## SUPREME COURT OF WISCONSIN

Appeal No. 2021AP1450–OA

BILLIE JOHNSON, et al.,

Petitioners.

v.

Case 2021AP001450

WISCONSIN ELECTIONS COMMISSION, et al.,

Respondents.

Original Action in the Supreme Court of Wisconsin

## NOTICE OF MOTION AND UNOPPOSED MOTION TO INTERVENE OF GARY KRENZ, SARAH J. HAMILTON, STEPHEN JOSEPH WRIGHT, JEAN-LUC THIFFEAULT, AND SOMESH JHA

## **NOTICE OF MOTION**

TO: Richard M. Esenberg Anthony LoCoco Lucas Thomas Vebber Wisconsin Institute for Law & Liberty 330 E. Kilbourn Ave., Suite 725 Milwaukee, WI 53202-3141 rick@will-law.org alococo@will-law.org lucas@will-law.org

Attorneys for Petitioners

Karla Z. Keckhaver Steven Kilpatrick Thomas C. Bellavia Wisconsin Department of Justice P.O. Box 7857 Madison, WI 53707-7857 keckhaverlcz@doj.state.wi.us kilpatricksc@doj.state.wi.us bellaviatc@doj.state.wi.us

Attorneys for Respondents

PLEASE TAKE NOTICE that Proposed Intervenors Gary Krenz, Sarah J. Hamilton, Stephen Joseph Wright, Jean-Luc Thiffeault, and Somesh Jha (collectively "Citizen Mathematicians and Scientists") hereby move to intervene as Petitioners in this action. This motion is supported by the Memorandum and the proposed Complaint submitted herewith. This motion will be heard at a date and time set by the Court.

## **UNOPPOSED MOTION**

In accordance with this Court's September 22, 2021 Order (as amended on September 24, 2021) and Wis. Stat. § (Rule) 803.09, Proposed Intervenors Gary Krenz, Sarah J. Hamilton, Stephen Joseph Wright, Jean-Luc Thiffeault, and Somesh Jha (collectively, "Proposed Intervenors" or "Citizen Mathematicians and Scientists") hereby move the Court to intervene as Petitioners in this action. The bases for Proposed Intervenors' intervention are stated in an accompanying Memorandum. The Proposed Intervenors also attach a proposed Complaint. None of the original parties in this action opposes intervention by the Citizen Mathematicians and Scientists.

Dated: October 6, 2021

Respectfully submitted,

Michael P. May (WI Bar No. 1011610) Sarah A. Zylstra (WI Bar No. 1033159) Tanner G. Jean-Louis (WI Bar No. 1122401) Boardman Clark LLP 1 South Pinckney Street, Suite 410 Madison, WI 53701 (608) 257-9521 mmay@boardmanclark.com szylstra@boardmanclark.com tjeanlouis@boardmanclark.com

M.F. Wed

David J. Bradford (pro hac vice application forthcoming)
Jenner & Block LLP
353 North Clark Street
Chicago, IL 60654
(312) 923-2975
dbradford@jenner.com

<sup>&</sup>lt;sup>1</sup> Drs. Wright, Thiffeault, and Jha are among the proposed plaintiff-intervenors in the redistricting cases currently pending in the U.S. District Court for the Western District of Wisconsin.

<sup>&</sup>lt;sup>2</sup> Petitioners Billie Johnson, Eric O'Keefe, Ed Perkins, and Ronald Zahn have indicated through counsel that they reserve the right to oppose the proposed pleading if it substantively expands the scope of this case.

<sup>&</sup>lt;sup>3</sup> Petitioners Billie Johnson, Eric O'Keefe, Ed Perkins, and Ronald Zahn have indicated through counsel that they do not oppose intervention by the Citizen Mathematicians and Scientists. Respondents Wisconsin Elections Commission, Marge Bostelmann, Julie Glancey, Ann Jacobs, Dean Knudson, Robert Spindell, and Mark Thomsen have indicated through counsel that they take no position on the motion.