

IN THE SUPREME COURT OF WISCONSIN

No. 2021AP001450 - OA

BILLIE JOHNSON, ERIC O'KEEFE, ED PERKINS, AND RONALD ZAHN,

Petitioners,

v.

WISCONSIN ELECTIONS COMMISSION, MARGE BOSTELMANN, JULIE
GLANCEY, ANN JACOBS, DEAN KNUDSON, ROBERT SPINDELL, AND
MARK THOMSEN, IN THEIR OFFICIAL CAPACITIES AS MEMBERS OF
THE WISCONSIN ELECTIONS COMMISSION,

Respondents.

**MOTION TO FILE NON-PARTY BRIEF
OF DANIEL R. SUHR IN SUPPORT OF PETITIONERS**

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MOTION

Pursuant to R. App. Pro. 809.19(7)(a) and Wis. Sup. Ct. Internal Op. Pro. III (B) (6) (c), proposed amicus Daniel R. Suhr moves the Court for permission to file a non-party brief in support of Petitioners. An amicus brief is appropriate when the filer has “a special knowledge or experience in the matter at issue in the proceedings so as to render a brief from the movant of significant value to the court.” *Id.* See Judicial Council Committee’s Note, 1978, to R. App. Pro. 809.19(7) (“The motion should indicate the interest of the amicus and why a brief by the amicus is desirable.”).

Daniel Suhr is an attorney who frequently writes on important issues of public law in Wisconsin. He is the author of three articles—Daniel R. Suhr & Kevin LeRoy, *The Past and the Present: Stare Decisis in Wisconsin Law*, 102 MARQ. L. REV. 839 (2019); Daniel R. Suhr, *Interpreting Wisconsin Statutes*, 100 MARQ. L. REV. 969 (2017); and Daniel R. Suhr, *Interpreting the Wisconsin Constitution*, 97 MARQ. L. REV. 93 (2012)—which have been cited over a dozen times by the Wisconsin Supreme Court. His interest in this case is as a true friend of the Court, a public-minded attorney who has done research on this issue and offers it for the Court’s consideration, knowing from prior conversations with counsel that it will not duplicate other briefing.

Movant's proposed amicus brief will add significant value to the Court's consideration of this case by adding new arguments and authorities in support of Petitioners that were not fully developed in their opening memorandum of law.

Respectfully submitted,



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September 7, 2021

CERTIFICATE AS TO ELECTRONIC FILING

Pursuant to R. App. Pro. 809.19(12)(F), I hereby certify that I have submitted an electronic copy of this motion in compliance with the requirements of Rule 809.19(12). I also certify that this electronic brief is identical in content and format to the printed form of the brief filed promptly thereafter. A copy of this certificate has been served with the paper copies of this motion filed with the Court and served on all parties.

CERTIFICATE SIGNED:



Daniel R. Suhr