

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

RUTHELLE FRANK, et al.,

Plaintiffs,

v.

Case No. 11-CV-1128

SCOTT WALKER, et al.,

Defendants.

**DEFENDANTS' ANSWER TO PLAINTIFFS'
SUPPLEMENTAL COMPLAINT**

All defendants, by their undersigned counsel, hereby answer the Supplemental Complaint, filed by Plaintiffs on November 10, 2016. (Dkt. 326.) This is the second supplemental complaint filed by the Plaintiffs since the filing of the pending appeal. (*See* Dkt. 303.) The defendants request that, like the previous supplemental complaint, the new issues raised here be held in abeyance pending the outcome of that appeal.

ANSWER

1. Answering paragraph 1, the defendants DENY.
2. The defendants DENY the legal conclusions in paragraph 2. The defendants specifically DENY that Mr. Voegele is entitled to any relief. As to the remaining allegations in Paragraph 2, the defendants are without information sufficient to form a belief as to those allegations, and therefore DENY.

3. All allegations not specifically admitted are DENIED.

AFFIRMATIVE DEFENSES

1. The Supplemental Complaint alleges facts related to Andrew Voegele only. Mr. Voegele's individual allegations are not sufficient to allege facts of a class or class representatives.

2. Mr. Voegele lacks standing.

3. The Supplemental Complaint fails to state a claim upon which relief can be granted.

4. Any claims for equitable relief are moot.

5. This action should be dismissed as unnecessary parallel litigation to *One Wisconsin Institute, Inc. v. Thomsen*, Case No. 15-cv-324 (W.D. Wis.).

6. Plaintiffs' claims are barred by issue preclusion.

Dated this 17th day of November, 2016.

Respectfully submitted,

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