



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

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June 18, 2013

Ms. Diane Fremgen  
Clerk of Wisconsin Supreme Court  
Post Office Box 1688  
Madison, WI 53701

Re: *Dennis Clinard, et al. v. Michael Brennan, et al.*  
Case No. 2011AP2677-OA

*Dennis Clinard, et al. v. Michael Brennan, et al.*  
Case No. 2011XX1409

Dear Ms. Fremgen:

We represent defendants Members of the Wisconsin Government Accountability Board ("GAB"), Michael Brennan, David Deininger, Gerald Nichol, Thomas Cane, Thomas Barland, and Timothy Vocke, each in his official capacity only, and Kevin Kennedy, in his official capacity as Director and General Counsel for the GAB only, in both of the two above-referenced cases. These two cases involved the redistricting laws (2011 Wisconsin Acts 43 and 44) as well as the boundaries for the special and recall elections which were held in 2012.

This office also represented the GAB which was a defendant in the federal redistricting matter before the Honorable Diane P. Wood, Honorable J.B. Stadtmueller, and the Honorable Robert M. Dow, Jr., entitled *Baldus v. Brennan*, Eastern District of Wisconsin Case No. 11-C-0562. The three-judge panel in that federal redistricting matter issued three decisions which may be of interest to the State Supreme Court with regard to the two pending *Clinard v. Brennan* cases.

On March 22, 2012, the federal court issued a Memorandum Opinion and Order which found that new Assembly Districts 8 and 9 violated the Voting Rights Act. On April 11, 2012, the federal court issued an Order which set new boundaries for Assembly Districts 8 and 9. And, more significantly, on June 3, 2013, the federal district court finally resolved all pending matters in the federal redistricting case and officially closed that case. I have enclosed an original and nine (9) copies of this letter and each federal court decision for each of the above referenced

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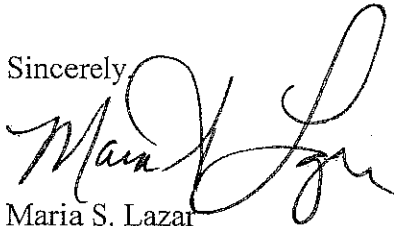
cases. Copies of the Orders are being mailed this date to opposing counsel together with a copy of this letter.

The recall and special elections which were the subject of the two *Clinard v. Brennan* cases have already been held in 2012.

Based upon the federal redistricting court decisions and the fact that no further recall or special elections are pending, the Department of Justice respectfully suggests that the *Clinard v. Brennan* cases may have been rendered moot.

At the Court's request, we are available to present additional information with respect to the now-closed federal redistricting case.

Sincerely,



Maria S. Lazar  
Assistant Attorney General  
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MSL:cla

Enclosures

c: Michael D. Dean  
Douglas M. Poland/Brady C. Williamson, Jr./Rebecca K. Mason  
Joseph L. Olson/Michael P. Screnock  
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