



AMERICAN CIVIL LIBERTIES
UNION FOUNDATION
NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.519.7359
F/212.549.2675
WWW.ACLU.ORG

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VIA ECF

The Honorable Lynn Adelman
362 United States District Courthouse
517 East Wisconsin Avenue
Milwaukee, WI 53202

Re: *Ruthelle Frank, et al. v. Scott Walker, et al.*, Case No. 11-cv-1128

Dear Judge Adelman,

We represent Plaintiffs in the above-captioned case, and we write in opposition to Defendants' letter filed today.

This Court should deny Defendants' last-minute request to stay this case, which has been pending for five years and was filed *four years* before the *One Wisconsin* case. Plaintiffs will soon be filing a motion for preliminary injunction to prevent vulnerable voters from being disenfranchised in the rapidly-approaching elections on August 9 and November 8, 2016. The motion will provide sufficient time for the Court to rule, and for any necessary changes to be implemented in advance of those elections.

Defendants' remaining requests related to discovery scheduling issues should be addressed after Plaintiffs' motion for preliminary injunction is resolved—that is, after the imminent, irreparable harm to Wisconsin voters has been addressed (and prevented). The outcome of Plaintiffs' motion may greatly impact how remaining discovery is structured, to the extent that any is even necessary.

Defendants lastly raise various substantive arguments in the letter that can be addressed in the context of Plaintiffs' motion for a preliminary injunction. Plaintiffs intend to seek class certification in conjunction with their motion for a preliminary injunction, at which point Defendants can respond. Defendants' opposition brief can also fully address their latest attempt at evading constitutional liability, the new administrative rule Wis. EmR1618, in response to Plaintiffs' motion. As Plaintiffs expect to demonstrate, this "new" rule is unlikely to alleviate the unreasonable burdens faced by Plaintiff class members. After five long years of DMV

involvement, it is now clear that a bureaucracy designed to regulate driving has no business being the gatekeeper for our democracy.

This Court should deny Defendants requests and, Plaintiffs respectfully request, act quickly on Plaintiffs' imminent motion for a preliminary injunction.

Respectfully,

s/ Sean J. Young

Sean J. Young
Attorney for Plaintiffs
American Civil Liberties Union
Foundation, Inc.