

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SUSAN LIEBERT, et al.,

Plaintiffs,

v.

Case No. 23-CV-672

WISCONSIN ELECTIONS

COMMISSION, et al.,

Defendants,

WISCONSIN STATE LEGISLATURE,

Intervenor-Defendant.

**COMMISSION DEFENDANTS' RESPONSE TO
THE WISCONSIN STATE LEGISLATURE'S
SUPPLEMENTAL PROPOSED FINDINGS OF FACT**

Commission Defendants respond to the Wisconsin State Legislature's supplemental proposed findings of fact in support of its motion for summary judgment (Dkt. 88), as follows:

1. As noted in the Legislature's Proposed Findings of Fact In Support Of Motion For Summary Judgment, the Dane County Circuit Court recently granted the plaintiffs' motion for summary judgment in *Rise v. Wis. Elections Comm'n*, No.2022CV2446 (Wis. Cir. Ct. Dane Cnty.), holding that the term "address" as used in Wis. Stat. § 6.87 means "a place where a person or organization may be communicated with," Legislature's PFOF ¶ 52 (citing Ex. Q to LeRoy Decl., Dkt.233, *Rise* (Jan. 2, 2024)), and issued an injunction, PFOF ¶ 54 (citing Ex. S to LeRoy Decl., Dkt. 238, *Rise* (Jan. 30, 2024)).

Response: No dispute.

2. On February 5, 2024, the Dane County Circuit Court denied the Legislature's request to stay its decision and injunction pending appeal. Ex. Y to Second LeRoy Decl., Dkt.252, *Rise* (Feb. 5, 2024).

Response: No dispute.

3. On February 27, 2024, the Wisconsin Court of Appeals also rejected the Legislature's stay request. Ex. Z to Second LeRoy Decl., *Rise v. Wis. Elections Comm'n*, No. 2024AP165 (Wis. Ct. App. Feb. 27, 2024).

Response: No dispute.

4. The Wisconsin Court of Appeals then ordered expedited briefing on the merits due to the nature of the issues involved in the case, and the Legislature's opening brief is currently due April 3, 2024. *Id.*; Ex. AA to Second LeRoy Decl.

Response: No dispute.

Dated this 22nd day of March 2024.

Respectfully submitted,

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