

**STATE OF WISCONSIN
BEFORE THE ELECTIONS COMMISSION**

BRIAN THOMAS, TAMARA WEBER, MATTHEW
AUGUSTINE, KEVIN MATHEWSON, MARY
MAGDALEN MOSER, PAMELA MUNDLING,

Complainants,

v.

MEAGAN WOLFE, in her capacity as Administrator
of the Wisconsin Elections Commission, JOHN M.
ANTARAMIAN, in his capacity as Mayor of the City
of Kenosha, MATT KRAUTER, in his capacity as the
City Clerk/Treasurer of the City of Kenosha

Respondents.

RESPONDENTS' NOTICE OF MOTION AND MOTION TO DISMISS

To: All counsel of record.

Respondents John M. Antaramian, in his capacity as Mayor of the City of Kenosha, and Matt Krauter, in his capacity as the City Clerk/Treasurer of the City of Kenosha (collectively, "Respondents"), by and through its attorneys in the Kenosha City Attorney's Office, move the Wisconsin Elections Commission (herein "WEC") to dismiss the above captioned Complaint.

1. PLEASE TAKE NOTICE that Respondents John M. Antaramian and Matt Krauter move the WEC to dismiss the above-captioned Complaint.
2. This motion will be heard:

BEFORE: The Wisconsin Elections Commission

PLACE:

DATE:

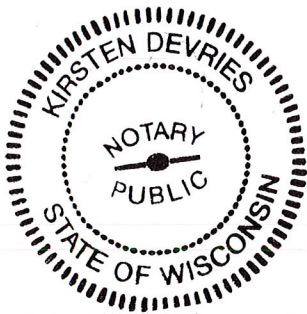
TIME:

3. Respondents John M. Antaramian and Matt Krauter respectfully move the WEC to dismiss the above-captioned Complaint, based upon its untimeliness and failure to state probable cause, WIS. STAT. § 5.06(3); WIS. ADMIN. CODE §§ EL 20.03(3) and 20.04(1), that it asks the WEC to exceed its statutory authority both in regard to complaints, WIS. STAT. § 5.06(1), and as it functionally asks the WEC to write new election laws, without legislative approval, rather than administering election laws. WIS. STAT. § 5.06(1).
4. These issues are argued in more depth in the Respondents' "Answer of Respondents Antaramian and Krauter," which is incorporated by reference to this Motion, as if it had been fully stated herein.

Thus, the Respondents respectfully request the WEC to dismiss the Complaint, in its entirety, and with prejudice.

I, Bryan A. Charbogian, being first duly sworn on oath state that I personally read the above verified motion, and that the above motion is true based on my personal knowledge and, as to those items stated on information and belief, I believe them to be true.

Dated this 15th day of June, 2021.



Subscribed and sworn to before me
this 15th day of June, 2021

Kirsten DeVries

Kirsten DeVries
Notary Public, Kenosha County, WI.
My Commission expires on March 27, 2025

Respectfully submitted,

Bryan A. Charbogian

Bryan A. Charbogian
State Bar No. 1113801
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