

**FILED**  
**02-02-2024**  
**CLERK OF WISCONSIN**  
**SUPREME COURT**

**IN THE SUPREME COURT OF WISCONSIN**

Case No. 2024AP000138

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DEAN PHILLIPS,

*Petitioner,*

v.

WISCONSIN ELECTION COMMISSION AND  
WISCONSIN PRESIDENTIAL PREFERENCE SELECTION COMMITTEE,

*Respondents.*

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**MOTION FOR ADMISSION OF MALCOLM SEYMOUR, *PRO HAC VICE***

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NOW COMES Petitioner Dean Phillips, by and through his attorney, Timothy W. Burns of Burns Bair LLP, and hereby moves this Court for an Order admitting Attorney Malcolm Seymour of the law firm of Foster Garvey PC to appear before this Honorable Court and participate in the above-captioned case, pursuant to Wisconsin Supreme Court Rule 10.03(4).

This motion is based upon the accompanying Application for *Pro Hac Vice* Admission.

Dated this 2<sup>nd</sup> day of February 2024 Respectfully submitted,

*Electronically signed by Timothy W. Burns*

Timothy W. Burns (State Bar No. 1068086)

Jesse J. Bair (State Bar No. 1083779)

Brian P. Cawley (State Bar No. 1113251)

BURNS BAIR LLP

10 E. Doty St., Suite 600

Madison, Wisconsin 53703

(608) 286-2808

[tburns@burnsbair.com](mailto:tburns@burnsbair.com)

[jbair@burnsbair.com](mailto:jbair@burnsbair.com)

[bcawley@burnsbair.com](mailto:bcawley@burnsbair.com)

**STATE OF WISCONSIN, CIRCUIT COURT,** Supreme Court of Wisconsin **COUNTY**Case Caption: DEAN PHILLIPS v. WISCONSIN  
ELECTION COMMISSION AND  
WISCONSIN PRESIDENTIAL  
PREFERENCE SELECTION  
COMMITTEE**Application for  
Pro Hac Vice Admission**

Case No. 2024AP000138

**I DECLARE UNDER PENALTY OF PERJURY:**

1. That I seek to appear pro hac vice in order to represent  
Petitioner Dean Phillips  
in the above-captioned matter;
2. That I am admitted to practice law in the highest court(s) of the state(s) or country(ies) of;  
New York
3. That there are no disciplinary complaints filed against me for violation of the rules of those  
courts (if so, please explain):
4. That I am not suspended or disbarred from practice for disciplinary reasons or reason of  
medical incapacity in any jurisdiction (if yes, please explain):
5. That I am associated with Attorney Timothy Burns, State Bar No. 1068086  
an active member of the State Bar of Wisconsin (name the member of the State Bar of  
Wisconsin and provide his/her Member Number);
6. That I do not practice or hold out to practice law in the State of Wisconsin;
7. That I acknowledge the jurisdiction of the courts of the State of Wisconsin over my  
professional conduct, and I agree to abide by the rules of the relevant division of the Circuit  
Court of the State of Wisconsin, the Wisconsin Court of Appeals, the Wisconsin Supreme  
Court, and the Rules of Professional Conduct for Attorneys, if I am admitted pro hac vice;
8. That I have complied fully with SCR Rule 10.03 (4);
9. That I am applying for admission pro hac vice for the following reasons:  
To appear as counsel of record in the matter of Phillips v. Wisconsin Elections Commission,  
2024-AP-000138, operating under supervision of licensed Wisconsin co-counsel.

I have applied for admission pro hac vice in the courts of the State of Wisconsin 

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 previously in this calendar year.

I attach hereto evidence of my payment or prior payment of the pro hac vice fee.

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|--|--|
| Signature of Attorney<br>Malcolm Seymour      2/1/2024 1:42:32 PM                  | Telephone Number<br>212-965-4533                     |
| Name Printed<br>Malcolm Seymour  | Email Address (if any)<br>malcolm.seymour@foster.com |
| Address of Principal Office<br>100 Wall Street, New York, NY, 10005, United States |  |



## Receipt:

Name on the card: Malcolm Seymour

Payment Total: \$250.00

Payment Date: 2/1/2024 1:42:32 PM

Payment Method: Card ending with: \*9646

Transaction Number: AQ1E9C4E5590



*Appellate Division of the Supreme Court  
of the State of New York  
Second Judicial Department*

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*I, Darrell M. Joseph, Acting Clerk of the Appellate Division  
of the Supreme Court of the State of New York, Second Judicial  
Department, do hereby certify that*

*Malcolm Seymour, III*

*was duly licensed and admitted to practice as an Attorney and  
Counselor at Law in all the courts of this State on **May 2, 2007**, has  
duly taken and subscribed the oath of office prescribed by law, has  
been enrolled in the Roll of Attorneys and Counselors at Law on  
file in this office, is duly registered with the Office of Court  
Administration, and according to the records of this Court is  
currently in good standing as an Attorney and Counselor-at-Law.*



*In Witness Whereof, I have hereunto set  
my hand in the City of Brooklyn on  
February 1, 2024.*

*Darrell M. Joseph*

*Acting Clerk of the Court*