

IN THE SUPREME COURT OF WISCONSIN

STATE OF WISCONSIN

FILED

Plaintiff-Respondent,

FEB 11 2021

Appeal No.

2019-AP-1404-CR

CLERK OF SUPREME COURT
OF WISCONSIN

v.

GEORGE STEVEN BURCH,

Defendant-Appellant.

MOTION OF AMERICAN CIVIL LIBERTIES UNION FOUNDATION, AMERICAN CIVIL LIBERTIES UNION OF WISCONSIN FOUNDATION, ELECTRONIC FRONTIER FOUNDATION, AND ELECTRONIC PRIVACY INFORMATION CENTER FOR APPEARANCE *PRO HAC VICE*

Pursuant to Rule 10.03(4)(b) of the Local Rules of the Wisconsin Supreme Court, amici's local counsel, Laurence J. Dupuis, Esq., a member of the Wisconsin Bar, hereby moves that the Court admit *pro hac vice* Jennifer Stisa Granick, Esq., and Jennifer Lynch, Esq., who will be actively associated with local counsel for amici American Civil Liberties Union Foundation (ACLU), American Civil Liberties Union of Wisconsin Foundation (ACLU of Wisconsin), Electronic Frontier Foundation (EFF), and Electronic Privacy Information Center (EPIC). In support of this Motion, the undersigned counsel states as follows:

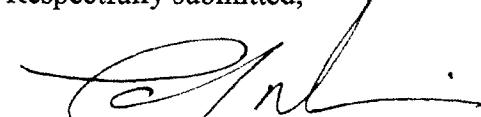
1. I am an attorney licensed to practice law in the State of Wisconsin since 1997 and am one of the attorneys representing the proposed amici in this matter;

2. As attorneys for the ACLU and EFF, respectively, Ms. Granick and Ms. Lynch specialize in litigation of issues at the intersection of technology and privacy, including numerous Fourth Amendment cases and amicus briefs each has litigated and filed before state and federal courts, including the U.S. Supreme Court. As such, they have resources and expertise that would be of great benefit to the effective and full briefing of this matter;
3. Attorney Granick and attorney Lynch have submitted the required application information to the State Bar of Wisconsin and this Court, as set forth in SCR 10.03(4)(b)(1). Copies of both applications are attached hereto;
4. Attorney Granick and attorney Lynch have paid the required fee by money order or mailed check to the State Bar of Wisconsin, as set forth in SCR 10.03(4)(b)(2). Proof of both payments is attached hereto;
5. Attorney Granick and attorney Lynch are personally known by me as respected advocates in the field of technology and privacy advocacy, with extensive expertise in Fourth Amendment litigation in cases involving electronic device searches and other forms of digitally mediated surveillance;
6. Attorney Granick and attorney Lynch will be actively associated with local counsel, Laurence J. Dupuis, in this action;

WHEREFORE, amici request that this Court permit Jennifer Stisa Granick, Esq., and Jennifer Lynch, Esq., to appear *pro hac vice* associated with present local counsel, Laurence J. Dupuis.

Dated this 27th of January, 2021

Respectfully submitted,



Laurence J. Dupuis (WBN 1029261)

American Civil Liberties

of Wisconsin Foundation, Inc.

207 East Buffalo Street #325

Milwaukee, WI 53202

Telephone: (414) 272-4032

Email: ldupuis@aclu-wi.org

IN THE SUPREME COURT OF WISCONSIN

STATE OF WISCONSIN

Plaintiff-Respondent,

Appeal No.
2019-AP-1404-CR

v.

GEORGE STEVEN BURCH,
Defendant-Appellant.APPLICATION FOR *PRO HAC VICE* ADMISSION

I declare under penalty of perjury:

1. That I seek to appear *pro hac vice* in order to represent amici American Civil Liberties Union Foundation (ACLU), American Civil Liberties Union Foundation of Wisconsin (ACLU of Wisconsin), Electronic Frontier Foundation (EFF), and Electronic Privacy Information Center (EPIC) 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: California;
3. That there are no disciplinary complaints filed against me for violation of the rules of those courts;
4. That I am not suspended or disbarred from practice for disciplinary reasons or reason of medical incapacity in any jurisdiction;

5. That I am associated with attorney Laurence J. Dupuis, State Bar No. WBN 1029261, an active member of the State Bar of Wisconsin;
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 to admission *pro hac vice* for the following reasons: I am applying for admission *pro hac vice* in order to represent the above-referenced organizations—ACLU, ACLU of Wisconsin, EFF, and EPIC—as amici in the case *State of Wisconsin v. George Steven Burch*, No. 2019-AP-001404.

I have applied for admission *pro hac vice* in the courts of the State of Wisconsin 0 times in this calendar year.

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

Dated this 27th of January, 2021

Respectfully submitted,



Jennifer Granick
American Civil Liberties
Union Foundation
39 Drumm Street
San Francisco, CA 94111
Telephone: (415) 343-0758
Email: jgranick@aclu.org



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INFORMATION

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Pay to **State Bar of Wisconsin**

Address **P.O. Box 7158 Madison, WI 53707-7158**

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att'n: **Pro Hac Vice Application**

Serial Number
26832016934

Year, Month, Day

2021-02-02

Post Office

120370

Amount

\$250.00

Clerk

98



**UNITED STATES
POSTAL SERVICE**

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Serial Number

26832016934

Year, Month, Day

2021-02-02

Post Office

120370

U.S. Dollars and Cents

\$250.00

Two Hundred Fifty Dollars and 00/100 ****

Pay to **State Bar of Wisconsin**

Address **P.O. Box 7158 Madison, WI 53707-7158 American Civil Liberties Union**

Clerk **98**

Memo **att'n Pro Hac Vice Application**

100X04

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26832016934

STATE OF WISCONSIN, CIRCUIT COURT, BROWN

COUNTY

Case Caption:
 State of Wisconsin v.
 George Steven Burch

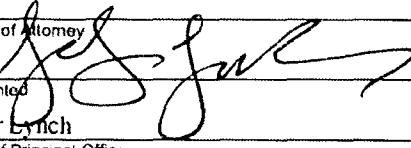
**Application for
Pro Hac Vice Admission**

Case No. 2019AP1404-CR**I DECLARE UNDER PENALTY OF PERJURY:**

1. That I seek to appear pro hac vice in order to represent amici curiae Electronic Frontier Foundation 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 California;
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 Laurencc J. Dupuis, State Bar No. 1029261, 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 represent the Electronic Frontier Foundation, a non-profit organization with members in Wisconsin, on an amicus brief to be filed in the above captioned case.

I have applied for admission pro hac vice in the courts of the State of Wisconsin 0 times previously in this calendar year.

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

Signature of Attorney 	Telephone Number <u>(415) 436-9333</u>
Name Printed <u>Jennifer Lynch</u>	Email Address (if any) <u>jlynch@eff.org</u>
Address of Principal Office Electronic Frontier Foundation, 815 Eddy Street, San Francisco, CA 94109	

SECURITY FEATURES INCLUDE TRUE WATERMARK PAPER, HEAT SENSITIVE ICON AND FOIL HOLOGRAM


**ELECTRONIC FRONTIER FOUNDATION
(CAPITAL SPENDING)**
ELECTRONIC FRONTIER FOUNDATION
CAPITAL SPENDING
815 EDDY STREET
SAN FRANCISCO, CA 94109
FIRST REPUBLIC BANK
1699 VAN NESS AVENUE
SAN FRANCISCO, CA 94109
1029

11-8166/3210

18
CHECK ARMOR

TRADE SHOW

02/04/2021

PAY TO THE State Bar of Wisconsin
ORDER OF
\$ **250.00**DOLLARS**

Two hundred fifty and 00/100*****

State Bar of Wisconsin
USA

AUD VALID V.

AUD VALID W.

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AUD VALID V.

AUTHORIZED SIGNATURE

MEMO Pro HAC APPLICATION - JENNIFER LYNCH

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ELECTRONIC FRONTIER FOUNDATION**(CAPITAL SPENDING)****1029**

02/04/2021 State Bar of Wisconsin

Date	Type	Reference	Original Amount	Balance Due	Payment
02/04/2021	Bill	02042021	250.00	250.00	250.00
Check Amount					

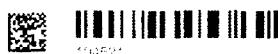
First Republic Bank (250.00

ELECTRONIC FRONTIER FOUNDATION**(CAPITAL SPENDING)****1029**

02/04/2021 State Bar of Wisconsin

Date	Type	Reference	Original Amount	Balance Due	Payment
02/04/2021	Bill	02042021	250.00	250.00	250.00
Check Amount					

First Republic Bank (250.00



198521

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Security Features Included