

**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)

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Plaintiffs, through their counsel, respectfully move this Court pursuant to Federal Rule of Civil Procedure 23 to enter an order certifying proposed Classes 1, 2, 3, 4, 5, 6, and 7, as well as proposed Subclass 7.1 as described in the First Amended Complaint. Doc. 31 ¶¶ 106-32.

Plaintiffs further move that the undersigned counsel for plaintiffs be approved as class counsel for each of proposed Classes 1, 2, 3, 4, 5, 6, and 7, as well as proposed Subclass 7.1.

Plaintiffs further move that the following plaintiffs be certified as class representatives.

- Class 1: Shirley Brown, Nancy Lea Wilde, Ruthelle Frank, Eddie Lee Holloway, Jr., Barbara Oden, Mariannis Ginorio, and DeWayne Smith.
- Class 2: Pamela Dukes, Mariannis Ginorio, Sam Bulmer, Eddie Lee Holloway, Jr., and Carl Ellis.
- Class 3: Samantha Meszaros, Steve Kvasnicka, Max Kligman, and Anna Shea.
- Class 4: Edward Hogan.
- Class 5: Ruthelle Frank, Shirley Brown, Nancy Lea Wilde, Eddie Lee Holloway, Jr., Mariannis Ginorio, Sam Bulmer, Carl Ellis, and Pamela Dukes.
- Class 6: Carl Ellis, Sam Bulmer, and Rickie Lamont Harmon.

Class 7: Shirley Brown; Eddie Lee Holloway, Jr., Mariannis Ginorio, Barbara Oden, Carl Ellis, Rickie Lamont Harmon, Pamela Dukes, and DeWayne Smith.

Subclass 7.1: Shirley Brown; Eddie Lee Holloway, Jr., Mariannis Ginorio, Barbara Oden, Carl Ellis, Rickie Lamont Harmon, Pamela Dukes, and DeWayne Smith.

In support of this Motion, Plaintiffs concurrently submit a Memorandum in Support of the Motion and Declarations and Exhibits thereto, which are hereby incorporated within this Motion by reference. As demonstrated in that Memorandum, each of the proposed Classes satisfies the requirements for class certification under Rule 23, and it is otherwise just and efficient to adjudicate Plaintiffs' claims on a class-wide basis.

Respectfully submitted this 23rd day of April, 2012,

/s/ Craig Falls

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PROPOSED ORDER ON PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Plaintiffs filed a Motion for Class Certification (the "Motion"). Having reviewed the papers submitted in support of and in opposition to the Motion and the relevant law, the Court finds that each of Proposed Classes 1, 2, 3, 4, 5, 6, and 7, and Proposed Subclass 7.1 meet the requirements for class certification under Federal Rule of Civil Procedure 23. The Court

HEREBY ORDERS THAT:

1. The Motion is GRANTED;
2. Class 1 is certified and defined as "all eligible Wisconsin voters who lack accepted photo ID, lack one or more of the documents DMV accepts to obtain a Wisconsin ID card for voting purposes, and face legal or systemic practical barriers to completing the process of obtaining an ID;"
3. Class 2 is certified and defined as "all eligible Wisconsin voters who lack accepted photo ID and for whom the costs incurred in obtaining a Wisconsin state ID card, including but not limited to the cost of obtaining certified and accurate copies of birth certificates or any other documentary proof accepted by the Wisconsin DMV or the cost of traveling to the nearest Wisconsin DMV office, would constitute a financial burden;"
4. Class 3 is certified and defined as "all Wisconsin voters who are residents of Wisconsin for voting purposes, who lack any accepted photo ID, and who would be forced to surrender an out-of-state driver's license in order to obtain a free Wisconsin ID card for voting purposes;"

5. Class 4 is certified and defined as “all enrolled students at accredited Wisconsin technical colleges who lack any form of accepted photo ID other than technical college ID cards;”
6. Class 5 is certified and defined as “all eligible Wisconsin voters who lack accepted photo ID, must obtain one or more primary documents that DMV accepts to obtain a Wisconsin state ID card, including but not limited to certified and accurate copies of birth, marriage, and name change certificates or records or of the non-existence thereof, and will be required to pay one or more fees to obtain these documents;”
7. Class 6 is certified and defined as “all veterans of a uniformed service of the United States who are eligible Wisconsin voters, lack accepted photo ID, and possess a Veterans Identification Card (“VIC”) issued by the U.S. Department of Veterans Affairs;”
8. Class 7 is certified and defined as “all eligible African-American and Hispanic/Latino voters in the State of Wisconsin who lack accepted photo ID;”
9. Subclass 7.1 is certified and defined as “all eligible African-American and Hispanic/Latino voters in Milwaukee County, Wisconsin who lack accepted photo ID;”
10. Plaintiffs’ counsel from The American Civil Liberties Union of Wisconsin Foundation; American Civil Liberties Union Foundation, Inc.; National Law Center on Homelessness and Poverty; and Dechert LLP are approved as class counsel for each of Classes 1, 2, 3, 4, 5, 6, and 7, and Subclass 7.1;
11. Plaintiffs Shirley Brown, Nancy Lea Wilde, Ruthelle Frank, Eddie Lee Holloway, Jr., Barbara Oden, Mariannis Ginorio, and DeWayne Smith are certified as representatives for Class 1;
12. Plaintiffs Pamela Dukes, Mariannis Ginorio, Sam Bulmer, Eddie Lee Holloway, Jr., and Carl Ellis are certified as representatives for Class 2:
13. Plaintiffs Samantha Meszaros, Steve Kvasnicka, Max Kligman, and Anna Shea are certified as representatives for Class 3;
14. Plaintiff Edward Hogan is certified as the representative for Class 4:
15. Plaintiffs Ruthelle Frank, Shirley Brown, Nancy Lea Wilde, Eddie Lee Holloway, Jr., Mariannis Ginorio, Sam Bulmer, Carl Ellis, and Pamela Dukes are certified as representatives for Class 5;
16. Plaintiffs Carl Ellis, Sam Bulmer, and Rickie Lamont Harmon are certified as representatives for Class 6:
17. Plaintiffs Shirley Brown; Eddie Lee Holloway, Jr., Mariannis Ginorio, Barbara Oden, Carl Ellis, Rickie Lamont Harmon, Pamela Dukes, and DeWayne Smith are certified as representatives for Class 7; AND

18. Plaintiffs Shirley Brown; Eddie Lee Holloway, Jr., Mariannis Ginorio, Barbara Oden, Carl Ellis, Rickie Lamont Harmon, Pamela Dukes, and DeWayne Smith are certified as representatives for Subclass 7.1

IT IS SO ORDERED.

Dated _____

Hon. Lynn S. Adelman, US District Court Judge