

STATE OF WISCONSIN
IN SUPREME COURT

Case No.

ATTORNEY GENERAL
JOSH KAUL,

Petitioner,

v.

ELON MUSK and
AMERICA PAC,

Respondents.

EMERGENCY PETITION FOR ORIGINAL ACTION

INTRODUCTION

Wisconsin law forbids anyone from offering or promising to give anything of value to an elector in order to induce the elector to go to the polls, vote or refrain from voting, or vote for a particular person. Wis. Stat. § 12.11(1m). Respondents are trying to do just that. They have offered to pay \$1 million to two Wisconsin electors who attend an event in Wisconsin tomorrow, March 30, 2025, at 6:30 pm, specifically conditioned on their having voted in the upcoming April 1, 2025, Wisconsin Supreme Court election. This must not happen.

STATEMENT OF FACTS

1. Petitioner is Joshua L. Kaul, Attorney General of Wisconsin. The Attorney General is head of the Wisconsin Department of Justice, located at 17 West Main Street, Madison, Wisconsin 53703.

2. Respondent Elon Musk is the founder of America PAC. He is also the owner of X.com, formerly Twitter. His address is 2110 Ranch Road 620 S. #341886 Austin, TX 78734.

3. Respondent America PAC is a federal political action committee. The address of America PAC is P.O. Box 341027, Austin, TX 78734. America PAC, <https://theamericapac.org/> (last visited Mar. 29, 2025); *see also* *America PAC*, Fed. Election Comm’n, <https://www.fec.gov/data/committee/C00879510/?cycle=2024> (last visited Mar. 29, 2025).

4. On March 27, 2025, Elon Musk posted to his X.com account the following statement:



5. As of 11:57 pm on March 27, 2025, there were already 19.5 million views of Musk’s X.com post.

6. The post was also widely reported by the news media. *See, e.g.,* Scott Bauer, *Wisconsin Supreme Court Race; Musk to hold rally, deliver \$2M to voters*, FOX6 News

(Mar. 28, 2025), <https://www.fox6now.com/news/wisconsin-supreme-court-race-musk-hold-rally-deliver-2m-voters>; Alison Dirr, *et al.*, *Elon Musk says he will be in Wisconsin Sunday, hand out \$2M ahead of Supreme Court election*, Milwaukee Journal Sentinel (Mar. 28, 2025), <https://www.jsonline.com/story/news/politics/2025/03/28/musk-coming-to-wisconsin-ahead-of-tuesday-state-supreme-court-election/82702597007/>.

7. Defendants' announcement of two \$1 million payments to Wisconsin electors to vote in the Wisconsin Supreme Court election is a further step in their ongoing involvement in the April 1, 2025, Wisconsin election.

8. Defendant America PAC has also offered a \$100 payment to any Wisconsin registered voter who signs an online "Petition" that expresses the signer's agreement with certain statements regarding judges.

9. The Petition was publicized via an America PAC post on X.com on March 20, 2025. @america, X.com, <https://x.com/america/status/1902888358432370773> (Mar. 20, 2025, 8:01 p.m.) and was reported widely in the media. *See, e.g.*, Scott Bauer, *Musk group offers \$100 to Wisconsin voters ahead of pivotal state Supreme Court election*, AP News.com (March 21, 2025 1:57 PM CDT), <https://apnews.com/article/wisconsin-supreme-court-musk-trump-b9be6119d500bdacc9c6341be013cd62>.

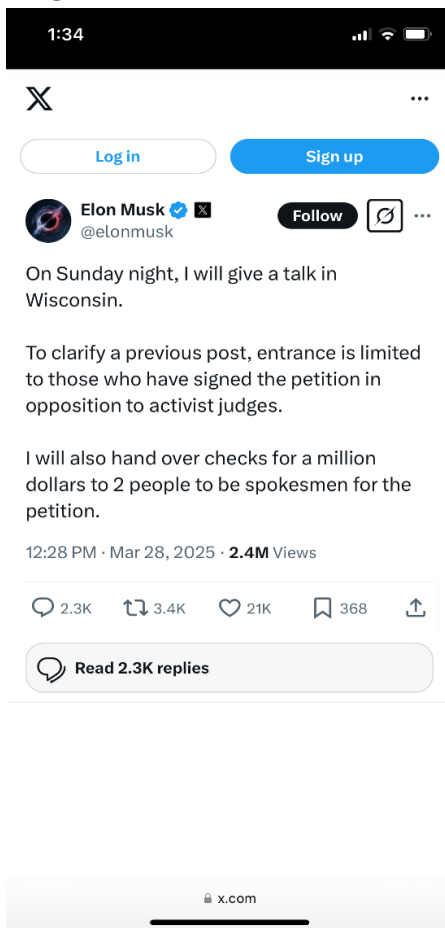
10. The Petition also offered \$100 for each additional registered voter who signs the Petition and identifies the referring voters by name and email address, with no limit on the amount that can be received for referral payments.

11. The scheme for payments for signing the Petition and referring others to do so expires at 11:59 pm on Election Day, April 1, 2025.

12. Although the initial Petition announcement only offered \$100 payments, America PAC announced on March 27, 2025, that it had given \$1 million to a Wisconsin registered voter who had signed the Petition. Mariana La Roche, *Musk PAC gives Wisconsin voter \$1 million after petition campaign*, WISN 12 (Mar. 27, 2025, 10:59 PM CDT), <https://www.wisn.com/article/musk-pac-gives-wisconsin-voter-1-million-after-petition-campaign/64310654>.

13. As of 12:20 pm on March 28, 2025, Musk's March 27, 2025, post on X.com shown in paragraph 1 appears to have been taken down. Jessica Piper & Andrew Howard, *Musk butts up against state law with (now deleted) \$1 million check giveaway*, Politico.com (March 28, 2025 updated 1:49 PM EDT), <https://www.politico.com/news/2025/03/28/elon-musk-wisconsin-supreme-court-giveaway-00257082>.

14. As of 12:28 pm on March 28, 2025, Musk posted on X.com the following:



15. As of the time of this filing, neither Musk nor America PAC have announced that their plan to pay \$1 million to two Wisconsin electors on Sunday March 30, 2025, has been cancelled.

16. Sometime late in the day on March 28, 2025, Musk and America PAC announced that the March 30, 2025, event would be held in Green Bay.

17. The America PAC website now hosts a sign-up form for the March 30, 2025, event in Green Bay: <https://townhall.theamericapac.org/> (last visited March 29, 2025).

18. In addition to name, email address and cell phone number, the sign-up form asks Wisconsin residents signing up for the event: “How do you plan to vote?” and it offers a drop-down menu with these four choices: Already Voted, Early Vote, Absentee Ballot, and Vote on Election Day, as shown here:

Town Hall with Elon Musk

Event Details:

Green Bay, WI

Date: March 30, 2025

Time: 6:30 PM CT

Criteria to attend:

- [Entrance is limited to those who have signed the petition in opposition to activist judges.](#)

First Name * Last Name *

Email Address *

Cell Phone Number *

How do you plan to vote? *

✓ Select your voting plan

Already Voted

Early Vote

Absentee Ballot

Vote on Election Day

STATEMENT OF RELIEF SOUGHT

The Court should grant this Petition and issue an immediate temporary injunction that (1) prohibits Respondents from any further promotion of the million-dollar gifts to attendees of the planned event on Sunday, March 30; (2) prohibits Respondents from making any payments to Wisconsin electors conditioned on voting; and (3) prohibits all actions by Respondents taken in furtherance of a planned violation of Wis. Stat. § 12.11.

STATEMENT OF THE REASONS WHY THIS COURT SHOULD TAKE JURISDICTION

As discussed in more detail in the Memorandum in Support of Emergency Petition for Original Action and Emergency Motion for Temporary Injunction, this Court should grant this Petition. This case involves an issue of great public importance that requires urgent and authoritative resolution. The case involves purely legal questions and does not require fact-finding by this Court.

CONCLUSION

This Court should grant the Petition.

Dated this 30th day of March 2025.

Respectfully submitted,

JOSHUA L. KAUL
Attorney General of Wisconsin

Electronically signed by:

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CERTIFICATE OF EFILE/SERVICE

I certify that in compliance with Wis. Stat. § 801.18(6), I electronically filed this document with the clerk of court using the Wisconsin Appellate Court Electronic Filing System, which will accomplish electronic notice and service for all participants who are registered users.

I further certify that a copy of the above document was emailed to counsel for the Defendants at the time of filing.

Dated this 30th day of March 2025.

Electronically signed by:

Karla Z. Keckhaver
KARLA Z. KECKHAVER
Assistant Attorney General