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SUPREME COURT



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**Supreme Court of Wisconsin**

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November 7, 2023

**To:**

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Senator Howard Marklein  
Senator Chris Kapenga  
Senator Steve Nass  
Wisconsin Senate  
P.O. Box 7882  
Madison, WI 53707

You are hereby notified that the Court has entered the following order:

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No. 2023AP2020-OA     Governor Evers v. Senator Marklein

A petition for leave to commence an original action under Wis. Stat. § (Rule) 809.70, having been filed on behalf of petitioners, Governor Tony Evers et al.;

IT IS ORDERED that respondents, Senator Howard Marklein et al., shall file one or more responses to the petition by November 21, 2023; and

IT IS FURTHER ORDERED that any non-party that wishes to file a non-party brief amicus curiae in support of or in opposition to the petition must file a motion for leave of the court to file a non-party brief pursuant to the requirements of Wis. Stat. § (Rule) 809.19(7). Non-parties should also consult this court's Internal Operating Procedure concerning the nature of non-parties who may be granted leave to file a non-party brief. A proposed non-party brief must accompany the motion for leave to file it. Any proposed non-party brief shall not exceed 20 pages if a monospaced font is used or 4,400 words if a proportional serif font is used. Any motion for leave with the proposed non-party brief attached shall be filed no later than November 21, 2023. Any submission

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by a non-party that does not comply with Wis. Stat. § (Rule) 809.19(7) and any proposed non-party brief for which this court does not grant leave will not be considered by the court; and

IT IS FURTHER ORDERED that each Wisconsin attorney participating in this case must opt in to this case in the appellate court electronic filing system. All Wisconsin attorneys who are not already opted in for this case are hereby ordered to do so as soon as possible and no later than November 20, 2023.

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Samuel A. Christensen  
Clerk of Supreme Court