

# State of Wisconsin \ Government Accountability Board

212 East Washington Avenue, 3<sup>rd</sup> Floor  
Post Office Box 7984  
Madison, WI 53707-7984  
Voice (608) 266-8005  
Fax (608) 267-0500  
E-mail: [gab@wisconsin.gov](mailto:gab@wisconsin.gov)  
<http://gab.wi.gov>



JUDGE THOMAS H. BARLAND  
Chairperson

KEVIN J. KENNEDY  
Director and General Counsel

---

## MEMORANDUM

**DATE:** September 26, 2014

**TO:** Wisconsin Municipal Clerks  
City of Milwaukee Election Commission  
Wisconsin County Clerks  
Milwaukee County Election Commission

**FROM:** Michael Haas  
Elections Division Administrator

**SUBJECT:** Update on Ballot Design Lawsuit and Photo ID Litigation

This communication provides an update regarding two court decisions issued this week related to the General Election.

1. Last week we informed you that a lawsuit had been filed in Waukesha County Circuit Court regarding the ballot design recommended by G.A.B. staff for the General Election. Following a brief hearing on Wednesday, September 24<sup>th</sup>, Judge James Kieffer dismissed the case. The Court ruled that the plaintiffs did not follow the required statutory procedure by first filing a complaint with the Government Accountability Board, and that such a lawsuit would need to be filed by an elector who believed their voting rights had been violated, not the campaign committees which filed the lawsuit. As a result, there is no interruption in the delivery of absentee ballots to voters or printing of ballots for the election.
2. As you know, two weeks ago, a three-judge panel of the 7<sup>th</sup> Circuit Court of Appeals issued a ruling which reinstated the photo ID requirement for the General Election. The plaintiffs in that case requested that the Court's full panel of judges review that decision. This morning the 7<sup>th</sup> Circuit Court of Appeals announced that the request was denied on a 5-5 vote of the full Court. The plaintiffs have not announced whether they intend to file an appeal with the United States Supreme Court. Implementation of the photo ID requirement will continue absent any subsequent appeal and ruling to the contrary by the Supreme Court.

If you have any questions, please contact the G.A.B. Help Desk at (608) 261-2028 or [gabhelpdesk@wi.gov](mailto:gabhelpdesk@wi.gov). Thank you.