

Subject: RE: Public Records Request: WI-REP-22-0477
Date: Tuesday, November 1, 2022 at 11:34:07 AM Eastern Daylight Time
From: Redell, Carol
To: AO Records
CC: Rep.Vos, Fawcett, Steve, Blazel, Ted
Attachments: ASM63 - 2022.05.13 - Am Oversight - emails.zip

EXTERNAL SENDER

Mariuxi Pintado
Paralegal
American Oversight
records@americanoversight.org

Dear Mr. Pintado:

Please be advised that our office is in receipt of your payment of \$107.80 for record location and retrieval costs for the Representative Vos open records request. All records responding to your request are attached electronically.

Carol Redell
Office of the Assembly Chief Clerk
17 West Main Street, Suite 401
Madison, Wisconsin 53703
608.266.1501
carol.redell@legis.wi.gov

From: Redell, Carol
Sent: Monday, October 10, 2022 3:52 PM
To: 'AO Records' <records@americanoversight.org>
Cc: Rep.Vos <Rep.Vos@legis.wisconsin.gov>; Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>; Blazel, Ted <Ted.Blazel@legis.wisconsin.gov>
Subject: RE: Public Records Request: WI-REP-22-0477

Mariuxi Pintado
Paralegal
American Oversight

records@americanoversight.org

Dear Mr. Pintado:

Open records requests are processed through the Assembly Chief Clerk's office for billing purposes only. You submitted an open records request to Representative Vos. This is to notify you that the information has been compiled and will be sent electronically upon receipt of payment for record location and retrieval costs - \$107.80. Checks should be made payable to the Assembly Chief Clerk and mailed to the address listed below.

If you have specific questions regarding the record location and retrieval cost, please contact the office of Representative Vos directly. Thank you.

Carol Redell
Office of the Assembly Chief Clerk
17 W. Main Street, Ste. 401
Madison, WI 53703
[608-266-1501](tel:608-266-1501)

From: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Sent: Monday, October 10, 2022 3:36 PM
To: Downloads@americanoversight.org
Cc: Blazel, Ted <Ted.Blazel@legis.wisconsin.gov>
Subject: FW: Public Records Request: WI-REP-22-0477

Dear Mr. Pintado,

This is in response to your public records request dated 5/13. Your request is attached.

Responsive records have been delivered to the Office of the Assembly Chief Clerk. The Assembly Chief Clerk will be in contact with you with instructions on how to retrieve those records. We now consider this matter closed. Thank you.

Sincerely,

Steve Fawcett
General Counsel
Office of Assembly Speaker Robin Vos
608.266.3387

From: Rep.Vos <Rep.Vos@legis.wisconsin.gov>
Sent: Friday, May 13, 2022 11:40 AM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: FW: Public Records Request: WI-REP-22-0477

From: Downloads <Downloads@americanoversight.org>
Sent: Friday, May 13, 2022 11:09 AM
To: Blazel, Ted <Ted.Blazel@legis.wisconsin.gov>; Rep.Vos <Rep.Vos@legis.wisconsin.gov>
Subject: Public Records Request: WI-REP-22-0477

Dear Chief Clerk Blazel and Speaker Vos,

Please find attached a request for records under Wisconsin's public records law.

Sincerely,
Mariuxi Pintado
Paralegal
American Oversight
downloads@americanoversight.org
www.americanoversight.org

Public Records Request: WI-REP-22-0477

Toftness, Jenny

From: Fawcett, Steve
Sent: Tuesday, April 26, 2022 7:28 AM
To: Coms
Cc: Vos, Robin
Subject: Re: Continuing OSC
Attachments: Robin Voss Office Termination Documents.pdf

Per my message last night, today's meeting is canceled. We received your memo and are reviewing it. We will reach out to reschedule a time to discuss.

Thanks,
Steve

On Apr 25, 2022, at 4:10 PM, Coms <Coms@wispecialcounsel.org> wrote:

Good Afternoon,

I have attached three documents in regard to the necessity of keeping the Office of the Special Counsel open.

Very Respectfully,

Mike Gableman
Special Counsel

Toftness, Jenny

From: Fawcett, Steve
Sent: Tuesday, April 26, 2022 4:38 PM
To: Coms
Cc: Vos, Robin
Subject: RE: Continuing OSC
Attachments: 202204261602.pdf

Dear Mr. Gableman,

Thank you for your confidential memorandum regarding the Office of Special Counsel. Please find attached a contract for legal services between the Assembly and Consultare LLC that will allow you and the Assembly to keep the Office of Special Counsel open in order to fully prosecute the lawsuits identified in your memo. Please return to me at your convenience.

Best regards,

Steve Fawcett
General Counsel
Office of Assembly Speaker Robin Vos
608.266.3387

From: Coms <Coms@wispecialcounsel.org>
Sent: Monday, April 25, 2022 4:10 PM
To: Vos, Robin <Robin.Vos@legis.wisconsin.gov>
Cc: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: Continuing OSC

Good Afternoon,

I have attached three documents in regard to the necessity of keeping the Office of the Special Counsel open.

Very Respectfully,

Mike Gableman
Special Counsel

Toftness, Jenny

From: Blazel, Ted
Sent: Thursday, April 28, 2022 4:42 PM
To: Fawcett, Steve; Toftness, Jenny
Subject: FW: Lawyer bills - past due
Attachments: Executed Representation Agreement - Representative Brandtjen and Joseph W. Voiland.pdf; Account Statement March 2022 Brandtjen Committee.pdf; hourly Account Statement February 2022 Representative Brandtjen Committee on Campaigns and Elections.pdf; hourly Account Statement December 2021 Brandtjen Committee.pdf

Jenny and Steve,

I just received this from Representative Brandtjen. Let me know how you would like me to proceed once you have looked it over.

Ted

Ted Blazel
Assembly Chief Clerk
Wisconsin State Assembly

From: Rep.Brandtjen <Rep.Brandtjen@legis.wisconsin.gov>
Sent: Thursday, April 28, 2022 4:35 PM
To: Blazel, Ted <Ted.Blazel@legis.wisconsin.gov>
Cc: coms@wispecialcounsel.org
Subject: Lawyer bills - past due

Chief Clerk Blazel,

Please see the attached documents and remit \$44,662.50 to Veterans Liberty Law by May 4, 2022.

Please let me know if you have any questions and feel free to call me on my cell at 414-915-8425.

Thank you,



Janel Brandtjen
Wisconsin State Representative
22nd Assembly District
Sign up for my [e-updates!](#)

Toftness, Jenny

From: Fawcett, Steve
Sent: Monday, April 11, 2022 2:02 PM
To: Vos, Robin; Toftness, Jenny
Subject: FW: Final Reimbursement and Salary Email
Attachments: March and April OFC Final Reimbursement Sheet - Sheet1.pdf; 20220407154926504.pdf

Was sent on Thur

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, April 7, 2022 4:01 PM
To: Blazel, Ted <Ted.Blazel@legis.wisconsin.gov>; Hale, Janine <Janine.Hale@legis.wisconsin.gov>; Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: Final Reimbursement and Salary Email

Good Afternoon,

I am attaching the Office of the Special Counsel's final reimbursement and salary request for our office. Please note that one line under office expenses is future reimbursement for this month's services that will be charged early next month. Ted and I wanted to avoid having to make these reimbursements and salaries after our office is closed.

Please note that we are prepared for the printer pick up on April 26th and I am waiting to coordinate a furniture pick up for the remaining supplies. The bigger ticket items to be picked up late in April are:

- 5 desks
- 4 computers
- 2 work phones
- 3 filing cabinets
- 1 lamp
- 1 shredder
- 3 printers
- 1 scanner
- 11 office chairs
- miscellaneous small items like mouse's and computer stylists, office phone

Please note that furniture will not be prepared, printer cannot be picked up, and we will not turn over the office lease to The Thomas Moore Society without payment of the contents of this email prior to pickup.

Please note all open records have been organized and will start being released tomorrow along with a response to American Oversight. These bankers boxes of paper documents will need to be delivered to Madison as well.

Remaining Salary to be Paid:
March Salaries
Kevin Scott \$10,000

Andrew Kloster \$10,000
Clint Lancaster \$10,000
Zakory Niemierowicz \$4,500

April 15th Payment for April Work

Zakory Niemierowicz \$4,500
Mike Gableman \$11,000

Could I please get a response from Speaker Voss's Office and from the Clerks Office so I know we are all on the same page. Please feel free to ask me any questions you have.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

Toftness, Jenny

From: Fawcett, Steve
Sent: Wednesday, March 16, 2022 10:11 AM
To: Vos, Robin; Toftness, Jenny
Subject: FW: Memorandum by The Office of the Special Counsel
Attachments: Memorandum by The Office of The Special Counsel.pdf

From: Coms <Coms@wispecialcounsel.org>
Sent: Wednesday, March 16, 2022 9:57 AM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: Memorandum by The Office of the Special Counsel

Good Morning,

I have attached a Memorandum created by our office. Please let me know if you have any questions or concerns.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

Toftness, Jenny

From: Fawcett, Steve
Sent: Thursday, March 17, 2022 1:07 PM
To: Vos, Robin; Toftness, Jenny
Subject: FW: All Necessary Legal Fees
Attachments: Joe Voiland.pdf; DeanStatement220224.01 WEC.pdf; DeanStatement220131.04 WEC.pdf; DeanStatement220224.01 AO.pdf; DeanStatement220131.03 AO.pdf; DeanStatement211231.08 WEC.pdf

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 17, 2022 12:52 PM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Cc: Miked@Michaeldeanllc.com
Subject: All Necessary Legal Fees

Good Afternoon Steve,

I have attached the legal bills from Mike Dean and Joe Voiland that have not been paid in 5 months. Please address this issue and give our office a response as soon as possible.

Very Respectfully,

Mike Gableman
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

Toftness, Jenny

From: Fawcett, Steve
Sent: Thursday, March 17, 2022 1:11 PM
To: Coms
Subject: RE: All Necessary Legal Fees

I thought Voiland was Rep. Brandtjen's attorney?

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 17, 2022 12:52 PM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Cc: Miked@Michaeldeanllc.com
Subject: All Necessary Legal Fees

Good Afternoon Steve,

I have attached the legal bills from Mike Dean and Joe Voiland that have not been paid in 5 months. Please address this issue and give our office a response as soon as possible.

Very Respectfully,

Mike Gableman
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

Toftness, Jenny

From: Fawcett, Steve
Sent: Friday, March 18, 2022 9:03 AM
To: Blazel, Ted; Hale, Janine
Cc: Toftness, Jenny
Subject: FW: EXTERNAL : RE: EXTERNAL : RE: All Necessary Legal Fees

Call me on this before you process anything.

From: Coms <Coms@wispecialcounsel.org>
Sent: Friday, March 18, 2022 9:01 AM
To: Hale, Janine <Janine.Hale@legis.wisconsin.gov>
Cc: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: Fw: EXTERNAL : RE: EXTERNAL : RE: All Necessary Legal Fees

Good Morning Janine,

As stated in the attached email, Steve Fawcett would like me to send these invoices directly to you. As a reminder Mr. Voiland and Mr. Dean are outside legal counsel and are to be paid by the assembly, not out of the WI Special Counsel Budget. If you have any questions, please feel free to give me a call. These invoices date back almost 5 months so if you could expedite payment that would be greatly appreciated.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Sent: Thursday, March 17, 2022 1:59 PM
To: Coms <Coms@wispecialcounsel.org>
Subject: EXTERNAL : RE: EXTERNAL : RE: All Necessary Legal Fees

Ok, thanks. I have his invoices. The normal process for a member to acquire legal representation is to work through our office, so I'll handle that.

Is Dean your counterpart to James Bopp here in Wisconsin? Assuming that is the case and that you have an agreement with him on file at the Chief Clerk's Office you can submit those invoices directly to Janine.

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 17, 2022 1:45 PM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: Re: EXTERNAL : RE: All Necessary Legal Fees

Good Afternoon Steve,

He is representing Janel Brandtjen, but since he has not been paid, he asked our office to also send his invoices.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Sent: Thursday, March 17, 2022 1:11 PM
To: Coms <Coms@wispecialcounsel.org>
Subject: EXTERNAL : RE: All Necessary Legal Fees

I thought Voiland was Rep. Brandtjen's attorney?

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 17, 2022 12:52 PM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Cc: Miked@MichaeldDeanllc.com
Subject: All Necessary Legal Fees

Good Afternoon Steve,

I have attached the legal bills from Mike Dean and Joe Voiland that have not been paid in 5 months. Please address this issue and give our office a response as soon as possible.

Very Respectfully,

Mike Gableman
WI Special Counsel

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Toftness, Jenny

From: Fawcett, Steve
Sent: Tuesday, March 22, 2022 10:58 AM
To: Toftness, Jenny
Subject: FW: Account Statement through March 6, 2022
Attachments: Account Statement March 2022 Brandtjen Committee.pdf

From: Rep.Brandtjen <Rep.Brandtjen@legis.wisconsin.gov>
Sent: Tuesday, March 8, 2022 9:30 AM
To: coms@wispecialcounsel.org; Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Cc: Joseph Voiland <joseph.voiland@veteranslibertylaw.us>
Subject: RE: Account Statement through March 6, 2022

Mike & Steve,

Please find the attached bill from Joe Voiland regarding the *Wisconsin Elections Commission et al. vs. Wisconsin State Assembly et al. and related cases* that should financially be covered under the Office of the Special Counsel.

Thank you,



Janel Brandtjen
Wisconsin State Representative
22nd Assembly District
Sign up for my [e-updates!](#)

From: Joseph Voiland <joseph.voiland@veteranslibertylaw.us>
Sent: Sunday, March 06, 2022 9:09 PM
To: Rep.Brandtjen <Rep.Brandtjen@legis.wisconsin.gov>; coms@wispecialcounsel.org
Cc: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: Account Statement through March 6, 2022

Dear Representative Brandtjen:

Attached please find correspondence and our billing statement through March 6, 2022.

Thank you.

// Joe Voiland

CONSULTARE LLC – #####3834

Search Transactions

Activity: Date range; Start date: Feb 28, 2022; End date: Apr 08, 2022; Type: All

Transactions

Pending Posted

Date ▼	Description ◇	Debit ◇	Credit ◇	Balance
● Apr 06, 2022	DROPBOX*15CBL2KWL46M POS DB.TT/CHELP DE 040401	75.00		2,009.52
● Apr 02, 2022	FEDEX OFFIC46600004663 POS BROOKFIELD WI 033127	27.26		2,084.52
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
● [REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
● [REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]
● Mar 28, 2022	NYTIMES*NYTIMES DISC POS 800-698-4637 NY 032507	4.00		2,655.74
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]		[REDACTED]

1-2

Date ▾	Description ◇	Debit ◇	Credit ◇	Balance
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● Mar 15, 2022	MILWAUKEE JOURNAL POS 888-426-0491 IN 031305	9.99		31,659.74
● Mar 14, 2022	KWIK TRIP 971 POS NEW BERLIN WI US 548930	10.48		31,669.73
● Mar 10, 2022	SPECTRUM POS 855-707-7328 MO 030810	247.78		31,680.21
● Mar 10, 2022	WALMART FAMILY MOBILE POS 877-440-9758 FL 030803	50.71		31,927.99
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● Mar 07, 2022	DROPBOX*XSW8G7VTMVG3 POS DB.TT/CHELP DE 030401	75.00		32,054.02
● Mar 04, 2022	MAZATLAN POS DELAFIELD WI 030102	111.77		32,129.02
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● Mar 03, 2022	ULI PARKING POS MADISON WI 030101	10.00		33,106.10
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● Mar 02, 2022	KWIK TRIP 139 POS SHEBOYGAN WI US 038295	10.30		22,211.77
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
● Feb 28, 2022	OFFICE MA 12140 POS WAUWATOSA WI US 024556	124.88		31,412.86
● Feb 28, 2022	NYTIMES*NYTIMES DISC POS 800-698-4637 NY 022505	4.00		31,537.74
● [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

\$3,250.00

$$32.50 \times 128.25 =$$

~~1282.50~~ 32.50 x 128.25

Jay Stone worked an average of 9.1 hours per day.

Date	Hours
2/16	5.5
2/17	7.75
2/18	10
2/19	11
2/20	11
2/21	9.5
2/22	17
2/23	6
2/24	11
2/25	10
2/26	0
2/27	10
2/28	9
3/1	10.5
	128.25

Jay Stone's Hours from 2/16/2020 through 3/1/2022

AMERICAN OVERSIGHT
Jay Stone Payment

2-1



Past Payments

Account Ending in ...5940

DATE	DESCRIPTION	CATEGORY	CARD	AMOUNT
Mar 30	Subway	Dining	Clinton L. ...5940	\$17.75
Mar 29	Hudson News	Merchandise	Clinton L. ...5940	\$5.39
Mar 29	Cousin's BBQ	Dining	Clinton L. ...5940	\$19.22
Mar 29	Uber Technologies	Other Travel	Clinton L. ...5940	\$14.49
Mar 28	Uber Technologies	Other Travel	Clinton L. ...5940	\$34.73
Mar 28	Uber Technologies	Other Travel	Clinton L. ...5940	\$23.29
Mar 28	Hilton Garden Inn	Lodging	Clinton L. ...5940	\$540.47

22

Mar 28	American Airlines	Airfare	Clinton L. ...5940	\$392.00
Mar 28	Delta Air Lines	Airfare	Clinton L. ...5940	\$557.60
Mar 28	Uber Technologies	Other Travel	Clinton L. ...5940	\$58.05
Mar 28	American Airlines	Airfare	Clinton L. ...5940	\$210.00
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Mar 28	Mke Nonna 6151122	Dining	Clinton L. ...5940	\$20.05
Mar 28	Delta Air Lines	Airfare	Clinton L. ...5940	\$70.00
Mar 26	Arepa's Place	Dining	Clinton L. ...5940	\$18.40
Mar 26	Uber Technologies	Other Travel	Clinton L. ...5940	\$34.45
Mar 25	Uber Technologies	Other Travel	Clinton L. ...5940	\$8.96

2-3

Mar 24	SOUTHWEST NEWS A34	Grocery	Clinton L. ...5940	\$6.80
Mar 24	Chick-fil-A	Dining	Clinton L. ...5940	\$6.35
Mar 23	Uber Technologies	Other Travel	Clinton L. ...5940	\$13.96
Mar 23	Uber Technologies	Other Travel	Clinton L. ...5940	\$13.96
Mar 23	McDonald's	Dining	Clinton L. ...5940	\$5.72
Mar 23	Milwaukee Journal	Other Services	Clinton L. ...5940	\$22.00

2-4

Mar 17	American Airlines	Airfare	Clinton L. ...5940	\$1,077.20
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2-5

Mar 05	CLINTON NTL AIRPORT	Gas/Automotive	Clinton L. ...5940	\$84.72
Mar 05	GREAT AM BAG T3 RB ORD	Dining	Clinton L. ...5940	\$12.61
Mar 05	GROVE ORD ROCKY MOUNT	Dining	Clinton L. ...5940	\$6.44
Mar 04	Uber Technologies	Other Travel	Clinton L. ...5940	\$47.40
Mar 03	Wasabi Sushi Lounge	Dining	Clinton L. ...5940	\$23.07
Mar 03	American Airlines	Airfare	Clinton L. ...5940	\$216.59
Mar 03	Kwik Trip	Gas/Automotive	Clinton L. ...5940	\$19.02
Mar 02	Wasabi Sushi Lounge	Dining	Clinton L. ...5940	\$47.59

z-6

Mar 01	AREPASPLACEMKE.COM	Dining	Clinton L. ...5940	\$18.28
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Flight receipt

EXTERNAL : Fw: Your trip confirmation-BDBOYR 28MAR

Clint Lancaster <Clint@thelancasterlawfirm.com>

Thu 4/7/2022 12:09 PM

To: Coms <Coms@wispecialcounsel.org>

--
Clinton W. Lancaster,
Partner, Attorney at Law

LANCASTER LAW FIRM, PLLC
clint@TheLancasterLawFirm.com
Tel: (501) 776-2224
Fax: (501) 778-6186
www.TheLancasterLawFirm.com

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----- Original Message -----

On Friday, March 25th, 2022 at 9:04 AM, American Airlines <no-reply@notify.email.aa.com> wrote:

Hello Clinton Lancaster!

Issued: Mar 25, 2022

Your trip confirmation and receipt

Record locator: **BDBOYR**

A face covering is required while flying on American, except for children under 2 years old. You are also required to wear a face covering while in the airport before and after your flight. Read more about travel requirements.

You'll need your record locator to find your trip at the kiosk and when you call Reservations.

Manage Your Trip

Flight receipt

Monday, March 28, 2022

MKE	ORD	Seats: <u>5D</u>
8:24 AM	9:26 AM	Class: Coach (H)
Milwaukee	Chicago O'hare	Meals:

American Airlines 3180
 OPERATED BY SKYWEST AIRLINES AS AMERICAN EAGLE.

ORD	LIT	Seats: <u>12C</u>
10:15 AM	12:10 PM	Class: Coach (H)
Chicago O'hare	Little Rock	Meals:

American Airlines 4011
 OPERATED BY ENVOY AIR AS AMERICAN EAGLE.

MKE	ORD	Seats: <u>12A</u>
12:25 PM	1:20 PM	Class: Coach (M)
Milwaukee	Chicago O'hare	Meals:

American Airlines 3778
 OPERATED BY ENVOY AIR AS AMERICAN EAGLE.

ORD	LIT	Seats: <u>10F</u>
3:00 PM	4:56 PM	Class: Coach (M)
Chicago O'hare	Little Rock	Meals:

American Airlines 3817
 OPERATED BY ENVOY AIR AS AMERICAN EAGLE.

Free entertainment with the American app »

Clinton Lancaster

Earn miles with this trip.

Join AAdvantage® »

Ticket # 0012415838945

Your trip receipt

Flight Receipt

Exchange, Visa XXXXXXXXXXXXX5940

Clinton Lancaster

FARE-USD	\$ 1153.49
TAXES AND CARRIER-IMPOSED FEES	\$ 133.71
TICKET TOTAL	\$ 1287.20
ADDITIONAL FARE COLLECTION	\$ 210.00
TICKET CHANGE	\$ 0.00

 **Book a hotel**
Hotel offers

 **Book a car**
Car rental offers

 **Buy trip insurance**
Buy trip insurance

 **Thin gsToD**
o
Things to do

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Additional Services are subject to credit card approval at time of ticketing. Additional Services may appear on multiple accompanied documents as a matter of reference.

Baggage Information

Baggage charges for your itinerary will be governed by American Airlines BAG ALLOWANCE - LITMKE-NIL/American AirlinesBAG ALLOWANCE -MKELIT-NIL/American Airlines1STCHECKED BAG FEE-LITMKE-USD0.00/American Airlines/UP TO 50 LB/23 KGAND UP TO 62 LINEAR IN/158 LINEAR CM1STCHECKED BAG FEE-MKELIT-USD0.00/American Airlines/UP TO 50 LB/23 KGAND UP TO 62 LINEAR IN/158 LINEAR CM2NDCHECKED BAG FEE-LITMKE-USD0.00/American Airlines/UP TO 50 LB/23 KGAND UP TO 62 LINEAR IN/158 LINEAR CM2NDCHECKED BAG FEE-MKELIT-USD0.00/American Airlines/UP TO 50 LB/23 KGAND UP TO 62 LINEAR IN/158 LINEAR CMPREPAID BAGGAGE CHARGES1STCHECKED BAG FEE-LITMKE-USD0.00/American Airlines/UP TO 50 LB/23 KGAND UP TO 62 LINEAR IN/158 LINEAR CM1STCHECKED BAG FEE-MKELIT-USD0.00/American Airlines/UP TO 50 LB/23 KGAND UP TO 62 LINEAR IN/158 LINEAR CM2NDCHECKED BAG FEE-LITMKE-USD0.00/American Airlines/UP TO 50 LB/23 KGAND UP TO 62 LINEAR IN/158 LINEAR CM2NDCHECKED BAG FEE-MKELIT-USD0.00/American Airlines/UP TO 50 LB/23 KGAND UP TO 62 LINEAR IN/158 LINEAR CM

CARRY ON ALLOWANCELITDFW DFWMKE MKEORD ORDLIT-02P/American Airlines01/UP TO 40 LINEAR IN/101 LINEAR CM01/UP TO 45 LINEAR IN/115 LINEAR CMADDITIONAL ALLOWANCES AND/OR DISCOUNTS MAY APPLY

You have purchased a NON-REFUNDABLE fare. The itinerary must be canceled before the ticketed departure time of the first unused coupon or the ticket has no value. If the fare allows changes, a fee may be assessed for changes and restrictions may apply.



From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 17, 2022, 12:52 PM
To: "Fawcett, Steve" <Steve.Fawcett@legis.wisconsin.gov>
Cc: "Miked@Michaeldeanllc.com" <miked@michaelddeanllc.com>
Subject: All Necessary Legal Fees
Attachments: Joe Voiland.pdf; DeanStatement220224.01 WEC.pdf; DeanStatement220131.04 WEC.pdf; DeanStatement220224.01 AO.pdf; DeanStatement220131.03 AO.pdf; DeanStatement211231.08 WEC.pdf

Good Afternoon Steve,

I have attached the legal bills from Mike Dean and Joe Voiland that have not been paid in 5 months. Please address this issue and give our office a response as soon as possible.

Very Respectfully,

Mike Gableman
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Coms <Coms@wispecialcounsel.org>
Sent: Monday, April 25, 2022, 4:09 PM
To: "robin.vos@legis.wisconsin.gov" <robin.vos@legis.wisconsin.gov>
Cc: "Fawcett, Steve" <Steve.Fawcett@legis.wisconsin.gov>
Subject: Continuing OSC
Attachments: Robin Voss Office Termination Documents.pdf

Good Afternoon,

I have attached three documents in regard to the necessity of keeping the Office of the Special Counsel open.

Very Respectfully,

Mike Gableman
Special Counsel

MICHAEL D. DEAN, LLC
ATTORNEYS AT LAW

MAILING ADDRESS:
P.O. BOX 2545
BROOKFIELD, WI 53008

Telephone: (262) 798-8044
Telefax: (262) 798-8045
Email: miked@michaelddeanllc.com

December 31, 2021

Hon. Michael J. Gableman
Office of the Special Counsel

Re: *Elections Commission et al vs. Wisconsin State Assembly et al*
Dane County Case Number 2021CV002552 Wisconsin

STATEMENT

Date	Description
Oct. 24	Teleconfs. and emails with counsel and client. Review pleadings, draft NOA, research.
Oct. 25	Preparation and scheduling conference. Teleconfs. and emails with counsel. Analyze issues, research.
Oct. 26	Confs. with counsel re research assignments.
Oct. 26	Confs. with counsel. Research legislative and commission records.
Oct. 27	Review plaintiffs' briefing. Research legal issues and legislative and agency action. Conf. with counsel and client.
Oct. 27	Teleconfs. with counsel. Research legislative and agency rules and history.
Oct. 27	Teleconf. with counsel. Research legal issues.
Oct. 27	Teleconf. with counsel and client.
Oct. 28	Teleconf. with counsel. Conf. with client.
Oct. 28	Conf. with client and counsel.
Oct. 28	Research.
Oct. 29	Memo and teleconf. with counsel
Oct. 30	Multiple teleconfs. and emails with client and counsel.
Oct. 30	Teleconf. with counsel.
Oct. 31	Conf. with client.
Nov. 1	Teleconfs. with client and counsel. Research.
Nov. 2	Teleconf. with counsel. Research and work on motion to dismiss.
Nov. 2	Review plaintiffs' exhibits, factual allegations, and related information. Research.
Nov. 3	Initial drafts of response brief sections.
Nov. 3	Research.

Nov. 4 Teleconf. with counsel. Research and draft responsive pleadings. Prep for conf. with counsel.

Nov. 5 Conf. with counsel, follow-up emails and teleconfs.

Nov. 5 Conf. and teleconfs. counsel and client.

Nov. 6 Review agency actions, related research.

Nov. 6 Teleconf. with counsel.

Nov. 8 Emails with counsel. Review correspondence and submissions to date. Editing. Work on PHV.

Nov. 9 Conf. with counsel. Continue analysis of submission. Memo on additional research.

Nov. 10 Emails with counsel.

Nov. 11 Emails and teleconfs. with counsel and client. Edits.

Nov. 11 Emails memos with counsel and client.

Nov. 11 Proofread and editing.

Nov. 16 Teleconfs. and conf. with counsel. Research standards.

Nov. 16 Teleconf. with counsel. Research local rules, procedures and standards for plaintiffs' claims.

Nov. 17 Research, memo to counsel. Editing.

Nov. 17 Continue research rules, procedures and standards. Work on memo.

Nov. 18 Conf. with counsel. Review research and memo re agency actions. Research and work on sections of responsive brief, pleadings, motion to dismiss.

Nov. 18 Research and work on submission sections. Prep and conf. with counsel and client.

Nov. 19 Research and drafting.

Nov. 19 Research and drafting.

Nov. 20 Multiple emails and teleconfs. with counsel. Continue research and drafting.

Nov. 20 Review subpoenas and documents at issue. Teleconfs. with counsel.

Nov. 21 Continue drafting re brief sections. Multiple emails with counsel.

Nov. 21 Check and shepardize citations.

Nov. 22 Teleconfs. with counsel. Research additional issues on brief sections. Revisions and multiple emails and teleconfs. with counsel.

Nov. 22 Teleconfs. with counsel. Additional research re agency issues, non-Wisconsin persuasive authority and guidance.

Nov. 23 Multiple emails, teleconfs. and video-confs. with counsel. Additional research, memos and drafting re other response sections and issues.

Nov. 23 Review draft revisions. Read full authority on all citations.

Nov. 24 Continue review of response brief draft, annotations and comments. Memo and emails to counsel. Teleconfs. and conf. with counsel. Work on motion to dismiss.

Nov. 24 Conf. with counsel. Proofread drafts of brief and responsive submissions. Emails and teleconfs. with counsel. Search agency proceedings and history re motion to dismiss.

Nov. 26 Teleconfs. with client and counsel.

Nov. 27 Continue research and drafting.

Nov. 28 Teleconfs. and emails with client and counsel.

Nov. 29 Review related e-filings, archive and emails to counsel.

Nov. 30 Review and forward PHV materials. Emails, teleconfs. and video confs. with client and counsel.

- Dec. 1 Teleconf. with counsel. Research re additional issues and email memo to counsel.
- Dec. 2 Research and emails memos with counsel re complementary non-Wisconsin authority.
- Dec. 3 Teleconfs. and emails with counsel and client. Research, drafting and edits on motion to dismiss.
- Dec. 6 Emails with client and counsel. Edits to motion and briefing.
- Dec. 10 Conf. with counsel.
- Dec. 13 Teleconf. and conf. with client and counsel.
- Dec. 14 Text and email memos with client and counsel.
- Dec. 15 Video conf. re additional research support.
- Dec. 16 Teleconf. re additional research support.
- Dec. 21 Review plaintiffs' response to motions to dismiss.
- Dec. 22 Teleconf. and letter to court re remote appearance. Teleconf. with counsel re hearing.
- Dec. 23 Teleconfs. with court and counsel. Attend hearing remotely.

Fees	\$39,565.00	Hours 165.0	MDD 94.3	DJC 70.7
Costs	<u>\$20.55</u>	WI Courts E-file Opt-in Fee		
Total Due	\$39,585.55			

MICHAEL D. DEAN, LLC
ATTORNEYS AT LAW

MAILING ADDRESS:
P.O. BOX 2545
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Telephone: (262) 798-8044
Telefax: (262) 798-8045
Email: miked@michaelddeanllc.com

January 31, 2022

Hon. Michael J. Gableman
Office of the Special Counsel

Re: *American Oversight v. Assembly Office of Special Counsel*
Dane County Case Number Case No. 2021 CV 003007

STATEMENT

FEES

Date	Description
12/23	Review docketing statements and related cases. Emails with counsel.
12/29	Emails with counsel.
1/3	Teleconfs. and emails with counsel. Review docket and local rules.
1/5	Emails with counsel.
1/6	Review of petition and exhibits.
1/7	Emails and teleconfs. with counsel. Draft and file pro hac vice motions.
1/10	Review docket. Multiple emails and teleconfs. with counsel. Review pleadings and research. Memo to counsel.
1/11	Review docket and motion to consolidate. Emails and teleconfs. with counsel. Emails with court re scheduling conference.
1/12	Multiple emails and teleconfs. counsel.
1/13	Video conf., emails and teleconfs. with counsel, preparation for hearing. Hearing on motion for consolidation. Review pro hac vice filings for Petitioner.
1/15	Review and service affidavit.
1/17	Multiple teleconfs. and emails with counsel. Work on motion to amend scheduling order. Teleconf. and email to opposing counsel.
1/18	Multiple teleconfs. and emails with all counsel. Edit and file motion for continuance.
1/19	Multiple teleconfs. and emails with counsel. Review petition and draft response. Research pleadings. Research definitions of authority and record. Research and draft motion and affidavit re personal jurisdiction.
1/20	Multiple emails and teleconfs. with counsel. Finish and file motion, brief, affidavit. To conf. with client. Review Assembly respondents submissions. Draft and file pro hac vice motion for added counsel.

1/21 Review all filings. Draft and file amended notice of motion. Emails with counsel. Research re argument issues.

1/22 Teleconfs. with counsel. Notes to file. Additional research. Memo to file.

1/24 Emails and teleconfs. with counsel. File document per court order. Order hearing transcript.

1/25 Review scheduling order and calendar.

1/26 Multiple emails and teleconfs. with counsel. Letter to court. Research and draft motion and response brief sections and in camera submission issues. Research production requirements. Work on document production.

1/27 Multiple emails and teleconfs. Review, revise and file motion for reconsideration. Conf. with client office. Work on document production.

1/28 Work on document production. Teleconf. and emails with counsel and client. Review decision and Petitioner opposition to motion.

1/29 Teleconf. with counsel and client. Continue research and work on document production.

1/30 Research and draft objection and motion.

1/31 Emails and teleconfs. with counsel and client. Complete document production and archive. Multiple teleconfs. to court re instructions for e-filing. To court, file documents under seal. Review court instruction letter. Draft confidential records cover sheet, motion, proposed order and file.

Fees Sub-Total **\$21,052.50** Hours: MDD 70.7 DJC 9.20

COSTS

1/21 \$76.05 Mileage to Madison

1/21 \$6.00 Parking

1/31 \$76.05 Mileage to Madison

1/31 \$3.00 Parking

1/31 \$20.55 WI Courts E-file Opt-in Fee

Costs Sub-Total **\$181.65**

AMOUNT	\$21,052.50	Fees
DUE	<u>\$181.65</u>	Costs
	\$21,234.15	

MICHAEL D. DEAN, LLC
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MAILING ADDRESS:
P.O. BOX 2545
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Telephone: (262) 798-8044
Telefax: (262) 798-8045
Email: miked@michaelddeanllc.com

January 31, 2022

Hon. Michael J. Gableman
Office of the Special Counsel

Re: *Elections Commission et al vs. Wisconsin State Assembly et al*
Dane County Case Number 2021CV002552 Wisconsin

STATEMENT

FEES

Date	Description
1/3	Teleconfs. and emails with counsel. Research and memo re interlocutory appellate process. Review correspondence for Plaintiff counsel.
1/10	Zoom conf. with counsel.
1/11	Zoom conf. with counsel.
1/12	Teleconfs. and emails with counsel re responsive pleadings.
1/13	Teleconf. with counsel.
1/15	Review complaint. Draft responsive pleadings.
1/19	Emails re appeal.
1/20	Review Assembly responsive pleadings. Continue work on Special Counsel responsive pleadings. Emails with counsel.
1/22	Review Assembly interlocutory appeal.
1/24	Emails and teleconfs. with counsel. Research. Revise and file responsive pleadings. Review and research motion to intervene.
1/25	Emails with counsel. Research re intervention issues.
1/27	Teleconfs. and emails with counsel.
1/28	Emails and teleconfs. with counsel and client. Review intervenor filings. Research.
1/31	Teleconfs. and emails with counsel. Review draft of brief opposing intervention.
Fees Sub-Total	\$3,877.50 Hours: MDD 14.1

	COSTS	
1/31	\$20.55	WI Courts E-file Opt-in Fee
Costs Sub-Total	\$20.55	
AMOUNT DUE	\$3,877.50	Fees
	<u>\$20.55</u>	Costs
	\$3,898.05	
PRIOR BALANCE	\$39,585.55	
TOTAL DUE		\$3,898.05
		<u>\$39,585.55</u>
		\$43,483.50

MICHAEL D. DEAN, LLC
ATTORNEYS AT LAW

MAILING ADDRESS:
P.O. BOX 2545
BROOKFIELD, WI 53008

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Telefax: (262) 798-8045
Email: miked@michaelddeanllc.com

February 24, 2022

Hon. Michael J. Gableman
Office of the Special Counsel

Re: *American Oversight v. Assembly Office of Special Counsel*
Dane County Case Number Case No. 2021 CV 003007

STATEMENT

FEES

Date	Description
2/1/2022	Teleconf. with counsel. Review new docket filings.
2/2/2022	Teleconfs. and emails with counsel. Teleconfs. with OSC staff and counsel. Review proposed order.
2/2/2022	Work on responsive pleadings.
2/3/2022	Work on responsive pleadings.
2/4/2022	Emails with counsel. Edit and file responsive pleadings.
2/7/2022	Research memo. Emails with counsel.
2/8/2022	Research and work on motion for review and stay. Emails and teleconfs. with counsel.
2/9/2022	Continue research and work on motion briefing. Emails and teleconfs. with counsel.
2/10/2022	Continue research and work on motion briefing. Emails and teleconfs. with counsel.
2/15/2022	Teleconf. and emails with opposing counsel re motion to seal submissions. Continue research and work on motion briefing. Emails with counsel re motion and drafts.
2/16/2022	Emails with counsel. Research and edit motion and briefing for review and stay. Emails with opposing counsel re motions to seal. Review e-file disclosures and follow up.
2/17/2022	Emails with opposing counsel re motion to seal papers. File motion and brief for review and stay. Review party filings.
Fees Sub-Total	\$8,050.00 Hours: MDD 28.0 DJC 2.0
AMOUNT DUE	\$8,050.00

**PRIOR
BALANCE**

\$21,234.15

**TOTAL
DUE**

\$8,050.00
\$21,234.15
\$29,284.15

**TOTAL
DUE**

\$2,022.50
\$43,483.50
\$45,506.00

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 3, 2022, 1:44 PM
To: "Fawcett, Steve" <Steve.Fawcett@legis.wisconsin.gov>
Subject: February Staff Payment

Good Morning Steve,

I just talked with Ted Blazel on the phone. He said he is waiting on a sign off by the Office of the Speaker to pay our salary for the staff for the month of February. Can you please have someone give him the go ahead to write those checks or contact me to give me an update.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, April 7, 2022, 4:00 PM
To: "Blazel, Ted - LEGIS" <Ted.Blazel@legis.wisconsin.gov>; "Hale, Janine" <Janine.Hale@legis.wisconsin.gov>; "Fawcett, Steve" <Steve.Fawcett@legis.wisconsin.gov>
Subject: Final Reimbursement and Salary Email
Attachments: March and April OFC Final Reimbursement Sheet - Sheet1.pdf; 20220407154926504.pdf

Good Afternoon,

I am attaching the Office of the Special Counsel's final reimbursement and salary request for our office. Please note that one line under office expenses is future reimbursement for this month's services that will be charged early next month. Ted and I wanted to avoid having to make these reimbursements and salaries after our office is closed.

Please note that we are prepared for the printer pick up on April 26th and I am waiting to coordinate a furniture pick up for the remaining supplies. The bigger ticket items to be picked up late in April are:

- 5 desks
- 4 computers
- 2 work phones
- 3 filing cabinets
- 1 lamp
- 1 shredder
- 3 printers
- 1 scanner
- 11 office chairs
- miscellaneous small items like mouse's and computer stylists, office phone

Please note that furniture will not be prepared, printer cannot be picked up, and we will not turn over the office lease to The Thomas Moore Society without payment of the contents of this email prior to pickup.

Please note all open records have been organized and will start being released tomorrow along with a response to American Oversight. These bankers boxes of paper documents will need to be delivered to Madison as well.

Remaining Salary to be Paid:

March Salaries

Kevin Scott \$10,000

Andrew Kloster \$10,000

Clint Lancaster \$10,000

Zakory Niemierowicz \$4,500

April 15th Payment for April Work

Zakory Niemierowicz \$4,500

Mike Gableman \$11,000

Could I please get a response from Speaker Voss's Office and from the Clerks Office so I know we are all on the same page. Please feel free to ask me any questions you have.

Very Respectfully,

Zakory Niemierowicz

WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Coms <Coms@wispecialcounsel.org>
Sent: Friday, March 18, 2022, 9:01 AM
To: "Hale, Janine" <Janine.Hale@legis.wisconsin.gov>
Cc: "Fawcett, Steve" <Steve.Fawcett@legis.wisconsin.gov>
Subject: Fw: EXTERNAL : RE: EXTERNAL : RE: All Necessary Legal Fees

Good Morning Janine,

As stated in the attached email, Steve Fawcett would like me to send these invoices directly to you. As a reminder Mr. Voiland and Mr. Dean are outside legal counsel and are to be paid by the assembly, not out of the WI Special Counsel Budget. If you have any questions, please feel free to give me a call. These invoices date back almost 5 months so if you could expedite payment that would be greatly appreciated.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Sent: Thursday, March 17, 2022 1:59 PM
To: Coms <Coms@wispecialcounsel.org>
Subject: EXTERNAL : RE: EXTERNAL : RE: All Necessary Legal Fees

Ok, thanks. I have his invoices. The normal process for a member to acquire legal representation is to work through our office, so I'll handle that.

Is Dean your counterpart to James Bopp here in Wisconsin? Assuming that is the case and that you have an agreement with him on file at the Chief Clerk's Office you can submit those invoices directly to Janine.

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 17, 2022 1:45 PM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Subject: Re: EXTERNAL : RE: All Necessary Legal Fees

Good Afternoon Steve,

He is representing Janel Brandtjen, but since he has not been paid, he asked our office to also send his invoices.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Sent: Thursday, March 17, 2022 1:11 PM
To: Coms <Coms@wispecialcounsel.org>
Subject: EXTERNAL : RE: All Necessary Legal Fees

I thought Voiland was Rep. Brandtjen's attorney?

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 17, 2022 12:52 PM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Cc: Miked@Michaeldeanllc.com
Subject: All Necessary Legal Fees

Good Afternoon Steve,

I have attached the legal bills from Mike Dean and Joe Voiland that have not been paid in 5 months. Please address this issue and give our office a response as soon as possible.

Very Respectfully,

Mike Gableman
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

THE NATIONAL BUILDING
1 South Sixth Street
TERRE HAUTE, INDIANA 47807-3510
Telephone 812/232-2434 Facsimile 812/235-3685
www.bopplaw.com

3/21/22

Reasonable + necessary
m g

INVOICE
February 22, 2022

Michael Gableman
Special Counsel to the Wisconsin Assembly Committee on
Campaigns and Elections
P O Box 510766
New Berlin, WI 53151

In Reference To: Legal Representation of Special Counsel Mike Gableman in WEC v. Wisconsin
State Assembly

Professional Services

			<u>Hrs/Rate</u>	<u>Amount</u>
1/4/2022	CEM	Conference with James Bopp, Jr. regarding research assignment	0.10 240.00/hr	24.00
	CEM	Phone conference with Michael Massie regarding research item	0.10 240.00/hr	24.00
	CEM	Conference with Mike Dean regarding notice of appeal rules	0.10 240.00/hr	24.00
	CEM	CM/ECF Letter to Judge Langford	0.10 240.00/hr	24.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/4/2022	MM	Phone conference with Courtney E. Milbank regarding research	0.10 150.00/hr	15.00
	MM	E-mail James Bopp, Jr. regarding research assignment	0.10 150.00/hr	15.00
	JB	Review Mike Dean research regarding appeal	0.40 450.00/hr	180.00
	JB	Review letter to Judge for WEC	0.30 450.00/hr	135.00
	JB	Conference with Courtney E. Milbank regarding research assignment	0.10 450.00/hr	45.00
	CEM	Phone conference with Michael Massie regarding research	0.10 240.00/hr	24.00
1/5/2022	MM	Review emails from James Bopp, Jr. and attachments	0.80 150.00/hr	120.00
	MM	Review Wisconsin subpoena statuses	0.80 150.00/hr	120.00
	JB	Review email from opposing counsel regarding new subpoenas; forward to Gableman	0.30 450.00/hr	135.00
1/6/2022	MM	Review subpoena statuses	0.60 150.00/hr	90.00
	MM	Research out of state subpoena statuses; take notes	3.80 150.00/hr	570.00
	MM	Review subpoena statutes, take notes	0.50 150.00/hr	75.00
	MM	Outline subpoena research	0.80 150.00/hr	120.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/6/2022	MM	Outline subpoena research	0.60 150.00/hr	90.00
1/7/2022	MM	E-mail James Bopp, Jr. regarding Subpoena research assignment	0.10 150.00/hr	15.00
	MM	Research subpoena statutes	0.20 150.00/hr	30.00
	MM	Review law on out of state subpoenas	0.70 150.00/hr	105.00
	JB	Phone conference with George regarding next steps	0.30 450.00/hr	135.00
	JB	E-mail from Michael Massie regarding Subpoena research assignment	0.10 450.00/hr	45.00
	MM	Review case law on out of state subpoenas	1.80 150.00/hr	270.00
1/10/2022	MM	Review law on out of state subpoenas	0.80 150.00/hr	120.00
	MM	Draft memo on out of state subpoena	1.10 150.00/hr	165.00
	MM	Draft memo on out of state subpoena	0.30 150.00/hr	45.00
	MM	Draft memo on out of state subpoenas	0.30 150.00/hr	45.00
	MM	Review order and opinion on motion to dismiss/motion for temporary injunction	1.40 150.00/hr	210.00
	MM	Research statues and case law on Minnesota subpoena statues	0.60 150.00/hr	90.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/10/2022	MM	Research statues and case law on Illinois subpoena statutes	0.50 150.00/hr	75.00
	MM	Review statues and case law on New York subpoena statutes	0.40 150.00/hr	60.00
	JB	Phone conference with press regarding decision	0.30 450.00/hr	NO CHARGE
	JB	Review decision	0.50 450.00/hr	225.00
	JB	Phone conference with Courtney E. Milbank regarding next steps	0.30 450.00/hr	135.00
	JB	Phone conference with Mike Gableman, Mike Dean and Courtney E. Milbank regarding next steps	0.90 450.00/hr	405.00
	JB	Review email exchange regarding call with co-counsel	0.30 450.00/hr	135.00
	CEM	Opinion and Order; review the same; call with James Bopp, Jr. regarding the same	0.80 240.00/hr	192.00
	CEM	E-mail to Gableman regarding Opinion and time to discuss; call to Mike Dean regarding the same	0.20 240.00/hr	48.00
	CEM	E-mails with Joint Counsel regarding time to discuss next steps	0.40 240.00/hr	96.00
	CEM	Two conferences with Mike Dean regarding opinion and next steps	0.50 240.00/hr	120.00
	CEM	Phone conference with client, James Bopp, Jr. and Mike Dean	0.90 240.00/hr	216.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/11/2022	MM	Draft memo on out-of-state subpoenas	0.20 150.00/hr	30.00
	MM	Draft memo on out-of-state subpoenas	0.50 150.00/hr	75.00
	MM	Phone conference with James Bopp, Jr. regarding memo on out-of-state subpoenas	0.20 150.00/hr	30.00
	CEM	Review memo on out of state subpoenas	0.20 240.00/hr	48.00
	CEM	Phone conference with Joint Counsel regarding next steps	1.00 240.00/hr	240.00
	CEM	Follow-up call with James Bopp, Jr. regarding next steps	0.10 240.00/hr	24.00
	JB	Phone conference with Michael Massie regarding memo on out-of-state subpoenas	0.20 450.00/hr	90.00
	JB	Follow-up call with Courtney E. Milbank regarding next steps	0.10 450.00/hr	45.00
1/12/2022	CEM	E-mails with Mike Dean and joint counsels regarding answer and due date	0.30 240.00/hr	72.00
	CEM	Conference with Mike Dean regarding answer and due date	0.20 240.00/hr	48.00
	JB	E-mail exchange regarding Answer; phone conference with Courtney E. Milbank regarding Answer	0.30 450.00/hr	135.00
1/13/2022	MM	Review memo on out-of state subpoena	0.70 150.00/hr	105.00
	MM	Review statutes on out-of state subpoenas	0.60 150.00/hr	90.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/13/2022	MM	Review case law on out-of state subpoenas	1.00 150.00/hr	150.00
	JB	Phone conference with counsel	0.40 450.00/hr	180.00
	CEM	Phone conference with James Bopp, Jr. regarding Answer	0.10 240.00/hr	24.00
1/14/2022	MM	Review case law on legislative subpoena power	0.70 150.00/hr	105.00
	MM	Edit memo on out of state subpoenas	0.50 150.00/hr	75.00
	MM	Edit memo on out of state subpoenas, review state statutes on foreign subpoenas	0.80 150.00/hr	120.00
1/20/2022	JB	Phone conference with client regarding next steps	0.50 450.00/hr	225.00
	MM	Review Motion to Intervene Documents	0.20 150.00/hr	30.00
	MM	Take notes on Motion to Intervene Documents	0.30 150.00/hr	45.00
	JB	Review answer of co-defendants	0.40 450.00/hr	180.00
1/21/2022	MM	Review Motion to Intervene Documents	0.70 150.00/hr	105.00
1/22/2022	JB	Review Assembly intervention; appeal; email exchange with Courtney E. Milbank regarding appeal	1.10 450.00/hr	495.00
	CEM	E-mail exchange with James Bopp, Jr. regarding appeal	0.20 240.00/hr	48.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/24/2022	MM	Review Motion to Intervene	0.20 150.00/hr	30.00
	MM	Review Wisconsin's Motion to Intervene Statute	0.10 150.00/hr	15.00
	MM	Research case law on motion to intervene	0.10 150.00/hr	15.00
	MM	Review case law on motion to intervene	0.20 150.00/hr	30.00
	MM	Phone conference with Courtney E. Milbank regarding Response to Motion to Intervene	0.10 150.00/hr	15.00
	MM	Review case law on motion to intervene	0.70 150.00/hr	105.00
	MM	Review case law on motion to intervene elements	0.70 150.00/hr	105.00
	MM	Review case law on motion to intervene elements, take notes	1.30 150.00/hr	195.00
	MM	Draft notes and outline for response to motion to intervene	0.70 150.00/hr	105.00
	JB	Review draft answer; email exchange regarding answer	0.50 450.00/hr	225.00
	JB	Review Notice of Joinder by Committee to appeal	0.30 450.00/hr	135.00
	JB	E-mail exchange with Mike Dean regarding appeal	0.30 450.00/hr	135.00
	CEM	Review multiple filings	0.30 240.00/hr	72.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/24/2022	CEM	Phone conference with Michael Massie regarding opposition to intervene	0.10 240.00/hr	24.00
	CEM	Review answer and provide feedback	0.50 240.00/hr	120.00
	CEM	E-mail with Mike regarding motion to intervene due date	0.20 240.00/hr	48.00
1/25/2022	MM	Review case law on motion to intervene	0.80 150.00/hr	120.00
	MM	Draft notes on outline for Response to Motion to Intervene	0.40 150.00/hr	60.00
	MM	Draft fact section and outline of argument section for Response to Motion to Intervene	2.00 150.00/hr	300.00
	MM	Phone conference with Courtney E. Milbank regarding Response to Motion to Intervene	0.20 150.00/hr	30.00
	MM	Draft outline of argument section for Response to Motion to Intervene	0.90 150.00/hr	135.00
	MM	Review documents from Mike Dean	1.30 150.00/hr	195.00
	MM	Review case law on permissive intervention	1.10 150.00/hr	165.00
	JB	Review Committee Answers	0.50 450.00/hr	225.00
	JB	E-mail exchange with Mike Dean regarding Motion to Intervene hearing	0.20 450.00/hr	90.00
	JB	Review draft of opposition to Motion to Intervene	0.50 450.00/hr	225.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/25/2022	CEM	CM/ECF OSC Answer	0.10 240.00/hr	24.00
	CEM	E-mails with local counsel regarding appeal	0.20 240.00/hr	48.00
	CEM	Petition for Interlocutory appeal; review the same	0.80 240.00/hr	192.00
	CEM	Conferences with client	0.30 240.00/hr	72.00
	CEM	E-mails with local counsel and James Bopp, Jr. regarding motion to intervene argument	0.20 240.00/hr	48.00
	CEM	Review opposition to motion to intervene outline	0.20 240.00/hr	48.00
	CEM	Phone conference with Michael Massie regarding Response to Motion to Intervene	0.20 240.00/hr	48.00
	JB	E-mails with local counsel and Courtney E. Milbank regarding motion to intervene argument	0.20 450.00/hr	90.00
1/26/2022	MM	Draft Response to Motion to Intervene, review case law, review outline	1.80 150.00/hr	270.00
	MM	Draft Response to Motion to Intervene, review case law, review outline	2.00 150.00/hr	300.00
1/27/2022	MM	Draft Response to Motion to Intervene	1.60 150.00/hr	240.00
	MM	Draft Response to Motion to Intervene, review case law, review Voces' Motion to Intervene	2.10 150.00/hr	315.00
	MM	Draft Response to Motion to Intervene	1.30 150.00/hr	195.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/27/2022	MM	Review case law on Permissive Intervention	0.70 150.00/hr	105.00
	CEM	CM/ECF NOA Lenz	0.10 240.00/hr	24.00
	CEM	Conference with client	0.10 240.00/hr	24.00
1/28/2022	MM	E-mail Courtney E. Milbank regarding Response to Motion to Intervene	0.10 150.00/hr	15.00
	MM	Review case law on permissive intervention, draft response to motion to intervene	0.40 150.00/hr	60.00
	MM	Draft Response to Motion to Intervene	0.50 150.00/hr	75.00
	MM	Phone conference with Courtney E. Milbank regarding Response to Motion to Intervene	0.10 150.00/hr	15.00
	CEM	E-mails with Michael Massie regarding opposition	0.10 240.00/hr	24.00
	CEM	Review writs and provide feedback; call with Mike Dean regarding the same	0.60 240.00/hr	144.00
	JB	Review amended Complaint	0.80 450.00/hr	360.00
	JB	Review proposed writ regarding WEC; email exchange regarding revision	0.50 450.00/hr	225.00
	CEM	Phone conference with Michael Massie regarding Response to Motion to Intervene	0.10 240.00/hr	24.00
1/31/2022	JB	Review Assembly opposition to intervention	0.50 450.00/hr	225.00

	<u>Hrs/Rate</u>	<u>Amount</u>
For professional services rendered	64.70	\$13,755.00
Previous balance		\$69,085.51
Balance due		\$82,840.51

Attorney Summary			
<u>Name</u>	<u>Hrs/Rate</u>	<u>Rate</u>	<u>Amount</u>
Courtney E. Milbank	9.50	240.00	\$2,280.00
James Bopp, Jr.	10.80	450.00	\$4,860.00
James Bopp, Jr.	0.30	0.00	\$0.00
Michael Massie	44.10	150.00	\$6,615.00

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Reasonable + necessary
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INVOICE
February 22, 2022

Michael Gableman
Special Counsel to the Wisconsin Assembly Committee on
Campaigns and Elections
P O Box 510766
New Berlin, WI 53151

In Reference To: Legal Representation of Special Counsel Mike Gableman in American
Oversight v. Assembly Office of Special Counsel

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
1/3/2022	MM Look up docket	0.50 150.00/hr	NO CHARGE
1/4/2022	CEM Conference with Mike Dean regarding case status and needs	0.10 240.00/hr	24.00
	CEM Call and email to Ron Stadler	0.30 240.00/hr	72.00
	JB Review research for Special Counsel	0.30 450.00/hr	135.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/4/2022	JB Phone conference with Steve regarding PRR retainer and defense of case	0.40 450.00/hr	NO CHARGE
1/5/2022	MM Review Wisconsin open records statutes	0.90 150.00/hr	135.00
	MM Review case documents	0.40 150.00/hr	60.00
1/6/2022	CEM E-mail with Steve Fawcett and Ron Stadler	0.10 240.00/hr	24.00
	CEM E-mails regarding retainer; send executed retainer to James Bopp, Jr. for signature	0.20 240.00/hr	NO CHARGE
	CEM E-mails with Mike regarding pleadings; download to public	0.30 240.00/hr	NO CHARGE
	CEM Work on PHVs; send applications to Mike for filing	0.50 240.00/hr	NO CHARGE
	MM Review open records statute	0.20 150.00/hr	30.00
	JB E-mail exchange with Mike Dean regarding pleading; review pleading	0.60 450.00/hr	270.00
1/7/2022	CEM E-mail exchange with Mike regarding PHV applications for filing	0.20 240.00/hr	NO CHARGE
	CEM E-mail from James Bopp, Jr. regarding executed retainer, save to public	0.10 240.00/hr	NO CHARGE
	CEM CM/ECF Motions for PHV James Bopp, Jr. and Courtney E. Milbank	0.10 240.00/hr	NO CHARGE
	CEM Begin reviewing petition	0.30 240.00/hr	72.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/7/2022	JB E-mail exchange regarding Pro hac vice	0.30 450.00/hr	NO CHARGE
	JB E-mail executed retainer to Courtney E. Milbank	0.10 450.00/hr	NO CHARGE
1/10/2022	CD Phone conference with Courtney E. Milbank regarding reviewing petition and exhibits for Gableman (2x)	0.30 175.00/hr	52.50
	CD Review dockets of other public records request cases filed by American Oversight and research complaint response dates; send summary to Courtney E. Milbank	1.70 175.00/hr	297.50
	CD Review petition and exhibits filed by American Oversight	2.80 175.00/hr	490.00
	CEM Conference with Cassandra Dougherty regarding case assignment (2x)	0.30 240.00/hr	72.00
	CEM Follow-up email to Ron Stadler	0.10 240.00/hr	24.00
	CEM Conference with Mike Dean and Dave regarding service of petition and deadlines	0.40 240.00/hr	96.00
1/11/2022	CD Phone conference with Courtney E. Milbank regarding drafting statement of facts for Gableman (2x)	0.20 175.00/hr	35.00
	CD Review petition; pull statutes and cases referenced and save to file	1.70 175.00/hr	297.50
	JB E-mail exchange regarding consolidation; review Motion to Consolidate; phone conference with Mike Dean and Courtney E. Milbank regarding consolidation; email exchange with court regarding status conference	1.10 450.00/hr	495.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/11/2022	CEM	Conference with Mike Dean and James Bopp, Jr. regarding motion to consolidate PRR and email from clerk; review emails with clerk regarding the same	0.30 240.00/hr	72.00
	CEM	E-mail and phone call with Cassandra Dougherty regarding pro hac vice	0.20 240.00/hr	48.00
	CEM	Phone conference with Cassandra Dougherty regarding drafting statement of facts for Gableman (2x)	0.20 240.00/hr	48.00
	CD	E-mail and phone call with Courtney E. Milbank regarding pro hac vice	0.20 175.00/hr	35.00
1/12/2022	CD	Phone conference with Courtney E. Milbank regarding drafting facts for response and creating table of American Oversight requests and responses (3x)	0.40 175.00/hr	70.00
	CD	Review petition and exhibit to create table of American Oversight requests and responses	2.80 175.00/hr	490.00
	CD	Review Petitioner's attorney's affidavit and exhibits to create working exhibit list	1.90 175.00/hr	332.50
	CD	Create Wisconsin State Bar account; submit pro hac vic application	0.40 175.00/hr	NO CHARGE
	CEM	Draft appearances and file	0.30 240.00/hr	72.00
	CEM	Review petition and exhibits; start researching	2.70 240.00/hr	648.00
	CEM	CM/ECF Notices of Service Change	0.10 240.00/hr	NO CHARGE

			<u>Hrs/Rate</u>	<u>Amount</u>
1/12/2022	CEM	CM/ECF Order Granting Media Request	0.10 240.00/hr	NO CHARGE
	CEM	Conference with Cassandra Dougherty regarding motion to consolidate and requests at issue in each case	0.10 240.00/hr	24.00
	CEM	CM/ECF Order granting James Bopp, Jr. appearance	0.10 240.00/hr	NO CHARGE
	CEM	Phone conference with Cassandra Dougherty regarding drafting facts for response and creating table of American Oversight requests and responses (3x)	0.40 240.00/hr	96.00
	CD	Conference with Courtney E. Milbank regarding motion to consolidate and requests at issue in each case	0.10 175.00/hr	17.50
1/13/2022	CEM	E-mails with joint counsel regarding time to discuss consolidation; send call in information	0.20 240.00/hr	48.00
	CEM	Conference with joint counsel regarding consolidation and briefing schedule	0.40 240.00/hr	96.00
	CEM	Participate in status conference with Court	0.30 240.00/hr	72.00
	CEM	Call with Ron Stadler regarding strategy and next steps	0.20 240.00/hr	48.00
	CEM	Conference with James Bopp, Jr. regarding next steps	0.20 240.00/hr	48.00
	CEM	Conference with Cassandra Dougherty regarding facts	0.20 240.00/hr	48.00
	CEM	Conference with Mike Dean regarding answer	0.20 240.00/hr	48.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/13/2022	CEM Conference with Mike Dean regarding answer joint defense agreement; review email regarding the same; review agreement	0.40 240.00/hr	96.00
	CEM E-mail from Cassandra Dougherty regarding pro hac vice application; forward to local counsel	0.20 240.00/hr	NO CHARGE
	CEM E-mails Ron regarding documents from other PRR cases; download and review	1.40 240.00/hr	336.00
	CEM Conference with Cassandra Dougherty regarding review of facts	0.10 240.00/hr	24.00
	CEM CM/ECF pro hac vice	0.10 240.00/hr	NO CHARGE
	CEM Follow-up call with James Bopp, Jr. and Mike Dean	0.20 240.00/hr	48.00
	CD Phone conference with Courtney E. Milbank regarding statement of facts for response to American Oversight's petition for writ of mandamus (x2)	0.30 175.00/hr	52.50
	CD Review and analyze American Oversight's petition for writ of mandamus	1.60 175.00/hr	280.00
	CD Review email from Courtney E. Milbank to Michael Dean regarding pro hac vice application	0.10 175.00/hr	17.50
	CD Pull relevant facts from American Oversight's petition for writ of mandamus for statement of facts for response	0.90 175.00/hr	157.50
	CD Start drafting statement of facts for response	2.20 175.00/hr	385.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/13/2022	JB Attend Status Conference	0.40 450.00/hr	180.00
	JB Phone conference with Courtney E. Milbank regarding next steps	0.40 450.00/hr	180.00
	JB E-mail exchange regarding response	0.30 450.00/hr	135.00
	JB Review draft of facts	0.40 450.00/hr	180.00
	JB Follow-up call with Courtney E. Milbank and Mike Dean	0.20 450.00/hr	90.00
	CEM Phone conference with Cassandra Dougherty regarding statement of facts for response to American Oversight's petition for writ of mandamus (x2)	0.30 240.00/hr	72.00
1/14/2022	CEM E-mails regarding lack of service	0.20 240.00/hr	48.00
	CEM CM/ECF multiple filings (PHV filings and denial of motion to consolidate)	0.30 240.00/hr	72.00
	CEM E-mail to client regarding affidavit of service	0.10 240.00/hr	24.00
	CEM Conference with Cassandra Dougherty regarding service affidavit; call to Steve Fawcett regarding same	0.20 240.00/hr	48.00
	CEM Conference with Cassandra Dougherty regarding sending documents to client and confirming accuracy; review email regarding the same	0.20 240.00/hr	48.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/14/2022	CEM	Review facts and provide feedback; conference with Cassandra Dougherty regarding the same	1.00 240.00/hr	240.00
	CEM	Computer assisted legal research--Writ of Mandamus	1.00 240.00/hr	240.00
	CD	Phone conference with Courtney E. Milbank regarding service affidavit and documents to client (2x)	0.40 175.00/hr	70.00
	CD	Work on statement of facts for response	1.90 175.00/hr	332.50
	CD	Draft section for response on plenary authority of legislature	2.40 175.00/hr	420.00
	CD	Phone conference with Courtney E. Milbank regarding edits to statement of facts for response	0.70 175.00/hr	122.50
	CD	Review emails between Courtney E. Milbank and client related to affidavit of service	0.10 175.00/hr	17.50
	JB	Review affidavit of service; email exchange with client regarding service	0.40 450.00/hr	180.00
	JB	Review documents and selection pleading	0.80 450.00/hr	360.00
1/15/2022	CEM	Two conferences with client	1.00 240.00/hr	240.00
1/17/2022	CD	Work on edits discussed with Courtney E. Milbank to statement of facts section	2.20 175.00/hr	385.00
	CD	Work on edits discussed with Courtney E. Milbank to argument section related to legislature's authority	1.80 175.00/hr	315.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/17/2022	CD Phone conference with Courtney E. Milbank related to edits to statement of facts and argument section regarding the legislature's authority	0.10 175.00/hr	17.50
	CD Continue working on edits to statement of facts section	1.40 175.00/hr	245.00
	JB Phone conference with Courtney E. Milbank regarding next step; email exchange regarding extension	0.50 450.00/hr	225.00
	JB Phone conference with Courtney E. Milbank regarding service; email exchange with local counsel regarding revision; phone conference with Courtney E. Milbank regarding proposal; review email exchange regarding proposal	0.80 450.00/hr	360.00
	JB Review revised request and response	0.40 450.00/hr	180.00
	JB Review JDF; review email exchange opposing it	0.40 450.00/hr	180.00
	JB Review draft Motion to Quash by Ron	0.40 450.00/hr	180.00
	CEM Work on Motion to Quash and CALR regarding the same	3.30 240.00/hr	792.00
	CEM Two conferences with James Bopp, Jr. regarding lack of service and continuance	0.20 240.00/hr	48.00
	CEM Multiple conferences with Mike regarding lack of service and continuance, and motion to quash	0.50 240.00/hr	120.00
	CEM Conference with Cassandra Dougherty regarding Motion to Quash edits to facts	0.10 240.00/hr	24.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/17/2022	CEM Work on extension and service issue	0.40 240.00/hr	96.00
	CEM Review email to opposing counsel regarding lack of service and motion to quash	0.10 240.00/hr	24.00
	CEM Phone conference with James Bopp, Jr. regarding next step; email exchange regarding extension	0.50 240.00/hr	120.00
1/18/2022	CD Complete edits to statement of facts and legislature's authority sections	1.10 175.00/hr	192.50
	CD Phone conference with Courtney E. Milbank regarding statement of facts section (3x)	0.30 175.00/hr	52.50
	CD Phone conference with Courtney E. Milbank regarding argument on clear intent of legislature (2x)	0.20 175.00/hr	35.00
	CD Review Gableman contract and enabling documents sent by Clinton Lancaster	0.50 175.00/hr	87.50
	CD Review emails between Courtney E. Milbank and Ron Stadler related to request for extension (2x)	0.20 175.00/hr	35.00
	CD Review law review article on statutory construction in Wisconsin and case <i>Kalal</i>	0.70 175.00/hr	122.50
	CD Draft argument section related to clear intent of legislature for response	2.60 175.00/hr	455.00
	CEM Conference with Cassandra Dougherty regarding facts (3x)	0.30 240.00/hr	72.00
	CEM E-mail from joint counsel regarding motion to quash; review the same	0.30 240.00/hr	72.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/18/2022	CEM	CM/ECF Doc. 76 Order denying motion to consolidate	0.10 240.00/hr	24.00
	CEM	Work on Motion to Quash and CALR regarding the same	4.20 240.00/hr	1,008.00
	CEM	Review motion to continue; respond	0.30 240.00/hr	72.00
	CEM	Review emails with opposing counsel	0.20 240.00/hr	48.00
	CEM	E-mails with joint counsel regarding joint defense agreement	0.20 240.00/hr	48.00
	CEM	Multiple conferences with Mike Dean regarding extension	0.30 240.00/hr	72.00
	CEM	Conference with James Bopp, Jr. regarding hearing Friday and response from opposing counsel	0.20 240.00/hr	48.00
	JB	Conference with Courtney E. Milbank regarding hearing Friday and response from opposing counsel	0.20 450.00/hr	90.00
	CEM	Conference with client	0.30 240.00/hr	72.00
	CEM	Phone conference with Cassandra Dougherty regarding argument on clear intent of legislature (2x)	0.20 240.00/hr	48.00
1/19/2022	JB	Review Court Order; phone conference with Courtney E. Milbank regarding next steps	0.30 450.00/hr	135.00
	JB	Review draft of Motion to Quash; two conferences with Courtney E. Milbank regarding revision and service issue	1.30 450.00/hr	585.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/19/2022	CEM E-mail and voicemail from client	0.20 240.00/hr	48.00
	CEM E-mail from joint counsel regarding JDA	0.10 240.00/hr	24.00
	CEM Work on Motion to Quash; multiple conferences with Cassandra Dougherty regarding same; conference with client	6.00 240.00/hr	1,440.00
	CEM Two conferences with James Bopp, Jr. regarding motion to quash revision and service issue	0.20 240.00/hr	48.00
	CEM Conference with local counsel	0.40 240.00/hr	96.00
	CD Phone conference with Courtney E. Milbank regarding motion to quash and section on statutory exemption statement of facts section	0.10 175.00/hr	17.50
	CD Draft section on statutory exemption for motion to quash; send to Courtney E. Milbank	1.80 175.00/hr	315.00
	CD Phone conference with Courtney E. Milbank regarding motion to quash and partisanship of American Oversight (2x)	0.20 175.00/hr	35.00
	CD Review American Oversight website and draft footnote on partisanship of board; send to Courtney E. Milbank	0.50 175.00/hr	87.50
	CD Phone conference with Courtney E. Milbank regarding motion to quash and Wisconsin statute section 19.85 (3x)	0.40 175.00/hr	70.00
	CD Research Wisconsin statute section 19.85; draft corresponding section for motion to quash; send to Courtney E. Milbank	1.50 175.00/hr	262.50

			<u>Hrs/Rate</u>	<u>Amount</u>
1/19/2022	CD	Phone conference with Courtney E. Milbank regarding motion to quash and section on public interest	0.10 175.00/hr	17.50
	CD	Research and draft section on public interest outweighing nondisclosure of election investigation information; send to Courtney E. Milbank	1.30 175.00/hr	227.50
	CD	Phone conference with Courtney E. Milbank regarding sending motion to quash draft to client and co-counsel for review	0.10 175.00/hr	17.50
	CD	Convert motion to quash to PDF; draft corresponding email and send to client and co-counsel for review	0.30 175.00/hr	52.50
	CEM	Conference with James Bopp, Jr. regarding next steps	0.10 240.00/hr	24.00
1/20/2022	JB	Review draft of Motion to Dismiss and affidavits	0.50 450.00/hr	225.00
	JB	Review email exchange regarding questions	0.40 450.00/hr	180.00
	JB	Phone conference with Courtney E. Milbank and Mike Dean argument regarding pleading and hearing	0.70 450.00/hr	315.00
	CEM	Conference with James Bopp, Jr. and local counsel regarding potential arguments	0.70 240.00/hr	168.00
	CEM	Call with client	0.20 240.00/hr	48.00
	CEM	E-mails with Mike Dean regarding motion to quash	0.40 240.00/hr	96.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/20/2022	CEM CM/ECF Letter to Appear Remotely	0.10 240.00/hr	24.00
	CEM E-mails with joint counsel regarding appeal	0.10 240.00/hr	24.00
	CEM Multiple conferences with Mike Dean regarding motion and hearing	0.40 240.00/hr	96.00
	CEM Conference with James Bopp, Jr. regarding hearing	0.10 240.00/hr	24.00
	CEM Finalize Motion to Quash	1.00 240.00/hr	240.00
	CEM Conference with Cassandra Dougherty regarding oral argument folder	0.20 240.00/hr	48.00
	CD Research issue of whether a failure to raise the issue of a specific denial waives that right for motion to quash	1.70 175.00/hr	297.50
	CD Research issue of what triggers an in camera review for motion to quash	1.20 175.00/hr	210.00
	CD Phone conference with Courtney E. Milbank regarding final review of motion to quash (3x)	0.30 175.00/hr	52.50
	CD Conduct final review of motion to quash; research correct citations	2.20 175.00/hr	385.00
	CD Research and save docket documents, statutes, and case law to oral argument folder	0.80 175.00/hr	140.00
	JB Review Mike Dean draft of Motion to Dismiss and Gableman affidavit; phone conference with Courtney E. Milbank and Mike Dean regarding Motion and affidavit	1.10 450.00/hr	495.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/20/2022	JB Review email from Mike Dean regarding legal issues	0.40 450.00/hr	180.00
	JB Review revision of affidavit; review email from Mike Dean regarding legal issues	0.70 450.00/hr	315.00
	JB Review email from Mike Gableman regarding legal issues	0.30 450.00/hr	135.00
	JB Review revision of Motion and brief; review email exchange regarding revision	0.90 450.00/hr	405.00
	JB Review draft of "research" section	0.30 450.00/hr	135.00
	JB Review revision of affidavit and email	0.40 450.00/hr	180.00
	JB Review Assembly Response	0.50 450.00/hr	225.00
	JB Conference with Courtney E. Milbank regarding hearing	0.10 450.00/hr	45.00
	CD Conference with Courtney E. Milbank regarding oral argument folder	0.20 175.00/hr	35.00
	CEM Phone conference with Cassandra Dougherty regarding final review of motion to quash (3x)	0.30 240.00/hr	72.00
	CEM Conference with James Bopp, Jr. and Mike Dean regarding motion and affidavit	0.20 240.00/hr	48.00
1/21/2022	CEM Participate in hearing	2.00 240.00/hr	480.00
	CD Attend Videoconference Hearing on motion to quash	2.00 175.00/hr	350.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/21/2022	JB	Review Court Order	0.30 450.00/hr	135.00
	JB	Study Assembly Response	0.50 450.00/hr	225.00
	JB	Preparation for Oral Argument	2.30 450.00/hr	1,035.00
	JB	Review materials for Oral Argument	0.80 450.00/hr	360.00
	JB	Attend Hearing	2.00 450.00/hr	900.00
	JB	Phone conference with Courtney E. Milbank regarding next steps	0.30 450.00/hr	135.00
	JB	E-mail exchange regarding meeting	0.30 450.00/hr	135.00
	JB	Phone conference with client regarding next steps	1.00 450.00/hr	450.00
	CEM	Phone conference with James Bopp, Jr. regarding next steps	0.30 240.00/hr	72.00
1/22/2022	CEM	Conference with client	0.20 240.00/hr	48.00
	CEM	Conference with James Bopp, Jr., Mike Dean, and client	1.00 240.00/hr	240.00
	CEM	Calls with client	0.40 240.00/hr	96.00
	JB	Phone conference with client, Mike Dean and Courtney E. Milbank regarding next steps	1.00 450.00/hr	450.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/22/2022	JB Phone conference with client regarding next steps and hearing	0.50 450.00/hr	225.00
	JB Review Mike Dean to-do-list for conference call	0.40 450.00/hr	180.00
1/24/2022	CD Phone conference with Courtney E. Milbank regarding reviewing requests for summary for document production to send to client	0.20 175.00/hr	35.00
	CD Summarize requests from American Oversight for client; work on corresponding memorandum	2.30 175.00/hr	402.50
	CD Complete memorandum on summary of requested document production for client	1.70 175.00/hr	297.50
	CD Review memorandum of summary of document production for client; send to client and associate	0.40 175.00/hr	70.00
	JB Review agreement addendum; phone conference with Courtney E. Milbank regarding production of addendum to court	0.40 450.00/hr	180.00
	JB E-mail exchange regarding production of addendum	0.30 450.00/hr	135.00
	JB E-mail exchange regarding production of addendum	0.30 450.00/hr	135.00
	JB Review email exchange regarding Assembly draft ballot; phone conference with Courtney E. Milbank regarding revision	0.50 450.00/hr	225.00
	JB Review draft document request for Plaintiff's	0.40 450.00/hr	180.00
	CEM Decision and Order striking legislature motion	0.20 240.00/hr	48.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/24/2022	CEM	Multiple filings; review the same	0.50 240.00/hr	120.00
	CEM	Review addendum, email to James Bopp, Jr. regarding the same; conference with OSC regarding the same; file	0.30 240.00/hr	72.00
	CEM	Conference with Cassandra Dougherty regarding document production	0.20 240.00/hr	48.00
	CEM	Phone call from James Bopp, Jr. regarding agreement from Gableman, emails with Mike Gableman regarding the same	0.30 240.00/hr	72.00
	CEM	Multiple conferences with local counsel	0.40 240.00/hr	96.00
	CEM	Multiple conferences with client	1.20 240.00/hr	288.00
	CEM	Review and edit Committee motion; conference with James Bopp, Jr. regarding the same	0.50 240.00/hr	120.00
	CEM	Work with Cassandra Dougherty on Advisory Opinion summary	0.40 240.00/hr	96.00
	CD	Work with Courtney E. Milbank on Advisory Opinion summary	0.40 175.00/hr	70.00
1/25/2022	CD	Review video of Motion to Quash hearing for Petitioner's reference to legislative exception	0.40 175.00/hr	70.00
	CD	Phone conference with Courtney E. Milbank regarding duty to retain	0.20 175.00/hr	35.00
	CD	Review correspondence from Steve Fawcett related to Legislative Council memo	0.20 175.00/hr	35.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/25/2022	CD	Conduct search for Legislative Council memo referenced by Petitioner in hearing on Motion to Quash	0.80 175.00/hr	140.00
	CD	Review Wisconsin Attorney General guide for public record requests; review cited cases	2.20 175.00/hr	385.00
	JB	Review Court Order	0.20 450.00/hr	90.00
	JB	Phone conference with client regarding next steps	0.50 450.00/hr	225.00
	CEM	CM/ECF First Amended Agreement	0.10 240.00/hr	24.00
	CEM	CM/ECF Committee Answer	0.10 240.00/hr	24.00
	CEM	E-mail regarding records requested	0.10 240.00/hr	24.00
	CEM	CM/ECF Proposed Scheduling Order	0.10 240.00/hr	24.00
	CEM	E-mails with local counsel regarding hearing	0.20 240.00/hr	48.00
	CEM	Conference with Cassandra Dougherty regarding duty to retain	0.20 240.00/hr	48.00
	CEM	E-mails regarding legislative counsel memo	0.20 240.00/hr	48.00
1/26/2022	CD	Phone conference with Courtney E. Milbank regarding approach for responding to public record requests (4x)	0.40 175.00/hr	70.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/26/2022	CD Work on client memorandum on four-step approach for responding to public record requests; make edits per Courtney E. Milbank's review	1.60 175.00/hr	280.00
	CD Work on client memorandum on four-step approach for responding to public record requests; research remedy if requested records are destroyed	1.80 175.00/hr	315.00
	CD Review draft of Motion to Reconsider	0.70 175.00/hr	122.50
	CD Review case law on statutory exemption (<i>Journal Times v. City of Racine Bd.</i>)	0.60 175.00/hr	105.00
	CD Send client memorandum on approach for responding to public record requests to Courtney E. Milbank for final review	0.40 175.00/hr	70.00
	CEM E-mails regarding service	0.20 240.00/hr	48.00
	CEM CM/ECF Scheduling order	0.10 240.00/hr	24.00
	CEM Conference with client	0.20 240.00/hr	48.00
	CEM Conference with local counsel	0.20 240.00/hr	48.00
	CEM Review Wisconsin Statute 12.13(5) and prepare motion for reconsideration; emails with the other attorneys regarding the same	3.70 240.00/hr	888.00
	CEM Conference with James Bopp, Jr. regarding motion to reconsider	0.10 240.00/hr	24.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/26/2022	CEM	Conferences with Cassandra Dougherty regarding summary of laws for responding to public records requests	0.40 240.00/hr	96.00
	CEM	Review Cassandra Dougherty's summary of public records law for client; conferences with Cassandra Dougherty regarding the same	0.50 240.00/hr	120.00
	JB	Review amended Motion to Quash by Assembly and case	0.90 450.00/hr	405.00
	JB	E-mail exchange regarding hearing; review proposed letter to court	0.30 450.00/hr	135.00
	JB	Phone conference with Courtney E. Milbank regarding hearing and production	0.30 450.00/hr	135.00
	JB	E-mail exchange regarding waiver service; review letter to court	0.50 450.00/hr	225.00
	JB	E-mail exchange regarding liability for filing documents; Motion to Reconsider	0.40 450.00/hr	180.00
	JB	Review draft Motion to Reconsider; email exchange regarding draft	0.50 450.00/hr	225.00
	JB	Review Cassandra Dougherty memo regarding retainer documents	0.40 450.00/hr	180.00
	JB	Conference with Courtney E. Milbank regarding motion to reconsider	0.10 450.00/hr	45.00
	CEM	Phone conference with James Bopp, Jr. regarding hearing and production	0.30 240.00/hr	72.00
1/27/2022	CD	Phone conferences with Courtney E. Milbank regarding edits to memorandum on approach for responding to public record requests (2x)	0.20 175.00/hr	35.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/27/2022	CD Finalize and send client memorandum on approach for responding to public record requests to Mike Gableman	0.70 175.00/hr	122.50
	CEM Call with local counsel regarding motion to reconsider	0.20 240.00/hr	48.00
	CEM CM/ECF multiple filings (media request, notices of hearing, acceptance of service)	0.30 240.00/hr	72.00
	CEM Multiple emails with other attorneys regarding Motion to Reconsider; finalize the same; multiple calls with local counsel regarding the same	1.50 240.00/hr	360.00
	CEM Conference with James Bopp, Jr. regarding motion to reconsider	0.10 240.00/hr	24.00
	CEM E-mail from Cassandra Dougherty regarding summary of record retention and 4 step process; review the same; make edits	0.40 240.00/hr	96.00
	CEM Conference with client regarding document production	0.20 240.00/hr	48.00
	CEM Conference with local counsel regarding document production	0.20 240.00/hr	48.00
	JB E-mail exchange regarding Motion to Reconsider; phone conference with Courtney E. Milbank regarding issues in Motion to Reconsider	0.50 450.00/hr	225.00
	JB Review revision of retainer memo	0.40 450.00/hr	180.00
	CEM Phone conferences with Cassandra Dougherty regarding edits to memorandum on approach for responding to public record requests (2x)	0.20 240.00/hr	48.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/28/2022	CD Phone conference with Courtney E. Milbank regarding document production (2x)	0.20 175.00/hr	35.00
	CD E-mail James Bopp, Jr. regarding client memorandum; forward email to client	0.20 175.00/hr	35.00
	CD Call and leave voicemails with Mike Dean regarding document production (2x)	0.20 175.00/hr	35.00
	CD Phone conference with Mike Dean regarding document production	0.10 175.00/hr	17.50
	CD Review documents shared by Mike Dean from Mike Gableman	2.70 175.00/hr	472.50
	CEM E-mails regarding document production	0.20 240.00/hr	48.00
	CEM Conference with local counsel regarding document production	0.20 240.00/hr	48.00
	CEM Conferences with Cassandra Dougherty regarding helping counsel with document production (2x)	0.20 240.00/hr	48.00
	CEM Order denying Motion for Reconsideration	0.20 240.00/hr	48.00
	CEM Opposition to Motion for Reconsideration	0.20 240.00/hr	48.00
	CEM E-mails regarding denial of motion for reconsideration and document production	0.30 240.00/hr	72.00
	JB Review court order; email exchange regarding no appeal	0.60 450.00/hr	270.00

		<u>Hrs/Rate</u>	<u>Amount</u>
1/29/2022	CD Videoconference with Mike Dean, Mike Gableman, Ron Stadler, Courtney E. Milbank, and others regarding document production	0.90 175.00/hr	157.50
	CD Continue review of documents from Mike Gableman	1.80 175.00/hr	315.00
	CEM Conference with client and attorneys regarding document production	0.90 240.00/hr	216.00
	JB Review email exchange regarding document production	0.50 450.00/hr	225.00
	JB Phone conference with client, Courtney E. Milbank and Mike Dean regarding document production	0.50 450.00/hr	225.00
	JB E-mail exchange regarding document production	0.30 450.00/hr	135.00
1/31/2022	CD Review correspondence from Mike Dean related to document production	0.10 175.00/hr	17.50
	CEM Multiple emails regarding document production and motion to stay	0.40 240.00/hr	96.00
	CEM Multiple calls with local counsel regarding production of documents	0.70 240.00/hr	168.00
	CEM Computer assisted legal research public records	1.00 240.00/hr	240.00
	JB Review court order; email co-counsel regarding Motion to Stay	0.30 450.00/hr	135.00
For professional services rendered		167.40	\$41,749.50

Additional charges:

	<u>Qty/Price</u>	<u>Amount</u>
1/6/2022 Cost advanced for pro hac vice admission for Courtney E. Milbank--payable to State Bar of Wisconsin--paid online--service@wisbar.org---paid on 01-06-22--Transaction # AG1E5B7B57FD--MC	1 \$250.00	250.00
Cost advanced for pro hac vice admission for James Bopp, Jr.--payable to State Bar of Wisconsin--paid online--service@wisbar.org---paid on 01-06-22--Transaction # AA1E5B7A8400--MC	1 \$250.00	250.00
1/12/2022 Cost advanced for PHV Fee for Cassandra Dougherty--paid online on 01-12-2022--paid to State Bar of Wisconsin--Transaction # AN1E4B3B6F93--MC	1 \$250.00	250.00
1/13/2022 Cost advanced for WestLaw computer assisted legal research--Writ of Mandamus and Public Records	20 \$3.00	60.00
1/14/2022 Cost advanced for WestLaw computer assisted legal research--Writ of Mandamus and Public Records	20 \$3.00	60.00
1/18/2022 Cost advanced for WestLaw computer assisted legal research--research Motion to Quash	45 \$3.00	135.00
1/19/2022 Cost advanced for WestLaw computer assisted legal research--research Motion to Quash	70 \$3.00	210.00
1/20/2022 Cost advanced for WestLaw computer assisted legal research--research failure to raise issue of specific denial	102 \$3.00	306.00
Cost advanced for WestLaw computer assisted legal research--research issue of what triggers in camera review	72 \$3.00	216.00
1/21/2022 Cost advanced for WestLaw computer assisted legal research--research cases mentioned by Judge	10 \$3.00	30.00

	<u>Qty/Price</u>	<u>Amount</u>
1/25/2022 Cost advanced for WestLaw computer assisted legal research--research cases in Attorney General Memo on responding to public records requests	45 \$3.00	135.00
1/26/2022 Cost advanced for WestLaw computer assisted legal research--research Motion to Reconsider	35 \$3.00	105.00
Cost advanced for WestLaw computer assisted legal research--review remedy where requested records are destroyed	48 \$3.00	144.00
Total costs		<hr/> \$2,151.00
Total amount of this bill		\$43,900.50
Previous balance		\$999.00
Balance due		<hr/> \$44,899.50 <hr/>

Attorney Summary

<u>Name</u>	<u>Hrs/Rate</u>	<u>Rate</u>	<u>Amount</u>
Cassandra Dougherty	69.90	175.00	\$12,232.50
Cassandra Dougherty	0.40	0.00	\$0.00
Courtney E. Milbank	58.30	240.00	\$13,992.00
Courtney E. Milbank	2.00	0.00	\$0.00
James Bopp, Jr.	34.00	450.00	\$15,300.00
James Bopp, Jr.	0.80	0.00	\$0.00
Michael Massie	1.50	150.00	\$225.00
Michael Massie	0.50	0.00	\$0.00

From: Coms <Coms@wispecialcounsel.org>
Sent: Monday, March 21, 2022, 3:22 PM
To: "Hale, Janine" <Janine.Hale@legis.wisconsin.gov>
Cc: "Fawcett, Steve" <Steve.Fawcett@legis.wisconsin.gov>
Subject: Jim Bopp Invoices
Attachments: Jim Bopp invoices.pdf

Good Afternoon Janine,

As Mr. Fawcett stated last week, I should be sending the outside legal invoices to you to be paid. I have attached the invoices from the Bopp law firm to this email. Please let me know if you have any questions.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

Joseph W. Voiland
519 Green Bay Road
Cedarburg, WI 53012



March 6, 2022

Representative Robin Vos
Speaker of the Assembly
Wisconsin State Capitol
Madison, Wisconsin

Representative Janel Brandtjen
Chair, Committee on Campaigns and Elections
Wisconsin State Capitol
Madison, Wisconsin

RE: Wisconsin Elections Commission et al. vs. Wisconsin State Assembly et al.
and related cases

Dear Speaker Vos and Representative Brandtjen:

I enclose a billing statement for work through March 6, 2022 relating to the litigation filed by Attorney General Josh Kaul for Administrator Meagan Wolfe in Dane County Circuit Court.

Sincerely,

Joseph W. Voiland

March 10, 2022

All fees reasonable +
necessary.

L. J. Gable



Please remit payment to:

Veterans Liberty Law
519 Green Bay Road
Cedarburg, WI 53012

Federal Tax Identification Number: 85-2912705

Joseph W. Voiland
519 Green Bay Road
Cedarburg, WI 53012



February 13, 2022

Representative Robin Vos
Speaker of the Assembly
Wisconsin State Capitol
Madison, Wisconsin

Representative Janel Brandtjen
Chair, Committee on Campaigns and Elections
Wisconsin State Capitol
Madison, Wisconsin

RE: Legal Services Agreement in Dane County Case 2021-CV-002552 and
Appeal 2022-AP-000104

Wisconsin Elections Commission et al. vs. Wisconsin State Assembly et al.

Dear Speaker Vos and Representative Brandtjen:

I enclose an hourly billing statement for work through January 31, 2022 relating to the litigation filed by Attorney General Josh Kaul for Administrator Meagan Wolfe in Dane County Circuit Court.

Sincerely,

Joseph W. Voiland

Attorney Kevin M. Scott

January 4, 2022 (0.5 hours)

Review correspondence to Dane County Circuit Court; conferences with counsel

January 10, 2022 (1.5 hours)

Examine Dane County Decision and Order; conferences with counsel

January 12, 2022 (0.5 hours)

Conferences with counsel; work on pleadings

January 13, 2022 (0.5 hours)

Conferences with counsel; work on pleadings

January 15, 2022 (0.5 hours)

Conferences with counsel

January 20, 2022 (1.0 hour)

Conferences with counsel; examine pleadings filed by proposed intervenor

January 22, 2022 (0.5 hours)

Examine appeal documents; conferences with counsel

January 23, 2022 (1.0 hour)

Conference regarding appeal and proposed intervenor complaint

January 24, 2022 (0.5 hours)

Examine pleadings relating to interlocutory appeal; review circuit court pleadings

January 28, 2022 (0.5 hours)

Examine Plaintiffs' proposed amended complaint and motion ; conferences with counsel

January 29, 2022 (0.5 hours)

Conferences with counsel

January 31, 2022 (0.5 hours)

Examine opposition to proposed intervenor complaint; conference with counsel

Kevin M. Scott (January 2022): 8.0 hours

Joseph W. Voiland

January 4, 2022 (1.0 hour)

Confer with counsel; review Dane County docket entries

January 10, 2022 (2.0 hours)

Examine Dane County Decision; conferences with counsel

January 11, 2022 (1.0 hours)

Conferences with counsel

January 20, 2022 (1.0 hour)

Conference with counsel; examine proposed intervenor filings; work on pleadings

January 21, 2022 (0.5 hours)

Work on pleadings

January 22, 2022 (0.5 hours)

Examine appeal documents

January 23, 2022 (3.0 hours)

Work on pleadings

January 24, 2022: (3.0 hours)

File appeal documents; file circuit court documents; work on pleadings

January 29, 2022 (1.0 hour)

Examine new filings by Plaintiff; work on pleadings; conferences with counsel

January 31, 2022 (2.0 hours)

Work on pleadings; conferences with counsel

Joseph W. Voiland (January 2022): 15 Hours

January 2022

Kevin M. Scott (8.00 hours at \$275) \$ 2,200

Joseph W. Voiland (15.00 hours at \$350) \$ 5,250

Current subtotal \$ 7,450

Balance forward as of December 31, 2021 \$ 35,375

Total Balance Due as of January 31, 2022: \$ 42, 825



Please remit payment to:

Veterans Liberty Law
519 Green Bay Road
Cedarburg, WI 53012

Federal Tax Identification Number: 85-2912705

Joseph W. Voiland

January 9, 2022

Representative Janel Brandtjen and the
Assembly Committee on Campaigns and Elections



Dear Representative Brandtjen:

I enclose a billing statement for work for the three month period of October, November and December 2021, relating to the litigation pending in Dane County Circuit Court.

Sincerely,

Joseph W. Voiland

Attorney Kevin M. Scott

November 8, 2021 (2.0 hours)

Examine pleadings and court filings; conferences with counsel

November 9, 2021 (2.0 hours)

Conferences with counsel; examine pleadings, statutory materials and pertinent case law

November 12, 2021 (2.0 hours)

Examine pleadings and conduct research

November 14, 2021 (2.0 hours)

Conferences with counsel; conduct research

November 17, 2021 (2.0 hours)

Conduct research; conferences with counsel; examine record materials; prepare responsive materials

November 21, 2021 (2.5 hours)

Further work on responsive pleadings

November 23, 2021 (3.0 hours)

Conferences with counsel; further work on responsive pleadings

November 24, 2021 (1.5 hours)

Further work on responsive pleadings; conferences with counsel

November 25, 2021 (1.5 hours)

Further work on responsive pleadings; conferences with counsel

November 26, 2021 (2.5 hours)

Further work on responsive pleadings; conferences with counsel

November 27, 2021 (5.0 hours)

Further work on opposition filing in Dane County Circuit Court litigation

November 29, 2021 (2.0 hours)

Examine record materials; conferences with counsel

November 30, 2021 (2.5 hours)

Further work relating to pleadings in Dane County Litigation; conferences with counsel

December 1, 2021 (3.5 hours)

Conduct additional research; conferences with counsel; review correspondence and documents relating to parallel matter

December 2, 2021 (2.5 hour)

Conferences regarding parallel litigation; prepare responses to correspondence from counsel; examine court filings

December 3, 2021 (3.0 hours)

Prepare correspondence to counsel in parallel litigation; conduct research

December 5, 2021 (3.0 hours)

Prepare responses to counsel in parallel litigation

December 8, 2021 (1.5 hours)

Review transcripts; conferences with counsel

December 9, 2021 (1.5 hours)

Review court filings in parallel litigation; conferences with counsel

December 10, 2021 (2.5 hours)

Review pleadings; conferences with counsel regarding Dane County litigation and parallel litigation

December 11, 2021 (2.5 hours)

Prepare for hearing

December 14, 2021 (1.5 hours)

Conduct research; conferences with counsel

December 15, 2021 (1.5 hours)

Conduct research; conferences with counsel

December 16, 2021 (1.5 hours)

Review correspondence regarding parallel proceedings; conferences with counsel

December 20, 2021 (1.0 hour)

Conferences regarding Dane County and parallel litigation

December 21, 2021 (2.0 hours)

Review Plaintiff's Responses; conduct legal research and confer regarding responsive arguments

December 22, 2021 (2.0 hours)

Conferences with counsel; prepare for Dane County Circuit Court hearing

December 23, 2021 (5.0 hours)

Prepare for and participate in Dane County Circuit Court hearing; conferences

Total for Kevin M. Scott: Sixty Five (65) Hours

Lead Counsel Joseph W. Voiland

October 26, 2021 (1.0 hour)

Confer with Representative Brandtjen; examine pleadings in Dane County Circuit Court matter

October 27, 2021 (1.0 hour)

Confer with Representative Brandtjen; confer with counsel

November 8, 2021 (4.0 hours)

Continue to examine court filings and research information related to Dane County Circuit Court matter

November 9, 2021 (4.0 hours)

Examine pleadings, statutory materials and pertinent case law; confer with counsel

November 10, 2021 (3.0 hours)

Continue to examine pleadings, statutory materials and pertinent case law; confer with counsel

November 15, 2021 (2.5 hours)

Work on pleadings relating to motion for preliminary injunction

November 16, 2021 (2.0 hours)

Work on pleadings relating to motion for preliminary injunction

November 17, 2021 (1.0 hour)

Work on pleadings relating to motion for preliminary injunction

November 24, 2021 (0.5 hours)

Confer with counsel

November 26, 2021 (2.0 hours)

Work on pleadings relating to motion for preliminary injunction

November 27, 2021 (1.0 hour)
Work on pleadings relating to motion for preliminary injunction

November 29, 2021 (2.0 hours)
Complete filing of Response of Assembly Committee on Campaigns and Elections and Representative Janel Bradtjen to Plaintiffs' Motion for Preliminary Injunction

December 3, 2021 (1.0 hour)
Complete filing of Joinder in the Motion to Dismiss by the Wisconsin State Assembly and Assembly Speaker

December 13, 2021 (2.5 hour)
Conferences with counsel; examine materials relating to parallel litigation

December 16, 2021 (1.0 hour)
Conferences with counsel

December 17, 2021 (3.5 hours)
Examine materials regarding parallel proceedings; prepare for Dane County Circuit Court hearing

December 20, 2021 (6.5 hours)
Prepare for Dane County Circuit Court hearing

December 21, 2021 (4.0 hours)
Prepare for Dane County Circuit Court hearing

December 22, 2021 (2.5 hours)
Prepare for Dane County Circuit Court hearing

December 23, 2021 (5.0 hours)
Attend Dane County Circuit Court hearing; conferences with counsel; debrief

Total Hours for Joseph W. Voiland: Fifty (50) Hours

Kevin M. Scott (65.00 hours at \$275)	\$17,875
Joseph W. Voiland (50.00 hours at \$350)	\$17,500
Total Balance Due:	\$35,375



Please remit payment to:

Veterans Liberty Law
519 Green Bay Road
Cedarburg, WI 53012

Federal Tax Identification Number: 85-2912705

Expense	Documentation	Amount	Category total	Page total	Notes
Hotel Expenses					
Hilton Garden Inn	2-1	\$540.47			
Flight Expenses					
American Airlines	2-2	\$392.00			
Delta Airlines	2-2	\$557.60			
American Airlines	2-2	\$210.00			
Delta Airlines	2-2	\$70.00			
American Airlines	2-4	\$1,077.20			
Clinton NTL Airport	2-5	\$84.72			
American Airlines	2-5	\$216.59			
Office Expenses					
Dropbox	1-1	\$75.00			
Fedex Office	1-1	\$27.26			
NY Times	1-1	\$4.00			
Milwaukee Journal	1-2	\$9.99			
Spectrum Internet	1-2	\$247.78			
Walmart Family Mobile	1-2	\$50.71			
Dropbox	1-2	\$75.00			
Office Max	1-2	\$124.88			
Hudson News	2-1	\$5.39			
Southwest News A34	2-3	\$6.80			
Milwaukee Journal	2-3	\$22.00			
Outstanding Bills for April	NA	\$249.60			\$123.89 Internet and Phone, \$75.00 dropbox, Walmart Family Mobile \$50.71
Transportation Expenses					
Madison Marking	1-2	\$10.00			
Uber	2-1	\$14.49			

Uber		2-1	\$34.73		
Uber		2-1	\$23.29		
Uber		2-2	\$58.05		
Uber		2-2	\$34.45		
Uber		2-2	\$8.96		
Uber		2-3	\$13.96		
Uber		2-3	\$13.96		
Uber		2-5	\$47.40		
Office Meals Expenses					
Kwik Trip		1-2	\$10.48		
Mazatlan		1-2	\$111.77		5 people following testimony in Madison
Kwik Trip		1-2	\$10.30		
Subway		2-1	\$17.75		
Cousins BBQ		2-1	\$19.22		
MKE Nonna		2-2	\$20.05		
Arepa's Place		2-2	\$18.40		
Chick-fil-A		2-3	\$6.35		
Mcdonalds		2-3	\$5.72		
Great AM Bagel		2-5	\$12.61		
Grove ORD Rocky		2-5	\$6.44		
Wasabi Sushi Lounge		2-5	\$23.07		
Kwik Trip		2-5	\$19.02		
Wasabi Sushi Lounge		2-5	\$47.59		2 people
Arepas Place		2-6	\$18.28		
Personel Invoice					
Jay Stone	Jay Stone Invoice		\$3,250.00		Jay Stone worked for the office from 2-16 to 3-01
Milage Expense					
Milage	NA		\$148.48		2 round trips brookfield to Madison on March 1st and March 4th (256 miles) *.58
Office Rent Expense					
April Office Rent	Office Contract		\$1,936.00		

			\$9,987.81		

This memorandum responds to your request for my office to further analyze the issue of recalling electors or decertifying Wisconsin's 2020 presidential electors. I adhere to the view that questions concerning certification of those electors are within the plenary authority of the Wisconsin Legislature to answer. However, that fact is not—and cannot—be the end of the analysis. I included a discussion of the decertification question in my Second Interim Report in order to address an issue of great public interest and to underscore that, while decertification of the 2020 presidential election is theoretically possible, it is unprecedented and raises numerous substantial constitutional issues that would be difficult to resolve. Thus, the legal obstacles to its accomplishment render such an outcome a practical impossibility. Given these numerous and substantial legal obstacles, it is difficult to imagine an expenditure of state resources that would be more imprudent as it would require an unimaginable amount of time and money and at best yield a result that is important only from a symbolic standpoint.

A. Reasons Decertification is a Practical Impossibility

The first reason decertification is a practical impossibility relates to the absence of any statutory process or procedure for its accomplishment. Although I included a discussion of the absence of any statutory process or procedure for this in both my Second Interim Report and during my presentation of the reports findings to the Assembly Committee on Campaigns and Elections, I do not believe it garnered a level of attention commensurate with its significance. Put simply, there are no rules governing the hypothetical proceedings by which decertification would be accomplished.

It is axiomatic that procedures affecting even the slightest of personal or property interests (not to mention the questions inherent in a legitimate decertification proceeding) must be governed by rules which comport with fundamental fairness and justice. While the construction of such a statutory scheme that passes constitutional muster might be possible, such a construction, and resolution of the legal issues surrounding it, is simply not possible in the time remaining before the question becomes practically irrelevant, i.e., the 2024 presidential election.

The second reason decertification is a practical impossibility is closely related to the first: the absence of precedent for the completion of the decertification process in a presidential election. And just as the absence of any statutory process or procedure for the act of decertification would—of necessity-- require their construction while the proceeding is underway, similarly, the absence of precedent would require the legislature to “make it up as it goes along,” as it considers the substantive question. This will be tied up in court for years and will virtually paralyze the Legislature in terms of all other business and there is no possibility that anything will be achieved other than a de facto full employment program for election law lawyers.

My best advice to anyone whose paramount concern is ensuring fair, honest, and transparent elections in Wisconsin is to set aside any impulse to waste finite time, effort, and energy in pursuit of an end that, like Macbeth's ruminations are, "full of sound and fury, signifying" at best a symbolic result.

However, there is a fruitful path forward, which is to implement the recommendations I have made that would help restore the People's faith in the integrity of our election: (1) pursue justice for the five Wisconsin Elections Commissioners who knowingly and deliberately engaged in criminal conduct when they willfully disobeyed the laws providing protections to vulnerable voters living in continuing care facilities; (2) renew efforts to engage citizens from across the state to serve as poll workers; (3) insist that Wisconsin's voter rolls accurately reflect the identities of actual voters, who live at the addresses they said they lived at when they registered to vote; (4) make those voter rolls freely available to the public; (5) make available to the public the lists of those who voted which now are available only to those who have the means to pay tens of thousands of dollars in order to obtain them; and (6) dismantle the Wisconsin Elections Commission. The first two are not directly within the purview of the Legislature, however, the remaining necessary reforms are and ought to be pursued as soon as practicable, which means as soon as Wisconsin has a governor who will sign such common sense and meaningful legislation.

At several points during my presentation to the Assembly Committee on Campaigns and Elections a little over two weeks ago, I repeatedly made all of the points recited in this memo as support for why I did not—and do not—advocate for decertification. Unfortunately, supporters as well as critics seemed to hear only those parts of my presentation that they wanted to hear. In the end, my position on the current state of the law is not ambiguous and therefore the Legislature has the constitutional obligation to make a policy decision as to whether to pursue decertification, understanding its doubtful benefit and the substantial obstacles to it. While I am charged with making a recommendation, questions regarding certification are for the legislature to make. I am not empowered to make that decision for you.

Thank you for this opportunity to renew and clarify my position on the question of decertification.

From: Coms <Coms@wispecialcounsel.org>
Sent: Wednesday, March 16, 2022, 9:57 AM
To: "Fawcett, Steve" <Steve.Fawcett@legis.wisconsin.gov>
Subject: Memorandum by The Office of the Special Counsel
Attachments: Memorandum by The Office of The Special Counsel.pdf

Good Morning,

I have attached a Memorandum created by our office. Please let me know if you have any questions or concerns.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Coms <Coms@wispecialcounsel.org>
Sent: Monday, May 23, 2022, 3:17 PM
To: "Blazel, Ted - LEGIS" <Ted.Blazel@legis.wisconsin.gov>; "Hale, Janine" <Janine.Hale@legis.wisconsin.gov>
Cc: "Fawcett, Steve" <Steve.Fawcett@legis.wisconsin.gov>
Subject: Monthly Expenses for the OSC and Zakory Niemierowicz's Payroll

Good Afternoon Ted and Janine,

This email serves as the list of monthly expenses that are to be paid for the Office of the Special Counsel as agreed upon with the Speakers Office.

Monthly Internet and Phone:	\$122.97
Milwaukee Journal Subscription:	\$10.00
Document Dropbox Subscription:	\$75.00
New York Times Subscription:	\$4.20
Wisconsin Eye Subscription:	\$10.00
Walmart Family Mobile Subscription:	\$50.67
Office Supplies:	\$30.00
Office Rent:	\$1,936.00
Milage:	\$50.00
<u>Zakory's Payroll:</u>	<u>\$4,500</u>

Total: **\$6,788.84**

Please let me know if you have any questions

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 17, 2022, 1:45 PM
To: "Fawcett, Steve" <Steve.Fawcett@legis.wisconsin.gov>
Subject: Re: EXTERNAL : RE: All Necessary Legal Fees

Good Afternoon Steve,

He is representing Janel Brandtjen, but since he has not been paid, he asked our office to also send his invoices.

Very Respectfully,

Zakory Niemierowicz
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

From: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Sent: Thursday, March 17, 2022 1:11 PM
To: Coms <Coms@wispecialcounsel.org>
Subject: EXTERNAL : RE: All Necessary Legal Fees

I thought Voiland was Rep. Brandtjen's attorney?

From: Coms <Coms@wispecialcounsel.org>
Sent: Thursday, March 17, 2022 12:52 PM
To: Fawcett, Steve <Steve.Fawcett@legis.wisconsin.gov>
Cc: Miked@Michaelddeanllc.com
Subject: All Necessary Legal Fees

Good Afternoon Steve,

I have attached the legal bills from Mike Dean and Joe Voiland that have not been paid in 5 months. Please address this issue and give our office a response as soon as possible.

Very Respectfully,

Mike Gableman
WI Special Counsel

Please be aware any communications sent to and from Wispecialcounsel.org email domains may be subject for review in response to Wisconsin open records statutes.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

MEMORANDUM

**PRIVILEGED AND CONFIDENTIAL
ATTORNEY CLIENT PRIVILEGE
ATTORNEY WORK PRODUCT**

From: Michael J. Gableman
To: Speaker Robin J. Vos

**RE: Consequences of the Termination of the Office of Special Counsel
upon Legislative Subpoenas and Attendant Litigation**

Dear Speaker Vos,

You have expressed a desire to terminate Office of Special Counsel (“OSC”). At the same time, you have also expressed an interest in retaining me to serve as counsel to the Assembly in pending matters related to the work of OSC. As such, this Memorandum is being provided to you in my capacity as a prospective legal representative of the Assembly and is therefore a confidential attorney-client communication.

This Memorandum addresses concerns regarding the effect termination of OSC will have upon the validity of legislative subpoenas that were generated by OSC and signed by you (the “Subpoenas”), as well as the likely effect that termination of OSC will have upon litigation relating to the Subpoenas. I have also attached a memorandum I received today from Attorney Bopp which sets forth the basis for his conclusion that closure of OSC will result in the Subpoenas’ unenforceability.

There are currently two pending matters in Wisconsin Circuit Courts related to the Subpoenas—

- Waukesha County case no. 2021 CV 1710, captioned *Michael J. Gableman, in His Official Capacity as Special Counsel v. Eric Genrich et al.* (the “Waukesha Matter”); and
- Dane County case no. 2021 CV 2552, captioned *Wisconsin Elections Commission et al. v. Wisconsin State Assembly et al.* (the “Dane Matter”)(collectively, the “Litigation”).

A. The Waukesha Matter

I advised you in a telephone conference call with other Assembly members Thursday, April 14, 2022, that I recommended against closing the Office of Special Counsel. I expressed concern that such closure would likely result in a court’s determination that the

Robin J. Vos
April 18, 2022

Subpoenas would be rendered moot and, as such, unenforceable. There are three reasons for my conclusion.

First, if OSC no longer exists it axiomatically will no longer possess any legal rights, including the right to enforce the Subpoenas. As a result, some entity will be required to take its place in the Waukesha Matter as the party seeking enforcement. While that entity would most naturally be the Assembly, such substitution is only going to be allowed as to the OSC's "successor." See Wis. Stat. § 803.10(4)(a). As such, there needs to be an express agreement between the Assembly and OSC that the Assembly is the OSC's "successor" in relation to any legal rights possessed by the OSC.

Second, the defendants failed to comply with the subpoenas by refusing to appear at OSC's office in the City of Brookfield in Waukesha County. The fact that the location of defendants' failure to attend is in Waukesha County is what allowed OSC to file the enforcement action in Waukesha County. See Wis. Stat. § 885.12 ("If any person, without reasonable excuse, fails to attend as a witness...any judge of a court of record...**in the county where the person was obliged to attend** may...issue an attachment for the person, and unless the person shall purge the contempt and go and testify or do such other act as required by law...")(emphasis added).

Accordingly, even if the judge presiding in the Waukesha Matter permits substitution of the Assembly for OSC as petitioner in the Litigation, the basis for venue in that action ceases as the defendants can no longer purge the contempt by appearing where the subpoenas command. This is so because the OSC would no longer be extant and so compliance with the directives of the subpoenas (appear at the OSC office in Brookfield) cannot be accomplished.

The upshot is that termination of the OSC means termination of the Waukesha Matter. Judge Ramirez has already expressed his concerns that Wis. Stat. § 885.12 is not the proper procedural vehicle for enforcing the Subpoenas and has indicated that he believes that such enforcement should be pursued pursuant to the tenets of Chapter 13 of the Wisconsin Statutes.¹ Termination of the OSC, and the attendant issues created thereby, is an open invitation to Judge Ramirez to follow his stated inclination and dismiss OSC's Petitions. Appeal would require the attempted enforcement of novel legal rights based on novel legal theories. The prospect of victory on appeal would be remote.

Third, termination of the OSC would require that all the subpoenas be re-issued, directing the defendants to appear before a Committee of the Assembly at the State Capitol. While it has been suggested that the Subpoenas can be "amended," there is no statutory mechanism for amending a subpoena and doing so would add yet another layer to the procedural defenses already laid out by the defendants. Engaging in novel procedural tactics in this situation is ill-advised at best. In addition, the OSC's authorizing documents,

¹ In a Memorandum addressed to you dated August 5, 2021, the Legislative Reference Bureau recommended utilizing Wis. Stat. § 885.12 to enforce the Assembly's subpoena power in Wisconsin Courts.

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including Assembly Committee on Campaigns and Elections Motion 1, expressly grant the OSC the power to issue subpoenas. Re-issuing the Subpoenas would provide yet another procedural objection the defendants may raise—that the Assembly delegated the authority to issue the Subpoenas to the OSC and consequently does not possess the power to re-issue them once the OSC ceases to exist.

B. The Dane Matter

Termination of the OSC also likely means termination of the Dane Matter as well, but for different reasons. As a co-defendant, substitution of the Assembly in place of the OSC would be relatively simple. However, termination of the OSC would place the Assembly in an untenable defensive posture.

One of the primary arguments advanced by the Plaintiffs in the Dane Matter is that the Subpoenas are not authorized by law because, rather than requiring appearance before the Assembly or a Committee thereof in an open forum, the Subpoenas demand appearance in a non-public setting. See Amended Complaint, Count 1, Document # 86 (Dane Matter), ¶¶ 44-51. Even if the Assembly could convince Judge Lanford that the Assembly may require such appearances via subpoena, it is almost certain she will not take the opportunity to rule as such because if the OSC no longer exists, the question of whether the Assembly is statutorily authorized to require an appearance in the OSC's offices will be rendered moot. See *Marathon Cnty. v. D.K. (In re Condition D.K.)*, , 2020 WI 8, ¶ 19, 390 Wis.2d 50, 937 N.W.2d 901 ("An issue is moot when its resolution will have no practical effect on the underlying controversy.") Furthermore, if the appearances required by the Subpoenas can no longer be accomplished, all the other issues raised by the Plaintiffs (the subpoenas do not serve a valid legislative purpose, are unconstitutionally overbroad and/or compliance is unduly burdensome) are rendered moot as well.

C. Conclusion

I am honored that you would consider hiring me as counsel to the Assembly in the Litigation. However, if OSC is terminated I cannot accept that role.

Based on the above, it is clear to me that if the OSC is terminated, there is no viable path to success in the Litigation. All attorneys are ethically bound to pursue only those matters that have a reasonable basis in fact and law. It is my analysis that without the existence of the OSC, there is no reasonable basis to continue pursuing the Litigation. As such, I could not agree to represent the Assembly in those matters.

Again, thank you for the honor of your consideration.

Special Counsel Gableman, you have asked my opinion on whether the closure of the Office of Special Counsel will have an adverse effect on the enforceability of the subpoenas, currently subject to the Waukesha Matter and the Dane Matter ("the Litigation"), and on the ability of the Assembly to litigate the legality of the subpoenas in those cases.

My opinion is that closing the Office of Special Counsel will render the subpoenas unenforceable and the Litigation moot.

First, the subpoenas require the person to appear "before the Special Counsel or his designee." If the Office of Special Counsel is terminated, there is no person "to appear in person before." The subpoenaed person cannot appear before the Special Counsel, since the Special Counsel does not exist, and he cannot appear before "his designee," since there is no Special Counsel to designate someone. This renders the subpoenas unenforceable.

Second, the unenforceability of the subpoenas abort the Litigation. The Waukesha Matter is an effort to enforce the subpoenas, but since there would be no one for the court to order the person "to appear in person before," then there is no relief that the court could order to enforce the subpoenas and the case would be dismissed.

The Dane Matter is a challenge to the subpoenas' enforceability against WEC and other Plaintiffs. However, if the subpoenas are rendered unenforceable because the Office of Special Counsel does not exist, the case would be moot, since the subpoenas are already unenforceable, and the case would be properly dismissed.

Finally, I don't believe that there is anyway to fix the problem of the unenforceability of the subpoenas. To have an enforceable subpoena after the Special Counsel's office is terminated, the subpoenas would have to be reissued with this change, or something like it: the subpoenaed person would be required "to appear in person before the Speaker of the Wisconsin State Assembly, or his designee" and then an appropriate address.

There maybe other reasons that the termination of the Office of Special Counsel would have an adverse effect on the subpoenas and/or litigation, but I express no opinion on these.

James Bopp, Jr.

Attorney

The Bopp Law Firm, PC | www.bopplaw.com

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Committee on Campaigns and Elections
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262-202-8722

April 25, 2022

The Hon. Robin J. Vos
Speaker, Wisconsin Assembly
State Capitol-Room 217 West
Madison, WI 53708

Dear Speaker Vos,

This letter memorializes my concern that formally disbanding the Office of the Special Counsel (OSC) would (1) legally moot out and render null the pending sunshine lawsuits that are necessary to vindicate the people's right to know how their government is run and thus (2) render pointless and a waste of taxpayer money the entire investigation. My strong recommendation is for the OSC to remain authorized by the Assembly, so that all the subpoenas we issued remain valid and enforceable. I will gladly reduce my salary to a token \$1 per year, if money is an issue. We have already gutted the entire office, including removing all of my staff except for one junior assistant, so money should not be an issue.

I concede that this is a political decision entirely within the authority of the Speaker. At any time you could have refused to authorize OSC, refused to fund OSC, or refused to sign any particular subpoena. It is to your eternal credit that you have thus far resisted the media-hyped, hypocritical, and disingenuous political pressures to do so. But to pull the plug now is to quit at the finish line. We have several well-positioned lawsuits that will inevitably result in the Wisconsin Supreme Court giving us a clear decision on just how accountable the state government is to the people. Blowing up these lawsuits is a bad idea.

There is no downside to keeping the OSC open at this time, other than, possibly, the legal fees to defend the subpoena lawsuits. But our case is strong and losing or dropping these cases would irreversibly weaken our state Assembly. It would irreversibly weaken the office of the Speaker of the Assembly as well. All it would take is a left-wing group to sue to block oversight and cite this case the next time they want to hide something. This time it is nursing home abuse and corrupt elections administration: next time it could be worse. And you can bet there are private left-wing groups drafting new contracts that are even more shady, so that bad actors can privatize our elections again in 2024. This has to stop, and it will not stop if we shut down the OSC and give up on the lawsuits now.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Gableman".

Michael J. Gableman