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VIA ELECTRONIC FILING ONLY

Sheila Reiff
Clerk of the Supreme Court and the
Court of Appeals
110 East Main Street, Suite 215
P.O. Box 1688
Madison, WI 53701-1688

Re: Braun v. Wisconsin Elections Commission
Waukesha Co. Case No. 2022CV1336
Appeal No. 2023AP0076

Dear Ms. Reiff:

Vote.org submits this letter to withdraw one argument made in its Opposition to Plaintiff-Respondents' Motion to Change Venue filed on February 6.

On page 4 of that brief, Vote.org states that Plaintiff-Respondent Braun did not serve the Joint Committee for Review of Administrative Rules (JCRAR) as required by Wis. Stat. § 227.40(5) for claims brought under that Section. As Vote.org's brief made clear, Vote.org made this argument based on the representation by the Wisconsin Elections Commission that JCRAR had not been served. *See* Defendant's Brief in Support of Motion for Summary Judgment and in Opposition to Plaintiff's Motion for Summary Judgment at 17-18, Braun v. Wis. Elections Comm'n, No. 2022CV1336 (Cir. Ct. Waukesha Cnty. Jan. 27, 2023), Dkt. 82. Braun had not filed proof of service with the circuit court, which is customarily done to demonstrate compliance with Wis. Stat. § 227.40(5). In briefing before this Court, Braun has now submitted evidence that he served JCRAR on September 19, 2022.

Accordingly, Vote.org withdraws the portion of the argument made on pages 4 and 5 of its brief that depend on the claim that JCRAR was not served. For the other reasons given in that brief, Braun's motion should be denied.

Sincerely,

PINES BACH LLP

A handwritten signature in cursive script that reads "Diane M. Welsh".

Diane M. Welsh

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