

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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RUTHELLE FRANK, *et al.*,

Plaintiffs,

v.

Case No. 11-CV-1128

SCOTT WALKER, *et al.*,

Defendants.

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

Plaintiffs,

v.

Case No. 12-CV-185

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

Defendants.

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**STIPULATION TO HOLD IN ABEYANCE PROCEEDINGS REGARDING  
ATTORNEYS' FEES AND COSTS**

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The Parties, by and through their attorneys, hereby stipulate to extend the deadlines and expand the time for any further filings or proceedings related to the assessment or payment of costs and fees by any party in the above captioned actions, pending final disposition of any further proceedings on appeal.

On April 29, 2014, this Court entered a Decision and Order and its Judgment, permanently enjoining Defendants from conditioning a person's access to a ballot on that

person's presenting a form of photo identification. [Doc. ## 195, 196]<sup>1</sup>

On May 7, 2014, this Court granted the Parties' Joint Motion for Entry of an Order Holding in Abeyance Proceedings Regarding Attorneys' Fees and Costs, ordering that "all issues relating to an award of attorneys' fees and costs shall be held in abeyance" "until after any appeals to the United States Court of Appeals for the Seventh Circuit are decided."

Defendants appealed [Doc. #131] and on October 6, 2014, the United States Court of Appeals for the Seventh Circuit reversed and entered final judgment. [7th Cir. Doc. #75].

On October 7, 2014, Plaintiffs filed an Emergency motion with the Court of Appeals for a stay of judgment and mandate pending further review. [7th Cir. Doc. #76]. On October 9, 2014, the United States Supreme Court entered an order upon Plaintiffs' application, vacating the Court of Appeals' stay of this Court's permanent injunction, pending the timely filing and disposition of a petition for a writ of certiorari. [7th Cir. Doc. #77]. On October 15, the Court of Appeals entered an order granting Plaintiffs' motion for a stay of the mandate [7th Cir. Doc. #77]; the stay is to expire automatically if the time to file a petition for certiorari expires without a petition being filed or if a petition is denied and the stay will continue pending the Supreme Court's decision if a petition is filed and granted. [Doc. #145].

On October 20, Defendants filed a Bill of Costs with the Court of Appeals. [7th Cir. Doc. #80].

Pursuant to Fed. R. Civ. P. 54 and Civil Local Rule 54(a), the parties hereby stipulate to extend the deadline(s) for any further proceedings related to award of costs and/or fees as against any party until 30 days after the Court of Appeals enters its mandate, or 30 days after final disposition of any further proceedings on appeal before the Court of Appeals or the Supreme

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<sup>1</sup> All Docket number citations are to the *Frank v. Walker* Docket, No. 2:11-cv-510-LA. Identical documents were filed on the same dates in *LULAC v. Deininger*, but with different docket numbering.

Court, whichever is later. This stipulation includes holding in abeyance the time for filing objections, if any, to Defendants' Bill of Costs filed in the Court of Appeals [7th Cir. Doc. #80] or for making payment upon that Bill of Costs.

By entering this stipulation, no party concedes that the other is or will be entitled to an award of fees or costs, or waives any future arguments or objections they may raise regarding either entitlement to fees and costs or the amount of any such award.

Dated: November 3, 2014

Respectfully submitted,

/s/ Laurence J. Dupuis

Laurence J. Dupuis  
State Bar # 1029261  
ACLU of Wisconsin Foundation, Inc.  
207 E. Buffalo St., #325  
Milwaukee, WI 53202  
Attorney for Plaintiffs in *Frank v. Walker*

/s/ Nathan D. Foster

Nathan D. Foster  
Arnold & Porter, LLP  
370 Seventeenth Street  
Suite 4400  
Denver, CO 80205  
Attorney for Plaintiffs in *LULAC v. Deininger*

/s/ Clayton P. Kawski

Clayton P. Kawski  
Assistant Attorney General  
State Bar # 1066228  
Wisconsin Department of Justice  
Post Office Box 7857  
Madison, Wisconsin 53707-7857  
Attorney for Defendants in *Frank v. Walker*  
and *LULAC v. Deininger*

## CERTIFICATE OF SERVICE

I certify that on November 3, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will accomplish electronic notice and service on all counsel of record who are registered CM/ECF users.

/s/ Nathan D. Foster

Nathan D. Foster

Attorney for Plaintiffs in *LULAC v. Deininger*