

The Complaint of

REPUBLICAN PARTY OF WISCONSIN
MARK MORGAN,

Complainant,

Against

VERIFIED
COMPLAINT

DANA WACHS,

Respondent.

Republican Party of Wisconsin, by and through its representative, Mark Morgan (“Complainant”), brings this complaint against Dana Wachs (“Wachs”) and alleges as follows:

1. Complainant Mark Morgan is a qualified elector of the State of Wisconsin and is the Executive Director of the Republican Party of Wisconsin with a mailing address of 148 East Johnson Street, Madison, WI 53703.
2. Dana Wachs is a declared candidate for Governor of Wisconsin with a mailing address of 437 Lincoln Ave., Eau Claire, WI 54701.
3. That on May 31, 2018, Wachs submitted nomination papers to the Wisconsin Elections Commission in order to secure a place on the ballot in the upcoming election for Governor.
4. That Wis. Stat. §8.15(6)(a) requires candidates for Governor submit not less than 2,000 valid signatures in order to be nominated for placement on the ballot.
5. Despite the advantages of having such a long-running campaign for Governor, The WEC made an initial ruling that the total number of signatures submitted by Wachs amounted to only 2,254 valid signatures.
6. This is only 254 signatures more than the minimum requirement and the smallest total valid signature count among the Democrat field with the exception of Josh Pade.

COUNT 1: Noncompliance with Wis. Stat. §8.15(4)

7. All preceding paragraphs are re-alleged and incorporated as if fully stated herein.
8. Wis. Stat. §8.15(4)(a) states “the certification of a qualified circulator stating his or her residence...shall appear at the bottom of each nomination paper.”

9. Upon information and belief, the following nomination pages are invalid because the circulator did not fully indicate the municipality of his or her residential address as required under Wis. Stat. §8.15(4)(a): 33 and 119. In total, these pages contain 20 signatures.

COUNT 2: Noncompliance with Wis. Stat. §8.15(2) and Wis. Admn. Code EL§ 2.05

10. All preceding paragraphs are re-alleged and incorporated as if fully stated herein.
11. Wis. Stat. §8.15(2) requires that, in order for a nomination signature to be valid, each signer of a nomination paper “shall list his or her municipality of residence for voting purposes, the street and number, if any, on which the signer resides, and the date of signing.”
12. Wis. Admn. Code EL §2.05(12) requires a complete address, including municipality of residence be listed for each signature on a nomination paper.
13. Upon information and belief, the following nomination pages are invalid because the signer of the nomination paper did not fully indicate his or her residential address including municipality as required under Wis. Stat. §8.15(2) and Wis. Admn. Code EL §2.05(12): See Attachment A. In total, these pages contain 312 signatures.

COUNT 3: Noncompliance with Wis. Stat. §8.15(2)

14. All preceding paragraphs are re-alleged and incorporated as if fully stated herein.
15. Wis. Stat. §8.15(2) further requires that, in order for a nomination signature to be valid, each signer of a nomination paper “shall legibly print his or her name in a space provided next to his or her signature.”
16. Upon information and belief, the following nomination signatures are invalid because the signer of the nomination paper did not legibly print his or her name as required by Wis. Stat. §8.15(2): See Attachment B. In total, these pages contain 19 signatures.

COUNT 4: Noncompliance with Wis. Admn. Code EL§ 2.05

17. All preceding paragraphs are re-alleged and incorporated as if fully stated herein.
18. Wis. Admn. Code EL §2.05(8) requires an elector to sign his or her own name unless unable to do so because of a physical disability.
19. Wis. Admn. Code EL §2.05(15)(c) states that “an individual signature on a nomination paper may not be counted when...the signature of the signer is missing or incomplete.”

20. Upon information and belief, the following nomination signatures are invalid because the elector did not sign his or her name as required under Wis. Admn. Code EL §2.05(8): See Attachment C. In total, these pages contain 15 signatures.

COUNT 5: Noncompliance with Wis. Admn. Code EL§ 2.05

21. All preceding paragraphs are re-alleged and incorporated as if fully stated herein.
22. Wis. Admn. Code EL §2.05(15)(b) states that “an individual signature on a nomination papers may not be counted when...the signature date is after the date of certification contained in the certificate of circulator.
23. Upon information and belief, the following nomination signatures are invalid because the signature date is after the date of the date of certification by the circulator: pg. 98, line 7; pg. 68, lines 1-4.

The above-referenced activity is sufficient to establish probable cause that Wachs' nomination papers contain 361 signatures which are noncompliant with Wis. Stat. §8.15 and Wis. Admn. Code EL §2.05. This total invalid signature number would typically be insufficient to mount a credible challenge to ballot access for a professional, statewide campaign. However, given the remarkably low number of valid signatures collected and submitted by Wachs, these challenges would bring his total valid signature count below the required 2,000 for ballot access.

WHEREFORE, Complainant prays that the Elections Commission review and invalidate all above referenced nomination signatures for Dana Wachs reject his placement on the ballot.

Dated this 4th day of June 2018, at Madison, Wisconsin.



Mark Morgan
Executive Director
REPUBLICAN PARTY OF WISCONSIN

CERTIFICATION

I, Mark Morgan, being first duly sworn upon oath, state that I personally read the above complaint 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.

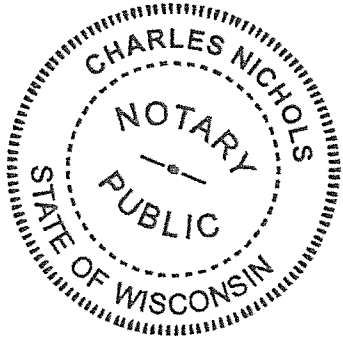
Mark Morgan

State of Wisconsin)
) ss
County of Dane)

Sworn to before me this 4th day of June, 2018.

Charles Nichols

Notary Public or Person Authorized
to Administer Oaths



My commission expires _____
Or, is permanent.

Attachment A.

Page	Line	Page	Line	Page	Line	Page	Line	Page	Line	Page	Line	Page	Line
1	8	29	9	83	1	98	1	120	9	181	5	246	9
1	10	29	3	83	2	98	2	120	10	181	6	246	10
1	5	30	10	83	3	102	3	122	5	181	7	247	1
4	7	31	7	83	4	103	4	123	9	181	8	249	1
4	8	32	10	84	2	103	5	123	10	181	9	249	2
7	3	34	2	84	3	103	6	124	5	181	10	249	4
8	2	35	6	84	6	103	7	124	2	182	1	249	5
8	4	36	6	84	8	103	8	124	3	182	4	249	6
8	5	36	7	84	7	103	9	124	4	182	5	249	7
8	6	37	4	84	4	103	10	124	7	182	6	249	8
8	7	37	7	84	5	104	7	124	9	182	7	271	1
9	9	37	8	85	5	105	4	124	10	182	8	292	1
14	7	38	2	85	9	105	5	127	3	182	10		
19	6	38	4	85	10	105	6	127	4	183	2		
19	7	39	8	87	1	105	7	127	6	183	4		
19	4	60	7	87	2	105	8	129	7	183	7		
19	9	60	6	87	3	105	9	130	5	190	4		
19	10	61	6	87	8	105	10	135	5	196	4		
22	5	61	8	87	9	106	3	143	4	196	5		
24	2	62	8	88	9	106	4	143	5	196	6		
24	3	63	2	89	5	106	5	144	8	196	7		
24	4	63	3	89	6	107	6	144	10	197	1		
24	5	63	7	90	4	108	1	148	7	197	2		
24	7	63	8	91	7	110	10	150	7	197	3		
24	9	63	10	91	4	110	6	150	9	197	4		
24	10	68	10	91	3	110	7	152	5	197	5		
25	4	70	9	91	5	110	8	152	7	197	7		
26	5	70	5	91	6	111	9	152	8	197	8		
26	2	70	8	91	8	111	10	152	9	202	4		
26	3	75	2	91	9	112	2	152	10	202	5		
26	4	75	6	91	10	112	3	153	9	204	5		

26	6	79	3	92	10	112	4	154	5	206	5
26	7	79	4	92	6	112	5	154	6	206	7
26	8	79	5	92	7	112	7	154	7	211	2
26	9	79	6	93	2	112	6	154	10	213	3
26	10	79	7	93	3	112	8	155	5	218	4
26	1	79	2	93	6	112	9	161	5	218	5
27	9	79	1	93	7	113	4	161	6	218	6
28	8	80	3	93	8	113	5	162	8	222	4
28	9	80	4	93	4	114	2	165	8	222	5
28	2	80	5	93	9	114	7	165	9	224	5
28	5	80	6	94	1	116	3	166	6	224	6
28	4	80	7	94	2	116	8	169	4	229	4
28	10	80	9	94	3	120	1	171	5	229	5
28	6	80	10	94	7	120	2	176	5	230	1
28	7	80	8	94	10	120	4	180	4	230	3
29	5	82	10	94	6	120	5	180	3	230	4
29	6	82	7	97	1	120	6	181	1	230	5
29	7	82	8	97	6	120	7	181	2	231	4
29	8	83	9	97	10	120	8	181	4	233	2

Attachment B.

Page	Line
38	6
39	4
61	2
69	9
68	4
86	1
54	1
53	6
43	6
234	5
214	2
163	9
169	8
112	1
118	8
74	5
84	4
70	7
29	10

Attachment C.

Page	Line
89	2
14	5
238	3
68	5
99	2
99	3
114	4
15	7
102	5
9	8
9	9
1	5
96	7
96	8
241	1