafayette County consisting of all of the following:
  - (a) The towns of Argyle, Belmont, Blanchard, Darlington, Elk Grove, Fayette, Gratiot, Kendall, Lamont, Monticello, New Diggings, Seymour, Shullsburg, White Oak Springs, Willow Springs, and Wiota.
  - (b) The villages of Argyle, Belmont, and Gratiot.
  - (c) That part of the village of Blanchardville located in the county.
  - (d) The cities of Darlington and Shullsburg.
- (3) Richland County. That part of Richland County consisting of all of the following:
  - (a) The towns of Buena Vista and Ithaca.
  - (b) The village of Lone Rock.
- (4) Sauk County. That part of Sauk County consisting of all of the following:
  - (a) The towns of Bear Creek, Franklin, Honey Creek, Prairie du Sac, Spring Green, Sumpter, and Troy.
  - (b) The villages of Plain, Prairie du Sac, Sauk City, and Spring Green.

Fifty-second assembly district. All of the following territory in Fond du Lac County constitutes the 52nd assembly district:

- (1) The towns of Eldorado, Friendship, and Taycheedah.
- (2) The village of North Fond du Lac.
- (3) The city of Fond du Lac.

Fifty-third assembly district. All of the following territory constitutes the 53rd assembly district:

- (1) Dodge County. That part of Dodge County consisting of that part of the city of Waupun located in the county.
- (2) Fond du Lac County. That part of Fond du Lac County consisting of all of the following:
  - (a) The towns of Byron, Empire, Fond du Lac, Lamartine, Oakfield, Rosendale, Springvale, and Waupun.
  - (b) The villages of Oakfield and Rosendale.
  - (c) That part of the city of Waupun located in the county.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(3) Winnebago County. That part of Winnebago County consisting of all of the following:

- (a) The towns of Algoma, Black Wolf, Nekimi, Nepeuskun, Omro, Oshkosh, Rushford, and Utica.
- (b) The city of Omro.
- (c) That part of the city of Oshkosh comprising wards 3, 4, 5, 6, 7, and 9.

Fifty-fourth assembly district. All of the following territory in Winnebago County constitutes the 54th assembly district: that part of the city of Oshkosh comprising wards 1, 2, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33.

**\*21** Fifty-fifth assembly district. All of the following territory in Winnebago County constitutes the 55th assembly district:

- (1) That part of the town of Menasha comprising wards 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.
- (2) The city of Neenah.
- (3) That part of the city of Appleton comprising wards 38 and 39.
- (4) That part of the city of Menasha located in the county.

Fifty-sixth assembly district. All of the following territory constitutes the 56th assembly district:

- (1) Outagamie County. That part of Outagamie County consisting of all of the following:
  - (a) The towns of Center, Dale, Grand Chute, and Greenville.
  - (b) That part of the city of Appleton comprising wards 30, 31, and 32.
- (2) Winnebago County. That part of Winnebago County consisting of all of the following:
  - (a) The towns of Clayton, Neenah, Poygan, Vinland, Winchester, Winneconne, and Wolf River.
  - (b) That part of the town of Menasha comprising wards 1 and 2.
  - (c) The village of Winneconne.

Fifty-seventh assembly district. All of the following territory in Outagamie County constitutes the 57th assembly district:

- (1) That part of the village of Little Chute comprising ward 3.
- (2) That part of the city of Appleton comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 33, 34, 35, 36, and 37.

Fifty-eighth assembly district. All of the following territory in Washington County constitutes the 58th assembly district:

- (1) The towns of Addison, Jackson, and West Bend.
- (2) That part of the town of Hartford comprising ward 5.
- (3) That part of the town of Polk comprising wards 1, 2, 3, 4, 6, and 7.
- (4) That part of the town of Trenton comprising wards 3 and 4.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(5) The villages of Jackson and Slinger.

(6) The city of West Bend.

Fifty-ninth assembly district. All of the following territory constitutes the 59th assembly district:

(1) Dodge County. That part of Dodge County consisting of all of the following:

(a) The town of Theresa.

(b) The village of Theresa.

(2) Fond du Lac County. That part of Fond du Lac County consisting of all of the following:

(a) The towns of Ashford, Auburn, Eden, and Osceola.

(b) The villages of Campbellsport and Eden.

(3) Ozaukee County. That part of Ozaukee County consisting of all of the following:

(a) The towns of Belgium and Fredonia.

(b) That part of the town of Saukville comprising ward 1.

(c) The villages of Belgium and Fredonia.

(4) Sheboygan County. That part of Sheboygan County consisting of all of the following:

(a) The towns of Holland, Lima, Lyndon, Mitchell, Scott, Sherman, and Wilson.

(b) The villages of Adell, Cascade, Cedar Grove, Oostburg, Random Lake, and Waldo.

(5) Washington County. That part of Washington County consisting of all of the following:

(a) The towns of Barton, Farmington, Kewaskum, and Wayne.

**\*22** (b) The village of Kewaskum.

Sixtieth assembly district. All of the following territory constitutes the 60th assembly district:

(1) Ozaukee County. That part of Ozaukee County consisting of all of the following:

(a) The towns of Cedarburg, Grafton, and Port Washington.

(b) That part of the town of Saukville comprising wards 2, 3, 4, 5, and 6.

(c) The villages of Grafton and Sackville.

(d) That part of the village of Newburg located in the county.

(e) The cities of Cedarburg and Port Washington.

(f) That part of the city of Mequon comprising ward 2.

(2) Washington County. That part of Washington County consisting of all of the following:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(a) That part of the town of Trenton comprising wards 1, 2, 5, 6, and 7.

(b) That part of the village of Newburg located in the county.

Sixty-first assembly district. All of the following territory in Racine County constitutes the 61st assembly district:

(1) That part of the town of Mount Pleasant comprising ward 22.

(2) The villages of North Bay and Wind Point.

(3) That part of the city of Racine comprising wards 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 27, 33, and 34.

Sixty-second assembly district. All of the following territory in Racine County constitutes the 62nd assembly district:

(1) That part of the town of Mount Pleasant comprising wards 1, 2, 3, 4, 5, 7, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, and 23.

(2) The villages of Elmwood Park and Sturtevant.

(3) That part of the city of Racine comprising wards 8, 21, 23, 24, 25, 26, 28, 29, 30, 31, and 32.

Sixty-third assembly district. All of the following territory in Racine County constitutes the 63rd assembly district:

(1) The towns of Caledonia, Dover, Norway, Raymond, Rochester, and Yorkville.

(2) That part of the town of Mount Pleasant comprising wards 6, 8, 9, 13, and 15.

(3) The villages of Rochester and Union Grove.

Sixty-fourth assembly district. All of the following territory in Kenosha County constitutes the 64th assembly district:

(1) That part of the town of Somers comprising ward 8.

(2) That part of the city of Kenosha comprising wards 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22, 29, 31, and 32.

Sixty-fifth assembly district. All of the following territory in Kenosha County constitutes the 65th assembly district:

(1) That part of the town of Bristol comprising ward 6.

(2) The village of Pleasant Prairie.

(3) That part of the city of Kenosha comprising wards 5, 6, 16, 17, 18, 23, 24, 25, 26, 27, 28, 30, 33, and 34.

Sixty-sixth assembly district. All of the following territory constitutes the 66th assembly district:

(1) Kenosha County. That part of Kenosha County consisting of all of the following:

(a) The towns of Brighton, Paris, Randall, and Salem.

(b) That part of the town of Bristol comprising wards 1, 2, 3, 4, 5, 7, and 8.

\*23 (c) That part of the town of Somers comprising wards 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, and 12.

(d) The villages of Paddock Lake, Silver Lake, and Twin Lakes.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(e) That part of the village of Genoa City located in the county.

(2) Racine County. That part of Racine County consisting of all of the following:

(a) The town of Burlington.

(b) That part of the city of Burlington located in the county.

(3) Walworth County. That part of Walworth County consisting of that part of the city of Burlington located in the county.

Sixty-seventh assembly district. All of the following territory constitutes the 67th assembly district:

(1) Barron County. That part of Barron County consisting of all of the following:

(a) The towns of Dallas, Dovre, and Sioux Creek.

(b) The village of Dallas.

(c) That part of the village of New Auburn located in the county.

(2) Chippewa County. That part of Chippewa County consisting of all of the following:

(a) The towns of Anson, Arthur, Auburn, Birch Creek, Bloomer, Cleveland, Colburn, Cooks Valley, Eagle Point, Estella, Goetz, Howard, Lake Holcombe, Ruby, Sampson, Tilden, and Woodmohr.

(b) The village of Cadott.

(c) That part of the village of New Auburn located in the county.

(d) The cities of Bloomer, Chippewa Falls, and Cornell.

(3) Dunn County. That part of Dunn County consisting of all of the following:

(a) The towns of Colfax, Elk Mound, Grant, Hay River, New Haven, Otter Creek, Red Cedar, Sand Creek, Sheridan, Sherman, Spring Brook, Tainter, Tiffany, and Wilson.

(b) The villages of Boyceville, Colfax, Downing, Elk Mound, Ridgeland, and Wheeler.

Sixty-eighth assembly district. All of the following territory constitutes the 68th assembly district:

(1) Chippewa County. That part of Chippewa County consisting of all of the following:

(a) The towns of Hallie, Lafayette, and Wheaton.

(b) That part of the city of Eau Claire located in the county.

(2) Eau Claire County. That part of Eau Claire County consisting of all of the following:

(a) The towns of Lincoln, Ludington, Seymour, and Union.

(b) That part of the town of Washington comprising wards 9 and 13.

(c) The village of Fall Creek.

(d) That part of the city of Altoona comprising wards 8, 12, and 13.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(e) That part of the city of Eau Claire comprising wards 1, 7, 8, 9, 10, 11, 12, 13, 14, 19, 22, 23, 29, 34, 35, 36, and 37.

Sixty-ninth assembly district. All of the following territory constitutes the 69th assembly district:

(1) Chippewa County. That part of Chippewa County consisting of all of the following:

(a) The towns of Delmar, Edson, and Sigel.

(b) The village of Boyd.

(c) The city of Stanley.

(2) Clark County. That part of Clark County consisting of all of the following:

(a) The towns of Beaver, Butler, Colby, Eaton, Foster, Fremont, Grant, Green Grove, Hendren, Hewett, Hixon, Hoard, Longwood, Loyal, Lynn, Mayville, Mead, Mentor, Pine Valley, Reseburg, Seif, Sherman, Sherwood, Thorp, Unity, Warner, Washburn, Weston, Withee, Worden, and York.

\*24 (b) The villages of Curtiss, Granton, and Withee.

(c) That part of the village of Dorchester located in the county.

(d) That part of the village of Unity located in the county.

(e) The cities of Greenwood, Loyal, Neillsville, Owen, and Thorp.

(f) That part of the city of Abbotsford located in the county.

(g) That part of the city of Colby located in the county.

(3) Eau Claire County. That part of Eau Claire County consisting of the town of Wilson.

(4) Marathon County. That part of Marathon County consisting of all of the following:

(a) The towns of Brighton, Cleveland, Eau Pleine, Frankfort, Hull, McMillan, Spencer, and Wien.

(b) The villages of Edgar, Fenwood, Spencer, and Stratford.

(c) That part of the village of Dorchester located in the county.

(d) That part of the village of Unity located in the county.

(e) That part of the city of Abbotsford located in the county.

(f) That part of the city of Colby located in the county.

(5) Taylor County. That part of Taylor County consisting of the town of Taft.

(6) Wood County. That part of Wood County consisting of the town of Lincoln.

Seventieth assembly district. All of the following territory constitutes the 70th assembly district:

(1) Marathon County. That part of Marathon County consisting of that part of the city of Marshfield located in the county.

(2) Portage County. That part of Portage County consisting of all of the following:



**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (a) The towns of Carson, Dewey, Eau Pleine, Hull, Linwood, and Sharon.
  - (b) That part of the town of Grant comprising ward 3.
  - (c) That part of the town of Plover comprising wards 1 and 4.
  - (d) The village of Junction City.
  - (e) That part of the village of Milladore located in the county.
- (3) Wood County. That part of Wood County consisting of all of the following:
- (a) The towns of Arpin, Auburndale, Cameron, Cary, Cranmoor, Dexter, Hansen, Hiles, Marshfield, Milladore, Port Edwards, Remington, Richfield, Rock, Rudolph, Seneca, Sherry, Sigel, and Wood.
  - (b) The villages of Arpin, Auburndale, Hewitt, Rudolph, and Vesper.
  - (c) That part of the village of Milladore located in the county.
  - (d) The cities of Nekoosa and Pittsville.
  - (e) That part of the city of Marshfield located in the county.

Seventy-first assembly district. All of the following territory constitutes the 71st assembly district:

- (1) Portage County. That part of Portage County consisting of all of the following:
- (a) The towns of Almond, Amherst, Belmont, Buena Vista, Lanark, New Hope, Pine Grove, and Stockton.
  - (b) That part of the town of Plover comprising wards 2 and 3.
  - (c) The villages of Almond, Amherst, Amherst Junction, Nelsonville, Park Ridge, Plover, and Whiting.
  - (d) The city of Stevens Point.
- (2) Waushara County. That part of Waushara County consisting of all of the following:
- (a) The towns of Deerfield, Hancock, Oasis, Plainfield, and Rose.
  - \*25 (b) The villages of Hancock and Plainfield.

Seventy-second assembly district. All of the following territory constitutes the 72nd assembly district:

- (1) Adams County. That part of Adams County consisting of all of the following:
- (a) The towns of Adams, Big Flats, Colburn, Easton, Jackson, Leola, Lincoln, Monroe, New Chester, Preston, Quincy, Richfield, Rome, Springville, and Strongs Prairie.
  - (b) The village of Friendship.
  - (c) The city of Adams.
- (2) Marquette County. That part of Marquette County consisting of all of the following:
- (a) The town of Springfield.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(b) The village of Westfield.

(3) Portage County. That part of Portage County consisting of that part of the town of Grant comprising wards 1 and 2.

(4) Wood County. That part of Wood County consisting of all of the following:

(a) The towns of Grand Rapids and Saratoga.

(b) The villages of Biron and Port Edwards.

(c) The city of Wisconsin Rapids.

Seventy-third assembly district. All of the following territory constitutes the 73rd assembly district:

(1) Whole county. Douglas County.

(2) Burnett County. That part of Burnett County consisting of the towns of Blaine, Jackson, Oakland, Rusk, Sand Lake, Scott, Swiss, Union, and Webb Lake.

(3) Washburn County. That part of Washburn County consisting of all of the following:

(a) The towns of Bass Lake, Brooklyn, Casey, Chicog, Crystal, Evergreen, Frog Creek, Gull Lake, Minong, Springbrook, Stinnett, and Trego.

(b) The village of Mining.

Seventy-fourth assembly district. All of the following territory constitutes the 74th assembly district:

(1) Whole counties. Ashland County, Bayfield County, and Iron County.

(2) Sawyer County. That part of Sawyer County consisting of all of the following:

(a) The towns of Bass Lake, Couderay, Edgewater, Hayward, Hunter, Lenroot, Ojibwa, Radisson, Round Lake, Sand Lake, Spider Lake, and Winter.

(b) The villages of Couderay, Radisson, and Winter.

(c) The city of Hayward.

Seventy-fifth assembly district. All of the following territory constitutes the 75th assembly district:

(1) Barron County. That part of Barron County consisting of all of the following:

(a) The towns of Almena, Arland, Barron, Bear Lake, Cedar Lake, Chetek, Clinton, Crystal Lake, Cumberland, Doyle, Lakeland, Maple Grove, Maple Plain, Oak Grove, Prairie Farm, Prairie Lake, Rice Lake, Stanford, Stanley, Sumner, Turtle Lake, and Vance Creek.

(b) The villages of Almena, Cameron, Haugen, and Prairie Farm.

(c) That part of the village of Turtle Lake located in the county.

(d) The cities of Barron, Chetek, Cumberland, and Rice Lake.

(2) Polk County. That part of Polk County consisting of all of the following:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(a) The towns of Beaver, Johnstown, and McKinley.

(b) That part of the village of Turtle Lake located in the county.

(3) Washburn County. That part of Washburn County consisting of all of the following:

\*26 (a) The towns of Barronett, Bashaw, Beaver Brook, Birchwood, Long Lake, Madge, Sarona, Spooner, and Stone Lake.

(b) The village of Birchwood.

(c) The cities of Shell Lake and Spooner.

Seventy-sixth assembly district. All of the following territory in Dane County constitutes the 76th assembly district:

(1) That part of the town of Madison comprising wards 2, 3, 4, and 6.

(2) That part of the city of Fitchburg comprising wards 1, 2, 3, 4, and 6.

(3) That part of the city of Madison comprising wards 48, 50, 58, 59, 60, 65, 66, 67, 68, 69, 72, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, and 94.

Seventy-seventh assembly district. All of the following territory in Dane County constitutes the 77th assembly district:

(1) The village of Shorewood Hills.

(2) That part of the city of Madison comprising wards 45, 46, 47, 61, 62, 63, 64, 70, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 95, 96, and 97.

(3) That part of the city of Middleton comprising wards 2, 3, and 4.

Seventy-eighth assembly district. All of the following territory in Dane County constitutes the 78th assembly district:

(1) That part of the town of Madison comprising wards 1, 5, 7, 8, 9, 10, and 11.

(2) The village of Maple Bluff.

(3) That part of the city of Madison comprising wards 14, 15, 21, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 49, 51, 52, 53, 54, and 57.

Seventy-ninth assembly district. All of the following territory in Dane County constitutes the 79th assembly district:

(1) The towns of Blue Mounds, Cross Plains, Middleton, Springdale, Vermont, and Verona.

(2) The villages of Blue Mounds and Mount Horeb.

(3) The city of Verona.

(4) That part of the city of Fitchburg comprising wards 5, 7, 8, 9, 10, 11, and 12.

(5) That part of the city of Madison comprising wards 82, 83, 98, and 99.

(6) That part of the city of Middleton comprising wards 1, 5, 6, 7, and 9.

Eightieth assembly district. All of the following territory constitutes the 80th assembly district:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (1) Whole county. Green County.
- (2) Dane County. That part of Dane County consisting of all of the following:
  - (a) The towns of Montrose, Oregon, Perry, and Primrose.
  - (b) That part of the village of Oregon comprising wards 1, 5, 6, 7, and 8.
  - (c) That part of the village of Belleville located in the county.
  - (d) That part of the village of Brooklyn located in the county.
- (3) Lafayette County. That part of Lafayette County consisting of all of the following:
  - (a) The town of Wayne.
  - (b) The village of South Wayne.
- (4) Rock County. That part of Rock County consisting of all of the following:
  - (a) The towns of Magnolia and Union.
  - (b) The city of Evansville.

Eighty-first assembly district. All of the following territory in Dane County constitutes the 81st assembly district:

- (1) The towns of Berry, Black Earth, Burke, Springfield, and Westport.
- (2) The villages of Black Earth, Cross Plains, Mazomanie, and Waunakee.
- \*27 (3) That part of the city of Madison comprising wards 9, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, and 30.
- (4) That part of the city of Middleton comprising ward 8.

Eighty-second assembly district. All of the following territory in Milwaukee County constitutes the 82nd assembly district:

- (1) The village of Greendale.
- (2) The city of Franklin.
- (3) That part of the city of Greenfield comprising wards 6, 7, 9, 10, 11, and 12.

Eighty-third assembly district. All of the following territory constitutes the 83rd assembly district:

- (1) Racine County. That part of Racine County consisting of all of the following:
  - (a) The town of Waterford.
  - (b) The village of Waterford.
- (2) Walworth County. That part of Walworth County consisting of all of the following:
  - (a) The town of East Troy.
  - (b) The village of East Troy.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(c) That part of the village of Mukwonago located in the county.

(3) Waukesha County. That part of Waukesha County consisting of all of the following:

(a) The town of Vernon.

(b) That part of the town of Mukwonago comprising ward 3.

(c) The village of Big Bend.

(d) That part of the village of Mukwonago located in the county.

(e) The city of Muskego.

Eighty-fourth assembly district. All of the following territory constitutes the 84th assembly district:

(1) Milwaukee County. That part of Milwaukee County consisting of the village of Hales Corners.

(2) Waukesha County. That part of Waukesha County consisting of all of the following:

(a) That part of the town of Waukesha comprising wards 6, 9, 10, 11, and 12.

(b) The city of New Berlin.

(c) That part of the city of Waukesha comprising wards 25 and 26.

Eighty-fifth assembly district. All of the following territory constitutes the 85th assembly district:

(1) Marathon County. That part of Marathon County consisting of all of the following:

(a) The towns of Berlin, Easton, Maine, Norrie, Plover, Texas, and Wausau.

(b) The village of Brokaw.

(c) That part of the village of Rothschild comprising wards 1, 2, 3, and 4.

(d) The cities of Schofield and Wausau.

(2) Shawano County. That part of Shawano County consisting of the villages of Aniwa and Eland.

Eighty-sixth assembly district. All of the following territory constitutes the 86th assembly district:

(1) Marathon County. That part of Marathon County consisting of all of the following:

(a) The towns of Bergen, Bevent, Cassel, Day, Emmet, Franzen, Green Valley, Guenther, Knowlton, Kronenwetter, Marathon, Mosinee, Reid, Rib Falls, Rib Mountain, Rietbrock, Ringle, Stettin, and Weston.

(b) The villages of Hatley, Marathon City, and Weston.

(c) That part of the village of Rothschild comprising wards 5 and 6.

(d) The city of Mosinee.

(2) Portage County. That part of Portage County consisting of all of the following:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(a) The town of Alban.

(b) The village of Rosholt.

\*28 (3) Shawano County. That part of Shawano County consisting of all of the following:

(a) The towns of Fairbanks and Germania.

(b) The village of Tiverton.

Eighty-seventh assembly district. All of the following territory constitutes the 87th assembly district:

(1) Whole counties. Price County and Rusk County.

(2) Marathon County. That part of Marathon County consisting of the towns of Bern, Holton, and Johnson.

(3) Sawyer County. That part of Sawyer County consisting of all of the following:

(a) The towns of Draper, Meadowbrook, Meteor, and Weirgor.

(b) The village of Exeland.

(4) Taylor County. That part of Taylor County consisting of all of the following:

(a) The towns of Aurora, Browning, Chelsea, Cleveland, Deer Creek, Ford, Goodrich, Greenwood, Grover, Hammel, Holway, Jump River, Little Black, McKinley, Maplehurst, Medford, Molitor, Pershing, Rib Lake, Roosevelt, and Westboro.

(b) The villages of Gilman, Lublin, Rib Lake, and Stetsonville.

(c) The city of Medford.

Eighty-eighth assembly district. All of the following territory in Brown County constitutes the 88th assembly district: that part of the city of Green Bay comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, and 36.

Eighty-ninth assembly district. All of the following territory constitutes the 89th assembly district:

(1) Brown County. That part of Brown County consisting of all of the following:

(a) The town of Pittsfield.

(b) That part of the town of Suamico comprising wards 1, 2, 3, 4, 5, 6, 8, 9, and 10.

(c) That part of the village of Pulaski located in the county.

(2) Marinette County. That part of Marinette County consisting of all of the following:

(a) The towns of Beaver, Grover, Peshtigo, and Pound.

(b) The villages of Coleman and Pound.

(c) The cities of Marinette and Peshtigo.

(3) Oconto County. That part of Oconto County consisting of all of the following:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (a) The towns of Chase, Lena, Little River, Little Suamico, Oconto, Pensaukee, and Stiles.
  - (b) The village of Lena.
  - (c) That part of the village of Pulaski located in the county.
  - (d) The city of Conto.
- (4) Shawano County. That part of Shawano County consisting of that part of the village of Pulaski located in the county.

Ninetyth assembly district. All of the following territory in Brown County constitutes the 90th assembly district:

- (1) That part of the town of Suamico comprising ward 7.
- (2) That part of the village of Howard located in the county.
- (3) That part of the city of Green Bay comprising wards 25, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, and 45.

Ninety-first assembly district. All of the following territory constitutes the 91st assembly district:

- (1) Whole counties. Buffalo County and Trempealeau County.
- (2) Jackson County. That part of Jackson County consisting of all of the following:
  - \*29** (a) The town of Springfield.
  - (b) The village of Taylor.
- (3) Pepin County. That part of Pepin County consisting of all of the following:
  - (a) The towns of Durand, Frankfort, Pepin, Stockholm, Waterville, and Waubeek.
  - (b) The villages of Pepin and Stockholm.
  - (c) The city of Durand.
- (4) Pierce County. That part of Pierce County consisting of all of the following:
  - (a) The towns of Ellsworth, El Paso, Hartland, Isabelle, Maiden Rock, Martell, Salem, and Union.
  - (b) The villages of Bay City, Maiden Rock, and Plum City.

Ninety-second assembly district. All of the following territory constitutes the 92nd assembly district:

- (1) Clark County. That part of Clark County consisting of the towns of Dewhurst and Levis.
- (2) Eau Claire County. That part of Eau Claire County consisting of all of the following:
  - (a) The towns of Bridge Creek and Fairchild.
  - (b) The village of Fairchild.
  - (c) The city of Augusta.
- (3) Jackson County. That part of Jackson County consisting of all of the following:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (a) The towns of Adams, Albion, Alma, Bear Bluff, Brockway, City Point, Cleveland, Curran, Franklin, Garden Valley, Garfield, Hixton, Irving, Knapp, Komensky, Manchester, Melrose, Millston, North Bend, and North field.
- (b) The villages of Alma Center, Hixton, Melrose, and Merrill an.
- (c) The city of Black River Falls.
- (4) Monroe County. That part of Monroe County consisting of all of the following:
  - (a) The towns of Adrian, Angelo, Byron, Grant, Greenfield, Lafayette, La Grange, Lincoln, Little Falls, New Lyme, Oakdale, Scott, Sparta, and Tomah.
  - (b) The villages of Oakdale, Warrens, and Wyeville.
  - (c) The cities of Sparta and Tomah.

Ninety-third assembly district. All of the following territory constitutes the 93rd assembly district:

- (1) Dunn County. That part of Dunn County consisting of the towns of Dunn, Eau Galle, Peru, Rock Creek, and Weston.
- (2) Eau Claire County. That part of Eau Claire County consisting of all of the following:
  - (a) The towns of Brunswick, Clear Creek, Drammen, Otter Creek, and Pleasant Valley.
  - (b) That part of the town of Washington comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, and 12.
  - (c) That part of the city of Altoona comprising wards 1, 2, 3, 4, 5, 6, 7, 9, 10, and 11.
  - (d) That part of the city of Eau Claire comprising wards 2, 3, 4, 5, 6, 15, 17, 18, 20, 21, 25, 26, 27, 28, 30, 31, 32, 33, 38, and 39.
- (3) Pepin County. That part of Pepin County consisting of the towns of Albany and Lima.
- (4) Pierce County. That part of Pierce County consisting of the town of Rock Elm.

Ninety-fourth assembly district. All of the following territory constitutes the 94th assembly district:

- (1) La Crosse County. That part of La Crosse County consisting of all of the following:
  - (a) The towns of Bangor, Barre, Burns, Campbell, Farmington, Greenfield, Hamilton, Holland, Medary, Onalaska, and Washington.
  - \*30** (b) That part of the town of Shelby comprising wards 2 and 3.
  - (c) The villages of Bangor, Holmen, and West Salem.
  - (d) That part of the village of Rockland located in the county.
  - (e) The city of Onalaska.
- (2) Monroe County. That part of Monroe County consisting of all of the following:
  - (a) The towns of Leon and Portland.
  - (b) The village of Melvin.



**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

(c) That part of the village of Rockland located in the county.

Ninety-fifth assembly district. All of the following territory in La Crosse County constitutes the 95th assembly district:

- (1) That part of the town of Shelby comprising wards 1, 4, 5, and 6.
- (2) The city of La Crosse.

Ninety-sixth assembly district. All of the following territory constitutes the 96th assembly district:

- (1) Whole counties. Crawford County and Vernon County.
- (2) Monroe County. That part of Monroe County consisting of all of the following:
  - (a) The towns of Jefferson, Ridgeville, Sheldon, Wellington, Wells, and Wilton.
  - (b) The villages of Cashton, Norwalk, and Wilton.
- (3) Richland County. That part of Richland County consisting of all of the following:
  - (a) The towns of Akan, Bloom, Forest, Henrietta, and Sylvan.
  - (b) The village of Yuba.
  - (c) That part of the village of Viola located in the county.

Ninety-seventh assembly district. All of the following territory in Waukesha County constitutes the 97th assembly district:

- (1) That part of the town of Waukesha comprising wards 1, 2, 4, and 5.
- (2) That part of the city of Waukesha comprising wards 1, 2, 3, 4, 5, 6, 7, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38.

Ninety-eighth assembly district. All of the following territory in Waukesha County constitutes the 98th assembly district:

- (1) The town of Brookfield.
- (2) That part of the town of Lisbon comprising wards 4, 5, 6, and 7.
- (3) The village of Pewaukee.
- (4) That part of the village of Sussex comprising ward 12.
- (5) That part of the city of Brookfield comprising wards 4, 5, 6, 8, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, and 22.
- (6) That part of the city of Pewaukee comprising wards 1, 2, 3, 4, 5, 6, 8, 9, and 10.

Ninety-ninth assembly district. All of the following territory constitutes the 99th assembly district:

- (1) Dodge County. That part of Dodge County consisting of that part of the city of Hartford located in the county.
- (2) Washington County. That part of Washington County consisting of all of the following:
  - (a) The town of Erin.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127471

---

- (b) That part of the town of Hartford comprising wards 1, 2, 3, 4, and 6.
- (c) That part of the town of Polk comprising ward 5.
- (d) That part of the town of Richfield comprising wards 1, 2, 3, 4, 5, 9, and 10.
- (e) That part of the city of Hartford located in the county.
- (3) Waukesha County. That part of Waukesha County consisting of all of the following:
  - \*31 (a) The town of Merton.
  - (b) That part of the town of Lisbon comprising wards 1, 2, 3, 8, 9, 10, 11, and 12.
  - (c) The villages of Lannon and Merton.
  - (d) That part of the village of Menominee Falls comprising wards 18, 24, 25, 26, and 27.
  - (e) That part of the village of Sussex comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11.

**All Citations**Not Reported in F.Supp.2d, 2002 WL 34127471

---

End of Document

© 2023 Thomson Reuters. No claim to original U.S. Government Works.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**

2002 WL 34127473

2002 WL 34127473

Only the Westlaw citation is currently available.

United States District Court,  
E.D. Wisconsin.

James R. BAUMGART, Roger M. Breske, Brian T. Burke, Charles J. Chvala, Russell S. Decker, Jon Erpenbach, Gary R. George, Richard Grobschmidt, Dave Hansen, Robert Jauch, Mark Meyer, Rodney Moen, Gwendolynne S. Moore, Kimberly Plache, Fred A. Risser, Judy Robson, Kevin W. Shibilski, Robert D. Wirch, Spencer Black, James E. Kreuser, Gregory B. Huber, each individually and as members of the Wisconsin State Senate, Intervenor–Plaintiffs,

v.

Jeralyn WENDELBERGER, chairperson of the Wisconsin Elections Board, and each of its members in his or her official capacity, John P. Savage, David Halbrooks, R.J. Johnson, Brenda Lewison, Steven V. Ponto, John C. Schober, Christine Wiseman and Kevin J. Kennedy, its executive director, Defendants,

and

Scott R. JENSEN, in his capacity as the Speaker of the Wisconsin Assembly, and Mary E. Panzer, in her capacity as the Minority Leader of the Wisconsin Senate, Intervenor–Defendants.

Scott R. JENSEN, in his capacity as the Speaker of the Wisconsin Assembly, Mary E. Panzer, in her capacity as the Minority Leader of the Wisconsin Senate, Plaintiffs,

v.

Jeralyn WENDELBERGER, chairperson of the Wisconsin Elections Board, and each of its members in his or her official capacity, John P. Savage, David Halbrooks, R.J. Johnson, Brenda Lewison, Steven V. Ponto, John C. Schober, Christine Wiseman, Kevin J. Kennedy, its executive director, Defendants,

and

James R. BAUMGART, Roger M. Breske, Brian T. Burke, Charles J. Chvala, Russell S. Decker, Jon Erpenbach, Gary R. George, Richard Grobschmidt, Dave Hansen, Robert Jauch, Mark Meyer, Rodney Moen, Gwendolynne S. Moore, Kimberly Plache, Fred A. Risser, Judy Robson, Kevin W. Shibilski, Robert D. Wirch, Spencer Black, James E. Kreuser, Gregory B. Huber, each individually and as members of the Wisconsin State Senate, Intervenor–Defendants.

No. 01–C–0121, 02–C–0366.

|

July 11, 2002.

Before EASTERBROOK, Circuit Judge, [STADTMUELLER](#), Chief District Judge, and [CLEVERT](#), District Judge.

## DECISION AND ORDER

PER CURIAM.

\*1 The court has been advised by its technical advisor, Tony Van Der Wielen of the Legislative Technical Services Bureau (LTSB), as well as Peter Cannon and Michael Keane of the LTSB, of errors in the population data set used by the parties and the court in determining Assembly and Senate districts in this case. These errors are of two types. The most common is the omission of wards from the data set. For example, Appleton ward 33 in the data set is actually comprised of wards 33 and 53, and Appleton ward 19 is actually comprised of wards 50 and 19. Similar errors occurred with respect to the Village of Little Chute (ward 13 omitted from the data set), the City of Brodhead in Rock County (ward 7 omitted), and the City of Eau Claire (ward 24 omitted).

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127473

---

The second data error relates to the City of Eau Claire, where two census blocks in the center of ward 20 are assigned to ward 1. Also, there are two unpopulated non-contiguous wards in Appleton, wards 41 and 49, which should be moved from Assembly District 3 to District 55.

In light of the above, and pursuant to Fed.R.Civ.P. 60(a), Part II of the Order of May 30, 2002, is amended as follows:

Third assembly district. All of the following territory constitutes the 3rd assembly district:

- (1) Brown County. That part of Brown County consisting of the towns of Holland and Morrison.
- (2) Calumet County. That part of Calumet County consisting of all of the following:
  - (a) The towns of Brillion, Chilton, Harrison, Stockbridge, and Woodville.
  - (b) The villages of Sherwood and Stock bridge.
  - (c) The cities of Brillion and Chilton.
  - (d) That part of the city of Menasha located in the county.
- (3) Outagamie County. That part of Outagamie County consisting of all of the following:
  - (a) The town of Buchanan.
  - (b) The villages of Combined Locks and Kimberly.
  - (c) That part of the village of Little Chute comprising wards 5, 6, 7, and 11.

Fifth assembly district. All of the following territory constitutes the 5th assembly district:

- (1) Brown County. That part of Brown County consisting of all of the following:
  - (a) The towns of Hobart and Lawrence.
  - (b) That part of the village of Ashwaubenon comprising ward 9.
  - (c) That part of the city of Green Bay comprising wards 47, 48, and 49.
- (2) Outagamie County. That part of Outagamie County consisting of all of the following:
  - \*2 (a) The towns of Black Creek, Cicero, Freedom, Kaukauna, Oneida, Osborn, Seymour, and Vandebroek.
  - (b) The villages of Black Creek and Nichols.
  - (c) That part of the village of Little Chute comprising wards 1, 2, 4, 8, 9, 10, 12, and 13.
  - (d) That part of the village of Howard located in the county.
  - (e) The cities of Kaukauna and Seymour.
- (3) Shawano County. That part of Shawano County consisting of the town of Maple Grove.

Fifty-fifth assembly district. All of the following territory in Winnebago County constitutes the 55th assembly district:

- (1) That part of the town of Menasha comprising wards 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127473

---

- (2) The city of Neenah.
- (3) That part of the city of Appleton located in the county.
- (4) That part of the city of Menasha located in the county.

Fifty-sixth assembly district. All of the following territory constitutes the 56th assembly district:

- (1) Outagamie County. That part of Outagamie County consisting of all of the following:
  - (a) The towns of Center, Dale, Grand Chute, and Greenville.
  - (b) That part of the city of Appleton comprising wards 30, 31, 32, 51, 52.
- (2) Winnebago County. That part of Winnebago County consisting of all of the following:
  - (a) The towns of Clayton, Neenah, Poygan, Vinland, Winchester, Winneconne, and Wolf River.
  - (b) That part of the town of Menasha comprising wards 1 and 2.
  - (c) The village of Winneconne.

Fifty-seventh assembly district. All of the following territory in Outagamie County constitutes the 57th assembly district:

- (1) That part of the village of Little Chute comprising ward 3.
- (2) That part of the city of Appleton comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 33, 34, 35, 36, 37, 50, and 53.

Sixty-eighth assembly district. All of the following territory constitutes the 68th assembly district:

- (1) Chippewa County. That part of Chippewa County consisting of all of the following:
  - (a) The towns of Hallie, Lafayette, and Wheaton.
  - (b) That part of the city of Eau Claire located in the county.
- (2) Eau Claire County. That part of Eau Claire County consisting of all of the following:
  - (a) The towns of Lincoln, Ludington, Seymour, and Union.
  - (b) That part of the town of Washington comprising wards 9 and 13.
  - (c) The village of Fall Creek.
  - (d) That part of the city of Altoona comprising wards 8, 12, and 13.
  - (e) That part of the city of Eau Claire comprising wards 1, 7, 8, 9, 10, 11, 12, 13, 14, 19, 22, 23, 29, 31, 34, 35, 36, and 37.

Eightieth assembly district. All of the following territory constitutes the 80th assembly district:

- (1) Whole county. Green County.
- (2) Dane County. That part of Dane County consisting of all of the following:

**Baumgart v. Wendelberger, Not Reported in F.Supp.2d (2002)**2002 WL 34127473

---

- (a) The towns of Montrose, Oregon, Perry, and Primrose.
- (b) That part of the village of Oregon comprising wards 1, 5, 6, 7, and 8.
- \*3 (c) That part of the village of Belleville located in the county.
- (d) That part of the village of Brooklyn located in the county.
- (3) Lafayette County. That part of Lafayette County consisting of all of the following:
  - (a) The town of Wayne.
  - (b) The village of South Wayne.
- (4) Rock County. That part of Rock County consisting of all of the following:
  - (a) The towns of Magnolia and Union.
  - (b) The city of Evansville.
  - (c) That portion of the City of Brodhead located within the county.

Ninety-third assembly district. All of the following territory constitutes the 93rd assembly district:

- (1) Dunn County. That part of Dunn County consisting of the towns of Dunn, Eau Galle, Peru, Rock Creek, and Weston.
- (2) Eau Claire County. That part of Eau Claire County consisting of all of the following:
  - (a) The towns of Brunswick, Clear Creek, Drammen, Otter Creek, and Pleasant Valley.
  - (b) That part of the town of Washington comprising wards 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, and 12.
  - (c) That part of the city of Altoona comprising wards 1, 2, 3, 4, 5, 6, 7, 9, 10, and 11.
  - (d) That part of the city of Eau Claire comprising wards 2, 3, 4, 5, 6, 15, 17, 18, 20, 21, 24, 25, 26, 27, 28, 30, 32, 33, 38, and 39.
- (3) Pepin County. That part of Pepin County consisting of the towns of Albany and Lima.
- (4) Pierce County. That part of Pierce County consisting of the town of Rock Elm.

**All Citations**

Not Reported in F.Supp.2d, 2002 WL 34127473

---

End of Document

© 2023 Thomson Reuters. No claim to original U.S. Government Works.