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STATE OF WISCONSIN CIRCUIT COURT WAUKESHA COUNTY
BRANCH 1

RICHARD TEIGEN and RICHARD THOM,

Plaintiffs,

v.

Case No. 2021CV0958
Code: 30701

WISCONSIN ELECTIONS COMMISSION,

Defendant,

and

DEMOCRATIC SENATORIAL CAMPAIGN COMMITTEE, DISABILITY RIGHTS WISCONSIN, WISCONSIN FAITH VOICES FOR JUSTICE, and LEAGUE OF WOMEN VOTERS OF WISCONSIN,

Intervenor-Defendants

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INTERVENOR-DEFENDANTS, DISABILITY RIGHTS WISCONSIN, WISCONSIN FAITH VOICES FOR JUSTICE, AND LEAGUE OF WOMEN VOTERS OF WISCONSIN'S RESPONSE BRIEF IN OPPOSITION TO PLAINTIFFS' MOTION FOR TEMPORARY INJUNCTION[1]

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[1] Although Plaintiffs title their motion as one for "preliminary injunction," Intervenor-Defendants refer in this brief to Plaintiffs' motion as seeking a "temporary injunction." The Wisconsin Statutes recognize such motions as ones for "temporary injunction," *see* Wis. Stat. § 813.02, but do not recognize or authorize issuance of a "preliminary injunction." That term is a creature of federal, not Wisconsin, law. *See* Fed. R. Civ. P. 65(a).

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INTRODUCTION

Two Wisconsin voters ask this Court to rewrite our election statutes to reflect their own personal preferences. But their preferred rewrite of express statutory text is not the law. In substance, the statutory text is clear, as confirmed by practice around the state and underscored by failed legislative efforts to amend the statutes to align with Plaintiffs' policy preferences. And in process, Plaintiffs cannot meet the requisite standards for temporary injunctive relief. Accordingly, Intervenor-Defendants Disability Rights Wisconsin, Wisconsin Faith Voices for Justice, and the League of Women Voters of Wisconsin urge this Court to deny Plaintiffs' motion.

LEGAL STANDARD

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Injunctions, including temporary injunctions, are not to be issued lightly. *Werner v. A.L. Grootemaat & Sons, Inc.*, 80 Wis. 2d 513, 520, 529 N.W.2d 310 (1977). Indeed, an injunction may be issued only if: "'(1) the movant is likely to suffer irreparable harm if a temporary injunction is not issued; (2) the movant has no other adequate remedy at law; (3) a temporary injunction is necessary to preserve the status quo; and (4) the movant has a reasonable probability of success on the merits.'" *Serv. Emps. Int'l Union, Loc. 1 v. Vos*, 2020 WI 67, ¶93, 393 Wis. 2d 38, 946 N.W.2d 35 (quoting *Milwaukee Deputy Sheriffs' Ass'n v. Milwaukee Cnty.*, 2016 WI App 56, ¶20, 370 Wis. 2d 644, 883 N.W.2d 154). Pursuant to Wis. Stat. § 813.02(1)(b), if a movant satisfies these threshold conditions, a court then evaluates whether, on balance, equity and the public interest favor granting the temporary injunction.

"[T]he function of a temporary injunction is to maintain the status quo." *Shearer v. Congdon*, 25 Wis. 2d 663, 668, 131 N.W.2d 377 (1964); *accord, e.g.*, *Werner*, 80 Wis. 2d at 520. The purpose of a temporary injunction is "'not to change the position of the parties or compel the doing of acts which constitute all or part of the ultimate relief sought.'" *Sch. Dist. of Slinger v.*

Wis. Intersch. Athletic Ass'n, 210 Wis. 2d 365, 373, 563 N.W.2d 585 (Ct. App. 1997) (quoting *Codept, Inc. v. More–Way North Corp.*, 23 Wis. 2d 165, 173, 127 N.W.2d 29 (1964)).

ARGUMENT

The Court should deny Plaintiffs' motion for a temporary injunction for two independent reasons. First, the motion, along with Plaintiffs' contemporaneously filed summary judgment motion and the underlying complaint, is not properly before this Court. Second, Plaintiffs fail to make the requisite showing to support the issuance of a temporary injunction. And casting a pall over Plaintiffs' entire case is the fact that an injunction (temporary or permanent) rescinding and prohibiting the future publication of the disputed guidance at issue would not prevent the harm that Plaintiffs' allege will occur. It follows that Plaintiffs' motion must be dismissed.

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I. PLAINTIFFS FAILED TO EXHAUST THEIR ADMINISTRATIVE REMEDIES.

The Legislature prescribed a strict, express, and mandatory procedure to govern how allegations of election-related misconduct must be filed, reviewed, and adjudicated. A voter who believes an "election official" (as defined in Wis. Stat. § 5.02(2f)) administered or conducted an election in violation of state law is required to first file "a written sworn complaint" with the Wisconsin Elections Commission ("WEC") "promptly … after the complainant knew or should have known that a violation of law or abuse of discretion occurred or was proposed to occur." Wis. Stat. § 5.06(1), (3). Until such a complaint has been filed and then disposed of by WEC, no voter "may commence an action or proceeding to test the validity of any decision, action or failure to act on the part of any election official." Wis. Stat. § 5.06(2). A complainant aggrieved by WEC's disposition may then appeal to the circuit court. Wis. Stat. § 5.06(8).

Here, Plaintiffs allege that WEC distributed two memoranda to municipal clerks relating to the return of absentee ballots, one in March 2020 and one in August 2020, that purportedly misstated the law. (Dkt. 2, ¶¶8-12) They also allege that municipal clerks relied upon these

incorrect statements of law and thereby administered the 2020 general election in violation of state statutes. (*Id.* ¶¶13-14) In effect, Plaintiffs complain that WEC—more accurately memo signatory WEC Administrator Meagan Wolfe—and those municipal clerks who relied upon WEC guidance, conducted the 2020 elections in violation of state election law. Each of these actors falls within the definition of "election official" under Wis. Stat. § 5.02(4e). A complaint alleging election-related misconduct by election officials, even where styled as a declaratory judgment action, remains subject to WEC's exclusive review under Wis. Stat. § 5.06 before it is ripe for judicial review. *See Kuechmann v. Sch. Dist. of La Crosse*, 170 Wis. 2d 218, 224-25, 487 N.W.2d 639 (Ct. App. 1992) (holding that circuit court lacked jurisdiction over election-related complaint filed not under Wis. Stat. § 5.06, but instead as an action for declaratory and injunctive relief).

Even if Plaintiffs' arguments were construed as complaints about violations of state election law rather than complaints directed at statewide election officials, Wisconsin law would require Plaintiffs to first file them with WEC before suing in circuit court. Such complaints trigger WEC's authority to investigate and prosecute alleged civil violations of state election laws. Wis. Stat. § 5.05(2m)(a). The Legislature gave WEC "power to initiate civil actions" that redress the wrongs identified in such complaints, and it decreed that WEC's civil enforcement power is "*the exclusive remedy* for alleged civil violations of" Wisconsin's election code. Wis. Stat. § 5.05(2m)(k) (emphasis added).

Sections 5.05 and 5.06 foreclose voters from seeking judicial review in the first instance. But to address Plaintiffs' question regarding who watches the watchmen (dkt. 2, ¶16), it is not the case that Plaintiffs have no option but to complain to WEC about WEC's own actions. State law expressly authorizes a voter to file a verified petition with a district attorney, "requesting that an action be commenced for injunctive relief, a writ of mandamus or prohibition or other such legal

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or equitable relief as may be appropriate to compel compliance with the law." Wis. Stat. § 5.08. If the district attorney does not act, the voter may file the same petition with the Attorney General. *Id.*

Plaintiffs' failure to avail themselves of their administrative remedies dooms not only their motion for a temporary injunction in this Court, but also their summary judgment motion and underlying complaint. Where statutes provide a method for administrative review, that method is exclusive and must be pursued as a condition precedent to a court exercising jurisdiction over the matter. *Kuechmann,* 170 Wis. 2d at 224. In *Kuechmann*, plaintiffs brought an original action for declaratory and injunctive relief, rather than waiting for and seeking review of a decision by the State Elections Board (a predecessor agency to WEC) under Wis. Stat. § 5.06. *Id.* at 222. There, the plaintiffs' failure to comply with Wis. Stat. § 5.06 "deprived the circuit court of jurisdiction." *Id*. at 224 ("When the legislature prescribes the method to review alleged deficiencies in election procedure, the legislature must deem that procedure to provide an adequate review.").

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These same principles preclude Plaintiffs' motion (and entire action) here. Plaintiffs allege, if not expressly than at least by implication, that election officials throughout the state, including but not limited to those at WEC, administered or conducted the 2020 general election in violation of Wisconsin law. But Plaintiffs never filed a complaint with WEC. Wis. Stat. §§ 5.05(2m)(c)2.a., 5.06(1). Their failure to follow the procedural path prescribed by the Legislature precludes this action and compels denial of their request for a temporary injunction. Wis. Stat. §§ 5.05(2m)(k), 5.06(2).

II. PLAINTIFFS DO NOT MEET THE REQUIREMENTS FOR A TEMPORARY INJUNCTION.

Even if this Court could hear Plaintiffs' case, it should not grant the request for a temporary injunction.

A. Plaintiffs are Not Likely to Succeed on the Merits.

As fully described in Intervenor-Defendants' contemporaneously filed brief in opposition to Plaintiffs' motion for summary judgment, Plaintiffs' claims are deficient for several reasons. Dispositive here are three, developed fully in Intervenor-Defendants' summary judgment brief and incorporated but not repeated here:

1. The plain language of Wis. Stat. § 6.87(4)(b)1. permits electors to return absentee ballots to the municipal clerk via drop boxes and third parties.

2. Plaintiffs have presented no proof of past or future election misconduct to justify the relief they seek.

3. WEC was not required to promulgate the disputed guidance memoranda as rules.

See Intervenor-Defs.' Br. in Resp. to S.J., at 1-19.

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B. A Temporary Injunction May be Issued Only to Preserve the Status Quo.

Plaintiffs fundamentally misstate the requisite elements to grant a temporary injunction and by so doing read out of the law the very purpose of temporary injunctions. Temporary injunctions exist to maintain the status quo until the issues at stake in the litigation can be resolved on the merits. *See Werner*, 80 Wis. 2d at 520; *Shearer*, 25 Wis. 2d at 668. Such injunctions may not be used "'to change the position of the parties or compel the doing of acts which constitute all or part of the ultimate relief sought.'" *Sch. Dist. of Slinger*, 210 Wis. 2d at 373 (quoting *Codept, Inc.*, 23 Wis. 2d at 173).

Despite Plaintiffs' assertion to the contrary, Wisconsin courts, including the Wisconsin Supreme Court, have repeatedly stated that preservation of the status quo is an essential precondition to the issuance of a temporary injunction. *See Tavern League of Wis., Inc. v. Palm*, 2021 WI 33, ¶9 n.3, 396 Wis. 2d 434, 957 N.W.2d 261; *Serv. Emps. Int'l Union, Loc. 1*, 2020 WI 67, ¶93 (quoting *Milwaukee Deputy Sheriffs' Ass'n*, 2016 WI App 56, ¶20). The cases Plaintiffs cite do not call this requirement into question. Instead, Plaintiffs rely solely upon Wisconsin Court

of Appeals cases that predate the Wisconsin Supreme Court decisions cited immediately above and merely summarize, without assessing, other courts' decisions to grant injunctive relief.[2] To their detriment, Plaintiffs ignore one crucial aspect of the law relating specifically to the issuance of temporary injunctions: to demonstrate irreparable injury for purposes of a temporary injunction, the movant must show that "without it to preserve the status quo pendente lite, the permanent injunction sought would be rendered futile." *Werner*, 80 Wis. 2d at 520. Thus, preservation of the status quo is not only a required element, but also a condition precedent to proving irreparable harm; it is, therefore, an inexorable part of a court's analysis regarding whether to issue a temporary injunction.

This forecloses Plaintiffs' motion for temporary injunction. Plaintiffs claim that the 2020 WEC memoranda represent the controlling absentee-ballot-return procedure in Wisconsin. In their brief, they argue that "if the Memos remain in place, absentee ballots could be cast by depositing them in drop boxes." (Dkt. No. 67 at 8.) In their complaint, Plaintiffs request that this Court force WEC to change its behavior, and "cease and desist" from ongoing, alleged, conduct. Thus, the

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[2] For example, in *State v. Crute*, the court of appeals discussed a federal case and what a party in that case was required to prove under federal law to obtain a temporary injunction. 2015 WI App 15, ¶39. However, the court analyzed neither whether the conditions had been met, nor whether the same conditions applied in state court. Likewise, in *Kocken v. Wisconsin Council 40, AFSCME, AFL-CIO*, the court of appeals stated the following:

> On November 5, 2004, the circuit court granted Sheriff Kocken a temporary injunction, finding a likelihood of success on the merits, a likelihood of irreparable harm, and an inadequate remedy at law. The defendants moved for reconsideration of the circuit court's decision; the motion was denied.

2007 WI 72, ¶22, 301 Wis. 2d 266, 732 N.W.2d 828. Again, the court of appeals merely stated that a temporary injunction was granted but did not independently analyze whether it should have been. Instead, the *Kocken* court reviewed whether the circuit court properly exercised its discretion in granting a permanent injunction, which does not require an analysis of the status quo. *Id.*, ¶23. And in *Sporting Goods, Inc. v. Spheeris on Capitol*, the scope of the temporary injunction was challenged, but the decision to issue it in the first place was not. 157 Wis. 2d 298, 307, 459 N.W.2d 581 (Ct. App. 1990). Thus, the *Sporting Goods* court merely stated the factors to be considered by a court when deciding whether to grant a temporary injunction, but neither analyzed nor applied them to the case. *Id.* at 306.

"status quo," upon which their case rests, prohibits the inunction they seek from this Court.[3] *Tavern League of Wis., Inc.* and *Serv. Emps. Int'l Union, Loc. 1*, do not equivocate: preservation of the status quo is a mandatory prerequisite to a temporary injunction. *See*, e.g. *Sch. Dist. of Slinger*, 210 Wis. 2d at 373. As Plaintiffs seek a reversal from the status quo, their motion must be denied.

Similarly dispositive, Plaintiffs have not provided this Court with any evidence that the alleged conduct they seek to enjoin has or will occur. There are no affidavits or proof on record that support the factual basis of the pending motion. In fact, Plaintiffs admitted they have no evidence that any municipal clerks relied upon the disputed memoranda in any prior election. Thompson Aff. Ex. 1-Deposition of Richard L. Teigen at 25:8-27:3[4], Ex. 2-Deposition of Richard L. Thom at 16:20-18:20. Fatally, they also admit they have no evidence that the memoranda will ever be relied upon in the future. *Id.*, Ex. 1 at 44:24-45:9, Ex. 2, at 21:16-19, 35:17-20. Absent such evidence, temporary injunctive relief is unavailable.

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C. Plaintiffs Have Not Shown, and Cannot Show, that They Will Suffer Irreparable Harm Absent a Temporary Injunction.

Despite Plaintiffs' audacious overstatements about the detrimental impact of, and continuing municipal compliance with, WEC's 2020 guidance, the record before this Court is conspicuously devoid of any facts supporting this hyperbole. As noted above, "injunctions are not to be issued without a showing of a lack of adequate remedy at law and irreparable harm, but at the temporary-injunction stage the requirement of irreparable injury is met by a showing that, without it to preserve the status quo pendente lite, the permanent injunction sought would be

[3] Plaintiffs expressly argue that the "relevant" status quo is compliance with the text of state law. Dkt. 67, n. 1. But to suggest that there is more than one status quo, only one of which is "relevant" is nonsense. By definition, the status quo is "[t]he situation that currently exists." *Black's Law Dictionary* (11th ed. 2019).

[4] In his deposition, Plaintiff Teigen identified that he received an article from *Wisconsin Watch* which supported this claim. However, this article was produced after his deposition, and makes no substantive reference to it. *See* Thompson Aff., Ex. 1 at 26:24-27:3, Ex. 3.

rendered futile." *Werner*, 80 Wis. 2d at 520, 259. Here, in support of their summary judgment motion, Plaintiffs have stated only that they are uncertain whether they can lawfully cast an absentee ballot using a drop box. (Dkt. 65, ¶4; Dkt. 66, ¶4)[5] In their brief in support of temporary injunctive relief, Plaintiffs claim generalized harm to themselves and to the general public, primarily in the form of vote dilution and damaged public confidence in elections, stemming from "the inclusion of potentially unlawful votes in elections." (Dkt. 67 at 7-8) In the aggregate between the two briefs, Plaintiffs identify two specific harms, or legal injuries, they claim they will suffer without the injunction they seek: (1) uncertainty as to whether they may legally return an absentee ballot via drop box; and (2) dilution of their votes caused by other voters' use of drop boxes to return absentee ballots in violation of Wisconsin law. But, again, Plaintiffs present no evidence supporting any of the following conclusions, all of which would be necessary to establish the future harm they claim necessitates an injunction:

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- That WEC informed municipal clerks that its 2020 guidance regarding absentee ballot return options remains valid for upcoming elections.
- That municipal clerks believe the 2020 guidance regarding absentee ballot return options remains valid for upcoming elections and intend to follow it.
- That municipal clerks relied upon the disputed guidance in 2020 and will do so again in future elections.
- That voters, especially voters in Plaintiffs' own municipalities, returned absentee ballots to drop boxes either for themselves or for other voters in 2020, and will do so again in future elections.

Absent evidence demonstrating that they are likely to suffer the harm identified above, Plaintiffs' claims regarding irreparable harm are, at best, hypothetical. Moreover, as clearly articulated above, demonstrating irreparable harm at this stage requires showing that a temporary

[5] In his deposition, Plaintiff Thom admitted this was not even true. Thompson Aff. Ex. 2 at 31:19-32:7.

injunction is necessary to prevent any future permanent injunction from futility. Having failed even to establish what the status quo is, Plaintiffs certainly cannot show that preservation of the undefined status quo is necessary to save their requested permanent injunction from futility.

More to the point, Plaintiffs cannot identify any causal nexus between the irreparable harm they claim they will suffer and the injunctive relief they ask the Court to issue. Even if this Court were to issue the injunction that Plaintiffs seek, and WEC were to withdraw the guidance memoranda or refrain from issuing them again in the future, it would do absolutely nothing to prevent the two types of injuries that Plaintiffs allege. That is because WEC does not make decisions for municipalities and their clerks about whether they will or will not use drop boxes for the return of absentee ballots. That decision rests in the hands of the municipal clerks—and, more specifically for the first type of harm Plaintiffs allege, their uncertainty about whether they may legally use drop boxes—the hands of the clerks in the municipalities where they reside. But Plaintiffs have not brought any municipal clerks before the Court in this action, and the Court is powerless to enjoin them. Because the municipal clerks who make decisions about whether drop boxes will or will not be used are not before the Court and cannot be enjoined, an injunction here against WEC would be futile: it simply cannot prevent the harm that Plaintiffs seek to avoid through an injunction.

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Because Plaintiffs have failed to demonstrate that they will suffer irreparable harm absent a temporary injunction, temporary injunctive relief must be denied.

D. Absent Irreparable Harm, Plaintiffs Cannot Demonstrate a Lack of Other Adequate Remedies.

The factors underlying the issuance of a temporary injunction are interrelated and, as Plaintiffs note (dkt. 67 at 2-3), "must be balanced together." *State v. Gudenschwager*, 191 Wis. 2d 431, 440, 529 N.W.2d 225 (1995), *holding modified by State v. Scott*, 2018 WI 74, 382 Wis. 2d

476, 914 N.W.2d 141.[6] However, the total absence of one factor is not excused by the presence of others. Just as Plaintiffs failed to address preservation of the status quo, they have also failed to address whether they lack adequate remedies at law. Plaintiffs' silence on this point is unsurprising. What remedies potentially apply to unknown facts, circumstances, and hypothesized harm? That Plaintiffs' motion and brief beg but fail to discuss, much less answer, that question, is fatal to Plaintiffs' motion. The lack of an adequate remedy at law is Plaintiffs' burden to prove, and having failed to raise or even discuss that element, it follows that Plaintiffs have failed to demonstrate that they lack an adequate remedy at law. For this reason, too, temporary injunctive relief must be denied.

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E. The Balance of Equities and the Public Interest Weigh Against Granting a Temporary Injunction.

Even if Plaintiffs could satisfy the threshold conditions to support issuance of a temporary injunction—and as demonstrated above, Plaintiffs fail to satisfy even one of those requisite elements—the Court would then evaluate whether, on balance, equity and the public interest favor granting the temporary injunction. Here, both weigh against granting the temporary injunction.

Plaintiffs bear the burden of demonstrating to the Court that equity favors granting their requested temporary injunction. To support their claim that the balance of equities tips in their favor, Plaintiffs repeat their speculative arguments regarding harm. (Dkt. 67 at 9) In other words, their arguments are circular and lack factual support. Plaintiffs assert an interest in "public authorities conducting elections in accordance with the statutes, and specifically in knowing how to properly and legally cast a ballot so they know it will be counted." (*Id.*) They claim that without an injunction, Plaintiffs' "votes may be diluted by ballots that are cast improperly that are

[6] While this case involved the standard for a stay pending appeal, it is instructive of the Court's analysis.

nevertheless counted in election results." (*Id.*) But, as clearly demonstrated above, the record before this Court lacks evidence that any such harm has or is likely to occur. Moreover, to conclude that such harm is possible, the Court must first determine that WEC's guidance is contrary to the status quo, that Plaintiffs' atextual interpretation of the statutes is correct, and that the municipal clerks responsible for elections in Plaintiffs' and other voting districts will or will not act in accordance with the Court's injunction against the WEC. Only *if* the WEC guidance at issue upends the status quo, *if* it contravenes state law, and *if* it were to be followed by municipal clerks and voters could Plaintiffs' arguments about harm even become plausible. And to reach any of these necessary underlying conclusions, the Court must first find that Plaintiffs have provided adequate factual support, which, as fully described in Intervenor-Defendants' brief in opposition to summary judgment, they have not. It therefore follows that Plaintiffs' only alleged harm is highly speculative.

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On the other side of the balance, WEC and Intervenor-Defendants face significant harm should Plaintiffs' request for a temporary injunction be granted. Both have an interest in ensuring that election-administration procedures are clear and easily understood by both municipal clerks and voters in general. Intervenor-Defendants Disability Rights Wisconsin, the League of Women Voters of Wisconsin, and Wisconsin Faith Voices for Justice also have a strong interest in ensuring that their members and constituents have the broadest and most accessible legally compliant voting methods possible. Granting the temporary injunction requested here could severely limit the voting options available to their members and constituents, thus directly impairing the exercise of the fundamental right to vote. Indeed, the temporary injunction that Plaintiffs seek would prevent certain Wisconsinites from Voting. *See* Affidavit of Barbara Beckert. Given that granting the temporary injunction could have such a severe impact on the right to vote, as well as the interests

of the Intervenor-Defendants, the balance of equities weighs against granting Plaintiffs' request for a temporary injunction.

Just as the balance of equities weighs against issuing Plaintiffs' requested temporary injunction, so too, for similar reasons and perhaps even more so, the public interest weighs against the issuance of a temporary injunction here. To suggest, as Plaintiffs do, that the relevant equitable inquiry ignores the impact of a temporary injunction on potentially hundreds of thousands of Wisconsin absentee voters in favor of the preferred reading of the law by just two voters representing 0.00006% of Wisconsin's voters is absurd. (Dkt. 67 at 9) Where the fundamental right to vote hangs in the balance, it cannot be true that two voters who have presented no evidence of illegal activity or harm can unilaterally obtain a temporary injunction changing voting access for millions of Wisconsin voters, especially where the injunction they seek would issue to an entity that did not make the decisions for municipal clerks about whether to use drop boxes in the previous elections. To conclude otherwise would give Plaintiffs the very power they accuse WEC of abusing—deciding for the state, without legislative approval or public input, how Wisconsin elections are to be conducted.

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Likewise, time weighs against Plaintiffs' arguments on the public-interest analysis. As Plaintiffs note, time is of significant concern as the spring primary election—scheduled for February 15, 2022—is fast approaching. (Dkt. 67 at 8) Indeed, absentee ballots must go in the mail no later than December 31, 2021. *See* Wis. Stat. § 7.15(1)(cm). Courts routinely decline to change the rules governing elections in the days and weeks leading up to voting, because of the significant prejudice caused by last-minute changes, which can result in voter confusion and depressed turnout. *See, e.g.*, *Purcell v. Gonzalez*, 549 U.S. 1, 4-5 (2006). Given that this Court will not address this motion, nor Plaintiffs' motion for summary judgment until mid-December at the

earliest, two weeks before absentee ballots must be sent for the spring election, it would be detrimental to the public for the Court to modify election procedure at this time. Indeed, the public's interest in consistency and clarity in the voting process far outweighs Plaintiffs' desire to modify the rules of the election to accord with their unreasonably narrow statutory interpretation.

CONCLUSION

For the foregoing reasons, Intervenor-Defendants Disability Rights Wisconsin, the League of Women Voters of Wisconsin, and Wisconsin Faith Voices for Justice respectfully request that this Court DENY Plaintiffs' motion for temporary injunction.

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Dated this 15th day of November, 2021.

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