

FILED  
04-09-2024  
CLERK OF WISCONSIN  
SUPREME COURT

IN THE SUPREME COURT OF WISCONSIN  
NO. 2023AP1399-OA

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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  
Theffeault, 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 Carrie  
Riepl, in their official capacities as Members  
of the Wisconsin Election Commission;  
Meagan Wolfe, in her official capacity as the  
Administrator of the Wisconsin Elections  
Commission; Andre Jacque, Tim Carpenter,  
Rob Hutton, Chris Larson, Devin LeMahieu,  
Stephen L. Nass, John Jagler, Mark Spreitzer,  
Howard Marklein, Rachael Cabral-Guevara,  
Van H. Wanggaard, Jesse L. James, Romaine  
Robert Quinn, Dianne H. Hesselbein, Cory  
Tomczyk, Jeff Smith, and Chris Kapenga, in  
their official capacities as Members of the  
Wisconsin Senate,  
Respondents,

Wisconsin Legislature; Billie Johnson, Chris  
Goebel, Ed Perkins, Eric O'Keefe, Joe  
Sanfelippo, Terry Moulton, Robert Jensen,  
Ron Zahn, Ruth Elmer and Ruth Steck,  
Intervenors-Respondents.

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**IN AN ORIGINAL ACTION TO THE  
SUPREME COURT OF WISCONSIN**

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**SENATORS CARPENTER, LARSON, SPREITZER,  
HESSELBEIN AND SMITH'S  
RESPONSE REGARDING CONSULTANTS' FEES AND  
EXPENSES ALLOCATION**

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*Attorneys for Respondents Senators  
Carpenter, Larson, Spreitzer, Hesselbein,  
and Smith*

Respondent Senators Carpenter, Larson, Spreitzer, Hesselbein and Smith (the Democratic Senator Respondents) hereby join the response of the Clarke Petitioners and Wright Intervenors regarding the allocation of the Court's consultants' fees and expenses, filed this same date, in its entirety, but with one clarification. The Clarke Petitioners and Wright Intervenors express concern that requiring certain governmental entities and officials, sued in their official capacities, to pay the costs and expenses could require a specific appropriation by the Legislature. To be clear, if the Democratic Senator Respondents, sued here in their official capacities, were assessed some portion of these costs and expenses, the Senate Chief Clerk should pay them pursuant to Senate policies and consistent with past practices without further legislative appropriation or action.

Respectfully Submitted this 9<sup>th</sup> day of April 2024.

PINES BACH LLP

By: Electronically signed by Tamara B. Packard  
Tamara B. Packard, SBN 1023111  
Eduardo E. Castro, SBN 1117805

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