

**United States District Court
Eastern District of Wisconsin (Green Bay)
CIVIL DOCKET FOR CASE #: 1:20-cv-00479-WCG**

City of Green Bay et al v. Bostelmann et al
Assigned to: Judge William C Griesbach
Cause: 42:1983 Civil Rights Act

Date Filed: 03/24/2020
Date Terminated: 03/30/2020
Jury Demand: None
Nature of Suit: 440 Civil Rights:
Other
Jurisdiction: Federal Question

Plaintiff

City of Green Bay

represented by **Lindsay Mather**
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Plaintiff

Clerk Kris Teske

represented by **Lindsay Mather**
(See above for address)
ATTORNEY TO BE NOTICED

Vanessa R Chavez
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ATTORNEY TO BE NOTICED

Plaintiff

Eric Genrich

represented by **Vanessa R Chavez**
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V.

Defendant

Commissioner Marge Bostelmann

represented by **Dixon R Gahnz**
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Defendant

Commissioner Julie Glancey

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Defendant

Commissioner Ann S Jacobs

represented by **Dixon R Gahnz**
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ATTORNEY TO BE NOTICED

Defendant

Commissioner Dean Knudson

represented by **Dixon R Gahnz**
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ATTORNEY TO BE NOTICED

Defendant

**Commissioner Robert F Spindell,
Jr.**

represented by **Dixon R Gahnz**
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ATTORNEY TO BE NOTICED

Defendant

Commissioner Mark L Thomsen

represented by **Dixon R Gahnz**
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ATTORNEY TO BE NOTICED

Defendant

Andrea Palm

represented by **Colin T Roth**
Wisconsin Department of Justice

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Defendant

Governor Tony Evers

represented by **Colin Hector**
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Hannah S Jurss
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ATTORNEY TO BE NOTICED

Defendant

Republican Party of Wisconsin

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Intervenor Plaintiff

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Amicus

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Proposed Amicus Disability Rights
Wisconsin

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Amicus

ACLU of Wisconsin
Proposed Amicus ACLU of
Wisconsin

represented by **Karyn L Rotker**
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V.

Intervenor

Wisconsin Legislature

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Intervenor

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ATTORNEY TO BE NOTICED

Intervenor

Wisconsin Counties Association

represented by **Andrew T Phillips**
 (See above for address)
ATTORNEY TO BE NOTICED

Matthew J Thome
 (See above for address)
ATTORNEY TO BE NOTICED

William E Fischer
 (See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|--------------------------|---|
| 03/24/2020 | <u>1</u> | COMPLAINT <i>for Declaratory and Injunctive Relief</i> against All Defendants by Kris Teske, City of Green Bay. (Filing Fee PAID \$400 receipt number AWIEDC-3402841) (Attachments: # <u>1</u> Civil Cover Sheet Civil Cover Sheet, # <u>2</u> Summons Summons in a Civil Action to Marge Bostelmann, # <u>3</u> Summons Summons in a Civil Action to Julie M. Glancey, # <u>4</u> Summons Summons in a Civil Action to Ann S. Jacobs, # <u>5</u> Summons Summons in a Civil Action to Dean Knudson, # <u>6</u> Summons Summons in a Civil Action to Robert F. Spindell, Jr., # <u>7</u> Summons Summons in a Civil Action to Mark L. Thomsen, # <u>8</u> Summons Summons in a Civil Action to Andrea Palm, # <u>9</u> Summons Summons in a Civil Action to Tony Evers)(Chavez, Vanessa) |
| 03/24/2020 | <u>2</u> | MOTION for Temporary Restraining Order , MOTION for Preliminary Injunction by All Plaintiffs. (Chavez, Vanessa) |
| 03/24/2020 | <u>3</u> | BRIEF in Support filed by All Plaintiffs re <u>2</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction . (Attachments: # <u>1</u> Exhibit Declaration of Vanessa |

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| | | <p>R. Chavez, # 2 Exhibit Michigan Health Blog Article, # 3 Exhibit Outbreaks in Wisconsin, # 4 Exhibit Order for Statewide School Closure, # 5 Exhibit Order Prohibiting Mass Gatherings, # 6 Exhibit Order Restricting Size of Childcare Settings, # 7 Exhibit Updated Mass Gathering Ban, # 8 Exhibit Safer At Home Order, # 9</p> <p>Exhibit Opinion and Order, # 10 Exhibit WEC Election Planning Update, # 11 Exhibit WEC Absentee Envelope Order Status, # 12 Exhibit City of Green Bay Election Inspector Manual, # 13 Exhibit WEC Hand Sanitizer FAQ, # 14 Exhibit CDC Are You at Higher Risk?, # 15 Exhibit WEC In-Person Absentee Voting, # 16 Exhibit Letter to Mayor Genrich, # 17 Exhibit WEC Guidance Regarding Election Procedures, # 18 Exhibit Executive Order #72, # 19 Exhibit DHS Memo re Long Term and Assisted Living Facilities, # 20 Exhibit List of DPH Communicable Diseases Memos, # 21 Exhibit Fox6Now Article re Absentee Ballots)(Chavez, Vanessa)</p> |
| 03/25/2020 | | NOTICE Regarding assignment of this matter to Judge William C Griesbach ;Consent/refusal forms for Magistrate Judge Duffin to be filed within 21 days;the consent/refusal form is available on our website ;pursuant to Civil Local Rule 7.1 a disclosure statement is to be filed upon the first filing of any paper and should be filed now if not already filed (jcl) |
| 03/25/2020 | | Summons Issued as to All Defendants. (mac) |
| 03/25/2020 | 4 | NOTICE of Appearance by Lindsay Mather on behalf of All Plaintiffs. Attorney(s) appearing: Lindsay J. Mather (Mather, Lindsay) |
| 03/25/2020 | 5 | DISCLOSURE Statement by All Plaintiffs. (Chavez, Vanessa) |
| 03/25/2020 | 6 | NOTICE of Appearance by Colin T Roth on behalf of Tony Evers, Andrea Palm. Attorney(s) appearing: Colin T. Roth, Hannah S. Jurss, Colin A. Hector (Roth, Colin) |
| 03/25/2020 | 7 | ORDER for Telephone Conference signed by Judge William C Griesbach on 3/25/2020. (cc: all counsel)(Griesbach, William) |
| 03/25/2020 | 8 | NOTICE of Hearing: (cc: all counsel)ATT Telephone Conference set for 3/26/2020 01:30 PM in By Telephone before Judge William C Griesbach. Participants are to call in to 1-888-273-3658, using Access Code 4416978, and Security Code 1234. All participants are to confirm their appearance with the Clerk. SEE NOTICE FOR SPECIFIC INSTRUCTIONS.(lh) |

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| 03/25/2020 | 9 | NOTICE of Appearance of James G. Godlewski with intent to file Motion to intervene on behalf of the City of Neenah (lh) |
| 03/25/2020 | 10 | NOTICE of Appearance by Dixon R Gahnz on behalf of Marge Bostelmann, Julie Glancey, Ann S Jacobs, Dean Knudson, Robert F Spindell, Jr., Mark L Thomsen. Attorney(s) appearing: Dixon R. Gahnz, Daniel P. Bach, Terrence M. Polich (Gahnz, Dixon) |
| 03/25/2020 | 11 | NOTICE of Appearance by Ryan J Walsh on behalf of Wisconsin Legislature. Attorney(s) appearing: Ryan J. Walsh (Walsh, Ryan) |
| 03/25/2020 | 12 | NOTICE of Appearance by Amy Miller on behalf of Wisconsin Legislature. Attorney(s) appearing: Amy Miller (Miller, Amy) |
| 03/25/2020 | 13 | NOTICE by Wisconsin Legislature <i>of Intent to Intervene and Request to Participate in March 26 Conference</i> (Walsh, Ryan) |
| 03/25/2020 | 14 | NOTICE of Appearance by Misha Tseytlin on behalf of Wisconsin Legislature. Attorney(s) appearing: Misha Tseytlin (Tseytlin, Misha) |
| 03/25/2020 | 15 | NOTICE of Appearance by Lisa M Lawless on behalf of Republican Party of Wisconsin. Attorney(s) appearing: Lisa M Lawless (Lawless, Lisa) |
| 03/25/2020 | 16 | LETTER from Attorneys Lawless and McLeod . (Lawless, Lisa) |
| 03/26/2020 | 17 | TEXT ONLY ORDER approving 16 Letter request to participate in 3/26/20 telephone conference, 13 Notice filed by Wisconsin Legislature, and 9 Notice, signed by Judge William C Griesbach on 03/26/2020. All participants are to confirm their appearance with the Clerk. SEE NOTICE (Dkt 8) FOR SPECIFIC INSTRUCTIONS. (cc: all counsel)(Griesbach, William) |
| 03/26/2020 | 18 | NOTICE of Appearance by Matthew J Thome on behalf of Washington County, Wisconsin Counties Association. Attorney(s) appearing: Matthew J. Thome (Thome, Matthew) |
| 03/26/2020 | 19 | LETTER from Matthew J. Thome <i>regarding intervention.</i> (Thome, Matthew) |
| 03/26/2020 | 20 | NOTICE of Appearance by William E Fischer on behalf of Washington County, Wisconsin Counties Association. Attorney(s) appearing: William E. Fischer (Fischer, William) |

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| 03/26/2020 | 21 | NOTICE of Appearance by Andrew T Phillips on behalf of Washington County, Wisconsin Counties Association. Attorney(s) appearing: Andrew T. Phillips (Phillips, Andrew) |
| 03/26/2020 | 22 | WAIVER OF SERVICE Returned Executed by Tony Evers - Waiver sent on 3/25/2020. (Chavez, Vanessa) |
| 03/26/2020 | 23 | WAIVER OF SERVICE Returned Executed by Andrea Palm - Waiver sent on 3/25/2020. (Chavez, Vanessa) |
| 03/26/2020 | 24 | MOTION to Intervene by Republican Party of Wisconsin. (Lawless, Lisa) |
| 03/26/2020 | 25 | BRIEF in Support filed by Republican Party of Wisconsin re 24 MOTION to Intervene . (Attachments: # 1 Exhibit Republican Party of Wisconsin's Proposed Motion to Dismiss)(Lawless, Lisa) |
| 03/26/2020 | 26 | AMENDED COMPLAINT <i>for Declaratory and Injunctive Relief</i> against Marge Bostelmann, Tony Evers, Julie Glancey, Ann S Jacobs, Dean Knudson, Andrea Palm, Robert F Spindell, Jr., Mark L Thomsen filed by Kris Teske, City of Green Bay, Eric Genrich.(Chavez, Vanessa) |
| 03/26/2020 | 40 | Minute Entry for proceedings held before Judge William C Griesbach: Telephone Conference held on 3/26/2020. Simultaneous briefs are due by 3:00 p.m. 3/27/2020. (Tape #032620) (cav) (Entered: 03/27/2020) |
| 03/27/2020 | 27 | WAIVER OF SERVICE Returned Executed by Marge Bostelmann - Waiver sent on 3/25/2020. (Chavez, Vanessa) |
| 03/27/2020 | 28 | WAIVER OF SERVICE Returned Executed by Julie Glancey - Waiver sent on 3/25/2020. (Chavez, Vanessa) |
| 03/27/2020 | 29 | WAIVER OF SERVICE Returned Executed by Ann S Jacobs - Waiver sent on 3/25/2020. (Chavez, Vanessa) |
| 03/27/2020 | 30 | WAIVER OF SERVICE Returned Executed by Dean Knudson - Waiver sent on 3/25/2020. (Chavez, Vanessa) |
| 03/27/2020 | 31 | WAIVER OF SERVICE Returned Executed by Robert F Spindell, Jr. - Waiver sent on 3/25/2020. (Chavez, Vanessa) |
| 03/27/2020 | 32 | WAIVER OF SERVICE Returned Executed by Mark L Thomsen - Waiver sent on 3/25/2020. (Chavez, Vanessa) |

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| 03/27/2020 | 33 | MOTION to File Amicus Brief by Disability Rights Wisconsin Inc, ACLU of Wisconsin. (Attachments: # 1 Text of Proposed Order, # 2 Amicus Brief)(Rotker, Karyn) |
| 03/27/2020 | 34 | DISCLOSURE Statement by ACLU of Wisconsin, Disability Rights Wisconsin Inc. (Rotker, Karyn) |
| 03/27/2020 | 35 | NOTICE of Appearance by Karyn L Rotker on behalf of ACLU of Wisconsin, Disability Rights Wisconsin Inc. Attorney(s) appearing: Karyn L. Rotker, Laurence J. Dupuis, Kristin Kerschensteiner, T. Alora Thomas, Dale Ho, Adriel Cepeda-Derieux (Rotker, Karyn) |
| 03/27/2020 | 36 | MOTION to Intervene by Washington County, Wisconsin Counties Association. (Phillips, Andrew) |
| 03/27/2020 | 37 | BRIEF in Support filed by Washington County, Wisconsin Counties Association re 36 MOTION to Intervene . (Attachments: # 1 Exhibit 1 - Proposed Brief in Opposition)(Phillips, Andrew) |
| 03/27/2020 | 38 | DISCLOSURE Statement by Washington County, Wisconsin Counties Association. (Phillips, Andrew) |
| 03/27/2020 | 39 | BRIEF filed by Marge Bostelmann, Julie Glancey, Ann S Jacobs, Dean Knudson, Robert F Spindell, Jr., Mark L Thomsen <i>Regarding Standing and Intervention</i> . (Gahnz, Dixon) |
| 03/27/2020 | 41 | MOTION to Intervene by Wisconsin Legislature. (Walsh, Ryan) |
| 03/27/2020 | 42 | BRIEF in Support filed by Wisconsin Legislature re 41 MOTION to Intervene . (Walsh, Ryan) |
| 03/27/2020 | 43 | DECLARATION of Chris Wery (Attachments: # 1 Exhibit Exhibit 1 - March 26, 2020 email response from Celestine Jeffreys)(Lawless, Lisa) |
| 03/27/2020 | 44 | MOTION to Dismiss Complaint by Wisconsin Legislature. (Walsh, Ryan) |
| 03/27/2020 | 45 | LETTER from Colin Roth <i>re: TRO hearing</i> . (Roth, Colin) |
| 03/27/2020 | 46 | BRIEF filed by City of Green Bay, Eric Genrich, Kris Teske <i>in Response to Motions to Intervene and Issues Raised at March 26, 2020 Hearing</i> . (Chavez, Vanessa) |
| 03/27/2020 | 47 | BRIEF in Support filed by Wisconsin Legislature re 44 MOTION to Dismiss <i>Proposed Motion to Dismiss Complaint</i> . (Attachments: |

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| | | <p># 1 Declaration of Ryan J. Walsh, # 2 Exhibit 1 - WEC March 13, 2020 COVID-19 FAQ, # 3 Exhibit 2 - Memorandum of Senior Legislative Attorney Gallagher, # 4 Exhibit 3 - WEC March 13, 2020 Announcement re. Webinar, # 5 Exhibit 4 - CISA Memorandum re. Identification of Critical Infrastructure, # 6 Exhibit 5 - WEC March 20, 2020 Request for Information re. Cleaning Supplies, # 7 Exhibit 6 - WEC March 20, 2020 Request for Information re. Poll Workers, # 8 Exhibit 7 - WEC March 22, 2020 Hand Sanitizer FAQ, # 9 Exhibit 8 - WEC March 22, 2020 COVID-19 FAQ, # 10 Exhibit 9 - WEC Memorandum re. Emergency Order #12)(Walsh, Ryan)</p> |
| 03/27/2020 | 48 | <p>DUPLICATE of 47 BRIEF in Support filed by Wisconsin Legislature re 44 MOTION to Dismiss <i>Proposed Motion to Dismiss Complaint</i>. (Miller, Amy) Modified on 3/27/2020 (blr).</p> |
| 03/27/2020 | 49 | <p>DECLARATION of Vanessa R. Chavez <i>in Support of Plaintiffs' Brief in Response to Motions to Intervene and Issues Raised at the March 26, 2020 Hearing</i> (Attachments: # 1 Exhibit Ex 1 - WEC Memo, # 2 Exhibit Ex 2 - Gear v Knudson, # 3 Exhibit Ex 3 - Lewis v Knudson)(Chavez, Vanessa)</p> |
| 03/27/2020 | 50 | <p>BRIEF in Opposition filed by Republican Party of Wisconsin re 2</p> <p>MOTION for Temporary Restraining Order MOTION for Preliminary Injunction <i>Proposed Brief by Proposed Intervenor and in Support of RPW's Proposed Motion to Dismiss</i>. (Lawless, Lisa)</p> |
| 03/27/2020 | 51 | <p>DECLARATION of Lisa M. Lawless <i>Brief (Doc.50) in Support of Republican Party of Wisconsin's Brief Opposing Plaintiffs' Motion for Injunction</i> (Attachments: # 1 Exhibit Ex 1 Unofficial Election Results Cook County, # 2 Exhibit Ex 2 Arizona Presidential Preference Election Results, # 3 Exhibit Ex 3 Florida Division of Elections Election Watch, # 4 Exhibit Ex 4 WEC's Special Teleconference Meeting re COVID-19, # 5 Exhibit Ex 5 Ohio Dept of Health's Director Order, # 6 Exhibit Ex 6 WEC's Update re COVID-19, # 7 Exhibit Ex 7 City of Eau Claire Facebook post re "drive-through" voting, # 8 Exhibit Ex 8 City of Beloit re "drive-through" voting, # 9 Exhibit Ex 9 WEC Publication Responds to Coronavirus COVID-19, # 10 Exhibit Ex 10 Letter from Elections Commissioners to Legislative Leadership and Governor, # 11 Exhibit Ex 11 Letter from various local leaders to Governor and Legislative Leadership, # 12 Exhibit Ex 12 Signatures to Exhibit 11)(Lawless, Lisa)</p> |

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| 03/27/2020 | 52 | MOTION to Add Party , MOTION to Intervene by City of Neenah. (Attachments: # 1 Cover Letter, # 2 Supplement Memo of Law, # 3 Text of Proposed Order)(Godlewski, James) |
| 03/27/2020 | 53 | ORDER DENYING 2 Motion for Preliminary Injunction; DENYING denying 2 Motion for TRO; DENYING AS MOOT 24 Motion to Intervene; DENYING AS MOOT 33 Motion to File Amicus Brief; DENYING AS MOOT 36 Motion to Intervene; DENYING AS MOOT 41 Motion to Intervene; TERMINATING 44 "proposed" Motion to Dismiss; DENYING AS MOOT 52 Motion to Add Party; and DENYING AS MOOT 52 Motion to Intervene; signed by Judge William C Griesbach on 03/27/2020. This case is dismissed for lack of jurisdiction. (cc: all counsel) (Griesbach, William) |
| 03/30/2020 | 54 | JUDGMENT signed by Deputy Clerk and approved by Judge William C Griesbach on 3/30/2020. (cc: all counsel)(cav) |

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