

**Falk, Shane - GAB**

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**From:** Michael S. Maistelman <mmaistelman@gmail.com>  
**Sent:** Monday, June 04, 2012 11:44 AM  
**To:** Kennedy, Kevin - GAB; Haas, Michael R - GAB; Falk, Shane - GAB  
**Subject:** IN THE MATTER of the Nomination Papers Filed By Mario R. Hall with Respect to the August 14, 2012 Primary Election for the 12th State Assembly District  
**Attachments:** Verifiication.pdf; verified complaint.pdf

Mr. Kennedy, Attached please find my client's Verified Complaint in the above-referenced matter.

I am also depositing the same in the US Mail today.

Mr. Hall is also being served with the same via US Mail.

Please confirm your receipt of the attached Verified Complaint.

Thank you, Mike

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Attorney Michael S. Maistelman  
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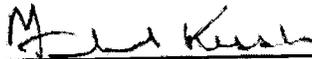
IRS CIRCULAR 230 NOTICE: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed in this communication (or in any attachment).

**VERIFICATION**

Frederick Kessler, being first duly sworn, on oath, deposes and says as follows:

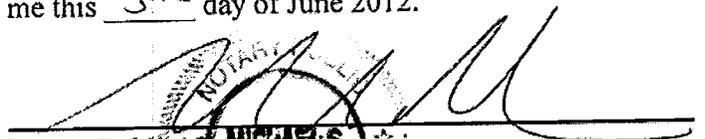
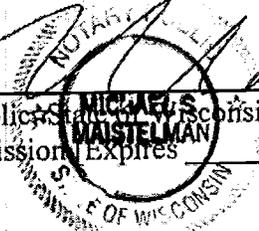
1. That he is an elector and a resident of the City and County of Milwaukee, Wisconsin and resides in the 12th State Assembly District and is the current Representative in the State Assembly for the 12th Assembly District.
2. That he has read the foregoing Verified Complaint and that the same is true and correct, except as to those matters therein stated upon information and belief and, as to those matters, he believes them to be true.

Dated at Milwaukee, Wisconsin this 3<sup>rd</sup> day of June 2012



Frederick Kessler  
Complainant

Subscribed and Sworn to before  
me this 3<sup>rd</sup> day of June 2012.

  
Notary Public State of Wisconsin  
My Commission Expires \_\_\_\_\_ ] [Is Permanent].  


STATE OF WISCONSIN:

BEFORE THE GOVERNMENT ACCOUNTABILITY BOARD

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IN THE MATTER of the Nomination Papers  
Filed By Mario R. Hall with Respect to the  
August 14, 2012 Primary Election for the 12<sup>th</sup>  
State Assembly District

File No. \_\_\_\_\_

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**VERIFIED COMPLAINT OF FREDERICK P. KESSLER**

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The Complainant, Frederick P. Kessler, by his attorneys Maistelman & Associates, LLC by Attorney Michael S. Maistelman, alleges and shows as follows:

1. The Complainant, Frederick P. Kessler (“Complainant”), is an elector of the City and County of Milwaukee residing at 11221 W. Sanctuary Drive, Milwaukee, Wisconsin and currently holds the office State Representative of the 12th Assembly District.

2. The Respondent, Mario H. Hall (“Respondent”), is upon information and belief a candidate in the August 14, 2012 Election for the 12<sup>th</sup> State Assembly District and whose address is listed as 6131 W. Cloverleaf Lane, in the village of Brown Deer and County of Milwaukee, Wisconsin.

3. On or about June 1, 2012, Respondent filed with the Government Accountability Board (“GAB”) his Nomination Papers.

4. Upon information and belief, Respondent’s Nomination papers were allegedly circulated between May 5, 2012 and June 1, 2012.

5. Respondent's Nomination papers allegedly consisted of an insufficient number of signatures so as to be less than 200 (two hundred) signatures, the amount required for placement on the ballot for the August 14, 2012 Primary Election for the 12<sup>th</sup> State Assembly District. Complainant, upon information and belief believes that the GAB has accepted a total of 190 signatures.

**CHALLENGES TO CIRCULATOR INFORMATION**

- 6. Pages 2, 3, 4, 5, 6, 8, 10, 11, 12, 13, 14, 18, 19, 20, 21, 22, 23, 24, 25 & 27 circulator listed incorrect municipality of residence.
- 7. Pages 7, 9, 16, 17 & 26 circulator failed to list any municipality of residence.
- 8. Page 1, circulator listed incorrect municipality, i.e. Brown Deer/Milwaukee.
- 9. Page 15, circulator failed to list any municipality.
- 10. Page 11, entire page is invalid as there is no year on the dates of signatures.
- 11. Page 22, entire page is invalid as there is no year on the dates of signatures.

**CHALLENGES TO INDIVIDUAL SIGNATURES**

- 12. All of the preceding paragraphs are re-alleged and incorporated as if fully stated herein.
- 13. Page 5, Lines 2 & 4 no year given.
- 14. Page 9, Line 4 no address given.
- 15. Page 13, Line 2 no date of signature given.
- 16. Page 15, Line 8 no year given.
- 17. Page 17, Line 8 no address given.
- 18. Pages 18, Lines 8, 9, & 10 out of 12<sup>th</sup> State Assembly District.
- 19. Page 19, Lines 9 & 10 no information provided.
- 20. Page 23, Line 6 no year is given.

21. Page 24, Lines 1, 2, & 8 out of 12<sup>th</sup> State Assembly District.
22. Page 25, Lines 5 & 6 are out of 12<sup>th</sup> State Assembly District.
23. Page 26, Lines 7 & 9 out of 12<sup>th</sup> State Assembly District.

**CHALLENGES TO HEADING OF NOMINATION PAPERS**

24. All of the preceding paragraphs are re-alleged and incorporated as if fully stated herein.

25. None of the information in the heading of the Nomination Paper, (i.e., candidates name, candidates address, political party represented, date of election, office sought, name of jurisdiction or district in which candidate seeks office), may be altered, amended, or added after circulation of the nomination paper. *See* State of Wisconsin Elections Board memo to Board Members dated January 14, 2004.

26. Upon information and belief Respondent resides in the Village of Brown Deer, yet he wrongly listed the City of Milwaukee as his municipality for mailing purposes on the header of his nomination paper.

**CONCLUSION**

27. Accordingly, Respondent has not submitted a sufficient number of signatures to be placed on the ballot for the August 14, 2012 Primary for the 12<sup>th</sup> State Assembly District.

28. This Verified Complaint is made pursuant to § El Bd 2.07(1), Wis. Admin. Code, and § 9.10(3)(b), Wis. Stats., and pursuant to § El Bd 10.03(6), Wis. Admin. Code, was served on Respondent via U.S. mail postage prepaid prior to filing.

**WHEREFORE**, Complainant respectfully requests that the GAB conduct an investigation pursuant to § El Bd 2.07(5), Wis. Admin. Code, in conjunction with such other

public officials as the GAB, or the Executive Director thereof, may deem appropriate and determine the Nomination papers of the Respondent to be insufficient for the reasons set forth in this Verified Complaint.

Dated at Milwaukee, Wisconsin this 3<sup>rd</sup> day of June 2012.

By: 

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Michael S. Maistelman  
State Bar No. 1024681  
Dennis R. Krueger  
State Bar No. 1009923

Attorneys for Complainant

P.O. ADDRESS:  
5027 W. North Avenue  
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