

J.B. VAN HOLLEN,

Plaintiff,

THE REPUBLICAN PARTY OF WISCONSIN,

Plaintiff-Intervenor,

vs.

CASE NO. 08-CV-4085

GOVERNMENT ACCOUNTABILITY
BOARD, THOMAS CANE, GERALD NICHOL,
MICHAEL BRENNAN, WILLIAM EICH,
VICTOR MANIAN, GORDON MYSE,
KEVIN KENNEDY, and NATHANIEL E. ROBINSON,

Defendants,

THE DEMOCRATIC PARTY OF WISCONSIN,
MADISON TEACHERS, INC., AMERICAN
FEDERATION OF TEACHERS-WISCONSIN,
MADISON FIREFIGHTERS LOCAL 311,
THE MILWAUKEE BRANCH OF THE NAACP, and
MILWAUKEE TEACHERS' EDUCATION ASSOCIATION,

Defendant-Intervenors.

**GOVERNMENT ACCOUNTABILITY BOARD'S MOTION TO DISMISS THE
COMPLAINT OF THE REPUBLICAN PARTY OF WISCONSIN**


The Defendants, Government Accountability Board, Thomas Cane, Gerald
Nichol, Michael Brennan, William Eich, Victor Manian, Gordon Myse, Kevin Kennedy
and Nathaniel E. Robinson (hereinafter "the Government Accountability Board")

hereby respectfully move the Court pursuant to Wis. Stat. §§802.06(2)(a)(1) and (2)(a)(6) for an order dismissing the Complaint of the Republican Party of Wisconsin on the grounds that it lacks the standing necessary to bring this lawsuit, has not utilized an exclusive administrative procedure, and thereby has failed to exhaust its administrative remedies, and its Complaint fails to state a claim upon which relief can be granted.

The grounds for this motion are more fully set forth in the Government Accountability Board's Brief in Support of Its Motion to Dismiss the Complaint of the Republican Party of Wisconsin, which is filed herewith.

Dated this 17th day of October, 2008.

CULLEN WESTON PINES & BACH LLP

By: 
Lester A. Pines, SBN 1016543
Tamara B. Packard, SBN 1023111
Nicholas E. Fairweather, SBN 1036681
Attorneys for the Defendants

Mailing Address:

122 West Washington Avenue
Suite 900
Madison, WI 53703
Telephone: (608) 251-0101
Facsimile: (608) 251-2883
pines@cwpb.com
packard@cwpb.com
fairweather@cwpb.com