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January 13, 2014

To:

Hon. Donald J. Hassin Jr.
Waukesha County Circuit Court Judge
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*Additional Parties listed on Page Two

You are hereby notified that the Court has entered the following order:

No. 2011XX1409

Clinard v. Brennan

On November 28, 2011, plaintiffs filed a summons and a complaint in Waukesha County circuit court captioned "Complaint For Declaratory And Other Relief And Appointment Of Three Judge Panel Pursuant to Wis. Stat. §§ 751.035 and 801.50(4m)." The case was assigned No. 11CV3995. On December 5, 2011, the clerk of this court received from the clerk of the circuit court for Waukesha County a letter referencing Waukesha County Case No. 11CV3995 and containing the following statement: "Enclosed please find a copy of the summons and complaint filed in Waukesha County in the above case, a redistricting challenge under Section 751.035 and 801.50(4m)." This court assigned the matter Case No. 2011XX1409.

On December 2, 2011, the plaintiffs sought to amend their complaint by filing an amended complaint in Waukesha County circuit court. On December 6, 2011, the clerk of this court received from the clerk of the circuit court for Waukesha County a letter referencing Waukesha County Case No. 11CV3995 and enclosing a copy of an amended summons and complaint filed in that case.

As we noted in a separate order being issued today in Clinard v. Brennan, No. 2011AP2677-OA, a case raising issues involving the 2011 redistricting statutes was also filed in the United States District Court for the Eastern District of Wisconsin. Baldus v. Brennan, No. 11-C-0562. In June 2013 the respondents notified this court that the federal district court has resolved all pending matters before it and has formally closed the case and that the recall and special elections which were the subject of the instant case were held in 2012. The respondents suggested that in light of the federal court decisions and the fact that no further recall or special elections are pending, this matter may have been rendered moot. No other party has offered a contrary opinion or requested that the matter not be dismissed. Accordingly,

IT IS ORDERED that this matter, along with all accompanying motions and requests for relief, is dismissed.

Prosser, J., did not participate.

Diane M. Fremgen
Clerk of Supreme Court

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