

FILED
01-26-2024
CLERK OF WISCONSIN
SUPREME COURT

STATE OF WISCONSIN
IN SUPREME COURT

Case No. 2023AP1399-OA

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

Petitioners,

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, CARRIE RIEPL, IN
THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE
WISCONSIN ELECTIONS COMMISSION; AND
MEAGAN WOLFE, IN HER OFFICIAL CAPACITY AS
ADMINISTRATOR OF THE WISCONSIN ELECTIONS
COMMISSION; ANDRE JACQUE, TIM CARPENTER,
ROB HUTTON, CHRIS LARSON, DEVIN LEMAHIEU,
STEPHEN L. NASS, JOHN JAGLER, MARK SPREITZER,
HOWARD MARKLEIN, RACHAEL CABRAL-GUEVARA,
VAN H. WANGGAARD, JESSE L. JAMES, ROMAINE
ROBERT QUINN, DIANNE H. HESSELBEIN, CORY
TOMCZYK, JEFF SMITH, AND CHRIS KAPENGA, IN
THEIR OFFICIAL CAPACITIES 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,

Intervenor-Respondents.

**COMMISSION RESPONDENTS' RESPONSE TO
MOTION FOR RECONSIDERATION OF THIS
COURT'S REMEDIAL SCHEDULING ORDER**

On January 11, 2024, this Court denied a motion for reconsideration of its December 22, 2023 post-decision scheduling order filed by (1) respondents, Senators Cabral-Guevara, Hutton, Jacque, Jagler, James, Kapenga, LeMahieu, Marklein, Nass, Quinn, Tomczyk, and Wanggaard; (2) intervenor-respondent the Wisconsin Legislature; and (3) intervenors-respondents Johnson, et al. On January 22, the same parties moved for reconsideration of that January 11, 2024 Order. On January 24, this Court ordered all parties not moving for reconsideration to file a response no later than January 26, 4:00 p.m.

The Commission Respondents in this matter—the Wisconsin Elections Commission; Don Millis, Robert F. Spindell, Jr., Mark L. Thomsen, Ann S. Jacobs, Marge Bostelmann, Carrie Riepl, in their official capacities as members of the Commission; and Meagan Wolfe, in her official capacity as administrator of the Commission—did not file a merits brief in this original action, did not submit a substantive response to the first motion for reconsideration, and therefore do not submit a substantive response to this second motion for reconsideration.

Dated this 26th day of January 2024.

Respectfully submitted,

ERIC J. WILSON
Deputy Attorney General of
Wisconsin

Electronically signed by:

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Spindell, Jr., Mark L. Thomsen, Ann
S. Jacobs, Marge Bostelmann, Carrie
Riepl, and Meagan Wolfe

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CERTIFICATE OF EFILE/SERVICE

I certify that in compliance with Wis. Stat. § 801.18(6), I electronically filed this *Commission Respondents' response to Motion for Reconsideration of this Court's Remedial Scheduling Order* with the clerk of court using the Wisconsin Appellate Court Electronic Filing System, which will accomplish electronic notice and service for all participants who are registered users.

Dated this 26th day of January 2024.

Electronically signed by:

Steven C. Kilpatrick

STEVEN C. KILPATRICK
Assistant Attorney General