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Supreme Court of Wisconsin

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March 17, 2021

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You are hereby notified that the Court has entered the following order:

No. 2021AP428-OA Fabick v. Wis. Elections Comm'n

A petition for leave to commence an original action under Wis. Stat. § (Rule) 809.70, a "Motion for Permanent Injunction, or Alternatively a Temporary Injunction," a supporting legal memorandum, and an appendix having been filed on behalf of petitioner, Jeré Fabick;

IT IS ORDERED that respondents, Wisconsin Elections Commission; Ann S. Jacobs, in her official capacity as Chair of the Wisconsin Elections Commission; Mark L. Thomsen, in his official capacity as Vice-Chair of the Wisconsin Elections Commission; Marge Bostelmann, in her official capacity as Secretary of the Wisconsin Elections Commission; Julie M. Glancey, in her official capacity as Commissioner of the Wisconsin Elections Commission; Dean Knudson, in his official capacity as Commissioner of the Wisconsin Elections Commission; Robert F. Spindell, Jr., in his official capacity as Commissioner of the Wisconsin Elections Commission; Meagan Wolfe, in her official capacity as Administrator of the Wisconsin Elections Commission; City of Madison; Maribeth Witzel-Behl, in her official capacity as City Clerk for the City of Madison; City of Milwaukee; City of Milwaukee Election Commission; Stephanie D. Findley, in her official capacity as Chair of the Milwaukee Election Commission; Carmen C. Cabrera, in her official

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capacity as Commissioner of the Milwaukee Election Commission; Jess Ripp, in his official capacity as Commissioner of the Milwaukee Election Commission; and Claire Woodall-Vogg, in her official capacity as Executive Director of the Milwaukee Election Commission, shall file one or more responses to the petition and the motion by 4:00 p.m. on Tuesday, March 30, 2021. Each response shall be filed as an attachment in pdf format to an email addressed to clerk@wicourts.gov. See Wis. Stat. §§ 809.14, 809.80, and 809.81. The respondents shall also ensure that a paper original and 10 copies of each response are received by the clerk of this court by 4:00 p.m. on Wednesday, March 31, 2021, with the following notation on the top of the first page: “This document was previously filed via email.”

IT IS FURTHER ORDERED that any non-party that wishes to file a non-party brief amicus curiae in support of or in opposition to the petition and motion must file a motion for leave of the court to file a non-party brief pursuant to the requirements of Wis. Stat. § (Rule) 809.19(7). Non-parties should also consult this court’s Internal Operating Procedure III.B.6.c. concerning the nature of non-parties who may be granted leave to file a non-party brief. A proposed non-party brief must accompany the motion for leave to file it. Any proposed non-party brief shall not exceed 15 pages if a monospaced font is used or 3,300 words if a proportional serif font is used. Any motion for leave with the proposed non-party brief attached shall be filed no later than 4:00 p.m. on Thursday, April 1, 2021, and shall be filed as an attachment in pdf format to an email addressed to clerk@wicourts.gov. The non-party shall also ensure a paper original and 10 copies of the brief are received by the clerk of this court by 4:00 p.m. on Friday, April 2, 2021, with the following notation on the top of the first page: “This document was previously filed via email.” Any submission by a non-party that does not comply with Wis. Stat. § (Rule) 809.19(7) and any proposed non-party brief for which this court does not grant leave will not be considered by the court.

ANNETTE KINGSLAND ZIEGLER and REBECCA GRASSL BRADLEY, J.J., (*concurring in part, dissenting in part*). We concur with ordering a response to the petition and motion, but we would order that this matter proceed on an expedited basis.

Sheila T. Reiff
Clerk of Supreme Court