

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

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

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

Plaintiffs,

v.

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

Defendants.

**MOTION OF *AMICI CURIAE* GROUP OF DEMOCRAT,
REPUBLICAN, AND INDEPENDENT VOTERS FOR LEAVE TO
FILE A BRIEF AND PRESENT ARGUMENT IN OPPOSITION TO
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

Amici curiae are a group of duly qualified Wisconsin voters, including self-identified Democrats, Republicans, and an Independent, who intend to vote in the November 6, 2012 general election. They believe that each eligible Wisconsin citizen has a personal, fundamental constitutional right to vote without regard to race, color, or other impermissible characteristic. 2011 Wisconsin Act 23's photo identification requirement for voters is a reasonable, non-discriminatory means of protecting *amici's* constitutional rights—as well as the constitutional rights of African-American and Latino electors throughout the State—by ensuring that their legitimate votes are not nullified, diluted, or effectively cancelled out by improperly or fraudulently cast votes. *See Anderson v. United States*, 417 U.S. 211, 226 (1974) (recognizing that the right to vote includes “the right of all voters in a federal election to . . . have their expressions of choice [for candidates be] given full value and effect, without being diluted or distorted by the casting of fraudulent ballots”).

Amici curiae include Dorothy Janis of Kenosha, Wisconsin, a self-identified Democrat; James Janis of Kenosha, a self-identified Democrat; Erin M. Decker, a Republican and Kenosha County Supervisor; Matthew Augustine, a Republican and election inspector in Kenosha; and Robert Ziegelbauer, an Independent who presently represents the 25th District in the Wisconsin Assembly and is the Manitowoc County Executive. They respectfully request that this Court grant their Motion for leave to file a 30-page Memorandum in Opposition to Plaintiffs' Motion for a Preliminary Injunction in this case by no later than Friday, June 8, 2012. *See, e.g., Pleasant Run Condo. Homes Ass'n v. City of Brookfield*, 580 F. Supp. 2d 735, 742 (E.D. Wis. 2008) (granting Wisconsin Realtors Association's motion to file an amicus brief). To avoid unnecessary repetition, *amici* also ask permission to incorporate by reference relevant portions of the *amicus* brief they concurrently are seeking leave to file in *Jones v. Deininger*, No. 2:12-CV-00185-LA (E.D. Wis.), which is attached as an exhibit to that motion. *Amici* request the opportunity to present argument in support of their brief, and in opposition to Plaintiffs' Motion for a Preliminary Injunction, at any hearing this Court may hold on that motion.

Respectfully submitted,

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Plaintiffs,

v.

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

Defendants.

**ORDER GRANTING MOTION OF *AMICI CURIAE* TO FILE
A BRIEF AND PRESENT ARGUMENT IN OPPOSITION TO
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

Having considered the motion of *amici curiae* Group of Democrat, Republican, and Independent Voters for leave to file a brief and present argument in opposition to Plaintiffs' Motion for a Preliminary Injunction, any opposition thereto, any reply, and for good cause shown, it is on this ____ day of _____, 2012, hereby:

ORDERED that the Motion of *amici curiae* is GRANTED;

FURTHER ORDERED that *amici curiae* are GRANTED leave to file a brief no later than June 8, 2012; and

FURTHER ORDERED that counsel for *amici curiae* shall be permitted to present oral argument in support of their brief, and in opposition to Plaintiffs' Motion for a Preliminary

Injunction, at any hearing this Court may hold (whether telephonic or in person) regarding Plaintiffs' Motion.

SO ORDERED.

Hon. Lynn Adleman
US District Court Judge

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