

STATE OF WISCONSIN CIRCUIT COURT WAUKESHA COUNTY
BRANCH 1

RICHARD TEIGEN, et al.,

Plaintiffs,

v.

Case No. 21-CV-958

WISCONSIN ELECTIONS COMMISSION,

Defendant

and

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

Defendant-Intervenors.

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION FOR SUMMARY JUDGMENT**

To: Wisconsin Elections Commission
c/o AAG Steve Kilpatrick
Wisconsin Department of Justice
17 W. Main Street
Madison, WI 53703

Democratic Senatorial Campaign Committee
c/o Charles G. Curtis
Perkins Coie, LLP
33 East Main Street, Suite 201
Madison, WI 53703

Disability Rights Wisconsin, Wisconsin Faith Voices for Justice, and
the League of Women Voters of Wisconsin

c/o Douglas M. Poland
Stafford Rosenbaum LLP
222 West Washington Avenue, Suite 900
P.O. Box 1784
Madison, WI 53701-1784

PLEASE TAKE NOTICE that on December 16, 2021 at 1:30 p.m., Plaintiffs Richard Teigen and Richard Thom will bring the following motion before the Honorable Michael Bohren, or any other judge sitting in his place, at the Waukesha County Courthouse, 515 W. Moreland Boulevard, Waukesha, WI 53188.

Pursuant to Wis. Stat. § 802.08, Plaintiffs hereby move this Court for an order entering judgment in their favor on all allegations in Plaintiffs' complaint. Specifically, Plaintiffs seek: 1) a declaration that WEC's directives and interpretations to municipal clerks that contradict the text of Wisconsin's election laws are illegal and of no force and effect; 2) a declaration that ballots in future elections may be returned only under the two methods authorized by statute to be counted; and 3) an injunction barring WEC from continuing to publish its incorrect interpretation of the laws or otherwise communicate this misinterpretation to clerks, and requiring WEC to correct its prior misstatements of the law by notifying clerks of the proper interpretation of the law.

The grounds for this motion are that there is no genuine dispute of material fact and that Plaintiffs are entitled to judgment as a matter of law. Plaintiffs filed their complaint on June 28, 2021 (Dkt. 1), Defendant filed its answer on August 13, 2021, and Plaintiffs are filing this motion within the time limits set by Wis. Stat. §

802.08(1). The support for this motion is set forth in the accompanying brief and materials filed herewith.

Dated this 15th day of October, 2021.

Respectfully Submitted,

WISCONSIN INSTITUTE FOR LAW & LIBERTY

/s/ Electronically signed by Katherine D. Spitz

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