

**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)

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION, LEAVE TO FILE SUPPLEMENTAL PLEADING, AND CLASS
CERTIFICATION**

Upon consideration of the parties' briefs submitted in connection with Plaintiffs' Motion for Preliminary Injunction, Leave to File Supplemental Pleading, and Class Certification,

IT IS ORDERED THAT Plaintiffs' motion for leave to file a supplemental pleading is granted;

IT IS ORDERED THAT the following class be certified: eligible Wisconsin voters without acceptable forms of identification ("ID") for voting and who have one or more of the following barriers to obtaining ID: (1) name mismatches or other errors in a document needed to obtain ID; (2) need to obtain an underlying document from an agency other than the DMV in order to obtain ID; and/or (3) one or more underlying document(s) necessary to obtain ID cannot be found. It is further ordered that Plaintiffs' undersigned counsel be approved as class counsel, and that Plaintiffs Ruthelle Frank, DeWayne Smith, Shirley Brown, Melvin Robertson, Leroy Switlick, and James Green be appointed as class representatives;

IT IS FURTHER ORDERED the following preliminary injunction shall issue: all named Defendants and Defendants' officers, agents, servants, employees, and attorneys, and all those acting in concert or participation with them, or having actual or implicit knowledge of this Order by personal service or otherwise, are directed to:

- (1) Create an affidavit in simple language that would allow voters without acceptable identification for voting to cast a regular ballot at the polling place or an absentee ballot, by affirming that they face a "reasonable impediment" to obtaining acceptable identification. The form should have boxes that a voter may check for "lack of transportation," "disability or illness," "lack of birth certificate," "work schedule," "family responsibilities," and "other reasonable impediment." The form shall require a further brief written explanation from the voter only if he or she checks the "other reasonable impediment" box on the form. Any reason that the voter subjectively deems reasonable should suffice.
- (2) Send an individualized mailing to all registered voters who do not appear in the DMV database as having acceptable photo ID, informing them about the voter ID law and the affidavit option.
- (3) Include the affidavit option in any publicity materials related to the voter ID law.

Dated _____,

Honorable Lynn Adelman
United States District Judge