NOTICE OF OPEN MEETING

Wisconsin Elections Commission

Special Meeting Wednesday, September 18, 2024 8:30 A.M.

This meeting is being held via video teleconference only. Members of the public and media may attend online or by telephone. Please visit https://elections.wi.gov/event/special-meeting-9182024 to view materials for the meeting. All public participants' phones/microphones will be muted during the meeting. Members of the public wishing to communicate to the Commissioners should email electioncomments@wi.gov with "Message to Commissioners" in the subject line.

Zoom information:

You are invited to a Zoom webinar.

When: Sep 18, 2024 08:30 AM Central Time (US and Canada)

Topic: Meeting of the Wisconsin Elections Commission

Please click the link below to join the webinar:

https://us06web.zoom.us/j/81861626337?pwd=gGnOdtT1cM0t7jQT3bd7sedJIUrMX7.1

Passcode: 527366 Or One tap mobile :

+13126266799,,81861626337#,,,,*527366# US (Chicago)

+13092053325,,81861626337#,,,,*527366# US

Or Telephone:

Dial(for higher quality, dial a number based on your current location): +1 312 626 6799 US (Chicago); +1 309 205 3325 US; +1 646 931 3860 US; +1 301 715 8592 US (Washington DC); +1 305 224 1968 US; +1 646 558 8656 US (New York); +1 386 347 5053 US; +1 507 473 4847 US; +1 564 217 2000 US; +1 669 444 9171 US; +1 689 278 1000 US; +1 719 359 4580 US; +1 720 707 2699 US (Denver); +1 253 205 0468 US; +1 253 215 8782 US (Tacoma); +1 346 248 7799 US (Houston); +1 360 209 5623 US

Webinar ID: 818 6162 6337

Passcode: 527366

International numbers available: https://us06web.zoom.us/u/kdZreZfXUv

NOTICE OF OPEN MEETING

OPEN SESSION AGENDA

A.	Call to Order
В.	Administrator's Report of Appropriate Meeting Notice
C.	Consideration and Resolution of Wis. Stat. § 5.06 Complaints Pg. 3
	 EL 23-24 – Junior Gurgel v. Sandra Swanson
	 3. EL 24-88 – Sharon Galonski v. Brenda Petersen
	*Materials to follow

D. Adjourn



Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984 (608) 266-8005 | elections@wi.gov | elections.wi.gov

DATE: For the September 18, 2024 Meeting of the Wisconsin Elections Commission

TO: Members, Wisconsin Elections Commission

FROM: WEC Staff

SUBJECT: Commission Review and Consideration of Wis. Stat. § 5.06 Complaints

Appendix 1 – EL 23-24 – Junior Gurgel v. Sandra Swanson

Appendix 2 – EL 24-69 – Katherine Thomas v. Brian Neumann

Appendix 3 – EL 24-88 – Sharon Galonski v. Brenda Petersen

Appendix 4 – EL 24-86 – Terry Johnson v. Town Board, Westfield

Background:

Prior to September 5, 2024, complaints filed pursuant to Wis. Stat. § 5.06 were decided by the Wisconsin Elections Commission ("the Commission") via delegation of its authority to the Commission Administrator. However, on September 5, the Waukesha County Circuit Court, Branch 8¹, issued an order holding that this delegation of authority was unlawful, and directing the Commission to decide all future Wis. Stat. § 5.06 complaints by a vote of the Commission.

There are four complaints and draft decisions for the Commission's review and consideration at today's meeting, along with a recommended motion for each one.

Appendix 1 - EL 23-24 – Junior Gurgel v. Sandra Swanson

The complaint of Junior Gurgel v. Sandra Swanson pertains to actions taken by Clerk Swanson concerning public notice of the testing of automatic tabulating equipment. The Complainant alleges that proper notice was not given, in violation of Wis. Stat. § 5.84.

Commission legal staff reviewed the complaint, the response, and the reply. In short, and as detailed more extensively in the proposed draft decision letter, Commission staff believe that the Complainant has shown probable cause that a violation of law occurred with relation to Clerk Swanson's failure to provide proper notice under Wis. Stat. § 5.84.

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Don M. Millis | Carrie Riepl | Robert Spindell | Mark L. Thomsen

^{*}Materials for Appendix 4 to follow

¹ Pellegrini v. Wisconsin Elections Commission, Case No. 2022CV001656, Decision and Order (September 5, 2024).

Commission Review and Consideration of Wis. Stat. § 5.06 Complaints September 18, 2024 Page 2

This complaint was reviewed and approved by the Commission Administrator and the Commission Chair on September 3, 2024. A copy of the decision letter and complaint materials were circulated to the full Commission also on September 3, 2024. No requests for a special meeting were received.

Recommended Motion for Gurgel v. Swanson: The Commission has reviewed the proposed draft decision letter in **Appendix 1**, and summarily decides this matter pursuant to Wis. Stat. § 5.06(6) by adopting the proposed decision letter in full. The Commission directs staff to immediately transmit a copy of this order to the parties.

Appendix 2 - EL 24-69 - Katherine Thomas v. Brian Neumann

The complaint of Katherin Thomas v. Brian Neumann pertains to allegations that Clerk Neumann has not been sending out absentee ballots to the Complainant and her family until prompted to do so for the November 2022, April 2023, and August 2024 elections. The Complainant alleges Clerk Neumann has accordingly violated Wis. Stat. § 7.15(1)(cm).

Commission legal staff reviewed the complaint, the response, and the reply. In short, and as detailed more extensively in the proposed draft decision letter, Commission staff believe that the Complainant did show probable cause to believe that a violation of law or abuse of discretion occurred. Clerk Neumann admits in his response that he failed to send out absentee ballots, as alleged, during the three previous elections. Staff recommend that the Commission order Clerk Neumann to conform his conduct to the law, and further order him to certify to the Commission that he has completed the remedial training described by the decision letter no later than Friday, September 20, 2024.

This complaint was reviewed and approved by the Commission Administrator and the Commission Chair on August 30, 2024. A copy of the decision letter and complaint materials were circulated to the full Commission also on August 30, 2024. No requests for a special meeting were received.

Recommended Motion for Thomas v. Neumann: The Commission has reviewed the proposed draft decision letter in **Appendix 2**, and summarily decides this matter pursuant to Wis. Stat. § 5.06(6) by adopting the proposed decision letter in full. The Commission directs staff to immediately transmit a copy of this order to the parties.

Appendix 3 – EL 24-88 – Sharon Galonski v. Brenda Petersen

The complaint of Sharon Galonski v. Brenda Petersen pertains to a local recall election that has been called for **September 24**, **2024**. The complaint pertains to an alleged abuse of discretion and actions contrary to law regarding a recall petition and challenge that was submitted against the Complainant, which was found sufficient by the Respondent.

Commission legal staff reviewed the complaint, the response, and the reply. In short, and as detailed more extensively in the proposed draft decision letter, Commission staff believe that the Complainant did not show probable cause to believe that a violation of law or abuse of discretion occurred with regard to the finding of sufficiency. The Commission does find an abuse of discretion regarding the acceptance of an assertion not supported by affidavit or other proof as correcting a failure of a circulator and orders the Respondent to apply a higher standard in any future recall petition filing. However, the signatures that should not have been accepted due to this reason do not affect the Respondent's ultimate determination of sufficiency.

Commission Review and Consideration of Wis. Stat. § 5.06 Complaints September 18, 2024 Page 3

This complaint was reviewed and approved by the Commission Administrator on September 16, 2024. The Commission has not yet had a chance to review a draft of the decision letter in Appendix 3, but it is included in the materials for this meeting because the recall election has been scheduled for Tuesday, September 24, 2024.

Recommended Motion for Galonski v. Petersen: The Commission has reviewed the proposed draft decision letter in **Appendix 3**, and summarily decides this matter pursuant to Wis. Stat. § 5.06(6) by adopting the proposed decision letter in full. The Commission directs staff to immediately transmit a copy of this order to the parties.

Appendix 4 – EL 24-86 – Terry Johnson v. Town Board, Westfield

The complaint of Terry Johnson v. Town Board of Westfield also pertains to a local recall election that has been called for **September 24, 2024**. The complaint pertains to an alleged violation of Wis. Stat. § 9.10(4)(d) when the Respondent failed to call a recall election following a finding of sufficiency of a recall petition by the town clerk.

Commission legal staff reviewed the complaint and the response. As of September 16, the Complainant has not yet filed a reply, but staff will update the Commission on the status of the reply during the September 18 meeting. The Complainant was notified that the September 18 meeting was the only opportunity the Commission would have to consider his complaint ahead of the scheduled September 24, 2024 recall election.

APPENDIX A

EL 23-24 Junior Gurgel v. Sandra Swanson



Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984 (608) 266-8005 | elections@wi.gov | elections.wi.gov

September 18, 2024

Junior R. Gurgel Sandra Meyer Swanson E8597A HY 136 100 E Broadway Rock Springs, WI 53961 Rock Springs, WI 53961

Sent via email: lgurgel@outlook.com, excelsiortownclerk@gmail.com

Re: In the Matter of Junior Gurgel v. Sandra Swanson (Case No.: EL 23-24)

Dear Mr. Gurgel and Clerk Swanson:

This letter is in response to the verified complaint submitted by Junior Gurgel (Complainant) to the Wisconsin Elections Commission (Commission), which was filed to challenge actions taken by Sandra Swanson (Respondent) concerning notice of the testing of automatic tabulating equipment. The Complainant alleges that proper notice was not given in violation of Wis. Stat. § 5.84.

Complaints "...shall set forth such facts as are within the knowledge of the complainant to show probable cause to believe that a violation of law or abuse of discretion has occurred or will occur." Wis. Stat. § 5.06(1). Probable cause is defined in Wis. Admin. Code § EL 20.02(4) to mean "the facts and reasonable inferences that together are sufficient to justify a reasonable, prudent person, acting with caution, to believe that the matter asserted is probably true."

The Commission has reviewed the complaint, the response, and Mr. Gurgel's reply. The Commission provides the following analysis and decision. In short, the Commission finds that the Complainant has shown probable cause that a violation of law occurred with relation to Respondent's failure to provide proper notice under Wis. Stat. § 5.84.

Complaint Allegations and Responses

The Commission received a sworn complaint filed by Junior Gurgel on March 13, 2023, alleging that the Town of Excelsior Clerk Sandra Swanson failed to give the required notice regarding the testing of automatic tabulating equipment for the February 21, 2023, Spring Primary in the Town of Excelsior. On March 27, 2023, the Commission received a sworn response. The Commission then received an unsworn reply from the Complainant.

In the complaint, the Complainant alleges that, for the February 21 Spring Primary, no notice was given regarding the testing of automatic tabulating equipment in violation of Wis. Stat. § 5.84. The Complainant alleges that no notice was published in a newspaper, posted at the town hall, nor posted on the town website.

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Carrie Riepl | Don M. Millis | Robert Spindell | Mark L. Thomsen

Junior Gurgel v. Sandra Swanson September 18, 2024 Page 2

In the response, the Respondent claims there was a public test of the equipment on February 9, 2023, and that notice was posted on the front door of the town hall but states that she is unaware if notice was posted on the town website. The Respondent also states that the town of Excelsior does not have an official newspaper and instead uses the City of Reedsburg's newspaper. Additionally, the response notes that the Town of Excelsior adopted a resolution in 2015 making the town hall the official physical location for posting legal notices as well as naming the town website as the official website for posting legal notices.

The unsworn reply asserts no notice was posted on the front door for the February testing.

Commission Authority and Role in Resolving Complaints Filed Under Wis. Stat. § 5.06

Under Wis. Stat. §§ 5.05(1)(e) and 5.06(6), the Commission is provided with the inherent, general, and specific authority to consider the submissions of the parties to a complaint and to issue findings. In instances where no material facts appear to be in dispute, the Commission may summarily issue a decision and provide that decision to the affected parties. This letter serves as the Commission's final decision regarding the issues raised in the complaint.

The Commission's role in resolving verified complaints filed under Wis. Stat. § 5.06, which challenge the decisions or actions of local election officials, is to determine whether a local official acted contrary to applicable election laws or abused their discretion in administering applicable election laws.

Commission Findings

Alleged Violation of Wis. Stats. § 5.84

Wis. Stat. § 5.84(1) provides the requirements for the testing of automatic tabulating equipment. Wis. Stat. § 5.84(1) states in relevant part:

Where any municipality employs an electronic voting system which utilizes automatic tabulating equipment, either at the polling place or at a central counting location, the municipal clerk shall, on any day not more than 10 days prior to the election day on which the equipment is to be utilized, have the equipment tested to ascertain that it will correctly count the votes cast for all offices and on all measures. Public notice of the time and place of the test shall be given by the clerk at least 48 hours prior to the test by publication of a class 1 notice under Ch. 985 in one or more newspapers published within the municipality if a newspaper is published therein, otherwise in a newspaper of general circulation therein.

The Complainant has presented sufficient evidence to support the allegation that insufficient notice was given to satisfy the requirements of Wis. Stat. § 5.84(1). Under that provision, public notice for the equipment test shall be given at least 48 hours in advance by publication of a class 1 notice under chapter 985 in a newspaper. However, towns that don't have their own newspaper can create an additional method for publication pursuant to Wis. Stat. § 985.02(2)(a). That additional method can include posting in at least one public place likely to give notice to person affected and placed electronically on the Town's internet site. Additionally, § 10.05 provides an additional option for posting for towns that don't have their own newspaper and directs to post three notices instead. The Commission doesn't view these provisions as necessarily in conflict—in actuality, they provide a suite of options for how municipalities may post sufficient notice of their public test of voting equipment if they don't have an official newspaper.

Junior Gurgel v. Sandra Swanson September 18, 2024 Page 3

Regardless of which notice statute may apply, it appears as if the Respondent did not take sufficient action to comply with any of the provisions above. The parties appear to agree that no notice was published in the Reedsburg Independent, which is a newspaper that is not published in the Town but is circulated there. However, the Respondent asserts that the Town passed a resolution that created a permissible additional method of publication, and that she complied with that by posting notice in one physical location. The Respondent asserts that she does not know if notice was also posted to her Town's website. Since the Respondent cannot refute the Complainant's allegation that no notice was posted on the Town's website, the Commission cannot conclude that it was.

Commission Decision

Based upon the above review and analysis, the Commission finds probable cause that a violation of law occurred under Wis. Stat. § 5.84(1) based on the failure to publish sufficient notice for the public testing of automatic tabulating equipment for the February 21, 2023, election. The Commission hereby orders Sandra Swanson, during any future election, to publish notice regarding the testing of automatic tabulating equipment at least 48 hours prior to the test and in full accordance with either the general public notice chapter 985, or with the Commission's specific notice provision in § 10.05.

Right to Appeal – Circuit Court

This letter constitutes the Commission's resolution of this complaint. Wis. Stat. § 5.06(2). Pursuant to Wis. Stat. § 5.06(8), any aggrieved party may appeal this decision to circuit court no later than 30 days after the issuance of this decision.

If any of the parties should have questions about this letter or the Commission's decision, please feel free to contact the Commission at 608-266-8005 or elections@wi.gov.

Sincerely,

WISCONSIN ELECTIONS COMMISSION

STATE OF WISCONSIN ELECTIONS COMMISSION

COMPLAINT FORM

riease provide the following information about yourself:					
Name Junior R. Gurgel					
Address E 8597A Hy 136 Rock Springs, W. 53961					
Telephone Number 608-522 4212					
E-mail Wife's email / gurge/ a) outlook, Com					
State of Wisconsin					
Before the Elections Commission					
The Complaint of Juniar R Gurgel					
, Complainant(s) against					
Clerk Sandra Meyer Swanson, Respondent, whose					
address is Town of Excelsion 100 B Broadway Rock Springs, W. 53961					
This complaint is under 5, 84 (Insert the applicable sections of law in chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing)					
I, Junior R Gurgel, allege that:					
No notice of the ofesting Equipment was given					
No notice was published in a newspaper					
No notice posted at the Town Hall Office					
No notice on town website.					
WWW Town of Excelsion Wingov					
this complaint is for the Feb 21, 2023					
primary election.					

individuals who may have information related to the complaint. Use as many separate pages as needed and attach copies of any supporting documentation.)

Date: 3 - 13 - 2023

Complainant's Signature

I, Junior R. Gurge, being first duly sworn, on oath, state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

STATE OF WISCONSIN

County of (county of notarization)

Sworn to before me this 3 day of (Signature of person authorized to administer oaths)

My commission expires (M) (A), or is permanent.

(Set forth in detail the facts that establish probable cause to believe that a violation has occurred. Be as specific as possible as it relates to dates, times, and individuals involved. Also provide the names of

Please send this completed form to:

Mail: Wisconsin Elections Commission

P.O. Box 7984

Madison, WI 53707-7984

(official title if not notary)

Fax: (608) 267-0500

Notary Public or

Email: elections@wi.gov

EL -1100 | Rev 2016-08 | Wisconsin Elections Commission, 212 E. Washington Ave., 3rd Floor, P.O. Box 7984, Madison, WI 53707-7984 | | 608-261-2028 | web: elections.wi.gov | email: elections@wi.gov |

March 27th, 2023

Re: Complaint Filed with Wisconsin Elections Commission

El 23-24 Junior Gurgel v. Sandra Meyer

Dear Jim Witecha,

I would like to officially retract the statement I previously emailed to you on Saturday, March 25th, 2023 for the following reasons:

The Town of Excelsior passed Resolution Number 12-9-205 RESOLUTION REGARDING POSTING LOCATIONS FOR PUBLIC NOTIFICATIONS specifically citing 2015 Wisconsin Act 79 that created an additional method for publication of certain legal notices under Chapter 985.02(2), Wisconsin Statutes. Section 2 985.02(2)(a) The notice must be posted in at least 3 public places likely to give notice to persons affected or must be posted in at least one public place likely to give notice to persons affected and placed electronically on an Internet site maintained by the municipality.

The governing body of the Town of Excelsior Board of Supervisors on December 9th, 2015 adopted Resolution 12-9-2015 choosing to post at one (1) physical location, and the official town website, namely:

- 1. Excelsior Town Hall, 100 E. Broadway, Rock Springs, WI 53961
- 2. Townofexcelsior.com; the Town of Excelsior's official website (this has now been changed to www.townofexcelsiorwi.gov)

The Town of Excelsior does not have an official newspaper as stated within a Town Resolution or Ordinance and mainly uses the newspaper from Reedsburg, WI. State Statute 985.05 (1) The governing body of every municipality not required to have an official newspaper may designate a newspaper published or having general circulation in the municipality and eligible under s. 985.03 as its official newspaper or utilize the same for specific notices.

As for the Public Test for February 9th, 2023 at 9AM I am unsure if this information was put on our website as the information for the election is taken down the next day. The notice was put on the front door of the Town Hall located at 100 E. Broadway St., Rock Springs, WI. For the current Public Test being held on Wednesday, March 29th, 2023 at 10AM. This has been posted at the Town Hall notice board located at 100 E. Broadway St., Rock Springs, WI and on the town's official website www.townofexcelsiorwi.gov under the elections tab.

Respectfully submitted with two attachments:

Town of Excelsior Resolution 12-9-2015

2015 Wisconsin Act 79

Sandra Meyer Swanson

Sandra signed byone me on 3 28-23. Shannon Zagroba

SHANNON ZAGROBA Notary Public

State of Wisconsin

My Commission expless

TOWN OF EXCELSIOR **RESOLUTION NUMBER: 12-9-2015**

RESOLUTION REGARDING POSTING LOCATIONS FOR PUBLIC NOTIFICATIONS

WHEREAS, 2015 Wisconsin Act 79 created an additional method for publication of certain legal notices under Chapter 985.02(2), Wisconsin Statutes;

WHEREAS, a governing body of a municipality may now elect to post a notice in one physical public posting place likely to give notice to persons affected and on an Internet site maintained by the municipality;

WHEREAS, this additional notice method is not a mandate and simply provides the option of using this new publication method for situations where towns may already post legal notices in three physical locations likely to give notice to persons affected;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Excelsior Board of Supervisors, by its designated members, hereby choose to post at one (1) physical location, and the official town website, namely:

- 1. Excelsior Town Hall, 100 E. Broadway, Rock Springs, WI. 53961
- 2. townofexcelsior.com; the Town of Excelsior official website.

THIS RESOLUTION is adopted by the Town of Board of the Town of Excelsior on the 9th day of December 2015, to be effective the day after posting or publication as required under s. 60.80, Wis. Stat.

Muchow, Supervisor I

Sandy M. Swanson, Supervisor II

Attested to and entered into the minutes by Lynette M. Gurgel-Clerk Town of Excelsior

Lynette M. Gurgel-Clerk

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State of Misconsin



2015 Senate Bill 137

Date of enactment: November 11, 2015
Date of publication*: November 12, 2015

2015 WISCONSIN ACT 79

AN ACT to amend 985.01 (7), 985.02 (2) (a), 985.02 (2) (b), 985.02 (2) (c), 985.02 (3) and 985.08 (1) of the statutes; relating to: publication of certain legal notices on an Internet site maintained by a municipality.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 985.01 (7) of the statutes is amended to read:

985.01 (7) "Wisconsin newspapers legal notices Web Internet site" means an Internet Web site maintained by Wisconsin newspapers for the purpose of providing and maintaining an electronic version of printed and published legal notices.

SECTION 2. 985.02 (2) (a) of the statutes is amended to read:

985.02 (2) (a) The notice must be posted in at least 3 public places likely to give notice to persons affected or must be posted in at least one public place likely to give notice to persons affected and placed electronically on an Internet site maintained by the municipality.

SECTION 3. 985.02 (2) (b) of the statutes is amended to read:

985.02 (2) (b) The notice posted before the act or event requiring notice shall be posted and, if applicable, placed electronically, no later than the time specified for the first newspaper publication.

SECTION 4. 985.02 (2) (c) of the statutes is amended to read:

985.02 (2) (c) The notice posted after the act or event requiring notice shall be posted and, if applicable, placed electronically, within one week after the act or event.

Actions of governing bodies posted after the act or event shall be effective upon posting.

SECTION 5. 985.02 (3) of the statutes is amended to read:

985.02 (3) The newspaper that publishes a legal notice shall, in addition to newspaper publication, place an electronic copy of the legal notice at no additional charge on the Wisconsin newspapers legal notice Web notices Internet site.

SECTION 6. 985.08 (1) of the statutes is amended to read:

985.08 (1) The fee for publishing a legal notice shall be not more than the rate issued by the department of administration for the first and subsequent insertions per standard line. The charge for the publication of a facsimile ballot shall be computed as if the area occupied by the ballot were set in standard lines. If a legal notice contains tabulated matter, then the fees allowable for the area containing such matter shall be increased 50% of the standard line base rate without adjustment for circulation premium. Composed matter shall be interpreted as being tabular when it contains 2 or more justifications per line. The standard line rate shall be reviewed annually, the adjustment, if any, to be effective on January 1 of each year to reflect the relevant change in costs of the newspaper publishing industry during the previous year, as determined by the department of administration in consultation with representatives of the daily and weekly

^{*} Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

newspaper industry of the state. In making the determination the department shall base the standard line rate upon the factors of wage and independent indices of newsprint costs in the proportions determined by the department to be proper. No additional fee may be charged for placing a legal notice on the Wisconsin newspapers legal notice Web notices Internet site pursuant to s. 985.02 (3).

Response to Clerk Swanson retracted e-mail, there are no notices posted on the front door for the Feb. 2023 election, I asked the poll workers about the test, "Oh we did that last week". March 23, 2023 I went to the office to see if there was a posting for tabulating test, this time I took pictures of the notice box that is on the front of the building outside, Tab Test notice said the tabulating test would be held March 25, 2023 at 9:00 am, I went down on March 25, 2023, again took pictures, no one was there , empty parking lot. Later, There was a notice posted that the tab test would be held on March 29, 2023 10:00 am. I attended this one , took 1hr 25 min. to complete the test.

I have attended 2 tab testings, One for the Nov. 2022 election, wasn't completed that day, the voting machine would not except ballots, they said they had to find out the problem and finish the test later, I left then.

I have pictures that notices are not placed on the front door. If you would like to see any of them I can have them sent to you, they are on my cramera. She should have the notices of the postings since her time in office.

Elections are very important to me and need to be done in the legal way they should be.

Thank you

Junior Gurgel

Citizen Participation Plan Town of Excelsior Comprehensive Planning Process

PURPOSE

In order for the Town of Excelsior to operate effectively, and to address the needs of the citizens of the Town, the entire population must be kept informed through the Comprehensive Planning process. The decision-making process must be open and consistent with State regulations and local policy. To accomplish this, the following plan will be followed:

PROGRAM OVERSIGHT

- The Town Plan Commission shall be responsible for implementation of the Citizen Participation Plan, as well as overseeing the Town Plan Commission update process.
- To ensure responsiveness to the needs of its citizens, the Town Plan Commission shall provide for and encourage citizen participation.

NOTICE OF HEARINGS

- Official notice of hearings will be by public notice in the Reedsburg Independent, official
 newspaper for the Town of Excelsior, at least thirty (30) days prior to the hearing via a Class I
 Notice. In addition, the public notice shall be posted at the Town Hall. These notices will
 include time, place and date of meetings, as well as a brief agenda.
- All notifications of meetings and available assistance will be worded in such a way as to
 encourage citizen participation. In addition, all meeting announcements shall include, where
 and during what hours, information and records relating to the proposed and actual
 Comprehensive Plan amendments may be found.
- 3. All persons or entities affected by a proposed amendment such as those having a leasehold interest in property with nonmetallic mineral resources or in which an allowable use or intensity, if changed, shall be notified by mail at least 30 days prior to any public hearing in which the amendment is discussed.

PUBLIC MEETINGS

Public meetings shall be held to obtain citizen views and to enable them to respond to proposals at all stages of the Comprehensive Planning process, including the development of needs, the review of proposed activities and the review of program performance. Meetings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries and with accommodations for the handicapped, and if needed, for non-English speaking persons.

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- 3. All persons or entities affected by a proposed amendment such as those having a leasehold interest in property with nonmetallic mineral resources or in which an allowable use or intensity, if changed, shall be notified by mail at least 30 days prior to any public hearing in which the amendment is discussed.

PUBLIC MEETINGS

Public meetings shall be held to obtain citizen views and to enable them to respond to proposals at all stages of the Comprehensive Planning process, including the development of needs, the review of proposed activities and the review of program performance. Meetings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries and with accommodations for the handicapped, and if needed, for non-English speaking persons.

APPENDIX B

EL 24-69 Katherine Thomas v. Brian Neumann



Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984 (608) 266-8005 | elections@wi.gov | elections.wi.gov

September 18, 2024

Katherine E. Thomas W2289 Northside Drive Watertown, WI 53094 Clerk Brian F. Neumann N6830 County Road E Oconomowoc, WI 53066

Sent via email to: mahlahdyets@gmail.com; Clerk@concord.wi.gov

Re: In the Matter of: Katherine Thomas v. Brian Neumann – EL 24-69

Dear Ms. Thomas and Clerk Neumann:

This letter is in response to the verified complaint submitted by Katherine Thomas ("the Complainant") to the Wisconsin Elections Commission ("Commission"), which was filed in reply to actions taken by Clerk Brian Neuman of the Town of Concord (Jefferson County) concerning alleged violations of Wis. Stat. § 7.15(1)(cm). The complaint alleges that Clerk Neumann has not been sending out absentee ballots to Ms. Thomas and her family until prompted to do so for the November 2022, April 2023, and August 2024 elections.

The Commission has reviewed the complaint and the response from Clerk Neumann. The Complainant did not submit a reply.

The Commission provides the following analysis and decision. In short, the Commission finds that the Complainant did show probable cause to believe that a violation of law or abuse of discretion occurred with relation to Clerk Neumann's procedural actions. Clerk Neumann admits in his response that he failed to send out absentee ballots, as alleged, during the three previous elections. Clerk Neumann is ordered to conform his conduct to the law, and is further ordered to certify to the Commission that he has completed the remedial training described in this decision no later than **Friday, September 20, 2024**.

Commission Authority and Role in Resolving Complaints Filed Under Wis. Stat. § 5.06

Under Wis. Stat. §§ 5.05(1)(e) and 5.06(6), the Commission is provided with the inherent, general, and specific authority to consider the submissions of the parties to a complaint and to issue findings. In instances where no material facts appear to be in dispute, the Commission may summarily issue a decision and provide that decision to the affected parties. This letter serves as the Commission's final decision regarding the issues raised in this complaint.

The Commission's role in resolving verified complaints filed under Wis. Stat. § 5.06, which challenge the decisions or actions of local election officials, is to determine whether a local official acted

Commissioners

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Thomas v. Neumann – EL 24-69 September 18, 2024 Page 2

contrary to applicable election laws or abused their discretion in administering applicable election laws.

Complaints "...shall set forth such facts as are within the knowledge of the Complainant to show probable cause to believe that a violation of law or abuse of discretion has occurred or will occur." Wis. Stat. § 5.06(1). Probable cause is defined in Wis. Admin. Code § EL 20.02(4) to mean "the facts and reasonable inferences that together are sufficient to justify a reasonable, prudent person, acting with caution, to believe that the matter asserted is probably true."

Complaint Allegations

The Complainant alleges that Clerk Neumann failed to send absentee ballots to her and her family during the required time period for the November 2022, February 2023, and August 2024 elections. She alleged she only was able to receive her ballots because she contacted Clerk Neumann repeatedly to tell him he must send them to her and her family. She alleges that after the February election, she spoke with Commission staff who in turn followed up with Clerk Neumann about the proper procedure. Despite this follow up, she alleges that she had the same issue getting her absentee ballots on time for the August 2024 election.

The Response

Clerk Neumann admits that he failed to meet the deadline to send absentee ballot requests to the Complainant and her family during the elections alleged. He affirmatively alleges that he has met all other requirements to send new absentee ballot requests within 24 hours of the requests. He claims that to address this problem in the future, he has added the deadlines to the town calendar to ensure these deadlines are met for future elections.

Reply

The Complainant did not submit a reply.

Discussion

Given Clerk Neumann's admissions, it appears as if the parties agree that he failed to send out absentee ballots by the deadline for voters with requests on file on three separate occasions. The only remaining discussion will focus on remedies to ensure future compliance.

Municipal clerks are required to send out absentee ballots to voters with active requests on file no later than the 21 days before each election, and no later than 47 days before election for military and overseas voters. Wis. Stat. § 7.15(1)(cm). After those deadlines, clerks must send out new absentee ballot requests within 1 business day of receiving the request. Wis. Stat. § 7.15(1)(cm). Clerk Neumann is accordingly ordered to conform his conduct to Wis. Stat. § 7.15(1)(cm), and orders him to take affirmative steps ahead of September 20, 2024 to ensure his compliance with the deadlines in that statute.

The Commission is particularly concerned with Clerk Neumann's repeated failures to timely send out absentee ballots to the Complainant and her family, and is not altogether reassured by Clerk Neumann's reassurances that he has solved the issue by putting the deadlines in his town's calendar. In order to ensure that the Complainant timely receives her absentee ballots ahead of the

Thomas v. Neumann – EL 24-69 September 18, 2024 Page 3

November 2024 General Election, the Commission believes that stronger action is warranted to ensure Clerk Neumann's compliance.

Accordingly, in addition to the compliance steps above, Clerk Neumann is further ordered to complete the following modules of the Commission's absentee training series on the ElectEd Platform:

- Absentee 1 Absentee Voting Terms and Process
 - o Available at: https://electiontraining.wi.gov/group/10681
- Absentee 2 How Voters Make Absentee Requests
 - o Available at: https://electiontraining.wi.gov/group/10706
- Absentee 3 MyVote WisVote Absentee Connection
 - o Available at: https://electiontraining.wi.gov/group/10696
- Absentee 4 How Requests are Processed
 - o Available at: https://electiontraining.wi.gov/group/10611
- Absentee 5 Recording Returned Absentee Ballots
 - o Available at: https://electiontraining.wi.gov/group/10676
- Absentee 6 Special Cases
 - o Available at: https://electiontraining.wi.gov/group/10626
- Absentee 7 In Person Absentee Voting
 - o Available at: https://electiontraining.wi.gov/group/10606
- Absentee 8 Special Voting Deputies
 - o Available at: https://electiontraining.wi.gov/group/10716
- Absentee 9 Absentees on Election Day
 - o Available at: https://electiontraining.wi.gov/group/10636

Clerk Neumann is ordered to complete all nine modules of absentee training and certify to the Commission that he has completed that training no later than **Friday**, **September 20**, **2024**.

Commission's Findings

Pursuant to the analysis above, the Commission hereby issues this order restraining Clerk Neumann from taking any action inconsistent with the analysis of the law in this decision. Wis. Stat. § 5.06(6).

Clerk Neumann is ordered to take affirmative steps to comply with the deadlines required by Wis. Stat. § 7.15(1)(cm). He is further ordered to complete the nine modules the Commission's absentee voting training on ElectEd, and is ordered to certify to the Commission that he has completed that training no later than **Friday**, **September 20**, **2024**.

Right to Appeal – Circuit Court

This letter constitutes the Commission's resolution of these complaints. Wis. Stat. § 5.06(2). Pursuant to Wis. Stat. § 5.06(8), any aggrieved party may appeal this decision to circuit court no later than 30 days after the issuance of this decision.

If any of the parties should have questions about this letter or the Commission's decision, please feel free to contact the Commission at 608-266-8005 or elections@wi.gov.

Thomas v. Neumann – EL 24-69 September 18, 2024 Page 4

Sincerely,

WISCONSIN ELECTIONS COMMISSION



STATE OF WISCONSIN ELECTIONS COMMISSION

COMPLAINTFORM

Please provide the following information about yourself:
Name KATHERINE E. THOMAS
Address W2289 NORTHSIDE DOINE WATERTOWN, WI 53094
Telephone Number 920-285-9449
E-mail MAHLAHORETS @ GMAIL COM
State of Wisconsin Before the Elections Commission
The Complaint of ABSENTEE BALLOTS NOT SENT BY THE 47th
DAY BEFORE THE PARTISAN PRIMARY, Complainant(s) against
BRIAN F. NEUMANN , Respondent, whose
address is N6830 County ROE, Oconomonoc WI 53066.
This complaint is under 7.15 (1) (cm) (Insert the applicable sections of law in chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing)
I, KATHERINE E. THOMAS, allege that:
SEE ATTACHED COMPLAINT

(Set forth in detail the facts that establish probable cause to believe that a violation has occurred. Be as specific as possible as it relates to dates, times, and individuals involved. Also provide the names of individuals who may have information related to the complaint. Use as many separate pages as needed and attach copies of any supporting documentation.)

Date:

OR-OB-ZOY

Complainant's Signature

I. Lacture E. Lacture E. Lacture C. Complainant's Signature

I. Lacture E. Lacture E. Lacture C. Complainant's Signature

STATE OF WISCONSIN

County of Oronation and belief, I believe them to be true.

Complainant's Signature

STATE OF WISCONSIN

County of Oronatization)

Sworn to before me this Oronatization

Sworn to before me this Oronatization

My commission expires 8/31/27, or is permanent.

Notary Public or _______ (official title if not notary)

(Signature of person authorized to administer oaths)

Please send this completed form to:

Mail: Wisconsin Elections Commission

P.O. Box 7984

Madison, WI 53707-7984

Fax: (608) 267-0500

Email: elections@wi.gov

I, Katherine E. Thomas, allege that:

Brian F. Neuman, who is the municipal clerk for the Town of Concord, located in Jefferson County, on three occasions has not sent absentee ballots as requested to my home for both me and my husband, as well as my adult children until contacted to do so.

As of the morning of Monday, July 8, 2024, we still have not received our ballots and our online accounts show that our ballots have not been prepared or mailed, although the 47th day before the partisan primary has well passed.

This is the third election that Mr. Neumann has not sent our ballots within the required time.

- 1. I emailed Mr. Neumann on 10/14/2022 to remind him a second time that my family and I still needed our ballots mailed for the 11/08/22 election.
- 2. On 02/07/23, after not receiving our ballots for the 02/21/23 election, I contacted the Wisconsin Elections Commission and Erin Houge followed up by speaking with Mr. Neumann regarding absentee ballot deadlines.
- 3. I spoke with Erin Houge of the Wisconsin Elections Commission again on 07/03/24 because Mr. Neumann had not prepared or sent our ballots for the 08/13/24 election.

After the listed three separate times of not receiving our ballots by the required time, I am filing this complaint.

Tuesday, July 30, 2024

To the State of Wisconsin Elections Commission

Reply to response of

Complaint EL24-69

Name: Brian Neumann

Email: clerk@concord.wi.gov

I, Brian Neumann, submit this reply to the response of complaint EL24-69 submitted by Katherine Thomas.

Katherine Thomas alleges that I have failed three times to send the absentee ballots by the 47th day before the partisan primary election. The three occurrences were for the Nov 2022 Election, the Feb 2023 Primary and the August 2024 Primary.

I admit that I failed in these elections to meet the deadline for the first round of absentee ballots to be mailed to the absentee requests on file.

Election	State Mail Requirements	First Batch Mailed
Nov 2022	Sept 22, 2022	October 10, 2022
Feb 2023	January 31, 2023	February 7, 2023
August 2024	June 27, 2024	July 5th, 2024

I want to add that I have met all other requirements as it pertains to sending new absentee ballot requests within 24 hours of the requests. To prevent this from happening in the future, I have added the critical dates to my town calendar for the upcoming election requirements to ensure that these dates are met or exceed in future elections.

I declare under penalty of false swearing under the law of Wisconsin that the foregoing is true and correct.

Signed on the 1st day of August 2024, at N6830 County Road E, Oconomowoc, WI.

Brian F Neumann

B-192

APPENDIX C

EL 24-88 Sharon Galonski v. Brenda Petersen



Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984 (608) 266-8005 | elections@wi.gov | elections.wi.gov

September 18, 2024

Brenda Petersen Town of Westfield Clerk PO Box 157 Westfield, WI 53964 Sharon Galonski N6904 2nd Court Westfield, Wisconsin 53964

Sent via email to: <u>clerk@townofwestfieldwi.com</u>, <u>elarson@ammr.net</u>, <u>SGoettsche@staffordlaw.com</u>, EDeeley@staffordlaw.com, <u>dpoland@staffordlaw.com</u>, rledonne@staffordlaw.com

Re: In the Matter of Sharon Galonski v. Brenda Petersen (Case No. EL 24-88)

Dear Ms. Galonski and Clerk Petersen:

This letter is in response to the verified complaint submitted by Sharon Galonski (Complainant) to the Wisconsin Elections Commission (Commission), which was filed to challenge actions taken by Town of Westfield (Marquette County) Clerk Brenda Petersen (Respondent). The complaint pertains to alleged abuse of discretion and actions contrary to law regarding a recall petition and challenge that was submitted against the Complainant, which was found sufficient by the Respondent.

The Commission has reviewed the complaint and response. The Commission provides the following analysis and decision. In short, the Commission finds that the Complainant did not show probable cause to believe that a violation of law or abuse of discretion occurred with regard to the finding of sufficiency. The Commission does find an abuse of discretion regarding the acceptance of an assertion not supported by affidavit or other proof as correcting a failure of a circulator and orders the Respondent to apply a higher standard in any future recall petition filing. However, the signatures that should not have been accepted due to this reason do not affect the Respondent's ultimate determination of sufficiency.

Commission Authority and Role in Resolving Complaints Filed Under Wis. Stat. § 5.06

Under Wis. Stats. §§ 5.05(1)(e) and 5.06(6), the Commission is provided with the inherent, general, and specific authority to consider the submissions of the parties to a complaint and to issue findings. In instances where no material facts appear to be in dispute, the Commission may summarily issue a decision and provide that decision to the affected parties. This letter serves as the Commission's final decision regarding the issues raised in this complaint.

The Commission's role in resolving verified complaints filed under Wis. Stat. § 5.06, which challenge the decisions or actions of local election officials, is to determine whether a local official acted contrary to applicable election laws or abused their discretion in administering applicable election laws.

Wisconsin Elections Commissioners

Ann S. Jacobs, chair | Marge Bostelmann | Don M. Millis | Carrie Riepl | Robert Spindell | Mark L. Thomsen

Complaints "... shall set forth such facts as are within the knowledge of the complainant to show probable cause to believe that a violation of law or abuse of discretion has occurred or will occur." Wis. Stat. § 5.06(1). Probable cause is defined in Wis. Admin. Code § EL 20.02(4) to mean "the facts and reasonable inferences that together are sufficient to justify a reasonable, prudent person, acting with caution, to believe that the matter asserted is probably true."

Complaint Allegations

The complaint alleges that the Respondent "abused her discretion and acted contrary to law in certifying the sufficiency of the recall petition brought by Terry L. Johnson. The complaint alleges that "[n]o date has yet been scheduled for the recall election." The Complaint alleges that Mr. Johnson filed a registration statement that circled the word "oppose" on the Campaign Finance Registration Statement of the Wisconsin Ethics Commission, called the CF-1, which means that the Committee opposes the recall of the official.

The Complainant alleges that the recall petition was filed on July 15, received by the Complainant late in the evening on July 25, challenged by the Complainant on August 2, and found sufficient on August 13. The Complainant alleges that she was notified on July 30 by the Respondent would "consider whatever information [concerning the petition] you may provide on or before August 5, 2024." The Complainant states that her challenge to the recall petition alleged that the registration statement contained a materially false statement and that the petition in any case did not contain enough valid signatures. The Complainant states that the August 8 rebuttal admitted that choosing "oppose" was an error but that it was corrected within the rebuttal, that an affidavit for one circulator was submitted, and that the rebuttal alleged that the challenge was untimely. The Complainant states that the reply argued that the corrections offered in the rebuttal were untimely and that the response should be rejected for being unverified.

Regarding the finding of sufficiency, the complaint summarizes that the Respondent found that:

- The registration statement was sufficient because the support or oppose checkbox is "arguably ambiguous, and regardless the intent of the registration for recall was clear."
- The Gary Schaeffer circulator certifications were sufficient because he submitted a correcting affidavit for his address.
- The Virginia Dagel pages were invalid due to an incorrect and uncorrected address.
- The Tim Marotz and Richard Murry certifications were sufficient due to completing their addresses on updated circulation pages.
- The James Johnson certification was presumed to be valid.
- That there were 131 valid signatures, exceeding the threshold of 110.

The complaint alleges that the Respondent should have rejected the response for being unverified. The complaint argues that response was required to be verified in accordance with Wis. Admin. Code § EL 2.11(1), and that subsection (3) requires a different filing time, but does not expressly provide that the response need not be verified. Further, the complaint argues that the reference in Wis. Admin. Code § 2.11(2)(a) that the "legal sufficiency" of the complaint shall comply with Wis. Admin. Code EL 20 applies to the verification of the complaint, while the filing deadline, as a procedural element, is governed by Wis. Admin. Code § EL 2.11(3).

The challenge alleges that the Respondent should have found the petition insufficient due to the "materially false statement" that the registration statement stated that the recall committee was opposed to the recall, meaning that a proper registration never took place and that no signatures could have been collected under Wis. Stat. §

9.10(2)(d). The challenge further alleges that the correction on August 8, which was argued as not complying with the correction provisions of Wis. Stat. § 11.0903(3), Wis. Admin. Code § EL 6.02 or § ETH 6.02, could not fix the registration that needed to take place before any signatures were collected, amounting to a fatal error. The complaint cites Wis. Stat. § 11.0101(27) and the Ethics Commission's CF-1 form instructions to argue that a recall committee is formed for the purpose of "supporting or opposing the recall" of an official, and that this language is specific to recall committees.

The complaint alleges that the Respondent improperly accepted a correcting affidavit of circulator Schaeffer concerning 32 signatures, and corrections from circulator Marotz concerning 9 signatures and circulator Murry concerning 9 signatures. The complaint alleges that the three-day deadline for filing correcting affidavits in Wis. Admin. Code § 2.05(4) applies to recall petitions and that because the affidavit was not provided within three calendar days of either filing the petition or the latest date on which the petition could have been filed, it was not timely.

The complaint alleges that the corrections of Marotz and Murry were not done by affidavit and do not contain sufficient proof, in addition to containing the same timeline issue as circulator Schaffer described above. The complaint alleges that these individuals purportedly added their addresses and their initials to the certifications but did not create an affidavit or provide any proof of the addresses.

Response

The Respondent states that her conclusions for finding the recall petition sufficient are found in Exhibit I of the complaint, that this complaint raises the same issues, and that she believes her decision was correct. The response states that the decision was made "in good faith," that she "stand[s] by [her] Certificate of Sufficiency," and that she "rigorously avoided favoring one side over the other."

Reply

The final reply from the Complainant states that the response "neither addressed nor disputed the specific factual allegations or legal arguments set forth in the Complaint," and that the Commission must assume the factual allegations are true and the legal arguments unrebutted. The reply reiterates the argument that the recall petition was insufficient because the recall committee was formed to oppose the recall of Sharon Galonski instead of to support it, and therefore that proper registration has not occurred and all signatures on the petition are invalid. It also reiterates that insufficient circulator certifications were not corrected, and thus that 68 signatures should be disqualified on that additional basis.

Discussion

First, after reviewing the complaint and attachments as well as the brief response directing the Commission to the Respondent's original findings concerning the petition, the Commission finds that the Complainant accurately summarized the Respondent's findings, which were not objected to by the Respondent. The Commission will, therefore, refer to the complaint filings rather than the underlying challenge documents. Second, much of this decision mirrors the language of complaint EL 24-74, Ann Sloane v. Crystal Cowling. The reason for this is simple: the allegations are nearly identical. For the purpose of creating a clear record, the Commission provides its reasoning again in this decision letter.

The Complaint argues that any signatures collected before a proper registration are invalid and that this registration was invalid. It is correct that registration must occur before signatures are collected. The complaint cites Wis. Stat. § 9.10(2)(d), which states that:

No petition may be offered for filing for the recall of an officer unless the petitioner first files a registration statement under s. 11.0902 with the filing officer with whom the petition is filed. The petitioner shall append to the registration a statement indicating his or her intent to circulate a recall petition, the name of the officer for whom recall is sought and, in the case of a petition for the recall of a city, village, town, town sanitary district, or school district officer, a statement of a reason for the recall which is related to the official responsibilities of the official for whom removal is sought. No petitioner may circulate a petition for the recall of an officer prior to completing registration. The last date that a petition for the recall of an officer may be offered for filing is 5 p.m. on the 60th day commencing after registration. After the recall petition has been offered for filing, no name may be added or removed. No signature may be counted unless the date of the signature is within the period provided in this paragraph.

This section makes clear that the failure to register would invalidate any signatures collected on a petition. A challenge may be brought under Wis. Stat. § 9.10(2)(e)2. that signatures were collected outside of the circulation period, and because the circulation period is 60 days after registration, the failure to register would mean a failure to begin the circulation period. Therefore, signatures must be struck in a challenge if the burden of showing that registration did not take place was met.

However, the Commission finds that the registration did take place. Regarding the argument that initial recall registration statement was invalid, the complaint cites Wis. Admin. Code § ETH 6.02(1), which states in relevant part:

Any registration filed with a filing officer under ss.... 11.0901, 11.0902, and 11.0903, [concerning recall committees] Stats., which is insufficient as to essential form, information or attestation shall be rejected by such officer and shall be promptly returned if possible to the proposed registrant indicating the nature of the insufficiency. The proposed registrant shall be informed that the attempted registration is not effective.

The Elections Commission does not administer, and cannot enforce, Wis. Admin. Code § ETH 6.02(1). Whether or not the Respondent should have returned the CF-1 form to the Petitioner under Wis. Admin. Code § ETH 6.02(1) or accepted the form and informed the Petitioner of a need to rectify the problem under Wis. Admin. Code § ETH 6.02(2) is a question for the Ethics Commission and not the Elections Commission.

The Commission can enforce Wis. Admin. Code § EL 6.02, which states in subsection (1) that a filing officer must reject a registration statement that is "insufficient as to essential form" and in subsection (2) that a filing officer must provide 15 days to the registrant to correct a substantially compliant form that is "insufficient or incomplete in some manner." The question for the Elections Commission under its statutes and rules is whether a registration statement under Wis. Stat. § 11.0902, which is linked by cross-reference to Wis. Stat. § 11.0903, was properly filed with the filing officer and whether a sufficient and complete statement of intent was filed along with the CF-1.

The Complainant provided the CF-1 form as well as the intent to recall that were filed together on May 31. Viewing the CF-1 alongside the intent to recall, it is clear that the registration was intended to support the recall

election against Sharon Galonski. The Commission agrees that the best reading of the CF-1 would appear to be that "oppose" in box C.3 means oppose the recall election, but it would also be possible to read that box as supporting or opposing the official. The Commission also notes that "support" or "oppose" does not appear to be a required piece of information under Wis. Stat. § 11.0903. It also does not appear that this recall committee would be required to submit any reports under Wis. Stat. § 11.0904, which is where the language about support or oppose appear to originate. No information presented to the Commission has alleged that this recall campaign accepted or spent any money.

The Commission does not make any determination concerning whether this committee was required to register with the Ethics Commission in addition to the local filing officer or whether the form itself complies with campaign finance laws and rules administered by the Ethics Commission. The Elections Commission finds only that the form complies with the requirements of Wis. Stat. § 9.10(2)(d) by proving the information required by Wis. Stat. § 11.0902(1), and, by cross reference, Wis. Stat. § 11.0903, neither of which list "support" or "oppose" as a required element. The Commission, considering especially the intent to recall form that states unambiguously an intent to circulate a petition for a recall election against Sharon Galonski, finds that the Respondent did not abuse her discretion in accepting the original CF-1 form as sufficient and complete, which is the only form at issue regarding registration. Had the form been insufficient, the form submitted on August 8 could not have corrected the error because the registration must be complete before signatures can be collected.

The complaint alleges that the challenge rebuttal should have been rejected for being unsworn. The Commission is in the process of promulgating administrative rules to update and clarify Wis. Admin. Code Chapter EL 2. However, it does not appear that Wis. Admin. Code § EL 2.11(3) requires a rebuttal to be verified, and the reply is not addressed at all in that section. Wis. Admin. Code § EL 2.11(1) applies to the standards established in EL 2.07 for the filing officer's review of the challenge rather than the filing standards. The filing standards for the challenge itself are linked to Wis. Admin. Code Chapter EL 20 by Wis. Admin. Code § EL 2.11(2)(a), but the response is not addressed in that section and the Commission will not read that section to cover rebuttals at all when subsection (3) clearly addresses responses and merely links them to the governing statute and does not state that the response be verified. This stands, opposed to the express statement in Wis. Admin. Code § EL 2.07 that "[t]he response to a challenge to nomination papers shall be filed, by the candidate challenged, within 3 calendar days of the filing of the challenge and shall be verified." Each response procedure is addressed in its own section and contains different requirements. It is not clear why the State Elections Board, which was a predecessor of the Commission, did not require the response, which must be taken to mean the rebuttal in this context, to be verified, but it is clear that it individually listed the requirements for this type of response, and did not require it to be verified. Thus, the Commission cannot find that the Respondent abused her discretion in accepting the response as an unsworn document.

The Commission disagrees with the Complainant's argument that the three-day window in Wis. Admin. Code § EL 2.05(4) to file a correcting affidavit applies to a recall petition at all. Looking only at Wis. Stat. § 9.10(2)(r), the Complainant's argument would likely be correct because that section does not contain an acceptable time period for an affidavit to be filed "correcting insufficiencies," and Wis. Admin. Code EL 2, through a series of cross references cited in the complaint, supplies a three-day period. However, the Commission must also examine Wis. Stat. § 9.10(4)(a), which provides that "[t]he petition may be amended to correct any insufficiency within 5 days following the affixing of the original certificate." The "correcting insufficiency" language in § 9.10(2)(r) mirrors the "amended to correct any insufficiency" language in § 9.10(4)(a) and must be read together to mean that the failure of a circulator to provide all necessary information may be corrected after a finding of insufficiency has been made. Further, § 9.10(4)(a) does not apply only if a challenge has been filed but also if a clerk finds a petition insufficient regardless of a challenge. The Commission cannot accept an

argument that a petition can be corrected three days after filing and then again within 5 days after a determination of insufficiency but not in between. Rather, the Commission must conclude that Wis. Stat. § 9.10 governs if there is any conflict between it and Wis. Admin. Code § EL 2, and that a petitioner may file a correcting affidavit concerning the failure of a circulator to include all necessary information at any time up until 5 days following a finding of insufficiency. The Commission makes no finding concerning other correcting affidavits that are not expressly stated in Wis. Stat. § 9.10(2)(r).

Due to the Commission's finding that a correcting affidavit for a recall petition concerning the failure of a circulator to provide all necessary information can be filed at any time up to 5 days following a determination of insufficiency, it rejects the allegation that the Schaeffer affidavit was untimely.

The Commission agrees that the pages submitted by circulators Tim Marotz and Richard Murry, amounting to 18 signatures, should not have been accepted because no affidavit or other proof was provided. The recall petition pages supplied by the Complainant and not contested by the Respondent show that Tim Marotz on page 14 and Richard Murray on page 19 did not provide any municipality. Because a circulator need not even be a resident of this state, the Commission cannot find that a number and street name alone constitute a residential address. Though there is an affidavit signed by Gary Schaffer correcting his address as well as a number of other issues concerning his pages not raised in the complaint before the Commission, there are no such sworn statements from Tim Marotz or Richard Murry in the record. The additions and initials provided within the rebuttal on pages 14 and 19 presumably are from these two individuals, but, unlike Mr. Schaeffer, they have not sworn that that is so. Wis. Stat. § 9.10(4)(a) allows correcting a petition and § 9.10(2)(r) allows an affidavit or other proof to correct circulator errors, but no proof was provided beyond an assertion of additional address information, and there are no affidavits confirming who provided this information. The Commission finds that the clerk erred by accepting these 18 signatures and orders that in the future she only accept corrections by affidavit or sufficient other proof regarding the failure of circulators to include all necessary information. However, as the loss of 18 signatures still leaves 113 signatures, which is above the uncontested threshold of 110, the Commission will not order the Respondent to reexamine her ultimate conclusion that the petition was valid.

The Commission also will address an issue raised in the complaint concerning the proper timing of the challenges. Wis. Stat. § 9.10(4)(a) clearly allows that "the officer against whom the petition is filed may file a written challenge with the municipal clerk" within 10 days after the petition is filed with the clerk. The statute is silent concerning the transmittal of the documents to the official. From the filings, it appears that the Complainant was aware of the petition and requested copies of it before July 25, when, at 9:26 p.m., the Respondent provided copies. It is not clear to the Commission when copies were first requested, however, a tenday delay is clearly too late to have sent copies of the recall petition to the Complainant as that is the entire period provide for a challenge to be filed. It appears that the Respondent did then allow the full ten-day period to respond to the petition, followed by a rebuttal period and a final reply period. In summary, the clerk appears to have delayed sending the petition to the official, accepted a challenge more than 10 days after the petition was filed but within 10 days after the petition was sent to the official, and then administered the rebuttal and reply periods following receipt of the previous filing all within the overall 31-day period from the offering of the petition provided by § 9.10(4)(a). The Complainant does not argue that her challenge was filed late, and thus the Commission will not address this issue in an order, but the Commission stridently urges the Respondent to transmit any recall petition to the official as soon as possible, and not later than one business day after the petition is filed.

Commission Decision

Based upon the above review and analysis, the Commission does not find probable cause that the Respondent violated the cited statutes or rules or abused her discretion in finding the recall petition sufficient. The Commission orders the Respondent, in any future recall, to require an affidavit or other proof before accepting a correction of information provided by a circulator. The Commission also strongly suggests that the Respondent send the official the full recall petition as soon as possible and no later than one business day following the offering of the petition to the Respondent.

Right to Appeal – Circuit Court

This letter constitutes the Commission's resolution of this complaint. Wis. Stat. § 5.06(2). Pursuant to Wis. Stat. § 5.06(8), any aggrieved party may appeal this decision to circuit court no later than 30 days after the issuance of this decision.



STATE OF WISCONSIN WISCONSIN ELECTIONS COMMISSION

IN THE MATTER OF the Certificate of Sufficiency of	
Recall Petition of Town of Westfield Town Chair Sharon Galons	ki,

SHARON GALONSKI,

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COLLID	LOGITIONIES

\mathbf{V}_{\bullet}			

Case 1	No.		

BRENDA PETERSEN,

Respondent.

VERIFIED COMPLAINT

- 1. This Verified Complaint is brought against the Town Clerk of the Town of Westfield, Brenda Petersen ("Clerk Petersen"), pursuant to and in accordance with Wis. Stat. §§ 5.06, 9.10, Wis. Admin. Code §§ EL 2.05, 2.09, 2.11, and other Wisconsin laws governing elections and election campaigns.
- 2. Clerk Petersen abused her discretion and acted contrary to law in certifying the sufficiency of the recall petition brought by Terry L. Johnson ("Johnson") against Town of Westfield Chairperson Sharon Galonski ("Chairperson Galonski"), thereby allowing the recall election to proceed. No date has yet been scheduled for the recall election.
- 3. Complainant respectfully requests that the Wisconsin Elections Commission ("WEC" or the "Commission") require Clerk Petersen to (a) reject the recall petition as invalid and (b) disallow the recall election.

JURISDICATIONAL STATEMENT

- 4. Complainant Sharon Galonski is a qualified elector and resident of the State of Wisconsin. Galonski resides at N6904 2nd Court, Westfield, Wisconsin, 53964. Galonski was elected as the Town Chair of the Town of Westfield in April, 2023, and is currently the incumbent elected official holding that office.
- 5. Respondent Brenda Petersen is a resident of Wisconsin, who, upon information and belief, resides at 201 Frederick Drive, Westfield, Wisconsin, 53964. Clerk Petersen is the Town Clerk of the Town of Westfield.
- 6. Chairperson Galonski is an elector of the Town of Westfield and is thus an elector of the jurisdiction served by Clerk Petersen.
- 7. Terry L. Johnson filed a Recall Petition against Chairperson Galonski, which Chairperson Galonski received on July 26, 2024.
- 8. Chairperson Galonski filed a written, verified challenge to the recall petition on August 2, 2024.
- 9. Clerk Petersen denied Chairperson Galonski's challenge to the Recall Petition on August 13, 2024, and issued a Certificate of Sufficiency.
- 10. This action is therefore brought under Wis. Stat. § 5.06 and challenges Clerk Petersen's August 13, 2024, Certificate of Sufficiency of the recall petition made against Chairperson Galonski.
- 11. This Verified Complaint is timely filed with WEC on August 19, 2024, which is prompt and within ten (10) days of the issuance of the Certificate of Sufficiency. Wis. Stat. § 5.06(3).

BACKGROUND

- 12. The mandatory procedures that must be followed to initiate a recall of an incumbent elective official holding a town office are set forth in Wisconsin Statutes section 9.10. The statutorily prescribed procedures require a qualified elector seeking to recall an elected official to "first file[] a registration statement under s. 11.0902 with the filing officer with whom the petition is filed." Wis. Stat. § 9.10(2)(d). Certain materials must be appended to the registration statement. *Id*.
- 13. The statutes further provide that "[n]o petitioner may circulate a petition for the recall of an officer prior to completing registration." *Id*.
- 14. The registration statement that must be filed in accordance with section 11.0902 is a Wisconsin Ethics Commission Campaign Finance Committee/Conduit Registration Statement (Committee Registration), Wisconsin Ethics Commission Form CF-1. See https://ethics.wi.gov/Resources/CF-1%20Registration%20Statement%20Fillable.pdf.
- To complete the registration statement for a recall, the person forming the committee must place a check mark in one of two circles that appear in box C3 on the second page of the registration statement: either the circle next to the word "Support," indicating that the committee is being formed to support the recall of an incumbent elective official; or the circle next to the word "Oppose," indicating that the committee is being formed to oppose the recall of the official.
- 16. Johnson filed a Registration Statement on May 31, 2024, with Clerk Petersen. On the Registration Statement she submitted on May 31, Johnson checked the circle beside the word "Oppose," indicating that she was creating a committee to "Oppose" the recall of Galonski. (Exhibit A at 2)

- 17. At the same time, Johnson filed with Clerk Petersen the Statement of Intent to Circulate Recall Petition, Wisconsin Elections Commission Form EL-170i. (Exhibit B)
- 18. Johnson then filed with Clerk Petersen a recall petition on July 15, 2024, which included 151 signatures in support of the recall. (Exhibit C)
- 19. Chairperson Galonski was aware of the filing of the recall petition on July 15, and repeatedly requested copies of the complete recall petition from the Town Clerk. Despite those requests, Chairperson Galonski did not receive a copy of the recall petition (including the Registration Statement and Statement of Intent until 9:26 PM on July 25, 2024. (Exhibit D)
- 20. On July 30, the Clerk sent a letter to Galonski and her legal counsel informing them that she would "consider whatever information you may provide on or before August 5, 2024" with respect to the recall petition. (Exhibit E) Galonski filed a verified challenge to the petition with the Clerk on August 2, 2024. (Exhibit F) As grounds for her challenge, Chairperson Galonski argued two primary defects:
 - a. that the committee Registration Statement, Form CF-1, contains a materially false statement—it states that the recall committee was being created to "Oppose" the recall of Chairperson Galonski, not to "Support" the recall effort; and
 - b. that deficiencies in the individual signatures and the certifications of circulator rendered 100 individual signatures invalid, and the petition therefore did not contain a sufficient number of signatures.
- 21. On August 8, 2024, Johnson filed a response to the verified challenge to the petition and then provided its referenced attachments the following day on August 9, 2024. (Exhibit G) In response, Johnson alleged the following:

- a. Johnson claimed the misstatement on the Registration Statement "was done in error," and that she "corrected the page" and "attached it to [the August 8, 2024] response." She continued to argue the petition "should be processed in the spirit of the law" because, although "[m]istakes were made", the "law allows for correction."
- b. As to the deficiencies in the certifications of circulator and individual signatures allegations, Johnson submitted an affidavit from one circulator and addressed factual allegations in kind.
- 22. In addition to these responses to Chairperson Galonski's challenge, Johnson claimed that Chairperson Galonski's challenge was untimely.
- 23. Chairperson Galonski filed with the Clerk a verified reply to Johnson's response to the verified challenge to the petition on August 10, 2024. (Exhibit H) She reiterated her claims and highlighted Johnson's apparent admission in the August 8, 2024, response that the Registration Statement contained incorrect information and that the challenged certifications of circulator were insufficient. Chairperson Galonski further argued that the "corrected" Registration Statement and corrections to the circulations of circulator that Johnson submitted with the response were untimely and could not cure the fatal insufficiencies of the petition.
- 24. As to Johnson's claim that Chairperson Galonski's challenge was untimely, Chairperson Galonski argued her challenge was timely and complied with deadlines established by the Clerk, given the nine-day delay in notifying Chairperson Galonski of the filed recall petition.
- 25. In her reply, Chairperson Galonski also argued that Johnson's August 8, 2024, response should be rejected in its entirety because it was not verified.

- 26. On August 13, 2024, Clerk Petersen determined the recall petition was sufficient, accompanied by varying findings supporting the determination, and directed the petition to the Town Board to set a recall election. (Exhibit I) As to each claim, the Clerk reached the following conclusions:
 - a. The Registration Statement was sufficient because the checkbox that contained the materially false information is "arguably ambiguous, and regardless the intent of the registration for recall was clear." Exhibit I at 2.
 - b. The four certifications of circulator Gary Schaeffer were sufficient because petitioner Johnson submitted an affidavit of circulator Schaeffer in the August 8, 2024 response to Chairperson Galonski's challenge that "corrected the errors regarding his address." The Clerk determined the submission of the affidavit was timely and proper under "Wisconsin Statutes Section 9.10(4)(a), 9.10(2)(e) and (r)." *Id*.
 - c. The two pages circulated by Virginia Dagel, containing 18 individual signatures, were invalid because circulator Dagel provided an incorrect address, which she did not correct by "affidavit pursuant to Wis. Admin. Code Section EL 2.05(4)."

 Id.
 - d. The certifications of circulators Marotz and Murray were sufficient after they corrected them by completing their addresses on updated circulation pages in the August 8, 2024 response of petitioner Johnson, "as prescribed by Wis. Stat. § 9.10(2)(e) and (r)." *Id*.
 - e. The certification of circulator James Johnson ("Mr. Johnson") was entitled to a presumption of validity under section EL 2.05(4). Accordingly, the allegation that

- Mr. Johnson did not himself complete the certification required additional proof to overcome that presumption. *Id.*
- f. And that, after rejecting all but one challenge to the individual signatures, there are 131 valid signatures, 21 more than the 110 signatures that are required under Wis. Stat. § 9.10(1)(b). *Id.* at 3-4.

ARGUMENT

- I. Johnson's response to Chairperson Galonski's challenge was not verified as required by law.
- Wisconsin law and therefore should have been rejected by Clerk Petersen. "Except as expressly provided" in Wis. Admin. Code § EL 2.11, standards for determining challenges to election petitions, including recall petitions, are generally the same standards applied to determining the sufficiency of nomination papers, as provided in section EL 2.07. Wis. Admin. Code § EL 2.11(1). Just as the complaint challenging the sufficiency of nomination papers and the response thereto must be verified (Wis. Admin. Code § EL 2.07(2)), so too must the complaint challenging a recall petition and the response thereto be verified. Wis. Admin. Code § EL 2.11. To be sure, section EL 2.11(3) expressly provides for different timing for the filing of a response (i.e., the three-day deadline of section EL 2.07(2) does not apply to section EL 2.11), but it does not expressly provide that the response *need not* be verified. Wis. Admin. Code § EL 2.11(3).
- 28. In addition to the incorporation of section EL 2.07(2)(b)'s requirement that a response be verified, the cross-reference to chapter EL 20 in section EL 2.11 confirms that a response to the complaint challenging a recall petition must be verified. "The form of the complaint, the filing of the complaint and the legal sufficiency of the complaint shall comply with the requirements of ch. EL 20." Wis. Admin. Code § EL 2.11(2)(a). Section EL 20.04(3)

expressly requires a verified response to a complaint. Although section EL 2.11(2)(a) provides that "the procedure for resolving the complaint, including filing deadlines" is governed by Section EL 2.11, not chapter EL 20, verification is tied to the legal sufficiency of the response—in other words, its evidentiary value—and is not properly characterized as procedure.

29. Verification requires that the party filing the response swear upon oath before a notary public or other person authorized to administer oaths that said party personally read the response and the allegations contained therein are true and correct, based on personal knowledge. Wis. Admin. Code § EL 20.03(1), (5). A statement to that effect was required be at the bottom of the response to Chairperson Galonski's challenge. Here, Johnson signed the response but failed to do so under oath, as required by law. (Exhibit G) It follows that the response, including both the amended Registration Statement and the corrected certifications of circulator, was insufficient and should have been rejected by Clerk Petersen.

II. Johnson's Registration Statement contained a materially false representation that invalidated the subsequent recall petition.

30. The Registration Statement that Johnson submitted to Clerk Petersen on May 31, 2024, was ineffective to allow Johnson to circulate a petition for recalling Chairperson Galonski because it misrepresented the purpose of the Committee: although the Committee was formed to *support* the recall of Chairperson Galonski, Johnson represented in the Registration Statement that the Committee *opposed* the recall effort. Clerk Petersen should have immediately rejected the Registration Statement because it was materially false and, consequently, registration was not completed. Instead, Johnson circulated the recall petition for signatures before a compliant registration statement was filed, in violation of section 9.10(2)(d). Further, the purportedly "corrected" Registration Statement that Johnson filed with her August 8, 2024, response to Chairperson Galonski's challenge cannot lawfully correct the initial invalidity of the Registration

Statement filed on May 31. Not only was the supposedly "corrected" Registration Statement untimely, but the handwritten notations and striking out of certain information and inclusion of other information is not certified; only Johnson's original certification of the May 31, 2024, Registration Statement appears on the document.

31. Because the May 31 Registration Statement was invalid, Johnson circulated the recall petition against Chairperson Galonski before "completing registration." Consequently, the signatures she obtained by circulating the recall petition based on an invalid Registration Statement are themselves invalid, and the recall petition must be rejected by Clerk Petersen. Wis. Stat. § 9.10(2)(d).

A. Johnson's May 31 Registration Statement contained materially false information and is invalid.

- 32. First, the Registration Statement that Johnson filed contains a materially false representation that entirely invalidates the petition.
- 33. State law prohibits the circulation of a recall petition before registration of a recall committee is properly completed. Wisconsin Statute section 9.10(2)(d) expressly provides that "[n]o petitioner may circulate a petition for the recall of an officer prior to completing registration."
- 34. Wisconsin Statute section 11.0101(27) defines a recall committee as "a committee formed for the purpose of *supporting or opposing the recall* of" an incumbent holding local office.
- 35. The Wisconsin Ethics Commission makes the registration form available. *See* https://ethics.wi.gov/Resources/CF-1%20Registration%20Statement%20Fillable.pdf. Per the form directions, only recall committees designate their support or opposition of the recall effort. *Id.* at 3.

- 36. Johnson filled out and on May 31, 2024, submitted to Clerk Petersen a Registration Statement.
- 37. State law requires that the individual filing the registration statement provide a certification: "The individual responsible for filing or amending a recall committee's registration statement . . . shall certify that <u>all information</u> contained in the statement, form, or report is true, correct, and complete." Wis. Stat. § 11.0903(2) (emphasis added).
- 38. However, the Registration Statement that Johnson submitted makes clear that the recall committee, registered with the name "Terry L. Johnson," was created to *oppose* a recall effort launched against Chairperson Galonski. Exhibit A.

SECTION C: RECALL COMMITTEES	Viv. 13m	
C1. Name of Official Subject to Recult Sharon L. Galonski	Town of Westfield Chair	C3. O Support Oppose

- 39. Yet Johnson circulated for signature and obtained signatures on a petition seeking to initiate a recall of Town Chairperson Galonski, *i.e.* in *support* of the recall.
- 40. Because Johnson registered to "Oppose" a recall of Town Chairperson Galonski, yet circulated a recall petition to *support* the recall of Town Chairperson Galonski, the Registration Statement she submitted was falsely certified, rendering the committee registration itself invalid and incomplete. A legal process (here, Johnson's registration of her committee) cannot be "complete" when it is invalid. Consequently, Johnson failed to "complete" registration of her committee seeking to recall Chairperson Galonski.
- 41. Moreover, because Johnson circulated the recall petition seeking to recall Chairperson Galonski before "completing registration" of her committee to support a recall effort, the recall petition that Johnson submitted to Clerk Petersen on July 15 is invalid and must be rejected by Clerk Petersen. Wis. Stat. § 9.10(2)(d).

- B. Johnson's submission of a "corrected" Registration Statement does not save the recall petition.
- 42. That Johnson filed a "corrected" Registration Statement with her Response to Chairperson Galonski's challenge to the recall petition is of no consequence for four reasons:
 - It is not properly certified as of the date of the "corrections" as required by Section G—"Certification"—of the Registration Statement.
 - It was untimely because it was provided *after* the Petition was circulated for signatures and filed.
 - It was untimely because it was provided after the ten-day amendment period clearly provided for by Wis. Stat. § 11.0903(3) and on the form document itself.
 - It was untimely because it did not conform to the provisions of Wis. Admin. Code § EL 6.02 and Wis Admin. Code § ETH 6.02.
- Statement; instead, she simply made handwritten notations on her May 31 Registration Statement, filling in the circle next to the word "Support" and indicating in handwriting: "Intended to support recall; wrong circle checked." (Exhibit G at 7) But those handwritten notations are insufficient to act as a proper amendment to the Registration Statement, at the very least because Johnson failed to certify in any way that the "corrected" Registration Statement was timely and accurate as of the date of the "corrections," as required by Section G—"Certification"—of the Registration Statement. The "corrected" Registration Statement she submitted still bears only Johnson's signature certifying the Registration Statement as of May 31, 2024.
- 44. **Second**, an amendment to an insufficient registration statement that is submitted **after** the Petition is circulated for signatures and filed fails to remedy the violation of Wis. Stat. § 9.10(2)(d). Here, despite the untimely "correction," the Petition was nevertheless circulated

- 45. Third, the registration form itself and section 11.0903(3) clearly state that "[t]he recall committee shall report any change in information previously submitted in a registration statement within 10 days following the change." Wis. Stat. § 11.0903(3); Exhibit A at 2. Johnson, however, did not file a valid Registration Statement within the ten-day window to provide the true and correct purpose of the recall committee—i.e., to support the recall of Town Chairperson Galonski. Johnson filed the Registration Statement on May 31, 2024, and at that time, the purpose of the Committee was incorrectly stated on the form, as explained above. But the purpose of the Committee was not changed to reflect that it was created to "Support" the recall until Johnson submitted a "corrected" Registration Statement with her August 8, 2024 response to Chairperson Galonski's challenge. (Exhibit A at 2; Exhibit G at 4) Thus, Johnson did not report the true and correct purpose of the Committee within ten days of May 31, 2024, as required by section 11.0903(2). Even so, as demonstrated above, Johnson's "corrected" Registration Statement is invalid because it was not properly certified.
- 46. *Fourth*, Johnson's submission of a "corrected" Registration Statement with her August 8, 2024 response to Chairperson Galonski's challenged was untimely under Wis. Admin. Code § EL 6.02 and Wis Admin. Code § ETH 6.02.
 - a. Both Wisconsin's Elections and Ethics Codes provide that committee registration statements that are "insufficient as to essential form, information or attestation *shall* be rejected" and are "not effective." Wis. Admin. Code § EL 6.02(1) (emphasis added); Wis. Admin. Code § ETH 6.02(1). The purpose of a recall committee—i.e., whether it supports or opposes the recall—is indeed essential information. Here, the Registration Statement was invalid because it incorrectly represented the purpose of the Committee, stating that it opposed the recall effort

- 45. *Second*, the registration form itself and section 11.0903(3) clearly state that "[t]he recall committee shall report any change in information previously submitted in a registration statement within 10 days following the change." Wis. Stat. § 11.0903(3); Exhibit A at 2. Johnson, however, did not file a valid Registration Statement within the ten-day window to provide the true and correct purpose of the recall committee—*i.e.*, to support the recall of Town Chairperson Galonski. Johnson filed the Registration Statement on May 31, 2024, and at that time, the purpose of the Committee was incorrectly stated on the form, as explained above. But the purpose of the Committee was not changed to reflect that it was created to "Support" the recall until Johnson submitted a "corrected" Registration Statement with her August 8, 2024 response to Chairperson Galonski's challenge. (Exhibit A at 2; Exhibit G at 4) Thus, Johnson did not report the true and correct purpose of the Committee within ten days of May 31, 2024, as required by section 11.0903(2). Even so, as demonstrated above, Johnson's "corrected" Registration Statement is invalid because it was not properly certified.
- 46. *Third*, Johnson's submission of a "corrected" Registration Statement with her August 8, 2024 response to Chairperson Galonski's challenged was untimely under Wis. Admin. Code § EL 6.02 and Wis Admin. Code § ETH 6.02.
 - a. Both Wisconsin's Elections and Ethics Codes provide that committee registration statements that are "insufficient as to essential form, information or attestation shall be rejected" and are "not effective." Wis. Admin. Code § EL 6.02(1) (emphasis added); Wis. Admin. Code § ETH 6.02(1). The purpose of a recall committee—i.e., whether it supports or opposes the recall—is indeed essential information. Here, the Registration Statement was invalid because it incorrectly represented the purpose of the Committee, stating that it opposed the recall effort

when, in reality, the Committee was formed to support the recall. Accordingly, Clerk Petersen should have rejected the Registration Statement when it was filed on May, 31, 2024, and required Johnson to refile a valid registration statement before circulating a recall petition for signatures.

- b. Moreover, even if the support/oppose box on the registration statement were not considered essential information, Johnson's "corrected" registration statement was still untimely under Wisconsin Elections and Ethics Codes. Section EL 6.02(2) does allow for the amendment of a registration statement filed under chapter 9, "which is insufficient or incomplete in some manner but substantially complies with law." Wis. Admin. Code § EL 6.02(2); see also Wis. Admin. Code § ETH 6.02(2) (providing a substantively identical regulation). But section EL 6.02(2) provides that the filing officer who accepts the insufficient registration statement "shall then promptly notify the registrant indicating the nature of the . . . insufficiency" and give the registrant "15 days from the date of such notice to rectify the problem." Wis. Admin. Code § EL 6.02(2).
- C. Here, Clerk Petersen needed to notify Johnson of the defect in the Registration Statement promptly after it was filed on May 31, 2024. Within fifteen days of notice and before circulating the petition for signatures, Johnson in turn needed to submit a corrected registration statement to Clerk Petersen, stating that the Committee *supported* the recall of Chairperson Galonski. Consequently, Johnson's submission on August 8, 2024, of a "corrected" Registration Statement—accompanying her response to Chairperson Galonski's challenge and after all signatures were collected—does not rectify the insufficient registration

statement according to the procedure of Wis. Admin. Code § EL 6.02(2). Furthermore, the untimely "correction" of the Registration Statement does not change the fact that the recall petition was circulated before the Committee submitted a sufficient registration statement to Clerk Petersen, in violation of section 9.10(2)(d).

47. All signatures collected "prior to completing registration" are invalid. Since Johnson still has not completed registration of her committee to support the recall of Chairperson Galonski, none of the signatures she has collected to date on the recall petition she submitted to Clerk Petersen are valid.

III. Due to insufficiencies in the certifications of circulator, the recall petition failed to supply the statutorily required number of elector signatures.

- 48. A recall petition must "be signed by electors equal to at least 25 percent of the vote cast for the office of governor at the last election within the same district or territory as that of the officeholder being recalled." Wis. Stat. § 9.10(1)(b).
- 49. It is Chairperson Galonski's understanding, and the Clerk's Certificate of Sufficiency confirms, that the signatures (and correct address information) of 110 eligible Town of Westfield electors must appear on the recall petition for the recall election of Chairperson Galonski to proceed. (Exhibit I at 4)
- 50. Chairperson Galonski challenged nine certifications of circulators, containing a total of 75 individual signatures. (Exhibit F)
- 51. Clerk Petersen properly did not count the 18 signatures on pages 7 and 8 of the Petition because circulator Dagel "did not correct her mistake by affidavit pursuant to Wis. Admin. Code Section EL 2.05(4)." (Exhibit I at 2)

- 52. On the other hand, Clerk Petersen abused her discretion and acted contrary to sections 9.10, EL 2.05, and EL 2.09 in accepting the correcting affidavit of circulator Schaeffer and the corrections of circulators Marotz and Murray that Johnson submitted with the August 8, 2024 response. Clerk Petersen acknowledged that the pages of these three circulators were insufficient because of mistakes or omissions in the addresses provided in the certifications of circulators. (Exhibit I)
 - a. Circulator Schaeffer certified four pages (Pages 1, 2, 3, and 13) that contained a total of 32 signatures. (Exhibit F) These pages contained insufficiencies as to circulator Schaeffer's address. In the Certificate of Sufficiency, Clerk Petersen concluded that the pages were sufficient based on the affidavit of circulator Schaeffer that Johnson submitted with the August 8, 2024 response to Chairperson Galonski's challenge. (Exhibit I at 2)
 - b. Circulator Murray certified Page 19 containing 9 signatures. (Exhibit C at 19)
 - c. Circulator Marotz certified Page 14 containing 9 signatures. (Id. at 14)
 - d. In the Certificate of Sufficiency, Clerk Petersen concluded that the certifications of circulators Murray and Marotz were sufficient after they corrected the initial insufficiencies (the municipality of residence was omitted): circulators Murray and Marotz updated the incomplete addresses on their circulation pages, unsupported by affidavits, and Johnson submitted these pages with the August 8, 2024 response. (Exhibit I at 2)
 - 53. In sum, the pages of circulators Schaeffer, Murray, and Marotz contained 50 individual signatures that Clerk Petersen should not have counted, as set forth below; when added to the 18 signatures on the insufficient pages of circulator Dagel, 68 signatures must not

be counted due to insufficient certifications of circulator. This drops the number of valid signatures to 83, well below the 110 signatures of electors that are required for the recall to proceed.

A. The correcting affidavit of circulator Schaeffer was untimely and cannot serve to correct the four insufficient pages that he circulated and certified.

- 54. In the August 8, 2024 response, Johnson submitted the affidavit of Circulator Schaeffer to correct the insufficiencies in the address that he provided on the four pages he circulated. (Exhibit G) Clerk Petersen accepted the affidavit, allowed it to correct the insufficiencies on the four pages Schaeffer circulated, and counted the 32 votes on those pages. (Exhibit I at 2, 4)
- 55. Section 9.10(r) provides that "[a] petitioner may file affidavits or other proof correcting insufficiencies, including . . . [f]ailure of the circulator to include all necessary information. Wis. Stat. § 9.10(r)(5). Additionally, section EL 2.05(4), which is incorporated by reference to recall petitions in section EL 2.09(1), provides further guidance on the timing and procedure for correcting insufficiencies by affidavit. It provides that "the correcting affidavit shall be filed with the filing officer not later than three calendar days after the applicable statutory due date for the nomination papers." Wis. Admin. Code § EL 2.05(4) (emphasis added).
- 56. The statutory due date for nomination papers, however, does not determine the applicable due date for recall petitions. Further, sections 9.10 and EL 2.09 do squarely address the issue. Thus, precisely when the three-day window in which to file an affidavit correcting a recall petition commences is subject to two reasonable constructions. Under either construction, Schaffer's affidavit is untimely.

- a. *First*, the due date of a recall petition for the purposes of submitting correcting affidavits may be construed as the date of filing. In that case, the three-day window to submit a correcting affidavit began when Johnson filed the Petition on July 15, 2025, and it closed on July 18, 2025. (*See* Exhibit C.) Under this construction, the submission of a correcting affidavit with Johnson's August 8, 2024 response was fatally late. Consequently, the affidavit cannot correct the insufficiencies of Schaeffer's circulation pages, and the signatures on those pages must not be counted.
- b. *Second*, it is reasonable to infer from section EL 2.09(2), which addresses the timeliness of a petition, that the due date for a recall petition is the date by which the petition must be filed under section 9.10. Under this construction, "[t]he last date that a petition for the recall of an officer may be offered for filing is 5 p.m. on the 60th day commencing after registration." Wis. Stat. § 9.10(2)(d). Since the registration was filed on May 31, 2024, the 60th day after registration is Tuesday, July 30, 2024. Three days after this statutory due date is August 2, 2024. Once again, under this construction, the submission of a correcting affidavit with Johnson's August 8, 2024 response was fatally late. Consequently, the affidavit cannot correct the insufficiencies of Schaeffer's circulation pages, and the signatures on those pages must not be counted.
- 57. Under both reasonable constructions of the due date of Johnson's petition, and the ensuing three-day window to file a correcting affidavit under section EL 2.05(4), the submission of Schaeffer's affidavit on August 8, 2024 was fatally late.

- 58. Given its express limitation on the submission of correcting affidavits to a three-day window, it simply cannot be that section EL 2.05(4) grants a recall petitioner a second chance to properly complete the certifications of circulator well after the third day following the due date of the petition—only in response to a challenge that identifies the insufficiencies in the certifications of circulator. Clerk Petersen abused her discretion and acted contrary to sections 9.10, EL 2.05(4), and EL 2.09 in allowing the affidavit to correct the insufficiencies in the certifications of circulator Schaeffer. Accordingly, the 32 signatures on the four insufficient pages that Schaeffer circulated must not be counted.
 - B. The corrections to the certifications of circulators Murray and Marotz cannot cure the insufficiencies because they were untimely and unsupported by affidavit or other sufficient proof.
- 59. As explained above in the case of the affidavit of circulator Shaeffer, the corrections to the insufficient pages of circulators Murray and Marotz were untimely because they were submitted with Johnson's August 8, 2024 response—well after the three-day window to make corrections, following the due date of the petition. *See* Wis. Admin. Code § EL 2.05(4). For this reason alone, Clerk Petersen abused her discretion and acted contrary to law in allowing the corrected pages to rectify the insufficiencies and, consequently, counting the votes on the circulators' pages.
- 60. Moreover, corrections to insufficiencies such as the "[f]ailure of the circulator to include all necessary information" require that a petitioner "file affidavits or other proof." Wis. Stat. § 9.10(r). Johnson failed to submit affidavits to correct the insufficiencies on the pages of circulators Murray and Marotz. Circulators Murray and Marotz purportedly added their addresses, with their initials, to the previously completed and signed certifications, which Johnson then submitted with the August 8, 2024 response. Such an informal method of correction falls well short of the standard of a sworn and notarized affidavit or other sufficient

proof, as required by sections 9.10(r) and EL 2.05(4). For this reason too, Clerk Petersen abused her discretion and acted contrary to law in allowing the corrected pages to rectify the insufficiencies and counting the votes on the circulators' pages.

61. Thus, the combined 18 signatures on the two pages of circulators Murray and Marotz must not be counted because the insufficiencies were not corrected according to law for two independently sufficient reasons.

CONCLUSION

- 62. The recall petition was insufficient from its inception because Terry L. Johnson formed a committee to oppose the recall of Sharon L. Galonski. The Committee was barred by Wisconsin law from circulating the petition for the collection of signatures "prior to completing registration," which *still* has not been accomplished. The non-verified response and the untimely submission of a supposedly "corrected" (but non-certified) registration statement—after all signatures were collected—did not rectify this insufficiency. Consequently, all signatures gathered on the recall petition are invalid.
- 63. Additionally, the insufficient certifications of circulators Schaeffer, Dagel, Murray, and Marotz were not corrected according to statute and the Administrative Code of the Elections Commission. The combined 68 individual signatures on the pages of those circulators must not be counted. Rejecting those 68 signatures brings the number of individual signatures to just 83 electors, well below the twenty-five percent (25%) threshold of 110 signatures.
- 64. Clerk Petersen therefore abused her discretion and acted contrary to law in certifying the sufficiency of the recall petition, thereby allowing the recall election to proceed.
- 65. For the forgoing reasons, Chairperson Galonski respectfully requests that Commission require Clerk Petersen to (a) reject the recall petition as insufficient and (b) disallow the recall election.

Dated August 19, 2024.

Complaint prepared by:

STAFFORD ROSENBAUM LLP Douglas M. Poland, SBN 1055189 Erin K. Deeley, SBN 1084027 Stephen Goettsche, SBN 1126643 Attorneys for Complainant

222 West Washington Avenue, Suite 900 Madison, Wisconsin 53701-2744 dpoland@staffordlaw.com edeeley@staffordlaw.com sgoettsche@staffordlaw.com 608.256.0226

LIST OF EXHIBITS

Exhibit A: Johnson's May 31, 2024 Wisconsin Ethics Commission Campaign Finance

Committee/Conduit Registration Statement

Exhibit B: Johnson's May 31, 2024 Statement of Intent to Circulate Recall Petition

Exhibit C: Johnson's July 15, 2024 Recall Petition

Exhibit D: July 25, 2024 Email from Petersen

Exhibit E: July 30, 2024 Email and Letter from Petersen

Exhibit F: Galonski's August 2, 2024 Verified Challenge to Recall Petition

Exhibit G: Johnson's August 8, 2024 Response to Verified Challenge and August 9, 2024

Attachments with Response to Verified Challenge

Exhibit H: Galonski's August 10, 2024 Verified Reply to Challenge

Exhibit I: Petersen's August 13, 2024 Certificate of Sufficiency of Recall Petition and

Findings in Support of Certificate of Sufficiency

VERIFICATION

Sharon Galonski, being first duly sworn, on oath, deposes and says that she has read the foregoing Verified Complaint and avers that the same is true and correct to the best of her knowledge, except as to those matters therein stated upon information and belief or based upon exhibits filed in support of this Verified Complaint, as to which matters she believes them to be true.

Signed at Marquette County Wisconsin, this 19th day of August, 2024.

Sharon Galonski

Subscribed and sworn to before me this 1918 day of August, 2024.

Notary Public, State of Wisconsin

REBECCA S WULF NOTARY PUBLIC STATE OF WISCONSIN

My commission expires: 8.17.26



CAMPAIGN FINANCE COMMITTEE/CONDUIT REGISTRATION STATEMENT

STATE OF WISCONSIN

ote: An amended registration statement must be filed within 10 days of any changes in information.

1. Is this an Amendment? (No ∩ Yes If y	ves, please enter	vour comn	nittee numb	ner:	Committe	se Number
SECTION A: GENERAL		y ea, prease enter	your somm	111700 1101111	, 61.		
A1. Committee/Conduit Name Terry L. Johnson			O Candid	int Type (Choi	endum 🤇	_	-
kmjohnson@maqs.ne	et (608) 54		_		_egislativ	e Campai	nt Expenditure (IEC) gn Committee
N5656 County Road	A	Westfield			Ň	7. State	A8. Zip 53964
Depository Institution Information A9. Institution Name	A10. Street Ad	Idress	A	11. City	-	A12. S	tate A13. Zip
BMO Bank	203 Mair	n St. S		estfield/		WI	53964
Treasurer/Administrator Informatio	n	A15, Email			A16, Ph	000	
N/A		A15, Eman			Alla	one	
A17. Mailing Address		A18. City			A	19. State	A20. Zip
Other Officers (Optional) Independent and local non-partisan car	ndidates: Indicate by an aste	erisk (*) which officers	are authorized	to fill a vacan	y in nomb	nation due	to death of candidate.
A21. Name N/A	A22. Title	A23. Email			A24.	Phone	
A25. Name N/A	A26. Title	A27. Email			A28.	Phone	
Filing Exemption Registrants that will not accept contrib amount of more than \$2,500 in a calen reports. For committees registering wi dar year in which it is granted. Those exempt must renew each year. Local c contributions, making disbursements, \$2,500 in a calendar year may claim. This exemption applies until the loca threshold, amends its registration, or is	dor year are eligible for exe th the Commission, exempt committees registering with andidate committees that de or incurring obligations an exemption from filing co al candidate committee exe	emption from filing can status is effective only the Commission that v o not anticipate accept in an aggregate amo ampaign finance repor	mpaign finance for the calen- vant to remain ting or making unt exceeding ts at any time.	O No, thi	nis registr	ant is elig	gible for exemption.
SECTION B: CANDIDA	TE COMMITTEES	3					
B1. Office Sought (include District/B N/A	ranch)		B2. Po	litical Party		B3. E	lection Date
Candidate Information		nankara a na marana Bandaran manasaran		6			
N/A		B5, Email			B6. Pho	пe	
B7. Mailing Address		B8. City			В	39. State	B10. Zip
Second Candidate Committee An individual who holds a state or local committee to pursue another state or lo		sh a second candidate	O Yes, th	is is my only	candidate	committ	mmittee in Wisconsin? ee in Wisconsin. ittee in Wisconsin.
B12. Other Office Held or Sought (in	elude District/Branch) On	ly complete B12 if you	responded "N	o" to B11.			



CAMPAIGN FINANCE COMMITTEE/CONDUIT REGISTRATION STATEMENT

STATE OF WISCONSIN

Note: An amended registration statement must be filed within 10 days of any changes in information.

SECTION C: RECALL COM	MITTEES		
21. Name of Official Subject to Recall Sharon L. Galonski	C2. Office of	Official Subject to Recall f Westfield Chair	C3. Support Oppose
SECTION D: PAC. IEC, AND	CONDUITS		
01. Sponsoring Organization	D2. Email	D3.	Phone
4. Mailing Address	DS. City	<u> </u>	D6. State D7. Zip
SECTION E: POLITICAL PA	RTY & LEGISLATIVE CA	MPAIGN COMMITTEE	S
1. Political Party or Legislative Campaig	n Committee	E2. Does the F Fund?	Party or Committee have a Segrega No Yes
segregated Fund Depository Institution In E3. Institution Name N/A	formation (if applicable) E4. Street Address	E5. City	E6. State E7. Zip
SECTION F: REFERENDA (COMMITTEES		
1. Nature of Referendum (if applicable)			F2, O Support
SECTION G: CERTIFICATI	ON		
Accurate Information certify that I am an authorized repress s true, correct, and complete.	entative of the registrant and that to my	knowledge all of the informatio	n contained within this registrati
Fimely Amendments fam aware of the requirement to amen requirement to register within 10 days	od this registration statement within 10 of meeting the requirements to register	days of any change of informati under Chapter 11 of Wisconsin 2	ion contained within, as well as Statutes.
Records Retention I acknowledge the duty to maintain red which this registrant participates. If re manner for the three-year period presc	ords in an organized and legible mann gistering a candidate committee, I ackn ribed in s.11.0201(4).	er for three years from the date owledge the duty to maintain rec	of the most recent election in ords in an organized and legible
Ongoing Compliance This registrant shall continue to maint Statutes.	ain its registration and comply with al	l applicable reporting requireme	ents under Chapter 11 of Wisco
Treasurer/Administrator	11 37-		G3. Date
Terry L.Johnsor	Jerry L. S	ohuson	5/31/24
Candidate (If applicable)	THE CHIEF		G6. Date
G4. Printed Name	G5. Signature		Go. Date

STATE OF WISCONSIN

Name of County

Marguette

Name of Municipality
Town of Westfield

STATEMENT OF INTENT TO CIRCULATE RECALL PETITION THE UNDERSIGNED RECALL PETITIONER, Terry L. Johnson STATES HIS/HER INTENT TO CIRCULATE, PURSUANT TO Wis. Stat. § S.9.10 OF THE WISCONSIN STATUTUES, A PETITION TO RECALL. Sharon L. Galonski, Chairperson of Town of Westfield (Indicate the name of, and office held by, the official being recalled). FOR THE FOLLOWING REASON OR REASONS RELATED TO THE OFFICIAL RESPONSIBILITIES OF THE OFFICIAL SOUGHT TO BE RECALLED: Sharon Galonski was not truthful during her election campaign or while in office Sharon initiated the process of termination of the Town of Westfield Fire Dept, without contacting the the Town Board Sharon ignored all citizen comments regarding termination of the Town Fire Dept. Sharon consistantly acts on behalf of the Town Board without authorization. Sharon exceeded Town budget authority in spending Sharon overspent taxpayer funds in attorney fees for out of county attorney exceeding budgeted amount. Sharon denied certain board members access to Town of Westfield Property (This statement should be appended to the Campaign Registration Statement (ETHCF-1) filed with the filing officer.) Dated this 3 day of May , 2024 Jury L. Johnson (Signature of Pertitioner)

EL-170i | Rev. 2017-07 | Wisconsin Elections Commission, P.O. Box 7984, Madison, WI 53707-7984 | 608-261-2028 | web: elections.wi.gov lemail: elections@wi.gov



(Notary Not Required)

STATE OF WISCONSIN

Name of County

Marquette

Name of Municipality
Town of Westfield

STATEMENT OF INTENT TO CIRCULATE RECALL PETITION

THE UNDERSIGNED RECALL PETITIONER, Terry L. Johnson (Print Name)

STATES HIS/HER INTENT TO CIRCULATE, PURSUANT TO Wis. Stat. § S.9.10

OF THE WISCONSIN STATUTUES, A PETITION TO RECALL,

Sharon Galonski was not truthful during her election campaign or while in office

Sharon L. Galonski, Chairperson of Town of Westfield

(Indicate the name of, and office held by, the official being recalled),

FOR THE FOLLOWING REASON OR REASONS RELATED TO THE OFFICIAL

RESPONSIBILITIES OF THE OFFICIAL SOUGHT TO BE RECALLED:

Sharon ignored all citizen comm	ents regarding termination of the Town Fire Dept.
Sharon consistantly acts on behi	alf of the Town Board without authorization.
Sharon exceeded Town budget a	authority in spending
Sharon overspent taxpayer fund:	s in attorney fees for out of county attorney exceeding budgeted amount.
Sharon denied certain board me	mbers access to Town of Westfield Property

EL-170i | Rev. 2017-07 | Wisconsin Elections Commission, P.O. Box 7984, Madison, WI 53707-7984 | 608-261-2028 | web: elections.wi.gov lemail: elections@wi.gov

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(Notary Not Required)

REC	Ä	T	T	P	\mathbb{R}^{3}	T	П	O	N	•
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O: Brenda Peterson, Clerk of Town of Westfield		. We, the uncersigned quanties elect	Ors of the lowe of treatment (jurisdiction or distric	t of officeholder)
(official with whom nomination) retition for the recall of Sharon L Galonski, Chain	popers or declaration of amdidacy for the office is filed) person of Town of Westfield	from office pursuant to Article XIII, Section	on 12 of the Wisconsin Constitution and §.9.10 of	the Wisconsin Statutes.
		TRATEMENT OF REASON FOR RECALL reason must be related to the official responsibilities of the officeholder	. No statement of reason is required to initiate the recall of	state, congressional,
on behalf of the Town Board without authorization. Sh	gron exceeded Town of Westfield budget authority in spe	f the Town of Wastfield Fire Department without connecting use town be- ending. Sharon overspen! tax payers funds in attorney fees for out of county of ending.	ANTE OF THE MUNICIPALITY OF RESIDENCE MUS	T ALWAYS BE LISTED.
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Manifort Coop	Jennifer Provenzan	N8009 County Rd E	OCKY Westheld	10-11-24
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L CARY J. SCHAEF		I reside at N6360 COUNTY KOAD	(circulating about a state of the second partition	and personally obtained eac
I further certify I am either a qualified elector of V	Visconsin, or a U.S. citizen, age 18 or older who, if I	were a resident of this state, would not be disqualified from voting under by the officeholder named in this petition. I know that each person to the certification is punishable under § 12.13(3)(a), Wis. Stats.	igned the paper with full knowledge of its content on the dat	indicated opposite his or he
the signatures on this paper. I know that the signer name. I know their respective residences given. I	support this recall petition. I am aware that falsify	ng this certification is punishable under § 12.13(3 (a), Wis. Stats.		Page No.
6/22/24		adure of circumstate) the Wilconian Electrons Commission P.O. Box 7914, Madison, WI 53707-7984 60	8-266-8005 (web: http://elections.wi.gov email: elections@wi.gov	

RECALL PETITION We, the undersigned qualified electors of the Town of Westfield

(official with whom nomini- petition for the recall of Sharon L. Galonski,	ation papers or declaration of candidacy for the office is filed)	from office pursuant to Article XIII, Sect	tion 12 of the Wisconsin Constitution and §.9.10 o	of the Wisconsin Statute
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e signatures on this paper. I know that the si ame. I know their respective residences give	igners are electors of the jurisdiction of district represented. I support this recall petition. I am aware that falsifying	g this certification is punishable under § D.13(3)(a), Wis. Stats.		Page No. 2

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RECALL PETITION	RECA	LT	PET	Т	ON
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(name of circulator)		is at 1 17 16 - voting	under Wis Stat & 6.03 I nersonally circulated this recall pe	tition and personally obtained each
I further certify I am either a qualified elector of	Wisconsin, or a U.S. citizen, age 18 or older who, if I	were a resident of this state, would not be disqualified from voting and by the officeholder named in this petition. I know that each person this entities the provide the provided the	on signed the paper with full knowledge of its content on the	date indicated opposite his or her
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Exhibit C, Page 3 of 20

RECALL PETITION

		We, the undersigned qualified ele	ctors of the Township of Westfield	
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Exhibit C, Page 4 of 20

RECALL PETITION	REC	ATT.	PETI	TION
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RECALL PETITION

TO: Brenda Peterson, Clerk of Town of Westfield		. We, the undersigned qualified elec	tors of the Town of Westfield	
(official with whom nominate	on papers or declaration of candidacy for the office is filed)	,	100 C 10	istrict of officeholder)
petition for the recall of Sharon L. Galonski, Ch	nairperson of Town of Westfield	from office pursuant to Article XIII, Section	on 12 of the Wisconsin Constitution and §.9.10	of the Wisconsin Statutes
100	(name of officeholder to be recalled and office).		9	
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legislative, judicial, or county officials.)	in chy, vinage, lown, and school district officials. The	e reason must he related to the official responsibilities of the officeholder	s. No statement of reason is required to initiate the recal	l of state, congressional,
	while in office. Sharon intiated the process of termination of	If the Town of Westfield Fire Department without contacting the town board fire	st. Sharon innored all citizen comment recarding termination of	of the town fire rient. Sharon cons
		ending. Sharon overspent tax payers funds in attorney fees for out of county a		
property and the second				
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SIGNATURES OF ELECTORS	PRINTED NAME OF ELECTORS	STREET & NUMBER OR RURAL ROUTE Rural address must also include box or fire no.	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	DATE OF SIGNING
Sal In	Gail Quinn	N6715 3rd Rd Westfreld	a village westfield	6-7-24
Bornie Din	BULLE QUINK	N6715 3d Rd	a Mage Westfield	6-7-2
3 Chus Kaster	Chris Kaster	N6837 3rd Rd	O CRY Westfield	6-52-54
* David Kaster	David Kasta	N1867 312 RD	O City Westhill	6-26-24
Sarah dimmon	Saran Homman	N6709 3 d Rd	DVHage Westfield	6-30-24
· Alla	Jeff Homman	N6709 3rd Rd.	O Vallege Westfield	6-30-2
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R,			☐ Town ☐ Village ☐ City	
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10.	n 1 1		□ Town □ Village □ City	
. Gail Quinr	certify: I	Certification of Circulator, reside at N6715 374 Rd., West-	field.WI	-
(name of effections) I further certify I am either a qualified elector of W	isconsin, or a U.S. citizen, age 18 or older who, if I wa	ere a resident of this state, would not be disqualified from voting under	(circulator's esidence - include number, street and municipality) Wis. Stat. § 6.03. I personally circulated this recall petition	n and personally obtained each
the signatures on this paper. I know that the signer:	are electors of the jurisdiction or district represented	by the officeholder named in this petition. I know that each person sign	ed the paper with full knowledge of its content on the date	indicated opposite his or her
7-10-24	support mis recall petition. 132 aware that alsitying	certification is punishable under § 12 [3(3)(a), Wis. Stats.		D. W. /
1-10-27	- the			Page No.
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RELATE FRITING	REC	ATT.	PETITION
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	5	RECALL PETITION	Cale Town of Wortfield	
are and James of Manifold		We. the undersigned qualified ele		strict of afficeholder)
O: Brenda Peterson, Clerk of Town of Westfield (official with whom nomina	ation papers or declaration of candidacy for the office is filed)	from office pursuant to Article XIII, Sect	tion 12 of the Wisconsin Constitution and §.9.10 of	of the Wisconsin Statutes.
ctition for the recall of Sharon L Galonski,	Chairperson of Tewn of Westfield (name of officeholder to be recalled and office).			
	(name of officetioner to be recalled that office).	TATEMENT OF REASON FOR RECALL reason must be related to the official responsibilities of the officehold	. No elutement of reason is required to initiate the reculi	I of state, congressional,
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ie reason for recuit must be saided in particular indicial, or county officials.)		the Town of Westlield Fire Department without contacting the town board	first. Sharon ignored all citizen comment regarding termination o	of the town fire dept. Sharon commen
was not truthful during her election campaign of	or while in office. Sharon intiated the process of terrimisation of	I the Town of Westfield Fire Department without confecting the town board	v attorney exceeding budgeted amount. Sharon denied cetrain b	poard members access to town pro-
behalf of the Town Board without authorization	n. Sharon exceeded Town of Westfield budget authority in spo	the Town of Westfield Fire Department without contacting the town board anding. Sharon overspent tax payers funds in attorney fees for out of count	NAME OF THE MUNICIPALITY OF RESIDENCE M	UST ALWAYS BE LISTED.
IS THE PORT OF THE	AILING PURPOSES, WHEN DIFFERENT THAN M	NUNICIPALITY OF RESIDENCE, IS NOT SUFFICIENT. THE STREET & NUMBER OR BURAL ROUTE	MUNICIPALITY OF RESIDENCE	DATE OF
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11- 1 Tag	certify:	I reside at WBILL Eagle Dr. (Circulator's residence - include number, street, and municipality)	and the second s
(vame of chargeon)			der Wis, Stat. § 6.03, I personally circulated this recall petit	tion and personally obtained each
arther certify I am either a qualified elector	inners are electors of the jurisdiction or district represente	were a resident of this state, would not be disqualified from voting up of by the officeholder named in this politics. I know that each person of this certification is numishable under \$12.13(3)(a), Wis. Stats.	signed the paper with this knowledge of its content on the c	TOO W
ic signatures on this paper, I know that the s	en. I support this recall petition. Lamaware that falsifying	g this certification is numberable under \$10.13(3)(a), Wis. Stats.		Page No Z/>
6/27/24	Varian	~ 10		
(010)	tigns (ture of circulator) he Wisconsin Elections Commission P.O. Box 7984, Madison, WI 53707-7984 6	08-266-8005 web: http://elections.yvi.gov email: elections@wi.gov	

REC	AΤ	Ι.	PETITION	

TO: Brenda Peterson, Clerk of Town of Westfield		. We, the undersigned qualified elec-	fors of the town of westiled	
(official with whom nomination	on papers or declaration of candidacy for the office is filed)		(jursdiction or distr	
etition for the recall of Sharon L. Galorski, Ch	airperson of Town of Westfield	from office pursuant to Article XIII, Section	on 12 of the Wisconsin Constitution and §.9.10 of	the Wisconsin Statutes.
	(name of officeholder to be recalled and office).	STATEMENT OF REASON FOR RECALL		
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e signatures on this caper. I know that the signer	rs are electors of the jurisdiction or district represented	by the officeholder named in this petition. I know that each person signs	ed the paper with full knowledge of its content on the date in	dicated opposite his or her
ime. I know their respective residences given. I	support this recall petition I am ware that falsifying	this certification is provishable under \$12.13(3)(a), Wis. Stats.		Page No. 🛕
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(date)	(signatur	e of circulator)		

RECALL PETITION

TO: Brenda Peterson, Clerk of Town of Westfield		We the understand and it.	all a Col Tours on the	
(official with whom nomination	an papers or declaration of candidacy for the office is filed)	. We, the undersigned qualified		istrict of officeholder)
netition for the recall of Sharon L. Galonski, Ch	arperson of Town of Westfield	from office pursuant to Article XIII. S	ection 12 of the Wisconsin Constitution and §.9.10	
	(name of officeholder to be recalled and office).		restrict 12 of the wisconsin Constitution and 9.5.10	of the wisconsin suitules.
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1-7-2024				Page No.
(date)	(Signature	of circulators		

Exhibit C, Page 9 of 20

		RECALL PETITION			
TO: Brenda Peterson, Clerk of Township of West		We, the undersigned qualified electors of the Township of Westfield			
(on papers or declaration of candidacy for the office is filed)	(jurisdiction or district of officeholder)			
petition for the recall of Sharon L Galonski		from office pursuant to Article XIII, Sec	ction 12 of the Wisconsin Constitution and §.9.10	of the Wisconsin Statutes.	
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		STATEMENT OF REASON FOR RECALL			
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Sharon consistently acts on behalf of the Town Board without auth	ionzacon, Sharon exceeded Fown budget authority in spending. Sharon sp	ent \$28,000,00 of tax payers funds in attorney fees for out of county attorney exceeding budge	ated amount, Sharon denied certain board members access to town property.		
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1. Charles Char	anisher misur	Certification of Circulator	of West-Geld, Marquette	A- 1117	
(name of circulator)	Certuy. 1	reside at N5971 2nd Ave, Town	(circulator's residence - include number, street, and municipality)	Cowe	
I further certify I am either a qualified elector of	Wisconsin, or a U.S. cirizen, age 18 or older who, if I w	vere a resident of this state, would not be discualified from voting und	der Wis. Stat. § 6.03. I personally circulated this recall petiti	ion and personally obtained each of	
the signatures on this paper. I know that the signe	ars are electors of the jurisdiction or district represented	by the officeholder named in this petition. I know that each person s	signed the paper with full knowledge of its content on the da	ate indicated opposite his or her	
name. I know their respective residences given.	I support this recall petition. I am aware that falsifying	g this certification is punishable under § 12.13(3)(a), Wis. Stats.		T	
1-1-24	_ Ull Ga			Page No	
(date)		arc of circulator)		, -	
EL-170 (Kev.2019-09) The information on this form is requi	red by Wis. Stats. 99. 6.40 and y to. This form is prescribed by the	e Wisconsin Elections Commission P.O. Box 7984, Madison, WI 53707-7984 608	8-200-8003 web: http://elections.wi.gov email: elections@wi.gov		

TO: Brenda Peterson, Clerk of Town of Westfleki		We, the undersigned qualified elect	ors of the Town of Westfield	e e e e e e e e e e e e e e e e e e e		
(official with whom nomination papers or declaration of candidacy for the office is filed)		(jurisdiction of district of officeronies)				
petition for the recall of Sharon L Galonski, Chairperson of Town of Westfield		from office pursuant to Article XIII, Section 12 of the Wisconsin Constitution and §.9.10 of the Wisconsin Statutes.				
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SIGNATURES OF ELECTORS	PRINTED NAME OF ELECTORS	Rural address must also include box or fire no.	Indicate Town, City, or Village	SIGNING		
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2 James Joseph	1. TERRY SPENCER	N5967-2nd AVE.	OCIV WESTFIELD	7-5-24		
Man de Al sante	Charles Charpenter	N5971 2nd Ave	O'Village Westfield	7-5-24		
1 2/1/21	Edward T Crissip	W8519 EIK AUC	O'Village WESTFICIA	7-5-24		
Sharenthella	Shamo McClain	w8519 ELK Ave	a village Westfield	7-5-24		
6 Marline Cricis	Marlene Crissip	W8519 EIK Ave	or westfield	7/5/24		
7.92	Gres Lewis	W8430 Lake Pt Ct	ovinage westfield	7/5/24		
8. Mul	michelle Louis	W8430 Lake Pt Ct	Oth Westfield	7/5/24		
9 Dan Woodood	GOIZU Weihert	W8448 Lake Pt. Ct	grown westfield	7/5/24		
10 Poul Konach	PAUL KOSZARFK	N 6010 200 AVE.	O'VIRIGE WESTFIEW	7/5/24		
Charles Charpe		Certification of Circulator reside at N5971 2nd Ave Town	of Westfield Marquett	e Co, WI		
(name of circulator)	and the company of th	were a resident of this state, would not be disqualified from voting under by the officeholder named in this petition. I know that each person sign	Wis. Stat. § 6.03. I personally circulated this recall petition ned the paper with full knowledge of its content on the date	and personally obtained each o indicated opposite his or her		
name. I know their respective residences given.	I support this recall petition. I am away that falsifying	this certification is punishable under § 12.13(3)(a), Wis. Stats.	-	Page No. //		
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Exhibit C, Page 11 of 20

TO: Brenda Peterson, Clerk of Town of Westfield		. We, the undersigned qualified electors of the Town of Westfield				
(official with whom nominati	on papers or declaration of candidacy for the office is filed)	(jurisdiction or district of officeholder)				
petition for the recall of Sharon L. Galonski, Ch	(name of officeholder to be recalled and office).	from office pursuant to Article XIII, Secti	on 12 of the Wisconsin Constitution and §.9.10 of t	he Wisconsin Statutes		
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SIGNATURES OF ELECTORS	FRINTED NAME OF ELECTORS	STREET & NUMBER OR RURAL ROUTE. Rural address must also include box or fire no.	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	DATE OF SIGNING		
1. Tyler Nehm	Tyler Nelson	N5907 2nd Ave	Unity Westfield.	7-5-24		
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36 Danleen	Alken Jankeir	W 8407 Ember Auc	Uestfield Day	7-5-24		
4 Mh	MATT NITKA	W8205 EMBERAVE	Ovilage WESTFIELD	7-5-2		
5. Ausk // Llage	Austin Nelson	W8171 Ember Ave	Vestfield	7-5-25		
Donie Alelson	DENNIS NELSON	w8171 Embel Ave	Octor Westfield	7-5-2		
"Fredone tocan	Evelina Toscani	N5971 2nd Ave	Westfield Westfield	7.5.21		
Farm	Boren Gaylord	NGZII Cede Cox lone	Oxford UZSKald	7-5-24		
3 Su R	Shania Bowers	NSSZI CHY Pd A	or Westfield	7-6-24		
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name. I know their respective residences given.	I support this recall petition. I am aware that falsifying	g this certification is punishable under § 12.23(3)(a), Wis Stats.		Page No. 12		

REC	ATI	PETITION

		of the Town of Westfield Fire Department water Commission of the Lorentz tending. Sharon overspent tax payers funds in afternay fees for out of commission of the Commission o	erd first. Sharon ignored all cilizen comment regarding termination ounly attorney exceeding budgeted amount. Sharon denied celrain HE NANIE OF THE MUNICIPALITY OF RESIDENCE. N	
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TO: Brenda Peterson, Clerk of Township of Westf	ield	We, the undersigned qualified ele				
(official with whom nomination papers or declaration of candidacy for the office is filed)						
petition for the recall of Sharon L. Galonski,	Chairperson of Township of Westfield	from office pursuant to Article XIII, Section 12 of the Wisconsin Constitution and §.9.10 of the Wisconsin Statutes.				
	(name of officeholder to be recalled and office),	TATEMENT OF REASON FOR RECALL	18			
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and the indicial on county officials		4				
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Sharon consistently acts on behalf of the Town Board without author	orization, Sharon exceeded Town budget authority in spending, Sharon spe	nt \$28,000.00 of tax payers funds in altomey fees for out of county altomey exceeding budgete	amount. Sharon denied certain board members access to town properly			
THE MUNICIPALITY USED FOR MAI	LING PURPOSES, WHEN DIFFERENT THAN M	UNICIPALITY OF RESIDENCE, IS NOT SUFFICIENT. THE	NAME OF THE MUNICIPALITY OF RESIDENC	E MUST ALWAYS BE LISTED.		
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alle	Lose Consales	W6381 Cty RIM	O'Village Westfield	6-22-29		
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4 MM / Shewel	Michael 5 Seymons	106239 County rough Il	Orlinge Westfreld	6-22-24		
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Jim Marotz	, certify: (reside at N6405 County J	N. Taylorden			
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name. I know their respective residences given.	I support this recall petition. I am aware that falsifying	this certification is punishable under § 12.13(3)(a), Wis. Stats.		Page No. 14		

Brenda Peterson, Clerk of Town of Westreld (official with whom nominati	ion papers or declaration of candidacy for the office is filed)		•	district of officeholder)
tion for the recall of Sharon L. Galonski, Cl	hairperson of Town of Westfield	from office pursuant to Article XIII, Sect	ion 12 of the Wisconsin Constitution and §.9.10	of the Wisconsin Statute
	(name of officeholder to be recalled and office).	STATEMENT OF REASON FOR RECALL		
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Lhn Scott	Timothy Scott	W6595 Ember Dr.	Ovilago Westfield	06/21/24
Charles Scott of	Charlescottir	W6595 Embel Dr.	Ovinge Westfield	6/21/21
SusanSoil	Susan Scott	W6595 Ember Dn	Ocky Westfield	6/21/2
Ofarle & Sutton.	Charles L. Scott sr.	14 45 95 Ember Or	ovilage West Field	6/71/24
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(name of orcalator) ther certify I am either a qualified elector of \	Wisconsin, or a U.S. citizen, age 18 prolder who, if I v	were a resident of this state, would not be disqualified from voting und	er Wis, Stat. § 6.03. I personally circulated this recall peti-	tion and personally obtained eac
ignatures on this paper. I know that the signer	rs are electors of the jurisdiction or district represented	by the officeholder named gettins pointion. Sknow that each person si	gned the paper with full knowledge of its content on the d	late indicated opposite his or he
A-1.	I support this recall petition and aware out falsifying	this certification is punishable under 12.13(3)(a), Wis. Stats.		Page No. 15
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TO: Brenda Peterson, Clerk of Town of Westfield		We, the undersigned qualified elec	otors of the Town of Workfold	
(official with whom noming	ation papers or declaration of candidacy for the office is filed)	we, me undersigned quantied elec		district of officeholder)
petition for the recall of Sharon L Galonski,	Chairperson of Town of Westfield	from office pursuant to Article XIII. Section	on 12 of the Wisconsin Constitution and §.9.1	
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Lacey Baum	anncertify: I r	eside at N5460 5th Rd Wes	official WI 53964	
further certify I am either a qualified elector of V	Visconsin, or a U.S. citizen, age 18 or older who, if I we	re a resident of this state, would not be disqualified from voting under V	(circulator's residence - include number, street, and municipality) Wis Stat 6.6.03 I personally circulated this separal position	
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07/08/2024	support this recall petition. If am aware that falsifying t	y the contention is punishable under § 12.13(3)(a), Wis. Stats.		
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\ /	V (signature	of circulator)		

(official with whom nominate	ion papers or declaration of candidacy for the office is filed)	we, the undersigned quanties of	(jurisdiction or	district of officeholder)
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SIGNATURES OF ELECTORS	PRINTED NAME OF ELECTORS	STREET & NUMBER OR RURAL ROUTE Rural address must also include box or fire no.	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	DATE OF SIGNING
Ludsay Bouren	Lindsay Baumann	N5375 5th Rd	Ovillage Westfield	6/12/24
Dann Stower	Dawn Slower	N5331 County Pd A	O'Mage Westfield	6/12/24
Alen Hones	AIAN Stower	N5331 Count RDA	ovinge west-field	6/12/24
Katty Schnell	Kitty Schnell	N5313 5th Rd	Value Westfield	6/12/24
Lou Bannon	Lori Baumann	N5313 5th Rd	Using Westfield	6/12/24
- Sol	Dustin Schwell	W7040 EMBER DR	O'Village Westfield	6/12/24
Jacky Benner	Jackie Benner	W6996 Ember Dr.	Valege Westfield	6/12/24
a They	Devon Jungen beca	W6996 Ember Dr.	City Westfield	6112124
Frak Tains	Frank Traina	NS67 countyklA	orly Westfield	06/12/200
· hacet Baymon	Lacey Baumann	N5460 541Rd	a valego Westfield	07/08/2024
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RECA	LI.	PETIT	TON

7	÷	We, the undersigned qu	alified electors of the	Town of Westfield	
O: Brenda Peterson, Clerk of Town of Westfield	C. L. C. W. W. L. Couche (Rev. in Class)			(fransocion or or	strict of officeholder)
(official with whom nomination	n papers or declaration of candidacy for the office is filed)	from office pursuant to Article	XIII. Section 12 of th	e Wisconsin Constitution and §.9.10	of the Wisconsin Statutes.
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				or with full knowledge of its content on the d	ate indicated opposite his of her
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7-8-24	James W	1 Johnson			Page No. 18
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1-170 (Rev.2010-69) The information on this form is requi	ired by Wis Stats. §§. 8.40 and 9.10. This form is prescribed by the	Wiredman Elections Commission P.O. Box 7984, Madison, WI 53	107-7:484 608-260-8000 Web:	MILESTRATIONS OF SECTIONS OF CHICAGO,	
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SIGNATURES OF ELECTORS	PRINTED NAME (DF ELECTORS	Rural address must also include box or fire no.	Indicate Town, City, or Village	SIGNING
Tortenaio	Dominico (censo	NOY BO CountyRO.M	O'Village WESTFIAD, WI	6/10/202
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Jalok &	Carol G	olisch	N6391 Y H Ave	a village West field	7/3/24
Roch Vande Vall	4 Koth Val	Dan Velde	NEMIO Cty A	ON WESTFIELD	7/3/24
Christin Vander Veld	2 CHRISTINE	VANDER	NGAIO CTYRDA	O Village OXFORD WESTARS	7-3-24
RICHARD F	MURRAY	VKLDE 			
(name of circulator) Further certify I am either a qualified elector of V	rs are electors of the jurisdiction	on or district represented	ere a resident of this state, would not be disqualified from voting under by the officeholder named in this petition. I know that each person sign	(circulator's residence - include number, street, and municipality) Wis Stat. § 6.03. I personally circulated this recall petition a ned the paper with full knowledge of its content on the date it	and personally obtained each of a children of the children of
me I know their respective residences given I	support this recall petition. I	an aware that falsifying	this certification is punishable under § 12.13(3)(a), Wis. Stats.		Page No. 19
-170 (Rev 2019-09) The information on this form is require	ed by Wis Stats. §§. 8.40 and 9.10.	(signatur This form is prescribed by the	e of circulator) Wisconsin Elections Commission P.O. Box 7984, Madison, WI 53707-7984 608-26	56-8005 web: http://elections.wi.gov. email: elections@wi.gov	N

	-40-14	RECALL PETITION		
TO: Brenda Peterson, Clerk of Township of We	single ation papers or declaration of candidacy for the office is filed		d electors of the Township of Westfield	
			(jurisdiction or	district of officeholder)
petition for the recall of Sharon L. Galons	(name of officeholder to be recalled and office).	from office pursuant to Article XIII,	Section 12 of the Wisconsin Constitution and §.9.1	0 of the Wisconsin Statute
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		id Fire Dept. without contacting the town board first. Sharon ignored all citizen comment regar		
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3 -2 (1) 10	0	14- 0	DYNAGO - WIESTFIELD	11.11
6-1.10	GARY SCHAEFFER	N6360 COUNTY Rd A	Q City	7/6/24
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RICHARDF MU	certify	I reside at N 4999 CIX Man	W Sugar	4 25
further certify I am either a qualified elector of	Wisconsin, or a U.S. citizen, age 18 or older who, if I	were a resident of this state, would not be disqualified from voting to	(circulator's residence - include number, street, and municipality)	
			muct wis. Stat. § 0.05. I personally circulated this recall petition signed the paper with full knowledge of its content on the de-	on and personally obtained each
lame. I know their respective residences given.	I support this recall petition. I am aware that falsifyi	ng this certification is punishable under § 12.13(3)(a), Wis. Stats.	No Language seen manufaction of the fig.	o maneated opposite his or ner
7-8-29	1 ichiard	muncy		Page No. 20
(daso)	(right	stera of circulator)		

Exhibit C, Page 20 of 20

From: clerk@townofwestfieldwi.com

Sent: Thursday, July 25, 2024 9:26 PM

To: Douglas Poland

Cc: chairperson@townofwestfieldwi.com; Eric Larson; Kiley Lloyd

Subject: [External] - RE: Town of Westfield - Recall Petition against Town Board Chairperson

Sharon Galonski

Attachments: We sent you safe versions of your files

Mimecast Attachment Protection was unable to create safe copies of your attachments.

Hello All

I am attaching the signature pages for the recall petition. I sent the actual recall petition in a previous email. I do question the statement I have highlighted below. Sharon was aware of the recall petition every step of the way since May. I believe I am fulfilling my duties going through this process. I out of consideration have kept Sharon informed step by step and Sharon was aware on July 15th that i was handed the signature pages.

Thank you Brenda Petersen

----Original Message----

From: "Douglas Poland" <dpoland@staffordlaw.com>

Sent: Thursday, July 25, 2024 12:56pm

To: "clerk@townofwestfieldwi.com" <clerk@townofwestfieldwi.com>

Cc: "Sharon Galonski" <sharonlgalonski1957@gmail.com>

Subject: Town of Westfield - Recall Petition against Town Board Chairperson Sharon Galonski

Good afternoon, Town Clerk Petersen. Thank you for speaking with me by phone this morning. I know that your role as Town Clerk is a part-time position, and I appreciate you taking the time to return my call. As I mentioned to you when we spoke earlier today, I have been retained to represent incumbent Town of Westfield Board Chairperson Sharon Galonski with respect to a recall petition that Chairperson Golonski understands has been filed against her. Please note that I have cc'd Chairperson Galonski on this email.

Town Chairperson Galonski learned of this recall petition for the first time yesterday when you informed her that she has until today (July 25) to file a challenge to the recall petition. I understand from our conversation today that the Marquette County Clerk informed you that the ten-day deadline to file a challenge to the recall petition is today, July 25, because by statute (Wis. Stat. § 9.10(4)(a), the ten days runs from the date on which the recall petition is filed with the Town Clerk, which I assume means that the recall petition was filed with you on July 15.

Chairperson Galonski has not received a copy of the recall petition filed (presumably) on July 15. She has requested a copy of the Statement of Intent to Circulate Recall Petition and a copy of every Recall Petition submitted, but she has not yet received copies of the Statement of Intent, Recall Petition(s), or any documents relating to a recall petition filed against her in the month of July. She has a copy of a one-page Statement of Intent to Circulate Recall Petition dated May 2, 2024, and the first page of a Campaign Finance Committee/Conduit Registration Statement (CF-1) that is undated. But Chairperson Galonski is unable to evaluate any current recall petition because she has not yet been furnished with a copy.

As you and I discussed by phone, you intend to scan the recall petition tonight and provide a copy of the scanned recall petition (I note that each page that contains signatures states "Recall Petition" at the top) to Chairperson Galonski. Chairperson Galonski further requests that you scan and provide to her copies of any other documents that relate to the recall petition, including but not limited to any Statement of Intent to Circulate Recall Petition filed after May 2, 2024, and a full copy of any Campaign Finance Committee/Conduit Registration Statement filed by the Petitioner. Please confirm that Chairperson Galonski will have ten days from the date on which you provide her with a copy of the recall petition to file a challenge under Wis. Stat. § 9.10(4)(1), and that the five-day time period for the Petitioner to file a rebuttal, if any, and the

ensuing two-day time period for Chairperson Galonski to file a reply, if any, would run from the date on which Chairperson Galonski files a challenge, if any.

Thank you again for taking the time to speak with me today. I appreciate your assistance with this matter. Best regards,

Doug Poland

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Douglas M. Poland [(he, him, his)

dpoland@staffordlaw.com] 608.259.2663 (direct) | 608.219.2555 (cell)

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P.O. Box 1784 | Madison, Wisconsin 53701-1784

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From:

clerk@townofwestfieldwi.com

Sent:

Tuesday, July 30, 2024 5:46 PM

To:

Douglas Poland

Cc:

chairperson@townofwestfieldwi.com; Eric Larson; Kiley Lloyd

Subject:

[External] - RE: Town of Westfield - Recall Petition against Town Board Chairperson

Sharon Galonski

Attachments:

Poland Itr 7.30.24.docx

Good Afternoon-

Please find attached my response to your email. If you have any questions or concerns please to not hesitate to contact me.

Thank you Brenda

Brenda Petersen
Town of Westfield, Clerk
608-450-0189
clerk@townofwestfieldwi.com

This message contains information that may be confidential or privileged and is intended only for the individual named above. It is prohibited for anyone to disclose, copy, distribute or use the contents of this message without permission, except as allowed by the Wisconsin Public Records Laws. If this message is sent to a quorum of a governmental body, my intent is the same as though it were sent by regular mail and further distribution is prohibited. All personal messages express views solely for the sender, which are not attributed to the municipality I represent, and may not be copied or distributed without this disclaimer. If you receive this message in error, please notify me immediately.

----Original Message----

From: "Douglas Poland" < dpoland@staffordlaw.com>

Sent: Friday, July 26, 2024 12:54pm

To: "clerk@townofwestfieldwi.com" <clerk@townofwestfieldwi.com>

Cc: "chairperson@townofwestfieldwi.com" <chairperson@townofwestfieldwi.com>, "Eric Larson" <elarson@ammr.net>,

"Kiley Lloyd" <klloyd@co.marquette.wi.us>

Subject: RE: Town of Westfield - Recall Petition against Town Board Chairperson Sharon Galonski

Clerk Petersen, thank you for your emails yesterday evening, and thank you for providing the recall petition filed with respect to Chairperson Galonski. I acknowledge receipt on behalf of Town Chairperson Galonski as of the time of your emails. Please confirm that Chairperson Galonski will have 10 days from the date on which you provided the recall petition to her—Thursday, July 25—within which to file a challenge pursuant to Wis. Stat. § 9.10. Ten days from July 25 would be Sunday, August 4. In the meantime, please do not hesitate to contact me if you have any questions or issues to raise. If the Town is now represented by legal counsel, please let me know, as the ethical rules do not allow me to communicate directly with a party I know to be represented by counsel. I am sending you this email because I have not been informed that the Town is, in fact, represented by counsel, so if it does retain counsel, I need to know that. Thank you again, and best regards,

Doug Poland

STAFFORD ROSENBAUM LLP Douglas M. Poland | (he, him, his)

dpoland@staffordlaw.com| 608.259.2663 (direct) | 608.219.2555 (cell)

222 West Washington Avenue, Suite 900

P.O. Box 1784 | Madison, Wisconsin 53701-1784

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From: clerk@townofwestfieldwi.com <clerk@townofwestfieldwi.com>

Sent: Thursday, July 25, 2024 9:26 PM

To: Douglas Poland <dpoland@staffordlaw.com>

Cc: chairperson@townofwestfieldwi.com; Eric Larson <elarson@ammr.net>; Kiley Lloyd <klloyd@co.marquette.wi.us>

Subject: RE: Town of Westfield - Recall Petition against Town Board Chairperson Sharon Galonski

Your attachments have been security checked by Mimecast Attachment Protection. Files where no threat or malware was detected are attached.

Hello All

I am attaching the signature pages for the recall petition. I sent the actual recall petition in a previous email. I do question the statement I have highlighted below. Sharon was aware of the recall petition every step of the way since May. I believe I am fulfilling my duties going through this process. I out of consideration have kept Sharon informed step by step and Sharon was aware on July 15th that i was handed the signature pages.

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Sent: Thursday, July 25, 2024 12:56pm

To: "clerk@townofwestfieldwi.com" < clerk@townofwestfieldwi.com>

Cc: "Sharon Galonski" < sharonlgalonski1957@gmail.com>

Subject: Town of Westfield - Recall Petition against Town Board Chairperson Sharon Galonski

Good afternoon, Town Clerk Petersen. Thank you for speaking with me by phone this morning. I know that your role as Town Clerk is a part-time position, and I appreciate you taking the time to return my call. As I mentioned to you when we spoke earlier today, I have been retained to represent incumbent Town of Westfield Board Chairperson Sharon Galonski with respect to a recall petition that Chairperson Golonski understands has been filed against her. Please note that I have cc'd Chairperson Galonski on this email.

Town Chairperson Galonski learned of this recall petition for the first time yesterday when you informed her that she has until today (July 25) to file a challenge to the recall petition. I understand from our conversation today that the Marquette County Clerk informed you that the ten-day deadline to file a challenge to the recall petition is today, July 25, because by statute (Wis. Stat. § 9.10(4)(a), the ten days runs from the date on which the recall petition is filed with the Town Clerk, which I assume means that the recall petition was filed with you on July 15.

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Chairperson Galonski is unable to evaluate any current recall petition because she has not yet been furnished with a copy.

As you and I discussed by phone, you intend to scan the recall petition tonight and provide a copy of the scanned recall petition (I note that each page that contains signatures states "Recall Petition" at the top) to Chairperson Galonski. Chairperson Galonski further requests that you scan and provide to her copies of any other documents that relate to the recall petition, including but not limited to any Statement of Intent to Circulate Recall Petition filed <u>after May 2, 2024</u>, and a full copy of any Campaign Finance Committee/Conduit Registration Statement filed by the Petitioner. Please confirm that Chairperson Galonski will have ten days from the date on which you provide her with a copy of the recall petition to file a challenge under Wis. Stat. § 9.10(4)(1), and that the five-day time period for the Petitioner to file a rebuttal, if any, and the ensuing two-day time period for Chairperson Galonski to file a reply, if any, would run from the date on which Chairperson Galonski files a challenge, if any.

Thank you again for taking the time to speak with me today. I appreciate your assistance with this matter. Best regards,

Doug Poland

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July 30, 2024

Attorney Douglas M. Poland Stafford Rosenbaum LLP 222 West Washington Avenue, Suite 900 Madison, Wisconsin 53701-1784

Re: Recall Petition Against Town Board Chair

Dear Attorney Poland:

I received your email messages regarding the above-noted matter. You asked me to provide additional time for you to raise a challenge to the petition. I am writing you today to inform you that I will make my decision on the validity of the petition pursuant to applicable laws. I received the recall petition on July 15, 2024, and have 31-days to issue my final determination of sufficiency or insufficiency. I am neither granting nor denying your request for additional time, but I am reserving the right to consider whatever information you may provide on or before August 5, 2024. If you do so, I reserve the right to allow the petitioner to respond, and if time allows, for you to reply.

If you should have any questions or concerns regarding this matter, please do not hesitate to contact me.

Very truly yours,

TOWN OF WESTFIELD

Firenda Fearun

Brenda Petersen

EJL/BTC/em

Cc: Eric Larson, Town Attorney

Sharon Galonski, Town Chair



Douglas M. Poland

222 West Washington Avenue, Suite 900 P.O. Box 1784 Madison, WI 53701-1784 DPoland@staffordlaw.com 608 259 2663

August 2, 2024

BY HAND DELIVERY

Ms. Brenda Petersen, Clerk Town of Westfield W7703 Ember Ave P.O. Box 157 Westfield, Wisconsin 53964

Re: Verified Challenge of Town Chairperson Sharon L. Galonski to Recall Petition Filed July 15, 2024

We represent Town Chairperson Sharon L. Galonski with respect to the recall petition filed with your office on July 15, 2024. We are in receipt of the petition and the related recall committee registration statement, which was filed on May 31, 2024. Chairperson Galonski received a copy of the recall petition on July 26, 2024, and by your letter of July 30, 2024, we understand that you may consider information that we provide on or before August 5, 2024, allow the petitioner to respond, and allow us to reply. Having now reviewed the recall petition and related documents, we write on behalf of Chairperson Galonski to describe why the effort to initiate a recall election is deficient for multiple reasons.

First, the registration statement contains a materially false representation that entirely invalidates the petition. Wisconsin's Ethics Code provides that committee registration statements that are "insufficient as to essential form, information or attestation shall be rejected" and are "not effective." Wis. Admin. Code ETH § 6.02(1) (emphasis added). Page two of the registration statement makes clear that the recall committee, registered with the name "Terry L. Johnson," was created to oppose a recall effort launched against Chairperson Galonski. The registration statement form, Form CF-1, contains a "Section C: Recall Committees." The registration statement submitted by Terry L. Johnson identifies "Sharon L. Galonski" as the "Name of the Official Subject to Recall" in box C1; identifies the disputed office as "Town of Westfield Chair" in box C2; and in box C3, checks the option that Terry L. Johnson "Oppose" (rather than the other available option, "Support") the recall of Town Chairperson Galonski. Yet the same Terry L. Johnson Recall Committee then circulated for signature and obtained signatures on a petition seeking to initiate a recall of Town Chairperson Galonski. Because the Terry L. Johnson Recall Committee registered to "Oppose" a recall of Town Chairperson Galonski, yet circulated a recall petition to

Madison Office

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Milwaukee Office

1200 North Mayfair Road Suite 430 Milwaukee, Wisconsin 53226 3282 414.982.2850 888.655.4752 Fax 414.982.2889 www.staffordlaw.com support the recall of Town Chairperson Galonski, the registration statement was falsely certified, rendering the committee registration itself invalid.

State law prohibits the circulation of a recall petition before registration of a recall committee is completed. Wis. Stat. § 9.10(2)(d). Here, a committee to support a recall effort was not properly registered before the recall petition was circulated for signature, signatures were obtained, and the recall petition was filed. It follows that the recall petition is invalid and must be rejected.

Second, due to deficiencies in the certifications of the circulator, combined with deficiencies in individual signatures, the petition fails to supply the statutorily required number of elector signatures. A recall petition must "be signed by electors equal to at least 25 percent of the vote cast for the office of governor at the last election within the same district or territory as that of the officeholder being recalled." Wis. Stat. § 9.10(1)(b). It is our understanding that the signatures (and correct address information) of one hundred ten (110) eligible Town of Westfield electors must appear on the recall petition for the recall election of Chairperson Galonski to proceed. For the reasons explained below, 100 of the 151 elector signatures on the recall petition fail to comply with the statutory requirements and, therefore, may not be counted. Consequently, the number of valid individual signatures on the petition—51—is well below the 110-signature threshold necessary for the recall election to proceed. The recall petition must be rejected.

A. Certifications of circulator. Only qualified electors of the Town of Westfield may serve as circulators of the recall petition. See Wis. Stat. §§ 9.10(1)(a), (2)(em)2. One of the requirements to be a qualified elector is that a circulator must have been a resident of the Town of Westfield for at least 28 consecutive days before the next election. Wis. Stat. § 6.02. Accordingly, "[n]o signature may be counted when the residency of the circulator cannot be determined by the information given on the [recall petition]." Wis. Admin. Code EL § 2.05(14); Wis. Admin. Code EL § 2.11 (providing that the standards for challenges to nomination papers apply equally to recall petitions); see also Wis. Stat. § 8.40(3). To that end, the instructions in parentheses under the "I reside at" line of the Certification of Circulator on the recall petition state that the circulator should provide their municipality of residence, not their mailing address.

Additionally, a valid certification requires that the circulator—not another individual—state "his or her residence . . . at the bottom of each separate sheet of each petition." Wis. Stat. § 8.40(2).

The following certifications of circulators of the recall petitions at issue are deficient either because (a) the residency of the circulator cannot be determined by the information provided or (b) the circulator did not *themselves* complete the certification:

- 1. On pages 1 and 2, in response to the requirement that he provide his "residence," including "number, street, and municipality," circulator Gary J. Schaeffer certifies that he resides at the following address: N6360 County Rd. A, Oxford, WI, 53952. By contrast, on page 20, line 3, Gary Schaeffer certifies the Town of Westfield as his municipality of residence. Mr. Schaeffer cannot reside in both the municipality of Oxford and the municipality of Westfield. Given this inconsistency, the lawful municipality of residence of circulator Schaeffer for voting eligibility purposes cannot be determined by the address he provided on the recall petition, and consequently, the signatures on both pages must be stricken as having been obtained by the circulator's false certification of his residence. Combined, pages 1 and 2 contain twenty (20) signatures that may not be counted toward the minimum number of signatures necessary to certify the recall.
- 2. On page 3, circulator Gary J. Schaeffer certifies that he resides at the following address: N6363 County Rd. A, Oxford, WI, 53952. Because this is a non-existent address, the residency of the circulator cannot be determined. Page 3 contains ten (10) signatures that may not be counted toward the minimum number of signatures necessary to certify the recall.
- 3. On pages 7 and 8, circulator Virginia Dagel certifies that she resides at the following address: W8111 Eagle Dr., Oxford, WI. Individuals with Oxford addresses may or may not be residents of the Town of Westfield for voting purposes. The residency of circulator Dagel therefore cannot be determined by the address she provides on the recall petition, and the signatures of electors that appear on pages 7 and 8 cannot be counted toward the minimum number of signatures necessary to certify the recall. Page 7 contains eight (8) signatures, and page 8 contains ten (10); combined, pages 7 and 8 contain eighteen (18) signatures that must be stricken.
- 4. On page 13, circulator Gary J. Schaeffer certifies that he resides at the following address: N6360 County Rd. A, Oxford, WI, 53952. Additionally, on page 20, line 3, as shown above, Gary Schaeffer certifies the Town of Westfield as his municipality of residence. Given this inconsistency, the residency of circulator Schaeffer cannot be determined by the address listed on the recall petition. Page 13 contains two (2) signatures, neither of which may be counted toward the minimum number of signatures necessary to certify the recall.
- 5. On page 14, circulator Tim Marotz certifies that he resides at the following address: N6405 County J. Mr. Marotz fails to provide his municipality of residence, a required element of the circulator residence. Based on this incomplete address, it is not possible to determine the residency of circulator Marotz, and the elector signatures that

appear on page 14 must be stricken and cannot be counted toward the minimum number of signatures required to certify the recall. Page 14 contains nine (9) signatures.

- 6. On page 18, circulator James M. Johnson did not *himself* complete the certification as required by Wis. Stat. § 8.40—he only signed the certification, which quite clearly was completed by another person. A comparison of the handwriting of James Johnson, on line 1 of page 18, with the handwriting in the certification clearly reveals that another person completed the certification. Moreover, the handwriting in the certification is a close match to that of Terry L. Johnson on line 5 of page 18. The signatures on Page 18 must be stricken and cannot be counted toward the minimum number of signatures required to certify the recall. Page 18 contains seven (7) signatures.
- 7. On page 19, circulator Richard F. Murray certifies that he resides at the following address: N6498 Cty Rd M. Mr. Murray fails to provide his municipality of residence as required. Based on this incomplete address, it is not possible to determine the residency of circulator Murray. Page 19 contains nine (9) signatures, all of which must be stricken and cannot be counted toward the minimum number of required signatures.

As explained above, if a certification of circulator is defective, no signature on that page may be counted. The improper, false, incomplete, or otherwise deficient certifications of circulators identified above appear on recall petitions that include seventy-five (75) signatures of electors. Those signatures may not be counted.

- **B. Individual Signatures.** In addition to the 75 individual signatures that may not be counted for the reasons identified above, the signatures of another 25 electors on the recall petitions contain a variety of defects and cannot be counted. See Wis. Stat. § 9.10 (2)(e); Wis. Admin. Code EL § 2.05; Wis. Stat. § 8.40. The ground for each challenge is explained below.
- 1. Page 1, line 3. The printed last name of the elector is illegible. It is impossible to determine if the person is an elector of the Town of Westfield. See Wis. Stat. §§ 8.40(1), (2).
- 2. Page 1, line 6. A comparison of the signature and printed name with the address, municipality, and date reveals that another person completed the petition on behalf of Ricki Ritt. Ricki Ritt is a disabled elector who, to the best of Ms. Galonski's knowledge, did not specifically authorize the signing on his behalf. See Wis. Admin. Code EL § 2.05(8).
- 3. Page 1, lines 8-9. A comparison of the handwriting used to supply the municipality of residence and date on both of these entries reveals that the same person completed the petition on behalf of both Thomas Ems and Dominique Ems. Another person may not complete a petition for a signatory. Wis. Admin. Code EL § 2.05(9).

- 4. Page 2, line 5. From the information available to Ms. Galonski, despite his use of a Town of Westfield mailing address, Leslie Ross resides in the Town of Newton for voting purposes and is not an eligible voter in the Town of Westfield. See Wis. Stat. § 9.10(e)(5); Wis. Stat. §§ 6.02, 6.10.
- 5. Page 2, lines 9 and 10 (only one individual signature challenged). Other than the signature, the handwriting is identical on both lines. A person may not sign a petition for his or her spouse. Wis. Admin. Code EL § 2.05(9).
- 6. Page 3, lines 3 and 4 (only one individual signature challenged). Other than the signature, the handwriting is identical on both lines. A person may not sign a petition for his or her spouse. Wis. Admin. Code EL § 2.05(9).
- 7. Page 3, line 10. Jacob Wilson identifies the Town of Oxford as his municipality of residence. The signature of a resident of Oxford for voting purposes may not be counted in the recall of an elective official from the Town of Westfield. Wis. Stat. § 9.10(e)(5).
- 8. Page 4, line 6. From the information available to Ms. Galonski, despite her use of a Westfield mailing address, Shanna Weir resides in the Town of Harris for voting purposes and is not an eligible voter in the Town of Westfield. See Wis. Stat. § 9.10(e)(5); Wis. Stat. § 6.02, 6.10.
- 9. Page 7, line 4. This ineligible signature makes it impossible to determine whether Tom Schwarz signed the recall petition. See Wis. Stat. §§ 8.40(1), (2).
- 10. Page 11, lines 4 and 6. From the information available to Ms. Galonski, as of April 2023, Edward and Marlene Crissip no longer live at the stated Town of Westfield address, and are not eligible to vote in the Town of Westfield. A signature may not be counted if the individual is not a resident of the Town of Westfield for voting purposes. Wis. Stat. § 9.10(e)(5); Wis. Stat. §§ 6.02, 6.10.
- 11. Page 11, lines 7 and 8. From the information available to Ms. Galonski, Greg and Michelle Lewis are not eligible voters in the Town of Westfield. See Wis. Stat. § 8.40(1).
- 12. Page 12, line 2. From the information available to Ms. Galonski, Logan Mills is not an eligible voter in the Town of Westfield. See Wis. Stat. § 8.40(1).
- 13. Page 12, line 3. The printed last name of the elector is illegible. It is impossible to determine if the person is an eligible elector of the Town of Westfield. See Wis. Stat. §§ 8.40(1), (2).

- 14. Page 12, lines 9 and 10. From the information available to Ms. Galonski, despite their use of a Town of Westfield address, Shania Bowers and Lane Grude are not eligible voters in the Town of Westfield. See Wis. Stat. § 8.40(1).
- 15. Page 13, line 2. To Ms. Galonski's knowledge, Ruth Mui cannot read and write and does not have the competency to understand and sign a recall petition. *See* Wis. Admin. Code EL § 2.05(15)(e); Wis. Stat. § 6.03(1)(a).
- 16. Page 14, line 2. From the information available to Ms. Galonski, despite his use of a Town of Westfield address, Jose Gonzalez is not a resident of the Town of Westfield for voting purposes. See Wis. Stat. § 8.40(1). In addition, from a comparison of the handwritten dates on lines 2 and 3, the handwriting is identical on both lines. It appears that the same person completed the petition for signatories on both lines 2 and 3. A person may not complete a petition for another signatory. Wis. Admin. Code EL § 2.05(9).
- 17. Page 14, line 9. From the information available to Ms. Galonski, despite his use of a Town of Westfield address, Richard Wilderman does not appear to be an eligible elector in the Town of Westfield. See Wis. Stat. § 8.40(1).
- 18. Page 15, line 5. The printed name and address are illegible. It is impossible to determine if the person is an elector of the Town of Westfield. See Wis. Stat. §§ 8.40(1), (2).
- 19. Page 16, line 2. This ineligible signature makes it impossible to determine whether Lucas Nelson signed the recall petition. See Wis. Stat. §§ 8.40(1), (2).
- 20. Page 19, lines 9 and 10. Someone crossed out the municipality of Oxford and replaced it with Westfield. Neither Keith nor Christine Vandervelde initialed the change (see, for example, page 12, line 8, for a properly initialed change). Moreover, the handwriting appears different than that of either Keith or Christine Vandervelde. The signer must be the one to state his or her municipality, not the circulator. See Wis. Stat. §§ 8.40(1).
- 21. Page 20, lines 1 and 2. The name "David Schaefer" with the same address appears twice, in both lines 1 and 2. Either the same person signed twice, or there are two separate electors named "David Schaefer" living at the same address who have not supplied their full names to distinguish one from the other. Either way, at least one, if not both, signatures should not be counted because the information provided does not establish that both are eligible voters in the Town of Westfield. See Wis. Stat. § 8.40(1).

In sum, at least twenty-five (25) individual signatures are insufficient under the statutory requirements and may not be counted.

Together, the challenged certifications of circulator (75 signatures in all) and the challenged individual signatures (25) are enough to bring the petition, which contains one hundred fifty-one (151) signatures, well below the twenty-five percent (25%) threshold of one hundred ten (110) signatures. When the 100 invalid signatures are subtracted from the total number of signatures (151), the remaining number of valid signatures (51) is far less than necessary to certify a recall election.

Finally, Chairperson Galonski has been directly informed by eligible electors in the Town of Westfield of irregularities in the signature collection process for the recall that require further investigation by the Town Clerk and the Town's outside counsel. For example, Chairperson Galonski was told by an elector that they were provided with false information when being solicited to sign the recall petition, to wit: that there is no currently serving Town Chairperson and that the recall election is necessary to elect a new Town Chairperson. Chairperson Galonski also was told by an elector that they were approached by someone other than a circulator of a recall petition and asked to sign the recall petition, which they refused to do. Consequently, it appears that signatures of electors were solicited by people other than those who signed as circulators. Again, Chairperson Galonski requests that any such irregularities be investigated and, if found to be true, that the recall petition be rejected.

In conclusion, the recall petition was deficient from its inception because Terry L. Johnson formed a committee to *oppose* the recall of Sharon L. Galonski. Additionally, the defective certifications of circulator and individual signatures bring the number of valid signed electors to just 51 eligible voters, well below the twenty-five percent (25%) threshold of 110 signatures. For the forgoing reasons, we respectfully request that you reject the petition and refuse to schedule a recall election.

Respectfully submitted,

STAFFORD ROSENBAUM LLP

Douglas M. Poland Stephen Goettsche

cc: Sharon L. Galonski, Town Chairperson (by email)

Eric Larson (by email)

Terry L. Johnson (by U.S. Mail)

VERIFICATION

I, Sharon L. Galonski, being first duly sworn upon oath, state that I personally read the above Verified Challenge of Town Chairperson Sharon L. Galonski and that the above allegations are true and correct based on my personal knowledge and, as to those allegations stated on information and belief, I believe them to be true.

Signed in Westfield Wisconsin this 2nd day of August, 2024.

Marquette County

Sharon L. Galonski

Sworn and subscribed to me this 2nd day of August, 2024.

Notary Public, State of Wisconsin

My commission expires: 3 | 77 | 2026

ALEXIS SHANKLIN NOTARY PUBLIC STATE OF WISCONSIN

Hand delivered and mailed via postal service

August 8, 2024 on August 8, 2024

Brenda Petersen, Clerk Town of Westfield W7703 Ember Ave P.O. Box 157 Westfield, Wisconsin 53964

Re: Petitioner response to Attorney Poland letter dated August 2,2024 regarding recall challenge of Town Chairperson Sharon L. Galonski

As provided in WI Stats 9.10(4)(a), when the petition was filed on July 15, 2024, the challenger had the opportunity to file a written challenge within ten days, being July 26, 2024. Since the August 2, 2024, challenge letter was received after the deadline, the challenge should not be valid, and the petition should be certified. However, we will respond to set the record straight for the qualified electors requesting the recall.

First, when I checked the box to oppose the recall, it was done in error. I have corrected the page and have it attached to this response. The recall petition should be processed in the spirit of the law. Failure to do so is in essence telling the electors that their opinion doesn't matter. Mistakes were made but the law allows for correction. The following response will establish that we have the required 110 signatures.

A. Certification of circulators.

The recall circulators were very careful in collecting signatures from qualified Town of Westfield electors by visiting their homes to validate their age and residence. They were visiting their neighbors and had firsthand experience with where the electors lived.

Items 1-4 - Errors were made when circulators used their 'mailing address' instead of their 'municipal address'. As permitted by WI Administrative Rule EL Ch 2.05(4) and EL Ch 2.09 (1), circulators can make corrections for these errors. The corrections have been made to the petition and the affected pages are attached to this response. Also, see the attached affidavit from Gary Schaeffer for further explanation. The challenged 42 signatures should be valid.

Item 5 - Tim Marotz fixed this error. The corrected page is attached to this response. Nine signatures are now considered valid.

Item 6 – Wis statutes require the circulator to <u>sign</u> the petition and provide other information in legible form. It is common practice to have someone manually provide critical information on a form to ensure that the <u>other information is legible</u> and then the appropriate person can just sign the form. This is what J Johnson did. However, J Johnson added his own statement information. The revised page is attached to this response. The challenged seven signatures are now valid.

Item 7 – Richard Murray fixed this error. The corrected page is attached to this response. Nine signatures are now valid.

In conclusion 75 signatures are again valid.

B. Individual signatures

Per WI Stats 9.10 (1) (g) recall petition information is assumed to be valid unless the challenger proves otherwise. Overall, the challenger made statements but failed to provide the necessary proof. We need to have affidavits or other written documentation to support the statements made by Sharon.

All recall circulators went to elector homes to obtain signatures. This procedure allowed circulators to verify residence before signing the petition. Sharon may have other information but failed to provide the 'affidavit or other supporting evidence demonstrating a failure to comply with statutory requirements' as required by WI Stats 9.10(h). Previous voting records are irrelevant since people can move. Also, other information that cannot be verified by petitioner is not valid for challenging the signature. The statements in the attorney letter for items 4, 8,10, 11, 12, 14, 16 and 17 have the effect of hearsay and the related signatures are valid without the required affidavit or other supporting document. The 11 signatures are again valid.

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Electors used mailing addresses instead of municipal addresses when signing the petition. The recall circulator fixed the error as permitted by WI Administrative Rule EL Ch 2.05(4) and EL Ch 2.09(1). For items 7 and 20 the circulator has fixed the error. The corrected pages are attached to this response. Two signatures are again valid.

Circulators witnessed elector signature and have now made a statement on the recall petition to confirm that they witnessed signatures. The affected recall pages for Items 9 and 19 are attached to this response. Two signatures are again valid.

For items 1 and 13 the circulator reprinted the elector's name to assist you in reading the name. The recall page is attached to this response. These signatures are valid.

Item 15 – This derogatory statement has no evidence to support the statement. Questioning the competence of an individual requires the challenger to prove the individual has 'been adjudicated incompetent in this state.' See WI Stats 6.03 (3). Since this elector signed the petition with the requested other information and there is no proof of incompetency, the signature is valid.

The circulator made a statement to attest to the information on Item 18. The recall page is attached to this response. This signature is valid.

For item 21, a husband and a wife signed the recall petition. Since we have the required signatures, we determined that we will not make any effort to get the signature clarified.

In conclusion, the circulators collected 150 valid signatures which includes the 110 signatures required to request a recall election. Ms. Galonski failed in her effort to challenge the petition. We need to listen to the many people who signed the petition and the others whose signatures were not considered because the time clock expired. The recall election should be scheduled immediately. Or better yet, the Town Chairperson should recognize citizen dissatisfaction and resign.

I expect you to share this response with Ms. Galonski. Also, I will contact you after the two-day rebuttal period required by WI Stats 9.10(4)(a). At that time, I expect your decision regarding your next steps to determine sufficiency of this recall petition. My understanding is your deadline to certify recall sufficiency is August 15,2024.

Sincerely,

Brenda Petersen, Clerk Town of Westfield W7703 Ember Ave P.O. Box 157 Westfield, Wisconsin 53964

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Sincerel	у,

Terry Johnson



CAMPAIGN FINANCE COMMITTEE/CONDUIT REGISTRATION STATEMENT STATE OF WISCONSIN

ote: An amended registration statement must be filed within 10 days of any changes in information.

1. Is this an Amendment? (● No (Yes If yes	s, please enter	your comm	ittee numbe	er:	Committe	e Nu	mber
SECTION A: GENERAL									
A1. Committee Conduit Name				10.0					
Terry L. Johnson				A2. Registra	nt Type (Choo: ate ORefere	se One)	D	<u> </u>	
A3. Email		A4. Phone		O Politica	I Action (DAC	naum G	Kecall		Conduit
	-+		7-9689 Political Action (PAC) Political Party O Leg		-) Una	ependen	t Exp	enditure (IEC)	
kmjohnson@maqs.ne	∃l 	(608) 547			Party OL	egislative	Campaig	gn Co	ommittee
A5. Mailing Address	٨		A6. City				State		Zip
N5656 County Road	Α		Westfield			WI		53	964
Depository Institution Information									
A9. Institution Name		A10. Street Addr	000		1. City		A12. St	ate	A13. Zip
BMO Bank		203 Main	St. S	W	estfield		WI		53964
Treasurer/Administrator Information	1					- 4	- 53	100	1231
A14. Name			A15. Email			A16. Phon	e		
N/A					1				
A17. Mailing Address			A18. City			A19). State	A20). Zip
						i			
Other Officers (Optional)									
Independent and local non-partisan can A21. Name	didates: li	ndicate by an asteris	k (*) which officers i	re authorized	to fill a vacancy			o dea	th of candidate.
N/A	A22. Tit	e A23. Email				A24. P	hone		
A 25. Name	A26. Tit	ie	A27. Email			A28. P	hone		
N/A Filing Exemption									
Registrants that will not accept contribution amount of more than \$2,500 in a calent reports. For committees registering will dar year in which it is granted. Those contributions, making disbursements, \$2,500 in a calendar year may claim of This exemption applies with the local threshold, amends its registration, or is	dar year a th the Com- committees andidate co or incurr an exempti I candida	re eligible for exempt amission, exempt sta registering with the committees that do no ing obligations in ion from filing camp te committee exceet	ntion from filing cam tus is effective only c Commission that w of anticipate accepti an aggregate amou valgn finance reports	paign finance for the calen- ant to remain ing or making out exceeding s at any time.	A29. Exemp O Yes, thi No, this	s registrar	ıt is eligi	ble f	or exemption. e for exemption.
SECTION B: CANDIDAT B1. Office Sought (include District/B)		MMITTEES		B2. Poli	tical Party		B3. E1	ection) Date
N/A	-								
Candidate Information									
B4. Name			B5. Email			B6. Phone			
N/A									
B7. Mailing Address			B8. City			В9.	State	B10	0. Zip
Second Candidate Committee An individual who holds a state or loca committee to pursue another state or lo	cal office,			O Yes, thi	s is my only c	andidate o	ommitte	e in	
B12. Other Office Held or Sought (in	iclude Dis	trict Branch) On	complete B12 (fyov	responded "No	" to B!!				
N/A					Evh	ihit G	Dano	6 -	vf 22



CAMPAIGN FINANCE COMMITTEE/CONDUIT REGISTRATION STATES

STATE OF WISCONSIN

ote: An amended registration statement must be filed within 10 days of any changes in inform

SECTION C. RECALL COM	MITTEES				
C1. Name of Official Subject to Recall		C2. Office of Official Subject		C3	-
Sharon L. Galonski		Town of Westfie	eid Chair		Oppose
SECTION D. PAC. IEC. AND	CONDUITS				
D1. Sponsoring Organization		D2. Email	D3. Pho	ne	
N/A					
D4. Mailing Address		D5. City		D6. State D7	. Zip
SECTION E: POLITICAL PA	RTY & LEGISLA	ATIVE CAMPAIGN	COMMITTEES	- X	
E1. Political Party or Legislative Campaig			E2. Does the Part	_	
Segregated Fund Depository Institution In			. O':	F.C. Pasts	T-71-
E3. Institution Name N/A	E4. Street Address	E:	5. City	E6. State	E7. Zip
SECTION F: REFERENDA C	COMMITTEES				
F1. Nature of Referendum (if applicable)				F	. Support
N/A					Oppose
SECTION G: CERTIFICATIOn Accurate Information I certify that I am an authorized represent is true, correct, and complete.	Service of the servic	and that to my knowledge a	ll of the information co	ontained within	this registrati
Timely Amendments I am aware of the requirement to amen requirement to register within 10 days of	d this registration states of meeting the requireme	nent within 10 days of any c ints to register under Chapter	change of information or 11 of Wisconsin State	contained with	in, as well as i
Records Retention I acknowledge the duty to maintain recombined this registrant participates. If regmanner for the three-year period present	ords in an organized an gistering a candidate con ribed in s.11.0201(4).	d legible manner for three ve nmittee, I acknowledge the d	ears from the date of t uty to maintain record	he most recent s in an organiz	election in ed and legible
Ongoing Compliance This registrant shall continue to mainto Statutes.	ain its registration and c	comply with all applicable re	eporting requirements	under Chapter	· 11 of Wiscon
Treasurer/Administrator G1. Printed Name				L.	
Terry L.Johnson	G2. Sign	ry L. Johnson		1	3. Date 5/31/24
Candidate (if applicable)		* V			
G4. Printed Name	G5. Sign	ature		C	6. Date
N/A					

AFFIDAVIT

This is a sworn statement in response to the August 2,2024 letter from attorney Douglas Poland for the challenge from Town Chairperson Sharon Galonski recall.

I, Gary Schaeffer, went to individual homes to obtain signatures on the recall petition. This personal visit allowed me to verify the age and residence of all electors signing the petition. All the electors on pages circulated by me live in the Town of Westfield. Errors were made on the recall petition when the 'mailing address' was used instead of the 'municipal address'. All the signatures for County Hwy A from N5521 to N6495 are in the Town of Westfield but may have Oxford as the post office mailing address.

As allowed by WI Administrative Code EL Ch 2.05 (4) and EL Ch 2.09 (1), I am correcting the address errors on the recall petition. The corrections are necessary to remove false information in the petition.

Signed in Marquette County , Wisconsin this 7th day of August 2024.

Gary Schaeffer

Sworn and subscribed to me

this Ab day of August 2024

Notary Public, State of Wisconsin

My commission expires: 3-20-2028

TO	Brenda	Paterson	Clerk of	lown of	Wesite
			folli	cial with	where

normination papers or declaration of condidacy for the office is filed)

We, the undersigned qualified electors of the Town of Westheid

(jurisdiction or district of afficeholder)

petition for the recall of Sharon L Galonski, Champerson of Fown of Westfield

from office pursuant to Article XIII, Section 12 of the Wisconsin Constitution and §.9.10 of the Wisconsin Statutes.

(name of officeholder to be recalled and office)

STATEMENT OF REASON FOR RECALL

(The reason for recall must be stated on petitions for city, village, town, and school district officials. The reason must be related to the official responsibilities of the officeholder. No statement of reason is required to initiate the recall of state, congressional,

Sharon was not truthful during her election campaign or white in office. Sharon initiated the process of termination of the Town of Westfield Fire Department without contacting the town board first. Sharon ignored all citizen comment regarding termination of the town five dept. Sharon consistantly

SIGNATURES OF ELECTORS	PRINTED NAME OF ELECTORS	STREET & NUMBER OR RURAL ROUTE. Rural address must also include box or fare no.	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	DATE OF SIGNING
How Martin	DAVID MARTIN	106885 3rd. RD.	U Vyllago WESTFIELD	6/9/24
373H	Roy R Wilke	W8385 ELK Ave	UVBISON West Field	671-24
no Myn	DACEMULE	128411 EIK Ave	U CAY Westfield	6.11.24
I un Ems	TIM EMS	W8630 A Ell AUR	U Valage W retifield	6-11-24
Lista Emon 1	Tira Enso,	W8630 a Elk Ave	U Vilau Westfield	6-11-24
Mich pat	KISKI MIT	W8630 Elk Ave	UVilage West ald	6-11-24
finally from	Jennifer Provenzano	W8009 County Rd E	UV Westfield	10-11-24
Thomas Emi	Thom; Emr	W8630 Elk AUC	UVNage WESSERID	6 17-24
Daningue Eme	Daningue Eng	U8630 Elk Ave	UVAAGE WORKED	6-17-24
I softents touch	Obra Schaefer	Nb3t0County Rd A	williago Westfreld	6.22.24
GARYJ. SCHAEFE	certify: 1	Certification of Circumster resident N6360 COGNEY ROAD	A OXFORD WI 53952 (cutualitar's setulation - setlante nursiest, street and manuscipulus)	- Town OF WE

Page No

6/27/24

(Signature of circleth)

E1-170 (Rev 2019-49) The information on this form is remained by Wis Stats § § 8.40 and 9.10. This form is prescribed by the Wisconsin Electronic Commission [P.O. Box 7984, Machison, W. 51707-7984] 608-266-8005 (web: http://ebx/1998.101 upv. | cinail electronic@on gov.

* PRINTED LAST NAME IS MEYER & ** I WITNESSED RICKIRITT SIGN & PRINT HIS NAME SY I WITNESSED BOTH ELECTORS PRINT & SIGN THEIR NAMES XI

RECA	LL	PE	TI	TI	ON	

	RECALL PETITION
((); Brenda Peterson, Clark of Yown of Westlinkt	We, the undersigned qualified electors of the Town of Westfold
(official with whom isomination papers or declination of cardidacy for the office is filed)	(jarssiction or district of officeholder)
petition for the recoll of Steam I. Galonski, Chalipurson of Town of Westfield	from office pursuant to Article XIII, Section 12 of the Wisconsin Constitution and §.9.10 of the Wisconsin Statutes
(name of officeholder to be recalled and office).	

STATEMENT OF REASON FOR RECALL

(The cesson for recall must be stated on petitions for city, village, town, and school district officials. The reason must be related to the official responsibilities of the officeholder. No statement of reason is required to initiate the recall of state, congressional, legislative, judicial, or county officials.)

SIGNATURES OF ELECTORS	PRINTED NAME OF ELECTORS	IUNICIPALITY OF RESIDENCE, IS NOT SUFFICIENT. THE STREET & NUMBER OR RURAL ROUTE, Rural address must also include box of fire no.	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	DATE OF SIGNING
Gloris J. M. name	CLORIA J. MENAMARA	NG495 CTYRDA	U Vitingo WESTFIELD	6/7/24
the For	FRANCIS E. MCKAMIA	NG495 CTY ROA	Using WESTFIELD	41/24
an Fullan	Jane Fullmer	NG125 GARAR	U Village West FIELD	6/7/24
Ray N. Fulliver	RAY H. FULL MER	N6125 CTH-ROA	U Village WEST FIE CD	6-7-24
Light Run	Leslie Ross	N6353 Cty Rd A	Uvillage Westfield	6-8-24
Laville Kuts	Carilee Russ	N6353 Ctu Rd A	Usyllago West Geld	6.8.24
Can Mum	DAN CUMMINGS	NSSAI CTY RD A	U Village WESTFIELD	6-8-24
Dan Robin	Dan Rakow	16765_3rd Rd	LI Village Westfield	6-9-24
mass ory	MARK HONEY	W7981 COUNTY RAE	OVINGE WESTFIELD	6.9.24
Shoth Honey	YVETTE HONEY	W7981 COUNTY RDE	Uvilege WESTFIELD	6.9.24
GARY J SCH	AEFFER certify: I	Certification of Circulator reside at N6.360 County Rd A	0x1020 W, 53952	OWN OF WEST
(same of arculator) their certify I am either a qualified elector of	Wisconsin, or a U.S. citizen, age 18 or older who, if I w	ere a resident of this state, would not be disqualified from voting une by the officeholder named in this petition. I know that each person:	teneulator's residence - include number, street, and municipality) der Wis, Stat. § 6.03. I personally circulated this recall petitic	on and personally obtained en

(signature of circulator)

KI_170 (Rev 201940) The information on this form is required by Wis. Stats §§ 8.40 and 9.10. This form is prescribed by the Wisconsin I lections Commission | P.O. Hon 7984, Madison, WI 53707-7984 | 608-266-8005 [web: http://elections.vo.nov.lections.gov.nov.lections.com/lectio

* I HAVE PERSONAL KNOWLEDGE THAT LESLIE RUSS RESIDES AT THIS ABOVE ADDRESS HI ** I WITNESSED MARK & PVETTE SIGN THEIR OWN SIGNATURES M

(official with whom norman	trum purpers or declaration of candidacy for the office is filed)			
lition for the recall of Sharon L Galouste, C	Trairperson of Town of Westfield	from office pursuant to Adiata VIII o	(jurisdiction o	r district of officeholder)
	(name of officeholder to be recalled and office)	nom office pursuant to Article Affi, S	ection 12 of the Wisconsin Constitution and §.9.1	0 of the Wisconsin Statutes
e teason for recall must be stated on neithous	for only williams	STATEMENT OF REASON FOR RECALL		
stative, judicial, or county officials.)	and school district officials. The	STATEMENT OF REASON FOR RECALL to reason must be related to the official responsibilities of the officely	older. No statement of reason is required to initiate the res	cull of state, congressional,
and the diocatori campaign or	while in office. Sharon intlated the process of territories a	die Terre die Grand Grand Grand		
behalf of the Town Board without authorization.	Sharon exceeded Town of Westfield budget authority in sp	or the Town or vivestilete hire Department without contacting the town boat ending. Sharon overspent tax payers funds in attorney fees for out of cou	unturations and a second and a contract comment regarding termination	of the town fire dept. Sharon const
THE MUNICIPALITY USED FOR MAI	LINC PURPOSES MARKET	g	and accuracy exceeding budgeted amount. Sharon denied celrain	board members access to lown pro
SIGNATURES OF ELECTORS	BRIDGES, WHEN DIFFERENT THAN A	MUNICIPALITY OF RESIDENCE, IS NOT SUFFICIENT. THE	E NAME OF THE MUNICIPALITY OF RESIDENCE P	HUST ALWAYS BE LISTED.
-0	PRINTED NAME OF ELECTORS	Emal address must also include toox or fire no	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	DATE OF SIGNING
Merna Trans	M	1/11-10 10 . 00	UN Town	SIGNAG
- 0 H	Mernatrozene	N6495 Lo.K.d. /1	U City West Field	12/24
1 20 pala	alim Colin	11/10/9 1/11/1-	Town U vitages 2007 The and a	1
0.	OFA IA	MARCH TIH HVE	LICRY COES/7/5/17	6/224
Camella teter en	Pamella leterson	1.1700 UIL 1/L	W Villago ta locale	1
1	Tamella Teterson	W 1901 Mallara CT	acity VVESTTIELD.	6/2/24
ever be eva	relieux a lett was	W1901 Mallard Ct	Uvitage Valer I C I A	
21 9 10	Myames Jelevsa	retion rangera ci	uchy VEST+letol	6/2/21
wew whom	Stephanie Wilson	W7952 Co Rd E	Wrown Uvillage IA LC 11	11 2 21
and R	> TOTAL	WINDE CO POR C	Scient Mestalette	16-2-29
orge pecho	Dorothy Becker	N68643rd Dd	U Villago / > - 1 C	1 2 211
	5, 101	1000.0	11 City West Field	6-7-04
worment and	Thomas Becker	N6864 300 RD	U Vilsgo West Cia 6/	16-2-54
10/eiso	St. in Direct	2h	Town	0 0 07
7000	TEVE MEISE	W6878 3 W RD	UCKY WeSTFIELD	6/2/24
Purposea / Kus	X-7 D. 1	111978 ard DD	20 Town . 1	17/7/
The state of the s	Varbara Melsel	NGO 10 3 RU.	Licity West-keld	1012124
recobluison 1	Jacob Likon	1,17957 C. F	U Villege () C /	1/2/21
	- 40(1)-	WIDCOL	UCIN OXIGED WESTFIELD	6/3/27
PARY I SCHNETTE	#2	Certification of Circulator	1 5 1	
		eside at NE368 COUNTY ROAD	A OXFORD WI 5395	Z TOWN OFWES
tures on this paper. I know that the sumers i	consin, or a U.S. citizen, age 18 or older who, if I wer	e a resident of this state, would not be disqualified from voting under the officeholder named in this petition. I know that each person six	er Wis. Stat. § 6,03. I personally circulated this recall petition	and personally obtained each of
know their respective residences given. I su	post this recall petition. I am aware that falsiferment	re a resident of this state, would not be disqualified from voting under y the officeholder named in this petition. I know that each person signs confliction is punishable under § 12,13(a), Wis. Stats.	gaied the paper with full knowledge of its content on the date	indicated opposite his or her
6/17/24	6 \ (10	in the principal is principally 12 (3(3) (4), WIS SIRIS		
(dute) 20104(6) The infermation and the first	(Signaple	of carculator)		Page No 3
y and an extration on this form is required b	y Wis Stats §§ H.40 and 9.10. This form is presented by the W	of circulator) Fiscanzin Elections Consultation P.O. Dox 7984, Madison, WI 53707-7984 608-	266-8005 Just http://electrons.ivi.upv const electrons/dun our	
I WITHERSEN	Paul IT	IGN THEIR OWN SIGNA	Argur Bur	

		RECALL PETITION		
TO; Brenda Peterson, Chirk of Town of Westhold		We, the undersigned qualified e	(junishing or distri	et of officeholder)
	to a papers or declination of candidacy for the office is filed)	Complete Antida VIII Co	ction 12 of the Wisconsin Constitution and §.9.10 of	
petition for the recall of Sharon L. Galonski, C	hairprisue of Luws of Washield	Irom office pursuant to Article Airi, Sec	CHOR 12 of the Wisconsin Constitution and g.z. 10 w	
	(name of officeholder to be recalled and office).	STATEMENT OF REASON FOR RECALL		
tegislative, judicial, ar county officials.) baron was not truthful during her election campaign or	for city, village, town, and school district officials. The white in office. Sharon inlated the process of termination of	e maxim must be related to the official responsibilities of the officehold the Town of Westfeld Fire Department without contacting the town board ending. Sharon overspend tox payers funds in alterney fees for out of coun	d first. Sharon ignored all citizen comment regarding terrination of the	town fire dopt. Sharon consists
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anaxia Peni	Angela Frank	W8182 Eagle Dr	Uvilage Westfuld	6/27/24
	Ton Schut2	U8 1208 agle Dr	Uvillage West 1019	6-27-4
KAT C	Ed Frank	W8182 Egle Dr	U Villago U Cily Trown	6-27-24
" Duhard	DAVID W DAGE)	W8111 Engle DR	LI City WOST - 0/D	6-27-24
" Kyll N	Kyle Waisbrot	N6637 310 Ct	Wrown Westfield	6-27-24
" Deli Waster	Jeff Wwsbrot	N6637 314 Ct	LI City West (12)	6-27-24
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. Trainis Dage		reside at WBW Eagle Price	Charles and and include another stand and another stand	restfield MD
		were a resident of this state, would not be disqualified from voting and by the officeholder named in this patition. I know that each person a	fer Wis. Stat. § 6.03.1 personally circulated this recal petition a signed the paper with full knowledge of its content onthe date in	ad personally obtained each o idented opposite his or her
name 1 know their respective residences given $6/2^{\circ})/24$	1 support this receil petition. 1 annimum transfer in a raising ma	an of circulator		Page No. 7/>
(i) 46] EL-170 (Rev 2019-49). The information on this form is requ	ared by Wrs. Stats. §§. 8.40 and 9.10. This form is prescribed by the	e Wiscousin Elections Commission [P.O. Hex 7984, Madison, WI 53707-2984 608	8-26G-8005 [web: http://slections.tvi.gov ennit elections@wigov	

* I witnessed Tem Schuarz Signature AD

DIC	'A I	PETITIO	N

(): Branda Peterson, Clerk of Town of Washeld		. We, the undersigned qualified elec-	tors of the Town of Westfield	
	on papers or declaration of candidacy for the office is filed)		(juredation or distr	
octition for the recall of Sharon Calousia, Ch	alipuison of Town of Westfield	from office pursuant to Article XIII, Section	on 12 of the Wisconsin Constitution and §.9.10 of	the Wisconsin Statutes.
***************************************	(rame of officeluider to be recalled and office)			
		STATEMENT OF REASON FOR RECALL	Br. and a second of the second	Cutate conversional.
The reason for recall must be stated on petitions	for city, village, lown, and school district officials. The	e reason must be related to the official responsibilities of the officeholder	No statement of reason is required to introductive recension) Wast, Congression
gistative, judicial, or county officials.) on was not truthful during her election campaign or s	while in office. Sharon inhated the process of termination of	fine Town of Westheld Fire Department without contacting the town board fin	st, Sharon ignored all citizen comment regarding termination of the	ne town fire dept. Sharon consista
to be belief of the Town Road without authorization	Sharon over-earlied Town of Westfield hardnet authority in six	ending. Sharon overspent this payers lunds in aftornoy fees for out of county a	ittorney exceeding budgeted amount. Sheron denlet cetrain box	rd members access to town prop
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SIGNATURES OF ELECTORS	PRINTED NAME OF ELECTORS	STREET & NUMBER OR RURAL RESULTS. Rural address must also include box or fire no.	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	SIGNING
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name 1 know then respective residences given 1 support this recall petition 1 and wave that falsitying this certification is phrashable under 12.13(3 (a), Wis. Stats.

(date)

E1.-170 (New 2010 (9)) The information on this form is required by Wis. Stats. § § 8.40 and 9.10. This form is prescribed by the Wisconsin Elections Commission | P.O. Bia 7984, Madison, WI 53/07-7984 | 608-266-8005 | web: http://doctorus.ni.nex.|email.cleaning.ni.nex.|

Page No 😣

REC	A l	ľ	PET	ГІТІ	

		RECALL PETITION		
TO: Brenda Peterson, Clark of Town of Westfield		We, the undersigned qualified elec-	ctors of the Town of Westletd	
(official with whom nomination papers or declaration of candidacy for the office is filed)			(jurisdiction or distri	
petition for the recall of Sharon L. Galonski, C		from office pursuant to Article XIII, Secti	on 12 of the Wisconsin Constitution and §.9.10 of	the Wisconsin Statutes.
	(name of officeholder to be recalled and office)	CTATEMENT OF BEACON BOD DECALL		
(The reason for recall must be stated on petitions	S for city village, town, and school district afficials. The	STATEMENT OF REASON FOR RECALL be reason must be related to the official responsibilities of the officeholde	Manufacture of the control of the co	(mare empressional.
registauve, judicial, or county officials.)				
aron was not truthful during her election campaign or	while in office. Sharon intiated the process of termination of	of the Town of Westfield Fire Department without contacting the town board fire	rst. Sharon ignored all citizen comment regarding termination of th	e town fire dept. Sharon consist
s on behalf of the Town Board without authorization.	Sharon exceeded Town of Westfield budget authority in sp	pending. Sharon overspent tax payers funds in attorney fees for out of county.	attorney exceeding budgeted amount. Sharon denied cetrain boar	d members access to fown prop
THE MUNICIPALITY USED FOR MA	ILING PURPOSES, WHEN DIFFERENT THAN A	MUNICIPALITY OF RESIDENCE, IS NOT SUFFICIENT. THE N	AME OF THE MUNICIPALITY OF DESIDENCE MIS	T AL WAYS BE LISTED.
SIGNATURES OF ELECTORS	PRINTED NAME OF ELECTORS	STREET & NUMBER OR RURAL ROUTE	MUNICIPALITY OF RESIDENCE	DATE OF
1 2 1 6		Rural address must also include box or fire no.	Indicate Town, City, or Village	SIGNING
Tyler Nehm	Tyler Nelson	N5907 200 Ave	U village Westfield.	7-5-24
2 Boar sells	L. 994 Mills	NS779 2nd Ave	U Village W PStfield	7-5-24
alle Janles n	Alken Jankerr.	W 8407 Ember Ave	Uvilego Westfield	7-5-24
white	MATT NITKA	WBZOSEMBERAVE	W Town U CST FIELD UCTY	7-5-25
Gust / Lage	Austin Nelson	W8171 Ember Ave	W Town U village Westfield	7-5-24
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Freene trean	Eveling Toscani	N5971 2nd Ave	U Village Westfield	7.5.24
"Tark	Boren Gaylord	NGZII CeDer Cove line	UVillage Oxford L25/fn/d	7-5-24
° Su R	Shania Bowers	NSSZI CHURD A	O Village Westfield	7-6-24
10. July	Lane Gruse	N5521 Ctx Kd A	Williage Westfield	7-6-24
Charles Char	pentiercertify: I	Certification of Circulator reside at N5971 2nd Ave Oxf	ord . Wisconsin (Westfie	bl Town)
the argument of this babet. I know that the siene:	IS BIC clectors of the invisdiction or district represented.	ere a resident of this state, would not be disqualified from voting under by the officeholder named in this petition. I know that each person sign	(circulator's residence - melade number, street, and municipality) Wis Stat. § 6.03. I personally circulated this recall petition an ed the paper with full knowledge of its content on the date in	d personally obtained each of dicated apposite his or her
7-7-24	support this recall petition. I am aware that falsifying	this certification is punishable under § 12.13(3)(a), Wis Stats.		Page No 12

*

* I witnessed this signature, and I confirm that the printed name is Allen Janke Sr.

Charles Charpentier

n Petrison, Clark of Town if Wasilield (official with whom builing for the recall of Sharent, Galonski	ntron papers or declaration of candidacy for the office is filed). Chalippeson of Fown of Westfield.	. We, the undersigned qualifi-	(pursion of L. Section 12 of the Wisconsin Constitution and §.9, I	district of otticeholder)) of the Wisconsin Statutes.
m for recall must be stated on petition , judicial, or county officials.)	us for city, village, town, and school district officials. T	STATEMENT OF REASON FOR RECALL, he reason must be related to the official responsibilities of the official temporal without contacting the form	icclimbles. No statement of reason is required to initiate the rest	ult of state, congressional,
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iland & Munog	RicHARD FRURARY Ruth Mui	NL498 CG/RJM N6448 Cty Rd M	Witom West field	7-3-24
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GARY J. Seu		Certification of Circulator 1 reside at N6360 C77 Rd A	123	TOWN OF WES

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name. I know their respective residences given. I support this recall petition. Lam aware that falsifying this certification is punishable under § 12.13(3)(a), Wis. Stats.

(); Brenda Peterson, Clerk of Township of West	field	We, the undersigned qualified el	. We, the undersigned qualified electors of the Township of Westfield			
(official with whom nomination papers or declaration of candidacy for the office is filed)						
petition for the recall of Sharon L. Galonski,		from office pursuant to Article XIII, Sec	tion 12 of the Wisconsin Constitution and §.9.10	Of the wischman commen		
	(name of officeholder to be recalled and office)	TATEMENT OF REASON FOR RECALL				
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		ast \$28,000.00 of lest purpose funds in alluming fees for out of county attoining ascending busingst		UST ALWAYS BE LISTED.		
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0.126	Lose Conzales	106581 (14 RIM	U valege Wastfield	6-22-24		
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· My Bucch	Michael 5 Scymo	106239 County rough Il	Winge West freld	6-22-24		
Daint South	Daral Schultz	N6248 county ld M	Uvilege West Field	6-22-24		
(1)			INTOWN / Ch			

LI City Li Vitage LI City Town LI Village LI City A Town CI Village LI City LI Town Li Villege LI City

RECALL PETITION

Certification of Circulator County J 75M Tim Marotz

I further certify I am either a qualified elector of Wisconsin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. § 6.03. I personally circulated this recall petition and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district represented by the officeholder named in this petition. I know that each person signed the paper with full knowledge of its content on the date indicated apposite his or her

name. I know their respective residences given. I support this recall petition. I am aware that faisi fring the gentification is punishable under § 12.13(3)(a), Wis. Stats. -8-2024

Page No.

Pleations Commission | P.O. Box 7984, Marlison, WI 53707-7984 | 608-266-8005 | wab. Mark/s/example or gov. | count elections/2/m gov

& I witness two different people signing this petition T.S.M.

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R P. L. A	 Pr	

() DIGNOTE REPORT CYDNE OF TOWN OF MAGNISHI		We, the undersigned qualified ele-	CLOTS Of the Town of Westfield	
(official with whom nominat	ion papers or declaration of candidacy for the office is filed)		(jurisdiction or distr	rict of efficeholder)
petition for the recall of Sharon L. Galonslo, C.	Issuperson of Yown of Wesfield	from office pursuant to Article XIII Secti	ion 12 of the Wisconsin Constitution and §.9.10 of	
	(name of officeholder to be recalled and office)	noni ottoc pathoant to retion reting occur	on 12 of the Wisconsin Constitution and 9,5,70 to	1000
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		ending. Sharon overspent lax payers funds in attorney fees for out of county		
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SIGNATURES OF ELECTORS	PRINTED NAME OF ELECTORS	STREET & NUMBER OR RURAL MOLITE Rural address must also include box or fire no.	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	DATE OF SIGNING
1 Xm Scatt	Timothy Scott	W6595 Ember Dr.	Using Westfield	06/21/24
2 Charles Ecclista	Charles Scott Ir	W6595 Embel Pr.	a village West field	6/21/24
Java, Lout	Susan Scott	W6595 Emper Dr	SCTOWN LIVERING WESTER	6/21/24
* 19 6 10 10	Chanles L. Scutter	Lu 4595 Ember Dr.	wings Wes Field	421/24
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. Lacey Baum	ann certify: I r	Certification of Circulator reside at N5460 5th Rd Westfie	1d WI 53764 JB	
(name of circulator)			(creculator's residence - include number, street, and municipality)	
the signatures on this paper. I know that the signer	sare electors of the injectication or dietrical supercontrol by	ere a resident of this state, would make disqualified from voting under very the officeholder named in this retiion. Sanow that each person signs	Vis. Stat. § 6.03. I personally circulated this recall petition ar	ad personally obtained cach o
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Thorag Dawn				

(1) Brenda Peterson, Clerk of Inwn of Westlield		RECALL PETITION . We, the undersigned qualified elec	ctors of the Torm of Wanting	
(official with whom nomine	then papers or declaration of candidacy for the office is filed)		(jurnsdietion or disti	
petition for the recall of Sharon L. Galoush,		from office pursuant to Article XIII, Section	on 12 of the Wisconsin Constitution and §.9.10 of	The Wisconsin Statute
	(name of officeholder to be recalled and office).	STATEMENT OF REASON FOR RECALL		
		e reason must be related to the official responsibilities of the officeholde	n. No statement of reuson is required to initiate the recoll of	of state, congressional,
egislative, judicial, or county officials.) ron was not truthful during her election campaign o	r while in office. Sharon intlated the process of termination of	of the Town of Westfield Fire Department without contacting the town board for	st. Sharon ignored all citizen comment generation legislation of the	he town fire dept. Sharon con
		ending. Sharon overspent lax payers funds in attorney fees for out of county a		
THE MUNICIPALITY USED FOR MA	ILING PURPOSES, WHEN DIFFERENT THAN M	MUNICIPALITY OF RESIDENCE, IS NOT SUFFICIENT. THE N	AME OF THE MUNICIPALITY OF RESIDENCE MUS	ST ALWAYS BE LISTED
SIGNATURES OF ELECTORS	PRINTED NAME OF ELECTORS	STREET & NUMBER OR RURAL ROUTE. Rural address must also include bux or fire no.	MUNICIPALITY OF RESIDENCE Indicate Town, City, or Village	DATE OF SIGNING
2/h	ERIC J- NELSON	W7366 FAWN AUE.	UVBAGE WESTFIELD	7-8-24
2 Un com	Lucas Nelson	W7366 FAWN ANT	uvilage Westfield	7-8-24
College Vulson	Colleen Nelson	w7366 fawn fre	a village west field	7-8-21
Klyckeller	timba Ralemanu	N5375 54Rd	Divisinge Westfield	7-8-20
ne Diseans	LAMY BALLOWN	N5375 56 Rond	U Village Was Stratal	7/8/201
"Sold Panne	Logan Baumann	N5375 6th Rd	U Village West Field	7/8/2024
"Mour Slower	Matiba Slowey	NS245 County Rd. A	U Village Westfield	7/8,/2024
8 Stand	Hex Flower	NS245 CH, RDA	U Villago Le) 2+16 K	7/8/24
9.	6	*	☐ Town ☐ Vilage ☐ City	
10			LI Tourn LI Village LI City	
Lacey Baum	ر certify: I r	Certification of Circulator reside at N5460 5th Rd Wes	officed township	YB
(same of circulator)		ere a resident of this state, would not be disqualified from voting under	(circulator's residence - include number, street, and municipality) Wis Stat 6.6.03 necroscopilly circulated this peculi actition a	nd nersonally obtained eac
e signatures on this paper. I know that the signe	is are electors of the jurisdiction or district represented b	by the officeholder named in this ocition. I know that each person sign	ed the paper with full knowledge of its content on the date in	diented opposite his or her
07/08/2024	support this recait petition. If am aware that faisifying t	this certification is punishable under § 12.13(3)(a), Wis. Stats.		Page No. 16
(date)		of circulator)		10
J70 (Rev 2019-09). The infirmation on this form is requi-	ed by Wis Stats §§ 8.40 and 9.10. This form is prescribed by the V	Wisconsin Elections Commission P.O. Box 7984, Madison, WI 53707-7984 608-266	i-4005 [web: http://elections.nd.gray commit elections@wi.gov	
, Lacey Baumar	in Confirm Luca	Wisconsin Elections Commission P.O. Una 7984, Madison, WI 33707-7984 608-260 Signed Inac	7 00 2000 110 UR	
havy Ban			- or page 16. ab	
many par				

		RECALL PETITION		
(C): Brenda Peterson, Clerk of Town of Westheld		Wc, the undersigned qualified el	lectors of the Town of Westfald	war e or balks
(official with whom nonmation papers or declaration of candidacy for the office is filed) petition for the recall of Sharon L. Galonski, Chairperson of Town of Weatfeld		from office appropriate Antique VIII Co.	•	district of officeholder)
potition for the recent of	(name of officeholder to be recalled and office).	irom office pursuant to Article Alli, Sec	ction 12 of the Wisconsin Constitution and §.9.1	n of the wiscousin promes.
		STATEMENT OF REASON FOR RECALL		
(The reason for recall must be stated on petitions legislative, hedicial, or county officials.)	s for city, village, town, and school district officials, Th	e reason must be related to the official responsibilities of the officehol	der. No statement of reason is required to initiate the rec	all of state, congressional,
	while in office. Sharon intlated the process of fermination of	of the Town of Westfield Fire Department without contacting the town board	first. Sharon ignored all citizen comment regarding termination	of the town fire dept. Sharon consis
s on hehalf of the Town Board without authorization.	Sharon exceeded Town of Westfield budget authority in so	ending. Sharon overspent tax payers funds in attorney fees for out of count	ly attorney exceeding budgeted amount. Sharon denied celrain	board members access to town pro
THE MUNICIPALITY USED FOR MAI	ILING PURPOSES, WHEN DIFFERENT THAN A	AUNICIPALITY OF RESIDENCE, IS NOT SUFFICIENT. THE	NAME OF THE MUNICIPAL ITY OF BEGINSACE	MUST AT WAYS BE LISTED.
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		Rural address must also include bux or fire no	Indicate Town, City, or Village	SIGNING
Ludsay Exumm	Lindsay Baumann	N5375 5th RJ	a village Westfield	6/12/24
2 Day & Long	Dawn Slower	N5331 County RaA	CI Village WPSAFIELD	6/12/24
Att Blance	AIAN STOURS	N533160 th RDA	Williago West-Field	6/12/24
"Katty Schnell"	Kitty Schnell	N5313 5th Rd	Watown Westfield	6/12/24
Lou Bauman	Lori Baumann	N5313 5th R	ONTOWN Westfield	6/12/24
and the same of th	Distin Schwell	W7040 EMBER DR	Wilege Westfield	6/12/24
Opelie Benner	Jackie Benner	W69910 Ember Dr.	Di Town Di Villege Di City Destfield	6/12/24
" They	Devon Jungen berg	W6996 Ember Dr.	19 Town 10 Village Westfield	6112124
" Frat Tains	Frank Traina	NS67 contyllA	OVER WSTHER	06/12/202
10 hauf Baymon	Lacey Baumann	N5460 541Rd	William Westfield	07/08/2024
Lacey Bauma		Certification of Circulator	HAT SZALY JB	

I further certify I am either a qualified elector of Wiscousin, or a U.S. citizen, age 18 or older who, if I were a resident of this state, would not be disqualified from voting under Wis. Stat. § 6.03. I personally circulated this recall personally circulated this recall personally circulated this personal personal

(dulc) (signature of circulator)

El -170 (Rev 2019-69) The information on this form is required by Wis Stats. §§ 8.40 and 9.10. This form is prescribed by the Wisconsin Elections Commission §P.O. Box 7984, Madison, WI 53707-7984 § 608-266-8005 [web: http://elections.vo.upv./email.elections@avigor.

name. I know their respective residences given. I support this recall petition I am aware that falsifying this certification is punishable under § 12.13(3)(a), Wis, Stats.

(name of circulator)

Page No

(circulator's residence - include number, street, and managality)

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[1]: Brenda Peterson, Clock of Town of Wostliebi		RECALL PETITION			
	mu papers or declaration of condidncy for the office is filed)	, We, the undersigned qualified elec		istrict of officeholder)	
petition for the recall of Sharon L Galonski, Ci		from affice oursement to Article VIII Spatia	•		
A TOTAL CONTINUES	(name of officeluider to be recalled and office)	from office pursuant to Article XIII, Section 12 of the Wisconsin Constitution and §.9.10 of the Wisconsin Statutes			
		STATEMENT OF REASON FOR RECALL			
(The reason for recall must be stated on petitions legislative, judicial, or county officials.)	for city, village, town, and school district officials. Th	reversion must be related to the official responsibilities of the officeholder	. No statement of reason is required to initiate the recol	of state, congressional,	
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		pending. Sharon overspent law payers funds in attorney fees for out of county a			
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antile	Cammie Quin	NUGOU YXACE West Freld W.	CI Nambo Mazzi-Ciela	6-26-04	
" reisy/ Ne	Larry 12pp	KLESSE ELANGLAND WONOVA	LI Villago 11) 841 181	7-8-24	
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10			L) Town L) Village		
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Janes of correlation	Johnson certify: I r	reside at NS656 Co. Rd. A. West F	ield, WI		
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Page No. 18 *

the signatures on this paper. I know that the signers are electors of the jurisdiction or district represented by the officeholder named in this petition. I know that each person signed the paper with full knowledge of its content on the drive indicated opposite his or her

James M Johnson I reside at N56 56 CoA Toun of West Pield Johnson

REC	ALL	PET	TT	ION	F

TO: Brenda Peterson, Clark of Town of Westlield		. We, the undersigned qualified elec	ctors of the Town of Westlinks	
(official with whom nonmation papers or declaration of candidacy for the office is filed)			(jurisdiction or distri	ict of officeholder)
netition for the recall of Sharon L. Galonski, Chairperson of Town of Westfield		from office pursuant to Article XIII, Section	on 12 of the Wisconsin Constitution and §.9.10 of	the Wisconsin Statutes.
	(name of officeholder to be recalled and office).	CT'ATEMENT OF BEACON BOD DEC'ALL		
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egislative, judicial, or county officials.)				
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on behalf of the Town Board without authorization.	Sharon exceeded Town of Westfield budget authority in sp	ending. Sharon overspent tax payers funds in attorney fees for out of county a	attorney exceeding budgeted amount. Sharon denied celrain boar	rd manubers access to lown pro
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16/06-8	Carol Golisch	N6391 YA Ave	Williage West Frold	7/3/24
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Church Vander Veld	CHRISTINE VANDER	NGAIO CTYRDA	U Village CALESTERS	7-3-24
	MURRAY VELDE OCTIFY: I	Certification of Circulator Ceside at N 1498 CR RU M TEN	NOFWEST FIELD MIN	1
e signatures on this paper, I know that the signer	rs are electors of the jurisdiction or district represented l	ere a resident of this state, would not be disqualified from voting under V by the officeholder named in this petition. I know that each person signo		

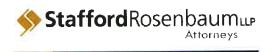
Ell-170 (Rev 2010-04) The information on this form is required by Wis Stats § 8.40 and 9.10. This form is prescribed by the Wisconsin Elections Committee P.O. Box 7984, Madison, WI 53707-7984 [608-266-8005] web: http://doctions.vol.gov/email/elections/gov/po/

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7-8-24

Page No

		RECALL PETITION		
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	repeters or declaration of candidacy for the office is filed)	4	U	
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2. Jas Johnfl	David Schaefer	N5550CT/RAM	way Westfield WI	7/06/2024
362151	GARY SCHAEFFER	N6360 COUNTY Rol A	OVINGE WESTFIELD	7/6/24
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(same of creating) I am either a qualified elector of V	Wisconsin, or a U.S. chizen, age 18 or older who, if I was election of the laried iction or district represented	vere a resident of this state, would not be disqualified from voting under by the officeholder named in this petition. I know that each person sig	(circulator's residence - include number, street, and municipality) r Wis. Stat. § 6.03. I personality circulated this recall petition append the paper with full knowledge of its content on the date in	nd personally obtained such of adjented opposite his or her
name. I know their respective residences given. I	an and this recall netition I am aware that falsifying	this certification is punishable under § 12.13(3)(a), Wis. Stats. Muscy re of circulators		Page No. 20
	(algorithm of by Wis. State. §§ 8.40 and 9.10. This form is prescribed by the	re of eleculator) : Wisconsin Elections Confininsism P.O. Hex 7984, Mudigar, WI 53707-7984 608-2	66-8005 (web: http://skestyaan.ww.gov email; elections/3 we gov	



Douglas M. Poland

222 West Washington Avenue, Suite 900 P.O. Box 1784 Madison, WI 53701-1784 DPoland@staffordlaw.com 608.259.2663

August 10, 2024

BY HAND DELIVERY

Ms. Brenda Petersen, Clerk Town of Westfield W7703 Ember Ave P.O. Box 157 Westfield, Wisconsin 53964

Re: Verified Reply of Town Chairperson Sharon L. Galonski to Petitioner's Response

Dear Clerk Petersen:

We have received the response to Chairperson Galonski's verified challenge that Petitioner Terry Johnson filed on August 8, 2024, with supporting attachments submitted to the Clerk on the morning of August 9, 2024. Because Chairperson Galonski did not receive the attachments to Ms. Johnson's reply until August 9, 2024, at your express direction, we file this reply no later than August 11, 2024.

As a threshold matter, Ms. Johnson's reply must be rejected because it is not verified as required by Wisconsin law. Pursuant to the rules promulgated by the Wisconsin Elections Commission, the standards for determining challenges to election petitions, including recall petitions, are generally the same standards applied to determining the sufficiency of nomination papers. Wis. Admin. Code § EL 2.11(1). Just as the complaint challenging the sufficiency of nomination papers and the response thereto must be verified (Wis. Admin. Code § 2.07(2)), so too must the complaint challenging a recall petition and the response thereto be verified. Wis. Admin. Code § EL 2.11(1)-(2).

Verification requires that the party filing the response swear upon oath before a notary public or other person authorized to administer oaths that said party personally read the response and the allegations contained therein are true and correct, based on personal knowledge. Wis. Admin. Code § EL 20.03(1), (5). A statement to that effect must be included at the bottom of the response. Here, Terry Johnson signed the response but failed

Madison Office

222 West Washington Avenue P.O. Box 1784 Madison, Wisconsin 53701-1784 608.256.0226 888.655.4752 Fax 608.259.2600 www.staffordlaw.com

Milwaukee Office

1200 North Mayfair Road Suite 430 Milwaukee, Wisconsin 53226-3282 414.982.2850 888.655.4752 Fax 414.982.2889 www.staffordlaw.com to do so under oath as required by law. It follows thaft the response is deficient and must be rejected.

In addition to that threshold fatal deficiency, substantively, the response lacks merit, and entirely fails to undermine the legal grounds that Chairperson Galonski identified in her August 2nd challenge.

First, Chairperson Galonski did not receive a copy of the recall petition until 9:26 PM on July 25, 2024. If the recall petition was filed on July 15, 2024, then Chairperson Galonski should have received a copy of the recall petition within 24 hours, as required by the Wisconsin Election Commission's rules. Wis. Admin. Code El 2.07(2)(a). But this did not happen until July 25—9 days after the purported July 15 filing date. Accordingly, it would be a violation of Chairperson Galonski's due process rights to require that she file on July 26, 2024, just one day after receiving a copy of petition. The ten-day filing period of section 9.10(4)(a) contemplates that the official sought to be recalled has proper notice of the recall, including receipt of a copy of the petition. Town Clerk Petersen properly accepted Chairperson Galonski's challenge, and the verified challenge was timely submitted on August 2, 2024, eight days after receiving a copy of the recall petition.

Second, as Chairperson Galonski's August 2nd challenge established, by submitting a materially false certification, Ms. Johnson failed to properly register her recall committee. Despite Ms. Johnson's protests that the recall petition should be processed in the spirit of the law, a challenge to the sufficiency of the recall committee's registration directly disputes the validity of the recall petition. As clearly stated in the verified challenge, Wisconsin law requires that a recall committee be properly registered with the Wisconsin Ethics Commission **before** a recall petition may be circulated for signatures. Wis. Stat. § 9.10(2)(d).

Indeed, the response confirms that the registration statement contained a material misrepresentation. Ms. Johnson states, "when I checked the box to oppose the recall, it was done in error." Resp. at 1. Thus, despite the statutory prohibition in section 9.10(2)(d), the recall committee was not properly registered when Ms. Johnson circulated the recall petition for signatures.

Although Ms. Johnson submitted an amended registration statement with her response to Chairperson Galonski's challenge, an amendment that is submitted *after* all signatures were collected does not remedy the fact that the signatures were collected in violation of section 9.10(2)(d), as explained above. Thus, the entire petition is rendered invalid. Wisconsin Ethics Commission rules do allow for the amendment of registration statements. But section 6.02(2) provides that the filing officer who accepts the insufficient registration statement "shall then promptly notify the registrant indicating the nature of the

... insufficiency" and give the registrant "15 days from the date of such notice to rectify the problem." Wis. Admin. Code ETH § 6.02(2). The amendment to the registration statement needed to be submitted to Clerk Petersen *before* Ms. Johnson circulated the petition for signatures, not *after* all signatures were collected and *after* the recall petition was challenged. Consequently, Ms. Johnson's submission on August 8, 2024, of an amended registration statement—in her response to Chairperson Galonski's challenge—does not remedy the statutory violation and allow the recall to proceed based on signatures that were already collected under a defective registration statement.

Third, Ms. Johnson's efforts to rectify the legal defects in the certifications of circulator, as well as the defects of the individual signatures, are unavailing. The challenged certifications of circulator and individual signatures remain invalid.

A. Certifications of circulator.

Ms. Johnson attached corrected certifications of circulator and an affidavit from circulator Gary Schaeffer. As a threshold matter, the corrections attached to Ms. Johnson's response clearly demonstrate that the certifications of circulator were defective, as established in Chairperson Galonski's challenge. As explained below, it is too late to make corrections to the certifications of circulator. Thus, all 68 signatures on the pages that required correction must be stricken for the reasons initially explained in Chairperson Galonski's challenge.

Administrative Rule EL section 2.05(4) allows for the correction of information on the recall petition, supported by an affidavit of either the circulator or the individual elector who signed the petition. However, the correction and supporting affidavit must be submitted "not later than three calendar days after" the filing date of the recall petition. Wis. Admin. Code EL § 2.05(4) (emphasis added). Section 2.05(4) does indeed allow for corrections to errors within a short window after filing. But the provision is not intended to give a recall petitioner a second chance to properly complete the certifications of circulator well after a challenge to the recall identifies the legal defects in the certifications.

Here, that deadline for corrections supported by affidavits was July 18, 2024—three days after filing. Corrections to legal deficiencies in the certifications of circulator, even if they are supported by affidavit, cannot be made in the response to a verified challenge of the recall petition, more than two weeks after the recall petition was filed. Moreover, circulator Schaeffer's affidavit only attempts to swear to the validity of the individual signatures, but it does not address the fatal deficiencies in his certifications. And the other corrections to the certifications by circulators Marotz, Dagel, and Murray are not supported by affidavit, as required by section 2.05(4). Consequently, the corrections and supporting affidavit of circulator Schaeffer, as well as the corrections made by circulators Marotz,

Dagel, and Murray (Items 1-4, 5, and 7 in the response) do not render the signatures on those pages valid. All 68 signatures on those pages must be stricken for the reasons provided in Chairperson Galonski's challenge letter.

As for Item 6 in the response, the addition of James Johnson's address in his own handwriting to his certification of circulator also comes too late to rectify the legal defect. To comply with section 2.05(4), this correction needed to be made within three days of filing—that is, by July, 18, 2024—and supported by affidavit. Because the correction was made more than two weeks after the recall petition was filed, and it was made in response to Chairperson Galonski's challenge, it simply cannot rectify the legal defect that circulator Johnson did not himself sign the certification. Further, the correction was not supported by an affidavit. It remains a fact that another person completed the filed certification of circulator for James Johnson, in violation the law. See Wis. Stat. § 8.40(2); Wis. Admin. Code EL § 2.05(9) (providing that "a person may not sign for his or her spouse"). The seven signatures on circulator Johnson's page 18 must be stricken.

The untimely and unsupported corrections therefore do not remedy the improper, false, incomplete, or otherwise deficient certifications of circulators identified in the Chairperson Galonski's challenge. These pages contain 75 signatures of electors. Those signatures may not be counted.

B. Individual Signatures

Although the burden of proof for any challenge rests with the individual bringing the challenge, Chairperson Galonski's *verified* challenge was sufficient to overcome any presumption of validity. *See* Wis. Stat. §§ 9.10(2)(g), (h). Section 9.10(2)(h) provides that a "challenge to the validity of signatures on the petition shall be presented by affidavit *or other supporting evidence*" (emphasis added). An affidavit is a written statement, confirmed by oath before a notary, affirming that certain facts are true; the oath lends an affidavit its evidentiary value in a legal proceeding. Similarly, a verification is a written statement, taken under oath and before a notary that swears to the truth of the allegations in the verified document. Accordingly, Chairperson Galonski's verified challenge has the same evidentiary value as an affidavit, thereby satisfying section 9.10(2)(h)'s requirement of evidence to support a challenge. The verified challenge alleges legal defects in certain individual signatures with specificity—defects that are clear from the recall papers themselves. This is sufficient to overcome the presumption of validity and prompt the Town of Westfield Clerk to scrutinize the challenged signatures to determine whether they must be stricken.

Ms. Johnson's response acknowledges that another person completed the individual signatures of the electors in items 2, 3, 5, and 6. A person may not sign for any other person. Wis. Admin. Code EL § 2.05; Wis. Stat. § 8.40(1).

In attachments to the response, Ms. Johnson attempts to rectify the defects of the individual signatures for items 7, 20, 9, 19, 1, 13, and 18 by having the circulator either correct the information and/or make a statement attesting to the information provided. These corrections do not rectify the legal defects. First, the corrections were made too late. As explained above, Administrative Rule EL section 2.05(4) requires that any corrections to individual signatures be made within three days of filing—in this case, by July 18, 2024—not more than two weeks after filing, and in response to a challenge of the recall petition. Second, section 2.05(4) requires that these corrections each be supported by an affidavit of the person who signed the petition. The informal, signed statements of the circulators that Ms. Johnson added to the petition pages in support of her response are no substitute for a sworn and notarized affidavit of the individuals who signed the petition, as the law requires. Those signatures therefore remain invalid and must be stricken.

As for item 15, only qualified electors may sign a petition for recall. Wis. Stat. § 9.10(1)(a). Section 6.03(1)(a) provides that "any person who is incapable of understanding the objective of the elective process" is not a qualified elector. With all due respect, Chairperson Galonski alleges, under oath, that Ruth Mui does not have the cognitive ability to understand the objective of a recall petition and elective process of a recall.

Lastly, Ms. Johnson makes no rebuttal to the challenge of the signatures in item 21. They remain invalid and must be stricken.

Chairperson Galonski's challenge has overcome any presumption of validity of 25 individual signatures by establishing that they are legally defective. Ms. Johnson's rebuttal is unavailing. The 25 signatures remain invalid and must be stricken.

In conclusion, Ms. Johnson's response is fatally deficient because it is unverified. Moreover, it fails to undermine the firm legal grounds for the challenges raised to the recall petition of Chairperson Galonski. The recall petition was deficient from its inception because Terry L. Johnson formed a committee to *oppose* the recall of Sharon L. Galonski. Additionally, the challenged certifications of circulator and individual signatures remain defective, bringing the number of valid signed electors to just 51 eligible voters, well below the 25% threshold of 110 signatures. For the forgoing reasons, we respectfully request that you reject the petition and refuse to schedule a recall election.

August 10, 2024 Page 6

Respectfully submitted,

STAFFORD ROSENBAUM LLP

Douglas M. Poland Stephen Goettsche

cc: Sharon L. Galonski, Town Chairperson (by email)

Eric Larson (by email)

Terry L. Johnson (by U.S. Mail)

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August 13, 2024

CERTIFICATE OF SUFFICIENCY OF RECALL PETITION

I am the Town Clerk for the Town of Westfield. In that capacity, I am required to make a determination of whether the recall petition made against Town Chair Sharon Galonski is sufficient or insufficient, pursuant to Wis. Stats. Section 9.10(4)(a). I hereby determine that the recall petition is sufficient.

This certification of sufficiency is attached to the petition. I am hereby transmitting this sufficient recall petition to the Town Board to set a recall election, pursuant to Wis. Stats. Section 9.10(4)(a).

TOWN OF WESTFIELD

Brenda Petersen

Brenda Petersen

Enclosure

cc: Eric Larson, Town Attorney

FINDINGS IN SUPPORT OF CERTIFICATE OF SUFFICIENCY

I received a recall petition on July 15, 2024. I have closely considered the matter, and reserved judgment as to the sufficiency of the recall petition until this time. Between the date of receipt of the petition and today, I received information from the Town Chair and her legal counsel, as well as additional information from the Petitioner. Based upon all information received in this regard, I reach the following conclusions.

- 1. I previously ruled that the registration statement for the recall committee was sufficient to proceed, and I stand by that determination. The checkbox "oppose" or "support" is arguably ambiguous, and regardless the intent of the registration for recall was clear, so I do not invalidate the process on that basis.
- 2. The circulator pages prepared by Gary Schaeffer are sufficient. Gary Schaeffer corrected the errors regarding his address by preparing an affidavit with the correct information, as allowed by Wisconsin Statutes Section 9.10(4)(a), 9.10(2)(e) and (r).
- 3. Virginia Dagel's circulation pages are not counted because she listed the Town of Oxford as her residence, when she resides in the Town of Westfield. She did not correct her mistake by affidavit pursuant to Wis. Admin. Code Section EL 2.05(4). As such, pages 7 and 8 of the recall petition, which include 18 signatures, are invalid.
- 4. The circulation pages of Tim Marotz and Richard F. Murray are sufficient. As initially filed, they did not provide their complete address. The Wisconsin Elections Commission outlined certain insufficiencies which may be corrected in its "Recall of Local Elected Officials" manual:

"Correctable insufficiencies as prescribed by Wis. Stat. § 9.10(2)(e) and (r) include, but are not limited to:

- The failure of the circulator to sign the certification or to include all required information.
- The person signing the petition omitted the date or wrote the incorrect date.
- The failure of the circulator to write his or her complete address on the certification."

These were corrected by providing an updated circulation page with the correct address.

5. I received allegations that certain handwriting was the same as another individual's handwriting when filling out information on the petition. Absent additional information that this was completed by another individual, I am not a handwriting expert and am unable to determine whether this was completed by another individual¹. Wisconsin Administrative Code Section EL 2.05(4) states that information on a recall petition is entitled to a presumption of validity.

¹ Please note that this conclusion applies to all claims that information was completed by individuals other than the signatory, including the individual signatures on page 1, line 6, page 1, lines 8-9, page 2, lines 9-10, page 3, lines 3-4, page 14, line 2, and the circulator signature for page 18.

- 6. I have received allegations that certain signatories reside in another municipality. For these claims, the signatures will be counted. These individuals state on the Petition they are residents of the Town of Westfield, and this is presumed valid pursuant to Wis. Admin. Code Section EL 2.05(4).²
- 7. For page 1, line 3, this signature is counted. Gary Schaeffer provided an affidavit stating he received signatures only from electors, and clarified the name of this elector is "Dale Meyer."
- 8. For page 3, line 10, the signature of Jacob Wilson is counted. The signatory initially wrote Oxford as their residence. This was an error that was corrected by the circulator, Gary Schaeffer. Mr. Schaeffer noted, by affidavit, that he only received signatures from Town of Westfield residents.
- 9. Certain signatures are alleged to be illegible, but I have not rejected those signatures. Wisconsin Statutes Section 8.40(1) only states a printed name must be legible in a space provided next to his or her signature. This does *not* state that the signature itself must be legible.

In addition, the Government Accountability Board (now the WEC) in its "Determination of Sufficiency of Recall Petitions" manual specifically states the following regarding the legibility of a signature on page 2, Section 1(a):

"A signature does NOT need to be legible."

As such, the signatures on page 7, line 4, and page 16, line 2 were sufficient and counted.

- 10. For page 12, line 3, this printed name is "Allen Janke Sr." and the signature is sufficient and is counted. I was able to discern this individual's name from the printed name on the petition.
- 11. For page 13, line 2, the signature is sufficient. I do not have sufficient information to prove that the signatory does not have the competency to understand and sign a recall petition.
- 12. For page 15, line 5, the signature is insufficient because the printed name is illegible. While the Petitioner provided an updated page stating this was Darrel Hanhold, this was not an insufficiency that could be corrected by "other proof" pursuant to Wis. Stats. Sections 9.10(2)(e) or 9.10(2)(r). This signature would have needed to be corrected pursuant to Wis. Admin. Code Section EL 2.05(4) by affidavit, which was not done.
- 13. For page 19, lines 9 and 10, the signatures are sufficient and are counted. I received certain information stating the signatures were invalid because a change was made to the municipality of residence by someone other than the signatories and it was not initialed. I received no information to show that this correction was not done by the two

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² This finding applies to the individual signatures on page 2, line 5, page 4, line 6, page 11, lines 4 and 6, page 11, lines 7-8, page 12, line 2, page 12, lines 9-10, page 14, line 2, and page 14, line 9.

- signatories. Simply because the change was not initialed is not sufficient to overturn the signatures.
- 14. For page 20, lines 1 and 2, only one signature is counted. The name "David Schaefer" appears twice. There is no distinction between the individuals, and electors can only sign a recall petition once. As such, I did not count one of the "David Schaefer" signatures.

I find that the recall petition contains **131 valid signatures**. Based upon the formula provided in Wis. Stats. Section 9.10(1)(b), only 110 valid signatures were required.

TOWN OF WESTFIELD

Brenda Petersen

Brenda Petersen

STATE OF WISCONSIN WISCONSIN ELECTIONS COMMISSION

IN THE MATTER OF the Certificate of Sufficiency of Recall Petition of Town of Westfield Town Chair Sharon Galonski,				
SHARON GALONSKI,				
Complainant,				
V.	Case No			
BRENDA PETERSEN,				
Respondent.				
RESPONSIVE PLEADING				
STATE OF WISCONSIN)			
MARQUETTE COUNTY) ss.			

I, Brenda Petersen, being duly sworn on oath, do hereby depose and state as follows:

I am the Town Clerk of the Town of Westfield and the Respondent named above, and hereby respond in my official capacity as Town Clerk.

My conclusions regarding the recall petition are shown in Exhibit I attached to the Complaint. I made that decision in good faith, in the exercise of my duties as Town Clerk. I consulted the Town Attorney to help guide me through the legal considerations. I stand by my Certificate of Sufficiency.

In reaching my conclusions on the validity of the petition I rigorously avoided favoring one side over the other. The determination was without bias for or against. In that same vein, I do not intend to take sides in this challenge. The issues raised in the Complaint are largely the same issues I considered when rendering my decision, and I made findings in that regard that continue to reflect my position. I believe my decision was correct and proper, but if the WEC concludes my certification was erroneous I will stand corrected.

The Town of Westfield has a population of approximately 800 people with about 550 registered voters. This proceeding is already a financial burden on the taxpayers of the Town of Westfield. I do not intend to incur the additional expense of engaging professional assistance to thoroughly defend this Complaint under these circumstances.

WHEREFORE, I, Brenda Petersen, declare and affirm that the above stated facts, to the best of my knowledge, are true and correct.

Dated this 3 Poday of Sloken ber, 2024

TOWN OF WESTFIELD

WATNE L

Brenda Petersen, Town Clerk

STATE OF WISCONSIN

) ss.

COUNTY OF MARQUETTE

Personally came before me on this 3 day of September the above-named Brenda Petersen executed the foregoing instrument and acknowledged the same.

Print Name: Courney Trimble
My Commission Expires: 10-4-2028

STATE OF WISCONSIN WISCONSIN ELECTIONS COMMISSION

IN THE MATTER OF the Certificate of Sufficiency of Recall Petition of Town of Westfield Town Chair Sharon Galonski,

SHARON GALONSKI,

Complainant,

v. Case No. EL 24–88

BRENDA PETERSEN,

Respondent.

VERIFIED REPLY OF COMPLAINANT

- 1. Complainant Galonski files this Verified Reply to the Response of Brenda Petersen expeditiously and well before the September 20, 2024 deadline set by the Wisconsin Elections Commission ("Commission").
- 2. On August 19, 2024, Complainant Galonski filed a Verified Complaint with the Commission pursuant to and in accordance with Wis. Stat. §§ 5.06, 9.10, Wis. Admin. Code §§ EL 2.05, 2.09, 2.11, and other Wisconsin laws governing elections and election campaigns.
- 3. The Verified Complaint was brought against the Town Clerk of the Town of Westfield, Brenda Petersen ("Clerk Petersen"). Complainant Galonski challenged the Certificate of Sufficiency of the petition for the recall of Sharon Galonski, Chairperson of the Town of Westfield.
- 4. The Verified Complaint alleged that Clerk Petersen abused her discretion and acted contrary to law in certifying the sufficiency of the recall petition brought by Terry L.

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Johnson. Accordingly, Complainant requested that the Commission require Clerk Petersen to (a) reject the recall petition as invalid and (b) disallow the recall election.

- 5. Clerk Petersen filed a Response to Complainant Galonski's Verified Complaint on September 3, 2024. In the Response, Clerk Petersen neither addressed nor disputed the specific factual allegations or legal arguments set forth in the Complaint. Instead, Clerk Petersen merely asserted that the Findings and Conclusions in Support of the Certificate of Sufficiency, attached to the Verified Complaint as Exhibit I, "continue to reflect my position." (Resp. at 1)
- 6. Since the factual allegations in the Verified Complaint are not disputed or rebutted, the Commission must assume that they are true in determining whether the allegations show probable cause to believe that a violation of the law or abuse of discretion occurred. *See* Wis. Stat. 5.06(1).
- 7. Moreover, Clerk Petersen did not make legal arguments or rely on any legal authority in the Response. Thus, the legal arguments set forth in the Verified Complaint are unrebutted. Complainant therefore reasserts the legal reasoning and authority—as set forth in the Verified Complaint—that support the challenge of the Certificate of Sufficiency issued by Clerk Petersen.
- 8. To summarize Complainant's argument, the recall petition was insufficient from its inception because Terry L. Johnson formed a committee to oppose the recall of Sharon L. Galonski. The Committee was barred by Wisconsin law from circulating the petition for the collection of signatures "prior to completing registration," Wis. Stat. § 9.10(2)(d), which *still* has not been accomplished. The non-verified response and the untimely submission of a supposedly "corrected" (but non-certified) registration statement—after all signatures were collected—did

not rectify this insufficiency. Consequently, all signatures gathered on the recall petition are invalid.

9. Additionally, the insufficient certifications of circulators Schaeffer, Dagel, Murray, and Marotz were not corrected according to statute and the Administrative Code of the Elections Commission. The combined 68 individual signatures on the pages of those circulators must not be counted. Rejecting those 68 signatures brings the number of individual signatures to just 83 electors, well below the twenty-five percent (25%) threshold of 110 signatures.

10. Clerk Petersen therefore abused her discretion and acted contrary to law in certifying the sufficiency of the recall petition, thereby allowing the recall election to proceed.

CONCLUSION

11. For the forgoing reasons and those stated in the Verified Complaint, Complainant Galonski respectfully requests that Commission, under the authority provided in section 5.05(1)(e), require Clerk Petersen to (a) reject the recall petition as insufficient and (b) disallow the recall election. Moreover, given that Clerk Peterson has scheduled a recall election to be held on September 24, Complainant requests that the Commission act on her Complaint promptly.

Reply prepared by:

STAFFORD ROSENBAUM LLP Douglas M. Poland, SBN 1055189 Erin K. Deeley, SBN 1084027 Stephen Goettsche, SBN 1126643 Attorneys for Complainant

222 West Washington Avenue, Suite 900 Madison, Wisconsin 53701-2744 dpoland@staffordlaw.com edeeley@staffordlaw.com sgoettsche@staffordlaw.com 608.256.0226

VERIFICATION

Sharon Galonski, being first duly sworn, on oath, deposes and says that she has read the foregoing Verified Complaint and avers that the same is true and correct to the best of her knowledge, except as to those matters therein stated upon information and belief or based upon exhibits filed in support of this Verified Complaint, as to which matters she believes them to be true.

Signed at Marquette County Wisconsin, this 5th day of September, 2024.

Sharon Galonski

Subscribed and sworn to before me this 45/day of September, 2024.

Notary Public, State of Wisconsin

My commission expires: 8/26/2025

ASHLEY K. MORGAN NOTARY PUBLIC STATE OF WISCONSIN