

# Law Forward: New ruling will allow case against City of Madison for failure to count absentee ballots to proceed

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MADISON, Wis. – This morning, a Dane County Circuit Court judge [denied motions to dismiss](#) *Ayodabo et al. v. City of Madison et al.*, the class-action lawsuit over the City's failure to count 193 absentee ballots in the 2024 presidential election. Scott Thompson, counsel for the plaintiffs, released the following statement on today's decision:

*"At the dawn of another election season, the message is clear: the right to vote protects Wisconsinites whether they vote in-person or absentee. We are pleased the Court agreed with our arguments and that this case will proceed."*

Lead plaintiff, Precious Ayodabo, [authored an op-ed in The Cap Times](#) over the weekend detailing why she is suing the City of Madison and responding to the city's recent argument that there is not a right to vote via absentee ballot.

Law Forward, a nonprofit pro-democracy law firm, filed this class-action lawsuit in Dane County Circuit Court against the City of Madison in September, seeking damages for 193 voters who were denied their fundamental right to vote in the 2024 presidential election. The lawsuit, filed on behalf of eight named plaintiffs on behalf of the broader class of disenfranchised voters, alleges that City officials failed in their duty to count properly submitted absentee ballots, despite having multiple opportunities to remedy the situation before the state canvass was certified.