



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

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SUPREME COURT

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March 28, 2024

VIA ELECTRONIC FILING

Mr. Samuel A. Christenson  
Clerk, Wisconsin Supreme Court  
Post Office Box 1688  
Madison, WI 53701-1688

Re: *Rebecca Clarke, et al. v. Wisconsin Elections Commission, et al.*,  
Case No. 23AP1399-OA

Dear Clerk Christenson:

On March 15, 2024, Respondent Wisconsin Elections Commission moved for clarification from the Court on which legislative districts should apply to special and recall elections held before the 2024 general election. (Commission's Mot.). In response to the motion, Governor Tony Evers requested one additional week to allow the parties to file a stipulation about which legislative districts should apply to interim elections. (Governor's Resp. 4.)

The parties were unable to reach an agreement on this issue. Governor Evers agrees with the Clarke Petitioners and Democratic Senator Respondents that the legislative districts enacted in 2023 Wisconsin Act 94 should apply to special and recall elections that occur before the 2024 general election. (Clarke Pets.' Resp. 3-4; Democratic Sens.' Resp. 3). No party's court filing opposes use of these maps. (See Wright Pets.' Resp. 2; Wis. Leg. Resp. 3.)

The Act 94 enacted maps, which the Wisconsin Legislature passed and Governor Evers signed into law in February 2024, are identical to the remedial maps that Governor Evers proposed in this litigation and satisfy all constitutional requirements. (See Consultants' Rep. 4-9.) To ensure certainty and order in future interim recall and special elections, the Wisconsin Elections Commission should use the legislative districts enacted in Act 94.

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Sincerely,

Electronically signed by Faye B. Hipsman

Faye B. Hipsman  
Assistant Attorney General

cc: All parties vie e-file