

## Office of the City Attorney

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February 26, 2025

Brandon Hunzicker, Staff Attorney  
Wisconsin Elections Commission  
201 West Washington Avenue  
Second Floor  
Madison, Wisconsin 53707-7984

Sent by email to [brandon.hunzicker@wisconsin.gov](mailto:brandon.hunzicker@wisconsin.gov) and [elections@wi.gov](mailto:elections@wi.gov)

Re: EL 25 – 13  
Annette Kuglitsch v. Linda Gourdoux

Dear Mr. Hunzicker:

With this letter are the following, filed in response to the Complaint in the above action:

- Verified Answer of the Respondent with Exhibits
- Affidavit of Mollie Schenk

Under cover of a copy of this letter, the Complainant is receiving a copy as well. Thank you for your attention to this.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian E. Running".

Brian E. Running

Copies: Annette Kuglitsch  
Linda Gourdoux

**State of Wisconsin  
Before the Elections Commission**

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ANNETTE KUGLITSCH

Complainant,

VERIFIED ANSWER OF  
RESPONDENT

LINDA GOURDOUX,

Respondent.

EL 25 – 13

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State of Wisconsin }  
                                  } ss.  
Waukesha County }

NOW COMES the Respondent, Linda Gourdoux, and being first sworn on oath makes the following Answer to the Complaint of Annette Kuglitsch:

1. Respondent is the City Clerk for the City of Waukesha, serving in an interim basis until a permanent clerk is hired.

2. The Respondent denies that not using the Complainant as a special voting deputy during the February 2025 spring primary election and going forward is contrary to law.

3. Wisconsin Statutes §7.30(6)(c) provides that:

“If any election official appointed under this section lacks the qualifications set forth in this section, fails to attend training sessions required under s. 7.15(1)(e) unless excused therefrom, is guilty of neglecting his or her official duties or commits official misconduct, the municipal clerk or board of election commissioners shall *summarily* remove the official from office and the vacancy shall be filled under sub. (2)(b).” (Emphasis added)

4. Wisconsin Statutes §6.875(4)(b) provides that:

Nominations for the special voting deputy positions described in par. (a) may be submitted by the 2 recognized political parties whose candidates for governor or president received the greatest numbers of votes in the municipality at the most recent general election. The deputies shall be specially appointed to carry out the

duties under par. (a) for the period specified in s. 7.30(6)(a). ***The clerk or board of election commissioners may revoke an appointment at any time.*** No individual who is employed or retained, or within the 2 years preceding appointment has been employed or retained, at a qualified retirement home or residential care facility in the municipality, or any member of the individual's immediate family, as defined in s. 19.42(7), may be appointed to serve as a deputy. (emphasis added)

5. The Complainant was removed by me from consideration for election inspector or special voting deputy in the City of Waukesha as directed and authorized by those statutory provisions.

6. Complainant neglected her official duties as a special voting deputy by her lack of attention to assisting voters and ensuring that voting progressed smoothly and efficiently, and by her disruptive behavior.

7. In a recent example, on October 17, 2024, Complainant worked as a special voting deputy at Oak Hill Terrace, a residential facility in Waukesha. On that day, an employee of the facility called and spoke with Mollie Schenk in the City Clerk's Office, and reported that voting at the facility was not progressing smoothly and that a long line had formed with little apparent movement. Mollie and another Clerk's office staff person went to Oak Hill Terrace to investigate and assist. When they arrived, they found that the voting line was not moving, and they also found that Complainant was not at her table working but was instead away from the table talking on her phone. Mollie reorganized the operation, Complainant returned to her table, and the line began moving. After the voting session was completed, another SVD who had worked that location told Mollie that Complainant had spent more time on her phone than actually working, and interfered with the other SVDs working there. I concluded that her behavior contributed significantly to the problems at Oak Hill Terrace that day. Please see the Affidavit of Mollie Schenk, accompanying this Answer.

8. Complainant's failure to perform her duties at Oak Hill Terrace properly and her interference with other workers constituted neglect of her official duties as a special voting deputy.

9. In another recent example, Complainant acted as an election observer at in-person absentee voting at New Perspectives, another residential care facility and retirement home in Waukesha. Staff there reported to me that Complainant improperly interacted with voters and unnecessarily upset two of the residents. Complainant directly intervened when a resident wished to help her blind friend vote. Instead of just reporting concerns to the special voting deputies on duty at the facility, Complainant very forcefully insisted that they could not assist each other and had to be separated. The residents were very upset by the commotion and had tears in their eyes. See the attached Exhibit 1, which is an accurate copy of a written statement given to me by Julie Didier, the special voting deputy who assisted the ladies that morning. Active intervention with voters by an observer constitutes a violation of Wisconsin Elections Commission guidance given in the manuals titled "Election Administration Manual for Wisconsin Municipal Clerks (August 2024)" p.182-4, "Absentee Voting in Residential Care Facilities and Retirement Homes (2024-01)" p.13, and the publication titled "Wisconsin Election Observers Rules-at-a-Glance (March 2022);" and is official misconduct. This behavior shows a lack of regard for election laws and procedures by Complainant, who holds herself out as someone in a position to know better and who forcefully insists to other election workers that she knows election laws better than anyone.

10. Furthermore, creating a situation in which retirement home residents are brought to tears, within their own residence building, is not only rude and unprofessional, it causes tension between my office and the retirement homes that we are allowed into. Facilities such as New Perspective do not have to participate in in-person absentee voting, they do it as a service to

their residents, helping them to perform their civic duty. Those facilities could just as easily forego this service, leaving their elderly residents to rely on mail-in ballots. Many of those elderly residents do not have family members to help them with such matters, and by their nature the residents require assistance with many things. The management of those facilities will not participate in early voting if SVDs create unpleasant situations for them. We cannot afford to have unprofessional workers jeopardize our relationship with those facilities.

11. I contacted WEC asking for guidance on how to handle Complainant's behavior. I was advised that as long as she was not designated as "first choice" or "primary," etc., it was in my discretion to terminate Complainant. Complainant was not identified as "first-choice," "primary," or any other such designation on the list supplied to my office by the Republican Party.

12. Complainant has been combative, belligerent, and rude while in the employ of the City of Waukesha as an election official, to City staff, other election workers, and to the voting public. She is not suitable for interaction with the public, and her presence interrupts the smooth operation of polling places.

13. In an incident on January 22, 2025, when Complainant confronted City Clerk staff at the service counter, demanding to speak with me when I was not present, her belligerent behavior escalated to the point where staff considered calling police to have her removed from City Hall. Please see the Affidavit of Mollie Schenk.

14. Complainant's behavior has led other election workers to insist that they not work with her. Please see the attached Exhibit 2, which is an accurate copy of an email I received from Mary O'Herron, who is a long-time, experienced poll worker and special voting deputy. We have heard from a number of other workers who have made the same request not to work with

her. Not only does this cause unnecessary complications in scheduling election workers, it may also cost us these workers entirely and make it difficult to replace them. Finding good poll workers and scheduling them is difficult enough under the best of circumstances. We can't afford to lose any due to Complainant's unprofessional behavior.

15. As the City Clerk for the City of Waukesha, I am directed and authorized by Wis. Stat. §7.30(6)(c) to remove "summarily" an election official for neglect of duties or misconduct. According to the dictionary, "summarily" means "without ceremony or delay," or "prompt and without ceremony, expeditious." I am also authorized by Wis. Stat. §6.875(4)(b) to revoke the appointment of a special voting deputy at any time. I made the determination that the Complainant is unfit for duty as a special voting deputy, amply demonstrated by her public behavior, and removed her from the list of special voting deputies as directed and authorized by statute.

16. My determination had no connection to party affiliation, it was strictly based on Complainant's behavior and her adverse effect on the operation of the City's polling places.

17. As the chief election official in charge of elections in the City of Waukesha, it is my responsibility to ensure that polling is conducted according to law, efficiently, and smoothly, and presents a positive experience for voters, and I am authorized by statute to do so.

18. Complainant constantly demands attention and near-instant responses to her incessant emails, phone calls, and personal visits, even though our communications are simply repetitive. Complainant apparently believes that by repeating the same question over and over, she will eventually get the answer she wants to hear. We have responded reasonably to her requests and demands, and we make good-faith efforts to communicate with anyone that contacts

our office, but we simply do not have the staff time available to cater to all of Complainant's demands.

19. There are numerous other incidents that have been related to me by former staff and poll workers that demonstrate to me that Complainant is not suitable for public-facing election work.

20. We were provided a list of fourteen individuals volunteering for election duties by the Republican Party. Three of them requested that they be removed from the list. Of the remaining eleven, Complainant was removed by me. The list of SVD volunteers that had been given to my assistant, Mollie Schenk, did not have email contact information for Ms. Lukas. Please see the Affidavit of Mollie Schenk. The remaining nine individuals were contacted. One of those individuals did not respond in time to be assigned, so eight of the individuals were assigned election duties according to their availability. We were not able to use all of the individuals for all worker openings because they were not available for those openings. My office staff made good-faith efforts to reach out to all available individuals, whether Republican, Democrat, or unaffiliated.

21. Elaine Lukas has been contacted by email regarding SVD duties for the upcoming spring general election, but has not responded.

22. Re-visits to residential care and retirement facilities for residents that hadn't voted in the initial round were scheduled. Re-visits at facilities having a significant number of residents yet to vote were assigned to SVDs on the list, but there were three re-visits for a total of twelve residents that were handled by City Clerk staff alone. The decision to do the three re-visits that way was because the number of voters was felt not to justify the effort and expense of assigning SVDs from the lists. We also used those three re-visits as an opportunity to give new City Clerk

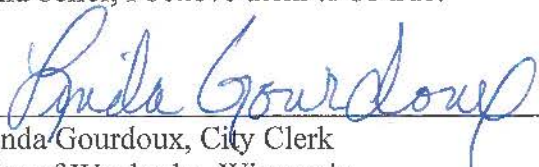


staff members experience with in-person absentee voting, since we have had an almost-complete turnover of staff in the last year and it was an opportunity for training.


23. Complainant was given notice of her removal as a special voting deputy in a January 24, 2025 telephone conversation with me. Complainant was not given a hearing because her behavior warranted her removal summarily, as authorized by statute. A hearing is not required by statute.

I respectfully request that the Commission find that the removal of Complainant from the list of eligible election workers was justified, authorized by law, and was not contrary to election laws.

I, Linda Gourdoux, being first duly sworn on oath state that I personally read the foregoing Answer, and that the allegations contained therein are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

  
\_\_\_\_\_  
Linda Gourdoux, City Clerk  
City of Waukesha, Wisconsin  
Respondent

Sworn to and subscribed before me this 26<sup>th</sup> day of February, 2025.

  
\_\_\_\_\_  
Brian E. Running, Notary Public  
Waukesha County, Wisconsin  
My commission is permanent.

City of Waukesha  
Office of the City Attorney  
201 Delafield Street  
Suite 330  
Waukesha, Wisconsin 53188-3639  
attorneys@waukesha-wi.gov



# EXHIBIT 1

Jan. 31, 2025

I was an SVD at Prospectville this morning. One of the residents came to vote with her best friend. The resident stated that she is legally blind and wanted her friend to help with her ballot.

When I went to get ~~their~~ her ballot the Observer said that if it was not a family member they were not allowed to assist their friend.

We spoke to the two residents who were clearly distraught over this. I sat with the resident voter and read the ballot to her. She had tears in her eyes that her friend could not help her.

Julie Didier

**Linda . Gourdoux**

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**From:** Mary <moherron324@gmail.com>  
**Sent:** Friday, February 21, 2025 10:59 AM  
**To:** Linda . Gourdoux  
**Subject:** SVD experience

**NOTICE: External Email**

This email message originated from outside the City of Waukesha. Do not click on links or open attachments unless you have verified the sender. If there is concern, please report this email.

Good Morning Linda,

I worked as an SVD for several years and finally decided to give up that responsibility. I had worked with many other SVDs in each of the care facilities that the City of Waukesha Clerk services at election time. Several elections I was at every facility because there were not enough SVDs available to help out. For the most part it was a pleasant, rewarding experience.

That changed after working with Annette Kuglitsch during a few election cycles. Though we both were trained as SVDs Ms Kuglitsch would question and challenge much of what I was doing. As an experienced SVD I was okay answering her questions the first few times I worked with her but she continued to do this each time I was scheduled with her. It would cause delays in the election process. And at times she was interacting with observers rather than actually conducting the election. She would spend time looking through election manuals for information she should have known or did not actually need at that moment, causing more delays.

What should have been a straight forward process, and had been a pleasant privilege, became a stressful experience when Ms Kuglitsch was on the team.

I have heard that other SVDs had similar experiences.

Mary O'Herron

**State of Wisconsin  
Before the Elections Commission**

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ANNETTE KUGLITSCH

Complainant,

AFFIDAVIT OF MOLLIE  
SCHENK

LINDA GOURDOUX,

EL 25 – 13

Respondent.

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State of Wisconsin }  
                                  } ss.  
Waukesha County }

I, Mollie Schenk, being first duly sworn, on oath state as follows:

1. I am an administrative assistant in the Waukesha City Clerk's office, and have been since February 26, 2024.
2. I was assigned to work the 2024 fall general election and the 2025 spring primary. My duties in 2024 included coordination and assignment of special voting deputies to residential care facilities and retirement homes, and in 2025 they included both coordinating and assigning election workers to polling places, and the assignment of special voting deputies to residential care facilities and retirement homes.
3. On October 17<sup>th</sup>, 2024, a team of Special Voting Deputies visited Oak Hill Terrace at 9:30 am to assist voters at the facility.
4. The morning of this visit, I received a phone call from the facility director, Shelby Thurber, stating that they had residents lined up and down the hall from the voting room, and the line was not moving. The issue wasn't that the process was moving too slowly, it appeared to staff that the line of voters that was waiting was not moving. I told her that I would come to the facility with another worker from our office to see what was going on.
5. Once my coworker Mary and I arrived at the facility, there was a line of voters waiting all the way down the hall. Walking into the front door of Oak Hill Terrace, there is a small seating area with chairs and tables next to the reception desk. Past the desk, you enter a small circular seating area next to one of the elevators that filters into the dining area. To the left

there is a hallway that extends to the end of the dining hall which also leads to the entryway of the chapel room, which is the room used for voting. There were voters seated in chairs, waiting to vote from the circular seating area, all the way down to the entrance of the voting room.

6. Walking into the voting room, there were chairs against the wall on each side of the front half of the room where more voters were seated, waiting for their turn. Facing the room from the entry way, Joseph O'Grady was seated at the ballot table, and Annette Kuglitsch was standing to the left of this ballot table, about 4-5 feet away in the corner with her cell phone up to her ear. The other four SVDs were on the right side of the room where the two tables for voters were set up. Each table had two privacy screens and two chairs, so in total, four voter stations were set up, but they were not all filled with voters.

7. When it comes to the physical setup of a room for SVD voters, there is a primary table or area where voter envelopes with empty ballots are organized alphabetically to make it easy to grab each one for each voter. The other tables are set up as stations with privacy screens for voters to actually fill out their ballots. This was the set-up for this visit when we arrived.

8. I decided that we would set up an additional table and 2 privacy screens, and that Mary and I would assist as two additional SVDs. That way, each of three pairs of SVDs working at the voting tables would oversee solely the two voters at their own tables.

9. As I was explaining this to the four SVDs, Annette Kuglitsch came over to question who I was. I told her Mary and I were from the Clerk's office, and I had been called by the facility director who stated that the voting line was not moving. Mary and I both showed her our city employee badges when she questioned us. I explained to her exactly what was being done.

10. All the SVD's manned their respective stations, and the line began to move. All six voting stations were now being utilized consistently throughout the rest of the visit. When one voter was done, and got up, another one came to sit down and take their place. Annette kept making remarks and telling poll workers what they could and could not do. She kept telling people where they needed to stand in proximity to voters. She would also question when voters were being assisted by their spouses. I reiterated that it was perfectly okay for a husband to assist his wife or vice versa. Too much time was spent making demands of and questioning other poll workers, when the focus needed to be on the duties of an SVD and assisting voters.



11. After the process had finished and the paperwork was completed, an Oak Hill Terrace staff member named Jean and another woman on staff thanked Mary and me for coming and stated that the line started to quickly move after we took over.

12. After the Oak Hill Terrace staff left the room, it was just Annette, Mary, and I. When Mary and I were prepared to leave at the end of the visit, Annette Kuglitsch barraged us with questions. She also stated that she was concerned with what was going on in our office and wanted to complain, but she was giving us leeway since we had been going through so many interim clerks and she knows our office has been short-staffed. In response to her concerns, I made it clear multiple times that I am an administrative assistant, and if she had any issues or questions, that she needed to speak with the clerk. Her tone was very accusatory, and the situation was uncomfortable.

13. I also want to note that once Mary and I arrived, one of the SVDs that worked at this visit said they wanted to speak with me back at the office at some point regarding what had occurred. I was out of the office when this worker came into City Hall. At a later date, she relayed the information regarding this visit over the phone.

14. This SVD stated that during this visit at Oak Hill Terrace, Annette Kuglitsch spent more time talking on the phone than working before Mary and I arrived. This worker said that while Annette was on the phone, she kept asking "can they \_\_\_". She did not speak with the Clerk's office over the phone at any time during this visit, so it is unclear who she was calling. She was also telling the other SVDs what they could and could not do. She had an issue whenever a voter wanted to assist their spouse in reading and filling out their ballot. The worker stated that Annette's intimidating tone, closeness to the other SVDs when speaking to them, and her demands felt threatening.

15. On Wednesday, January 22<sup>nd</sup>, 2025, Annette Kuglitsch came into City Hall, stopped at the front counter of the Clerk Treasurer's Office, and asked to speak to me. The Clerk, Linda, was out of the office at this time. When I came up to the counter to speak with her, I asked how I could help her. She asked why she had not been contacted about SVD visits. I informed her that if she wanted to speak with someone about this matter she would need to speak with the Clerk. She responded by saying she wanted to speak with me about it because Linda had directed her to me. I responded by stating I was an administrative assistant, and she would need to speak to the Clerk about that matter since she was in charge.

16. Annette became extremely accusatory and demanding, escalating the situation. Annette accused, "You know you are breaking election law by not contacting me." Her volume increased and her tone became more threatening. At this point, other staff in the office were observing the situation. Any time a situation occurs at our counter where someone becomes hostile or raises their voice at staff, we have been instructed that we can utilize the red panic buttons under our desks that begin recording video footage of the counter once pressed and alert law enforcement.

17. I responded, saying no, and again stated if she wanted to discuss this matter, she would need to speak to the clerk. She was available the next day or Friday, as Linda had stated in her email.

18. Linda had informed me, prior to Annette coming to the office that morning, that she had emailed Annette letting her know she would be available to discuss things the next day, which was Thursday, or Friday.

19. At this point, the situation grew to be more intense as she continued to speak in circles despite me giving the same response. This was now an argument rather than a conversation between her and I. Annette demanded to know if I was specifically told not to schedule her. I stated again that she would need to discuss this matter with the clerk. She then repeated herself, questioning If I was given specific directions to not schedule her. At this point I was extremely frustrated because I had to repeat myself over and over, and because of the way she was speaking to me. Not only was she hostile, but extremely rude. I responded with, I'm sorry, I don't know how much clearer I can be. You will need to discuss this matter with the clerk. She is available either tomorrow or Friday.

20. Annette then turned and began to walk away from the office counter as I told her to have a nice day. After she walked away, other staff members in the office said they had been watching and listening the entire time and were ready to hit the red panic because of the way she was acting during this situation. I was told by the other staff members that they thought I handled the situation well, which is why no one pressed the button.

21. Regarding Elaine Lukas, when I was given the new job responsibility of scheduling SVD visits in July, 2024, I was given a list of contacts created by a former Clerk's office staff member to be used to contact and schedule SVDs. Elaine Lukas was not on that list. By the time of the November, 2024 SVD visits, I had received her phone number, the




information that she had worked as an SVD in the past and that we could call her if she was needed for any visits. I called her and she was able to cover as an SVD for someone else who had to drop out due to illness. She was also scheduled to work a revisit. She worked as an SVD at Summit Woods on October 15<sup>th</sup>, 2024, and as an SVD at a revisit for Oak Hill Terrace on Tuesday, October 22<sup>nd</sup>, 2024.


22. In our poll worker database, Modus, Elaine Lukas was also added with only a phone number and check box marked for postage as her desired communication method. There was no email included. The information entered into Modus was based on the information provided by the poll workers on their poll worker application. At the time I sent out availability inquiries for SVD visits for the February election, I was unaware that her email was included on the party list.

23. Elaine Lukas has been contacted by email about working as an SVD for the 2025 Spring Election on April 1<sup>st</sup>. She will remain on the SVD list and be contacted to work as an SVD for elections moving forward. Her email has also been entered into Modus.

24. I would also like to note that Annette has complained in numerous emails about the fact that Elaine Lukas was not contacted for February SVD visits. We have yet to receive correspondence in any form from Elaine Lukas herself about this matter.

  
Mollie Schenk

Sworn to and subscribed before me this 26<sup>th</sup> day of February, 2025.

  
Brian E. Running, Notary Public  
Waukesha County, Wisconsin  
My commission is permanent.

City of Waukesha  
Office of the City Attorney  
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