

FILED
01-12-2024
CLERK OF WISCONSIN
SUPREME COURT

No. 2023AP001399-OA

IN THE SUPREME COURT OF WISCONSIN

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 (DEE) SWEET, AND GABRIELLE YOUNG,

Petitioners,

GOVERNOR TONY EVERS, IN HIS OFFICIAL CAPACITY; NATHAN ATKINSON, STEPHEN JOSEPH WRIGHT, GARY KRENZ, SARAH J. HAMILTON, JEAN-LUC THIFFEAULT, 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 JOSEPH J. CZARNEZKI, IN THEIR OFFICIAL CAPACITIES AS MEMBERS OF THE WISCONSIN ELECTIONS COMMISSION; MEAGAN WOLFE, IN HER OFFICIAL CAPACITY AS THE ADMINISTRATOR OF THE WISCONSIN ELECTIONS COMMISSION; SENATOR ANDRÉ JACQUE, SENATOR TIM CARPENTER, SENATOR ROB HUTTON, SENATOR CHRIS LARSON, SENATOR DEVIN LEMAHIEU, SENATOR STEPHEN L. NASS, SENATOR JOHN JAGLER, SENATOR MARK SPREITZER, SENATOR HOWARD L. MARKLEIN, SENATOR RACHAEL CABRAL-GUEVARA, SENATOR VAN H. WANGGAARD, SENATOR JESSE L. JAMES, SENATOR ROMAINE ROBERT QUINN, SENATOR DIANNE H. HESSELBEIN, SENATOR CORY TOMCZYK, SENATOR JEFF SMITH, AND SENATOR 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 STRECK,

Intervenors-Respondents.

**JOINT STIPULATION AS TO CONFIDENTIALITY
OF LEGISLATIVE TECHNOLOGY SERVICES BUREAU SHAPEFILE WITH
INCUMBENT ADDRESSES**

JOINT STIPULATION AS TO CONFIDENTIALITY

1. On December 22, 2023, the Court issued an order instructing the parties that they “may file a proposed remedial map, one or more supporting expert reports . . . , and other supporting materials, all complying with the parameters set forth in this court’s December 22, 2023 decision and with the technical specifications and data requirements identified by the December 26, 2023 letter submitted by Dr. Grofman and Dr. Cervas.” Order of Dec. 22, 2023, at 2.

2. Pursuant to that order, Dr. Grofman and Dr. Cervas submitted a letter on December 26, 2023, requiring parties to provide them “all digital files in relation to proposed remedial plans.” *See* Letter of Dec. 26, 2023, at 1.

3. Source data accompanying the Legislature’s submission includes one or more files named “Incumbents_WI_Legislature_2024_01_05” that contain personal identifying information that, if disclosed in the form provided, may cause harassment.

4. All parties¹ agree to treat the identified file(s) confidentially and that the file(s) may only be used for purposes of this litigation.

5. All parties agree that the identified file(s) and the data contained therein (except insofar as the data is properly obtained from a

¹ This Joint Stipulation’s references to “[a]ll parties” refer to the parties that appeared in Court at the November 21, 2021, oral argument. The Wisconsin Elections Commission and its individual Commissioners and Administrator have informed the Court that they have no role or interest in determining where legislative district boundaries are located, and accordingly they have taken no position on the merits of the claims in this original action.

different source) shall not be disclosed, nor shall disclosure be permitted, to any other person or entity except that disclosure may be made to consultants or experts, including employees or independent contractors of such expert, employed by a party or counsel to a party to assist counsel in the preparation for this litigation, provided that before disclosure to any expert, such expert shall be advised of, and become subject to, the provisions of this stipulation requiring that the identified file(s) and the data contained therein be treated confidentially and used only for purposes of this litigation.

Dated this 12th day of January, 2024.

Respectfully submitted.

Electronically Signed by

Daniel S. Lenz

LAW FORWARD, INC.

DANIEL S. LENZ (BAR NO. 1082058)

T.R. EDWARDS (BAR NO. 1119447)

ELIZABETH M. PIERSON (BAR NO. 1115866)

SCOTT B. THOMPSON (BAR NO. 1098161)

222 W. Washington Ave., Suite 250

Madison, WI 53703

(608) 556-9120

dlenz@lawforward.org

tedwards@lawforward.org

epierson@lawforward.org

sthompson@lawforward.org

STAFFORD ROSENBAUM LLP

DOUGLAS M. POLAND (BAR NO. 1055189)

JEFFREY A. MANDELL (BAR NO. 1100406)

RACHEL E. SNYDER (BAR NO. 1090427)

222 West Washington Avenue, Suite 900 P.O. Box 1784

Madison, WI 53701 -1784

(608) 256-0226

dpoland@staffordlaw.com

jmandell@staffordlaw.com

rsnyder@staffordlaw.com

CAMPAIGN LEGAL CENTER

MARK P. GABER*

BRENT FERGUSON*

HAYDEN JOHNSON*

BENJAMIN PHILLIPS*

MICHAEL R. ORTEGA*

1101 14th St. NW, Suite 400

Washington, DC 20005

(202) 736-2200

mgaber@campaignlegal.org

bferguson@campaignlegal.org

hjohnson@campaignlegal.org

bphillips@campaignlegal.org

mortega@campaignlegal.org

CAMPAIGN LEGAL CENTER

ANNABELLE E. HARLESS*

55 W. Monroe St., Suite 1925

Chicago, IL 60603

(202) 736-2200

aharless@campaignlegal.org

ELECTION LAW CLINIC AT HARVARD LAW SCHOOL

RUTH M. GREENWOOD*

NICHOLAS O. STEPHANOPOULOS*

4105 Wasserstein Hall 6 Everett Street

Cambridge, MA 02138

(617) 998-1010

rgreenwood@law.harvard.edu

nstephanopoulos@law.harvard.edu

ARNOLD & PORTER KAYE SCHOLER LLP

ELISABETH S. THEODORE*

JOHN A. FREEDMAN*

601 Massachusetts Ave. NW

Washington, DC 20001

(202) 942-5000

elisabeth.theodore@arnoldporter.com

john.freedman@arnoldporter.com

*Counsel for the Clarke Petitioners*** Admitted pro hac vice*

Electronically Signed by

Sarah A. Zylstra

BOARDMAN CLARK LLP

SARAH A. ZYLSTRA (BAR NO. 1033159)

TANNER G. JEAN -LOUIS (BAR NO. 1122401)

1 South Pinckney Street, Suite 410

Madison, WI 53701

(608) 257-9521

szylstra@boardmanclark.com

tjeanlouis@boardmanclark.com

JENNER & BLOCK LLP

SAM HIRSCH*

JESSICA RING AMUNSON*

ELIZABETH B. DEUTSCH*

ARJUN R. RAMAMURTI*

1099 New York Avenue NW, Suite 900

Washington, DC 20001

(202) 639-6000

shirsch@jenner.com

jamunson@jenner.com

edeutsch@jenner.com

aramamurtti@jenner.com

Counsel for the Wright Petitioners

** Admitted pro hac vice*

Electronically Signed by

Anthony D. Russomanno

WISCONSIN DEPARTMENT OF JUSTICE

JOSHUA L. KAUL

ATTORNEY GENERAL OF WISCONSIN

ANTHONY D. RUSSOMANNO (BAR NO. 1076050)

ASSISTANT ATTORNEY GENERAL

FAYE B. HIPSMAN (BAR NO. 1123933)

ASSISTANT ATTORNEY GENERAL

BRIAN P. KEENAN (BAR NO. 1056525)

ASSISTANT ATTORNEY GENERAL

P.O. Box 7857

Madison, Wisconsin 53707 -7857

(608) 267-2238 (ADR)

(608) 264-9487 (FBH)

(608) 266-0020 (BPK)

(608) 294-2907 (Fax)

russomannoad@doj.state.wi.us

hipsmanfb@doj.state.wi.us

keenanbp@doj.state.wi.us

OFFICE OF GOVERNOR TONY EVERS

MEL BARNES (BAR NO. 1096012)

P.O. Box 7863

Madison, Wisconsin 53707 -7863

(608) 266-1212

mel.barnes@wisconsin.gov

STATES UNITED DEMOCRACY CENTER

CHRISTINE P. SUN

DAX L. GOLDSTEIN

506 S. Spring St.

Los Angeles, CA 90013

(202) 999-9305

christine@statesuniteddemocracy.org

dax@statesuniteddemocracy.org

STATES UNITED DEMOCRACY CENTER

JOHN HILL

250 Commons Dr.

DuBois, PA 15801

(202) 999 -9305

john@statesuniteddemocracy.org

Counsel for Governor Tony Evers

Electronically Signed by

Tamara B. Packard

PINES BACH LLP

TAMARA B. PACKARD (BAR NO. 1023111)

EDUARDO E. CASTRO (BAR NO. 1117805)

122 West Washington Ave., Suite 900

Madison, WI 53703

(608) 251-0101

tpackard@pinesbach.com

ecastro@pinesbach.com

*Counsel for Respondents Senators Carpenter, Larson, Spreitzer, Hessel-
bein, and Smith*

Electronically Signed by

Kevin M. St. John

BELL GIFTOS ST. JOHN LLC

KEVIN M. ST. JOHN (BAR NO. 1054815)

5325 Wall Street, Suite 2200

Madison, WI 53718

(608) 216-7995

kstjohn@bellgiftos.com

CONSOVOY MCCARTHY PLLC

TAYLOR A.R. MEEHAN*

RACHAEL C. TUCKER*

DANIEL M. VITAGLIANO*

C'ZAR D. BERNSTEIN*

1600 Wilson Blvd., Suite 700

Arlington, VA 22209

(703) 243-9423

taylor@consovoymccarthy.com

LAWFAIR LLC

ADAM K. MORTARA (BAR NO. 1038391)

40 Burton Hills Blvd., Suite 200

Nashville, TN 37215

(773) 750-7154

mortara@lawfairllc.com

Counsel for Wisconsin Legislature

**Admitted pro hac vice*

Electronically Signed by

Jessie Augustyn

AUGUSTYN LAW LLC

JESSIE AUGUSTYN (BAR NO. 1098680)
1835 E. Edgewood Dr., Suite 105-478
Appleton, WI 54913
(715) 255-0817
jessie@augustynlaw.com

*Counsel for Respondents Senators
Cabral-Guevara, Hutton, Jacque, Jagler,
James, Kapenga, LeMahieu, Marklein,
Nass, Quinn, Tomczyk & Wanggaard*

LEHOTSKY KELLER COHN LLP

SCOTT A. KELLER*
SHANNON GRAMMEL*
GABRIELA GONZALEZ-ARAIZA*
200 Massachusetts Ave., NW, Suite 700
Washington, DC 20001
(512) 693-8350
scott@lkcfirm.com

LEHOTSKY KELLER COHN LLP

MATTHEW H. FREDERICK*
408 West 11th St., Fifth Floor
Austin, TX 78701
matt@lkcfirm.com

*Counsel for Wisconsin Legislature & Respondents Senators Cabral-Gue-
vara, Hutton, Jacque, Jagler, James, Kapenga, LeMahieu, Marklein, Nass,
Quinn, Tomczyk & Wanggaard*

**Admitted pro hac vice*

Electronically Signed by

Luke N. Berg_____

**WISCONSIN INSTITUTE FOR
LAW & LIBERTY, INC.**

RICHARD M. ESENBERG (BAR NO. 1005622)

LUKE N. BERG (BAR NO. 1095644)

NATHALIE E. BURMEISTER (BAR NO. 1126820)

330 E. Kilbourn Ave., Suite 725

Milwaukee, WI 53202

(414) 727-9455

Luke@will-law.org

Counsel for Intervenors-Respondents Billie Johnson, Chris Goebel, Ed Perkins, Eric O'Keefe, Joe Sanfelippo, Terry Moulton, Robert Jensen, Ron Zahn, Ruth Elmer, and Ruth Streck

CERTIFICATION REGARDING LENGTH AND FORM

I hereby certify that this Joint Stipulation conforms to the rules governing the form of stipulations filed in this Court.

Dated this 12th day of January, 2024.

Respectfully submitted,

Electronically Signed by

Kevin M. St. John

BELL GIFTOS ST. JOHN LLC

KEVIN M. ST. JOHN, SBN 1054815

5325 Wall Street, Suite 2200

Madison, WI 53718

608.216.7995

kstjohn@bellgiftos.com