

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

WILLIAM WHITFORD, ROGER ANCLAM, )  
EMILY BUNTING, MARY LYNNE DONOHUE, )  
HELEN HARRIS, WAYNE JENSEN, )  
WENDY SUE JOHNSON, JANET MITCHELL, )  
ALLISON SEATON, JAMES SEATON, )  
JEROME WALLACE, and DONALD WINTER, )

No. 15-cv-421-bbc

Plaintiffs, )

v. )

GERALD C. NICHOL, THOMAS BARLAND, )  
JOHN FRANKE, HAROLD V. FROEHLICH, )  
KEVIN J. KENNEDY, ELSA LAMELAS, and )  
TIMOTHY VOCKE, )

Defendants. )

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**STIPULATION REGARDING THE GOVERNMENT ACCOUNTABILITY BOARD  
(GAB) AND LEGISLATIVE TECHNOLOGY SERVICES BUREAU (LTSB)**

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Pursuant to the Court’s request, the parties hereby stipulate and agree as follows:

1. The Government Accountability Board (“GAB”) “is the state body charged with administering and enforcing all of Wisconsin's laws related to campaign finance, elections, ethics, lobbying, and contract disclosures.” *Baldus v. Members of Wisconsin Government Accountability Bd.*, 849 F. Supp. 2d 840, 847 (E.D. Wis. 2012); Wis. Stat. §505(1).<sup>1</sup>

2. The Government Accountability Board is a nonpartisan independent agency comprised of six former judges serving six-year terms. Wis. Stat. § 15.60. Its members are appointed from nominations by a committee comprised of court of appeals judges from each

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<sup>1</sup> On June 30, 2016, these duties will shift to the Elections and Ethics Commissions pursuant to 2015 Wisconsin Act 118. The GAB will be eliminated.

district chosen by lot. *Id.* Members must be approved by advice and consent of two-thirds of the Senate. Wis. Stat. § 15.07(1)(a)(2). Members cannot be lobbyists or members of any political party. Wis. Stat. § 15.60. They may not run for public office, hold public office (with the exception of office of circuit judge or court of appeals judge under Wis. Stat. § 753.075), or make campaign contributions during their terms. Wis. Stat. § 15.60.

3. The Government Accountability Board provides election data at the reporting unit level, which often combines two or more wards. *See* Ex. 2, Expert Report of Ken Mayer, dated July 3, 2015, Annex at 1; Wis. Stat. § 5.15(6)(b) (allowing municipalities with a population under 35,000 to combine wards for purposes of using a common polling place, and allowing for the tabulation and reporting of combined ward vote totals).

4. The Legislative Technology Services Bureau (LTSB) is an independent nonpartisan agency charged with “[p]rovid[ing] and coordinat[ing] information technology support and services to the legislative branch,” “reconcil[ing] and compil[ing]” the data from municipal clerks regarding municipality and ward boundaries after each census in order “to produce a statewide data base consisting of municipal boundary information for the entire state,” and “[p]articipat[ing], on behalf of [Wisconsin] in geographic boundary information programs when offered by the U.S. bureau of the census.” Wis. Stat. § 13.96 (1); *Albers-Anders v. Pocan*, 905 F. Supp. 2d 944, 949 (W.D. Wis. 2012) (“Five legislative services agencies in Wisconsin are required by statute to perform services in strictly non-partisan manner, including . . . the Legislative Technology Services Bureau.”).

5. The LTSB, as part of its duties, provided the Legislature with the GAB’s reporting unit level election data disaggregated to the ward level. *See* Ex. 2, Expert Report of Ken Mayer, dated July 3, 2015, Annex at 1.

Dated May 27, 2016

By: RATHJE WOODWARD, LLC

/s/ Douglas. M. Poland  
Douglas M. Poland  
State Bar No. 1055189  
10 East Doty Street, Suite 507  
Madison, WI 53703 (608) 960-7453  
dpoland@rathjewoodward.com  
*One of the Attorneys for the Plaintiffs*

By: /s/ Brian Keenan

Brian Keenan  
State Bar. No. 1056525  
Asst. Attorney General  
Wisconsin Department of Justice  
P.O. Box 7857  
Madison, WI 53707-7857  
Phone: (608) 266-0020  
Fax: (608) 267-2223  
keenanbp@doj.state.wi.us

*One of the Attorneys for Defendants, Gerald Nichol, et al.*