

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

---

KHARY PENEBAKER, MARY ARNOLD,  
and BONNIE JOSEPH,

Plaintiffs,

Case No. 22-CV-1178

v.

ANDREW HITT, ROBERT F. SPINDELL, JR.,  
BILL FEEHAN, KELLY RUH, CAROL BRUNNER,  
EDWARD SCOTT GRABINS, KATHY KIERNAN,  
DARRYL CARLSON, PAM TRAVIS, MARY BUESTRIN,  
JAMES R. TROUPIS, and KENNETH CHESEBRO,

Defendants.

---

**NOTICE OF REMOVAL**

---

Defendants, Andrew Hitt, Robert F. Spindell, Jr., Bill Feehan, Kelly Ruh, Carol Brunner, Edward Scott Grabins, Kathy Kiernan, Darryl Carlson, Pam Travis and Mary Buestrin (“Defendants”), by their attorneys, The Law Firm of Conway, Olejniczak & Jerry, S.C., hereby jointly give notice of removal of this civil action filed in Circuit Court for Dane County, Wisconsin, to the United States District Court for the Western District of Wisconsin pursuant to 28 U.S.C. §§ 1331 and 1441-1447. The grounds of this petition and notice are as follows:

1. A civil action was commenced in Branch VIII of the Circuit Court for Dane County, Wisconsin, on May 17, 2022, and assigned Dane County Case No. 22-CV-1178

2. Service of the Summons and Complaint was made on the Defendants on May 17, May 19, May 23, and May 25, 2022. Pursuant to 28 U.S.C. § 1446(a), a true and complete copy of the Summons and Complaint is attached to this notice and marked as “**Exhibit A**”.

3. This action is timely removed within 30 days after service. *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.* 516 U.S. 344, 353-54 (1999); 28 U.S.C. § 1446(b).

4. The civil action governed by the Complaint remains pending.

5. The Plaintiff alleges in the Complaint, among other things, that Defendants violated, and conspired to violate, 18 U.S.C. § 1512(c)(2), 18 U.S.C. § 371, and 18 U.S.C. § 494 in relation to Defendants conduct and actions as the Wisconsin Republican Party Electors during the 2020 Presidential Election, as set forth in Title 3 of the U.S. Code. (Complaint ¶¶ 202-222; see also Complaint at 5). The Plaintiffs also allege that Defendants violated Federal law related to the meeting of Presidential Electors and transmitting of certificates of their votes to Congress, which is also governed by Title 3 of the U.S. Code. (Complaint ¶¶ 33, 43, 46-49, 51-55, 94-95, and 115).

6. This Court has jurisdiction over the action because it arises under the laws of the United States. 28. U.S.C. §§ 1331 and 1441-1447.

7. The Court’s jurisdiction is further supported by the supplemental jurisdiction conferred by 28 U.S.C. § 1367. As such, Plaintiffs’ action may be removed to this Court under the provisions of 28 U.S.C. § 1441(b).

8. The transactions are alleged to have occurred within the Western District of Wisconsin, and the action was commenced in a Wisconsin circuit court within this district. (Compl. ¶¶ 101-105).

9. Defendants have filed a Notice of Filing of Notice of Removal, along with a copy of the Notice of Removal, with the Clerk of the Circuit Court of Dane County, Wisconsin and will serve written notice of the same on counsel for the Plaintiff. Attached and marked as “**Exhibit B**” is a copy of the Notice of Filing of Notice of Removal.

10. Copies of all pleadings, process and orders served upon Defendants in this action are attached and marked as “**Exhibit A**” in accordance with 28 U.S.C. § 1446(a).

11. Pursuant to 28 U.S.C. § 1441(b), removal of this claim is mandatory upon compliance with 28 U.S.C. § 1446 as herein accomplished.

WHEREFORE, Defendants represent that they have complied with the provisions of law and given notice that this action stands removed from the Circuit Court for Dane County, Wisconsin, to the United States District Court for the Western District of Wisconsin.

Dated this 15<sup>th</sup> day of June, 2022.

Respectfully submitted,

LAW FIRM OF CONWAY, OLEJNICZAK & JERRY, S.C.  
Attorneys for Defendants, Andrew Hitt, Robert F.  
Spindell, Jr., Bill Feehan, Kelly Ruh, Carol Brunner,  
Edward Scott Grabins, Kathy Kiernan, Darryl Carlson,  
Pam Travis and Mary Buestrin.

By: Electronically signed by Kurt A. Goehre  
R. George Burnett, State Bar No. 1005964  
Kurt A. Goehre, State Bar No. 1068003

POST OFFICE ADDRESS:

231 South Adams Street  
Green Bay, WI 54301  
P. O. Box 23200  
Green Bay, WI 54305-3200  
920-437-0476  
E-mail: [rgb@lcojlaw.com](mailto:rgb@lcojlaw.com)  
[kag@lcojlaw.com](mailto:kag@lcojlaw.com)

#4250945

RETRIEVED FROM DEMOCRACYDOCKET.COM

The undersigned certifies that a true copy of the within was served via electronic means upon all attorneys of record who have registered with the system this 15th day of June, 2022.

Electronically signed by Beckie Derouin