

**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)

**REPLY MEMORANDUM OF LAW
IN SUPPORT OF PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING
ORDER AND LEAVE TO FILE SUPPLEMENTAL PLEADING**

Defendants concede that Andrew Voegele cannot simply obtain a “free” ID for voting by “show[ing] up at a DMV with as much as he or she has.” *Frank v. Walker*, 835 F.3d 649, 651 (7th Cir. 2016) (en banc). Instead, he must surrender his Minnesota driver’s license in order to obtain a free ID for voting, even though Voegele commutes to Minnesota on a daily basis and may very well return to Minnesota in the near future. Forcing Voegele to surrender his Minnesota driver’s license, especially when Defendants concede that driving has nothing to do with voting, makes it “unreasonably difficult” for Voegele to exercise his fundamental right to vote. *Id.* at 651. Thus, under the *Anderson-Burdick* framework, the unreasonable burdens Voegele faces outweigh the State’s purported interests at least with respect to Voegele. *See Frank v. Walker*, 819 F.3d 384, 386 (7th Cir. 2016) (“The right to vote is personal and is not defeated by the fact that 99% of other people can secure the necessary credentials easily.”). And Defendants do not dispute that all Plaintiffs ask is for this Court to order that a single provisional

ballot be counted—not a rewrite of any elections rules—and that doing so imposes a virtually non-existent burden upon the State. Thus, this Court should grant Plaintiffs’ motion for a temporary restraining order and leave to file a supplemental complaint.

Dated this 10th day of November 2016,

Respectfully submitted,

/s/ Sean J. Young

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