

January 31, 2024

VIA HAND DELIVERY AND E-FILING

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

Re: Appeal from Dane County Case No. 2022cv2472
League of Women Voters of Wisconsin v. Wisconsin Elections Commission, et al.

Dear Mr. Christensen:

Plaintiff-Appellant League of Women Voters of Wisconsin (“LWVWI”) writes to follow up on two appeals initiated yesterday from the final order in the decision referenced above. LWVWI selected District I as the venue for the appeal. Subsequently, defendant-intervenor the Wisconsin Legislature (“the Legislature”) noticed its own appeal and, in so doing, selected District II. Attorney Misha Tseytlin submitted a letter this morning asserting that the Legislature is the appellant and its selection of venue should control. This is incorrect. LWVWI is the appellant, because we filed our notice of appeal first, seeking judicial review of an adverse decision on Claim 1 of our complaint. The Legislature’s subsequent notice of appeal, seeking judicial review of a separate decision in the case, is properly deemed a cross-appeal. It follows that the cross-appeal must also proceed in District I, where the appeal was already initiated.

To the extent that there is any doubt that this matter will proceed in District I or the Court of Appeals believes the venue selection raises issues that require briefing, we respectfully request that the Court set a briefing schedule for all parties and allow this to be resolved expeditiously. Given the subject matter of this case, the imminence of Wisconsin’s next election in less than three weeks, and the expectation that the Court of Appeals will receive an emergency motion from one or more parties appealing from whatever ruling the circuit court may hand down at the conclusion of its scheduled hearing this Friday afternoon on whether to stay its order pending appeal, there is significant exigency.

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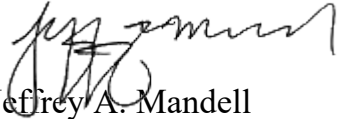
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Thank you again for your prompt attention to this matter. Please do not hesitate to contact us if you need any additional information.

Best regards,

STAFFORD ROSENBAUM LLP

A handwritten signature in black ink, appearing to read "Jeffrey A. Mandell". The signature is fluid and cursive, with the first name "Jeffrey" being more prominent than the last name "Mandell".

Jeffrey A. Mandell

cc: Counsel of record (via e-filing and email)
The Hon. Ryan Nilsestuen, Dane County Circuit Court Branch 10 (via e-filing)

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