

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

RUTHELLE FRANK, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

SCOTT WALKER, in his official capacity as
Governor of the State of Wisconsin, et al.;

Defendants.

Civil Action No. 2:11-cv-01128 (LA)

PLAINTIFFS' INITIAL DISCLOSURES

Plaintiffs, through their undersigned counsel, hereby make the following initial disclosures as required by Federal Rule of Civil Procedure 26(a)(1).

The following are the disclosures required by Federal Rule of Civil Procedure 26(a)(1)(A)(i):

(1) Each of the following named plaintiffs has information regarding the difficulties and burdens he or she has faced or will face in acquiring a form of photo ID accepted for voting in Wisconsin and/or information regarding their possession of photo IDs that are arbitrarily excluded from the list of accepted photo ID. All of the named plaintiffs listed below can be contacted through Plaintiffs' counsel: Shirley Brown, Sam Bulmer, Dartric Davis, Matthew Dearing, Pamela Dukes, Carl Ellis, Ruthelle Frank, Mariannis Ginorio, Rickie Lamont Harmon, Edward Hogan, Eddie Lee Holloway Jr., Sandra Jashinski, Anthony Judd, Max Kligman, Steve Kvasnicka, Sarah Lahti, Justin Luft, Samantha Meszaros, Barbara Oden, Anthony Sharp, Anna Shea, DeWayne Smith, Domonique Whitehurst, Nancy Lea Wilde, and Frank Ybarra.

(2) The following Defendants, whose addresses and telephone numbers are known to them, may have discoverable information related to the enactment and implementation of the photo ID requirement for voting, as well as all related rules, policies, and procedures: Defendant Scott Walker, Governor of the State of Wisconsin; Judge David G. Deininger, Chair of the Wisconsin Government Accountability Board (“GAB”); Judge Michael Brennan, Vice Chair of the GAB; Judge Thomas Barland, a member of the GAB; Judge Thomas Cane, a member of the GAB; Judge Gerald C. Nichol, a member of the GAB; Kevin J. Kennedy, Director and General Counsel of the GAB; Nathaniel E. Robinson, Administrator of the Elections Division of the GAB; Defendant Mark Gottlieb, Secretary of the Wisconsin Department of Transportation (“DOT”); Defendant Lynne Judd, the Administrator of the Division of Motor Vehicles at DOT (“DMV”); Defendant Kristina Boardman, the Director of the Bureau of Field Services at the DMV; Defendant Donald D. Reincke, Region Manager of the DMV Bureau of Field Services office for the Southwest Region; Defendant Tracy Jo Howard, Region Operational Manager of the DMV Bureau of Field Services office for the Southwest Region; Defendant Sandra M. Brisco, Region Manager of the DMV Bureau of Field Services office for the Southeast Region; Defendant Barney L. Hall, Region Operational Manager of the DMV Bureau of Field Services office for the Southeast Region; Defendant Donald J. Genin, Region Manager of the DMV Bureau of Field Services office for the Northeast Region; Defendant Jill Louise Geoffroy in her official capacity as Region Manager of the DMV Bureau of Field Services office for the North Central Region; and Defendant Patricia A. Nelson in her official capacity as Region

Manager of the DMV Bureau of Field Services office for the Northwest Region (“the DMV Defendants”) (collectively, “Defendants”).

(3) The following non-parties who are currently or were formerly with the Wisconsin Division of Motor Vehicles (“DMV”) or Wisconsin Government Accountability Board (“GAB”) may also have discoverable information related to the enactment and implementation of the photo ID requirement for voting, as well as all related rules, policies, and procedures. They include but are not limited to: Judge Timothy Vocke, a former member of the GAB; Michael Haas (GAB); Ross Hein (GAB); Diane Lowe (GAB); Shane Falk (GAB); Ann Oberle (GAB); Kathryn Mueller (GAB); Reid Magney (GAB); Christopher Doffing (GAB); David Buerger (GAB); Patrick Fernan (DMV/DOT); Jeremy Krueger (DMV/DOT); Alison Lebwohl (DMV/DOT); Debbie Kraemer (DMV/DOT); James Miller (DMV/DOT); Steven Krieser (DMV/DOT); Peg Schmitt (DMV/DOT); Aileen Switzer (DMV/DOT); Patricia Mayers (DMV/DOT); Richard Kleist (DMV/DOT); and Anna Richter (DMV/DOT). The addresses and telephone numbers of these witnesses are or should be known to defendants.

(4) Additional non-parties that may have discoverable information pertaining to the named Plaintiffs’ claims include but are not limited to the following:

(a) Kenneth Brown may have discoverable information regarding plaintiff Shirley Brown’s attempts to secure the underlying documents accepted by Wisconsin DMV for the state ID card application process, as well as her attempts to secure the state ID card itself. Mr. Brown may be contacted through Plaintiffs’ counsel.

(b) Rochelle Frank may have discoverable information regarding plaintiff Ruthelle Frank's attempts to acquire a state ID card in order to vote and the underlying documents accepted by Wisconsin DMV pursuant to the state ID card application. Ms. Frank may be contacted through Plaintiffs' counsel.

(c) Berdie Cowser is the Director of VETS Place Central. Her office is at 3330 West Wells Street, Milwaukee, WI 53208, and her number is (414) 345-3919 ext. 1285. Ms. Cowser may have discoverable information regarding the burdens imposed on veteran and/or homeless voters.

(d) Louise Paskey, the Dean of Students at Carthage College, may have discoverable information pertaining to the design and issuance of Carthage College student ID cards, as well as their validity or invalidity for voting purposes under Act 23. Her address is Carthage College, Dean of Students Office, 2001 Alford Park Drive, Kenosha, WI 53140, and her phone number is (262) 551-5800.

(e) Jason Ramirez, the Associate Dean of Students at Carthage College, may have discoverable information pertaining to the design and issuance of Carthage College student ID cards, as well as their validity or invalidity for voting purposes under Act 23. His address is Carthage College, Dean of Students Office, 2001 Alford Park Drive, Kenosha, WI 53140, and his phone number is (262) 551-5800.

(f) Nancy Truesdell, the Dean of Students at Lawrence University, may have discoverable information pertaining to the design and issuance of Lawrence University student ID cards and voting-only ID cards for voting purposes, as well as their validity or invalidity for voting purposes under Act 23. Her office is

located on the first floor of Raymond House, Lawrence University, 711 E. Boldt Way, Appleton, WI 54911, and the office number is (920) 832-6596.

(g) Any other staff or administrators of colleges, universities, and technical colleges in Wisconsin, who are involved in the design, issuance, and/or legal compliance of student ID cards.

(h) Bruce Landgraf is a Milwaukee County Assistant District Attorney. He may have discoverable information concerning investigations of voter fraud.

(i) Any person identified in Defendants' Initial Disclosures.

(5) Expert disclosures will be made in accordance with the Court's scheduling order and Rule 26(b)(2). Plaintiffs also anticipate that expert testimony also may be submitted in connection with Plaintiffs' Motion for Class Certification. As set forth in the parties Joint Rule 26(f) Report, plaintiffs have agreed to make any expert declaration or report in support of that Motion available to Defendants and expedite necessary discovery related thereto.

(6) Plaintiffs reserve the right to use the testimony of other witnesses whose identity may be subsequently learned through discovery or other means.

The following are the disclosures required by Federal Rule of Civil Procedure 26(a)(1)(A)(ii). The following documents, electronically stored information, and tangible things are in the possession, custody, or control of Plaintiffs or their counsel:

(1) Documents concerning the identity, name, date of birth, age, citizenship, and/or residency of each of the named Plaintiffs.

(2) Signed declarations from the named Plaintiffs.

(3) Documents concerning communications between named Plaintiffs and local, state, or federal agencies concerning Plaintiffs' attempts to acquire documents accepted by DMV for the Wisconsin state ID card application.

(4) Sample ID cards issued by federally recognized Native American tribes in Wisconsin, accredited colleges or universities in Wisconsin, U.S. military services, or federal, state, or local government agencies in the United States of America.

(5) Communications with relevant government agencies.

(6) Publicly available statements or testimony by any of the named Defendants.

(7) Publicly available memoranda, meeting minutes, or transcriptions or video of meetings of the GAB.

(8) Documents related to GAB and DMV rulemaking pertinent to the photo ID requirement for voting.

(9) Publicly available documents, statements, training manuals, PowerPoint presentations, images, or instructions on the GAB website or <http://bringit.wisconsin.gov/> pertaining to the Wisconsin photo ID requirement for voting.

(10) Documents on the DMV website or given or disclosed to Plaintiffs and/or their counsel pertaining to the application for and issuance of driver's license and state ID cards.

(11) Publicly available birth certificate application forms, birth certificate application requirements, and other related instructions and forms used by state and local Wisconsin vital records offices, as well as any other relevant state and local vital records offices nationwide.

(12) Forms, applications, and requirements for other documentary proof of U.S. citizenship.

(13) Documents provided by the Social Security Administration to applicants for a Social Security Card.

(14) Governmental or private reports, data compilations, or research completed by any governmental or private entity on the financial circumstances, income level, employment status, housing, education, age, and/or transportation of Wisconsin residents.

(15) Legislative testimony and portions of the legislative record pertaining to the enactment, fiscal estimate, and/or implementation of 2011 Wisconsin Act 23 and subsequent legislation amending it.

(16) Private, academic, or governmental reports on election issues and reform proposals.

(17) Private, academic, or governmental reports on homelessness, homelessness and voting, veteran homelessness, and related topics.

(18) Current and historical U.S. Census and American Community Survey data on residents of Wisconsin and Milwaukee County, Wisconsin.

(19) Various historical election returns from local, state, and federal elections in Wisconsin.

(20) Correspondence between Plaintiffs' counsel and GAB prior to the filing of this lawsuit, and any related documents at issue in this correspondence.

(21) Election-related data collected in the State of Wisconsin during elections in 2012 or any prior year.

(22) Incident or investigative reports of election law violations in Wisconsin or summaries of the same, whether produced by law enforcement authorities, private researchers, or any other person or entity.

(23) Documents related to poll investigation and monitoring of elections in Wisconsin from 2004 through 2008.

(24) Public filings or rulings in *Milwaukee Branch of the NAACP, et al. v. Scott Walker, et al.*, Case No. 11-CV-5492 (Dane County, Wisconsin Circuit Court, Branch 12).

(25) Public filings or rulings in *League of Women Voters of Wisconsin Education Network, Inc., et al. v. Scott Walker, et al.*, Case No. 11-CV-4669 (Dane County, Wisconsin Circuit Court, Branch 9).

(26) Documents produced by Defendants or subpoenaed non-parties to Plaintiffs throughout the course of discovery in this lawsuit.

Finally, Plaintiffs do not seek damages in this action. Fed. R. Civ. P. 26(a)(1)(A)(iii). Nor are there any insurance agreements relevant to this action. Fed. R. Civ. P. 26(a)(1)(A)(iv).

Plaintiffs reserve the right to supplement these initial disclosures pursuant to Federal Rule of Civil Procedure 26(e).

Respectfully submitted this 7th day of March, 2012,

/s/ Laurence J. Dupuis

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