

Samuel A. Christensen

From: Taylor Meehan <taylor@consovoymccarthy.com>
Sent: Thursday, November 16, 2023 12:04 PM
To: Clerk of the Supreme Court and Court of Appeals
Cc: Luke Berg; Matt Frederick; Kevin St. John; Dan Vitagliano; Rick@will-law.org
Subject: [E] Urgent: Oral Argument November 21, 2023; 2023AP1399-OA

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To the Clerk of the Supreme Court:

This email is in response to the Court's Order of November 13, 2023, in *Clarke v. Wisconsin Elections Commission*, No. 2023AP1399-OA, regarding the division of time for oral argument.

For Group Two, attorney Taylor Meehan will present up to 50 minutes of argument and attorney Rick Esenberg will present up to 30 minutes of argument. Arguing counsel will be prepared to address all issues without duplicating arguments. Because arguing counsel will be responding to Petitioners and Intervenor-Petitioners, the extent to which counsel covers each issue will turn, in part, on opening arguments by Petitioners and Intervenor-Petitioners. The topic and time estimations below are best estimates, and arguing counsel will be prepared to devote more or less time to issues depending on opening arguments and the Court's questions.

1. Whether claims are procedurally barred (Attorney Meehan) (15 min.)
2. Whether districts are contiguous (Attorney Meehan) (15 min.)
3. Remedial arguments and further factfinding (Attorney Meehan) (20 min.)
4. Whether *Johnson* violates separation of powers (Attorney Esenberg) (15 min.)
5. Remedial arguments on behalf of the Johnson Intervenors (Attorney Esenberg) (15 min.)

Warm regards,

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