

FILED
04-09-2024
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
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.

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

**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 9th day of April 2024.

PINES BACH LLP

By: Electronically signed by Tamara B. Packard
Tamara B. Packard, SBN 1023111
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