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CIRCUIT COURT
DANE COUNTY, WI
2022CV002446



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January 26, 2024

Honorable Ryan D. Nilsestuen
Dane County Circuit Court Branch 10
215 South Hamilton Street
Madison, WI 53703

Re: *Rise, Inc., et al v. Wisconsin Elections Commission, et al.*
Case No.: 22-CV-2446

Dear Judge Nilsestuen:

On behalf of the City Clerks of Green Bay, Madison, and Racine (“Clerk Defendants”), we write collectively to ask that any injunctive relief the Court enters in the above-titled action be sufficiently specific as to address the practical realities of processing absentee ballots. Municipal clerks will be charged with implementing policies consistent with whatever injunctive relief the Court orders following the upcoming hearing. No less significantly, those clerks are also likely to face myriad complaints to the Wisconsin Elections Commission related to the sufficiency of witness addresses in the absence of bright-line rules—complaints which may end up back with the courts.

Clerks and election inspectors examining absentee ballot certificates in future elections are likely to encounter unique and/or unfamiliar witness addresses, such as:

- Addresses identifying only a named building and a room or apartment number (i.e., “100 Smith Hall, Rm 200,” or “Tittletown Flats, Apartment 100”).
- Individuals utilizing a business address.
- Election inspectors conducting in-person absentee voting and using the address of the in-person absentee voting location or municipal clerk’s office.
- Special voting deputies using the address of the municipal clerk’s office.
- Addresses identifying only a particular county, rather than a municipality.

To mitigate those concerns and provide as much specific guidance to clerks as possible, the Clerk Defendants respectfully ask that the Court consider such examples and provide appropriate guidance—or direct the Wisconsin Elections Commission to do so—in its order.

While we do not anticipate making oral arguments at the injunction hearing, attorneys from each of our cities will be present at the hearing to answer any questions. Thank you for your time.

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Honorable Ryan D. Nilsestuen

January 26, 2024

Sincerely,

CITY OF GREEN BAY

*Counsel for Defendant Celestine Jeffreys,
in her capacity as City Clerk for the
City of Green Bay, Wisconsin*

s/Joanne Bungert

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CITY OF MADISON

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s/Michael Haas

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CITY OF RACINE

*Attorneys for Tara McMenamin, in her
capacity as City Clerk for the City of
Racine, Wisconsin*

s/Scott Letteney

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