

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RUTHELLE FRANK, *et al.*,

Plaintiffs,

v.

Case No. 11-CV-1128

SCOTT WALKER, *et al.*,

Defendants.

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS OF WISCONSIN, *et al.*,

Plaintiffs,

v.

Case No. 12-CV-185

JUDGE DAVID G. DEININGER, *et al.*,

Defendants.

**JOINT MOTION FOR AN ORDER HOLDING IN ABEYANCE PROCEEDINGS
REGARDING ATTORNEYS' FEES AND COSTS**

Pursuant to Fed. R. Civ. P. 54(d) and Civil Local Rule 54(a)(2), and upon the Parties' Stipulation filed herewith, the Parties to the above captioned actions hereby jointly move for entry of an order holding in abeyance proceedings regarding the award of attorneys' fees and costs in this action until 30 days after the United States Court of Appeals for the Seventh Circuit has decided the anticipated appeals in these actions.

On April 29, 2014, this Court entered a Decision and Order [Doc. #195] permanently enjoining Defendants from conditioning a person's access to a ballot on that person's presenting a form of photo identification. The Court entered judgment for Plaintiffs and against Defendants

on the same date. [Doc. #196.] Defendants intend to take an appeal to the United States Court of Appeals for the Seventh Circuit.

Pursuant to Fed. R. Civ. P. 54(d), a claim for attorney's fees and costs other than attorney's fees must be filed no later than 14 days after the entry of judgment "[u]nless . . . a court order provides otherwise." Civil Local Rule 54(a)(2) provides that "[w]hen an appeal is taken, the parties may file a stipulation to delay the filing of the bill of costs until after the appeal is decided." Thus, upon the stipulation of the parties, this Court has discretion to extend the timing and contents of a motion for attorneys' fees and costs and the filing of the bill of costs until after such time as appellate proceedings are completed.

Because Plaintiffs' entitlement to fees and costs will depend on the outcome of any appeal, the parties agree that the interests of justice, as well as interests of judicial economy, will be served by holding all fee issues in abeyance until after the appeal to the Court of Appeals for the Seventh Circuit is decided.

For the foregoing reasons, the Parties respectfully request that this Court grant the joint motion. If the Defendants do not appeal either or both of the above captioned cases, the Parties agree that the Plaintiffs in any such case shall file their motion(s) for fees and costs and their bills of costs within 30 days after the time to appeal has elapsed.

Pursuant to Civ. L. Rule 7(h), the undersigned certify that no brief or other supporting documents – other than the Stipulation of the Parties – will be filed with this Motion.

Dated: May 6, 2014

/s Laurence J. Dupuis
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One of the Attorneys for Plaintiffs in *Frank v. Walker*

Dated: May 6, 2014

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One of the Attorneys for Plaintiffs in *LULAC v. Deininger*

Dated: May 6, 2014

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