

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

DEMOCRATIC NATIONAL COMMITTEE, *et al.*,
Plaintiffs-Appellees,

v.

MARGE BOSTELMANN, *et al.*,
Defendants-Appellees,

and

WISCONSIN STATE LEGISLATURE, *et al.*,
Intervening Defendant-Appellant.

SYLVIA GEAR, *et al.*,
Plaintiffs-Appellees,

v.

MARGE BOSTELMANN, *et al.*,
Defendants-Appellees,

and

WISCONSIN STATE LEGISLATURE, *et al.*,
Intervening Defendant-Appellant.

CRYSTAL EDWARDS, *et al.*,
Plaintiffs-Appellees,

v.

WISCONSIN STATE LEGISLATURE, *et al.*,
Intervening Defendant-Appellant.

JILL SWENSON, *et al.*,
Plaintiffs-Appellees,

v.

MARGE BOSTELMANN, *et al.*,
Defendants-Appellees,

and

WISCONSIN STATE LEGISLATURE, *et al.*,
Intervening Defendant-Appellant.

DEMOCRATIC NATIONAL COMMITTEE, *et al.*,
Plaintiffs-Appellees,

v.

MARGE BOSTELMANN, *et al.*,
Defendants-Appellees,
and
REPUBLICAN NATIONAL COMMITTEE and REPUBLICAN PARTY OF WISCONSIN,
Intervening Defendants-Appellants.

SYLVIA GEAR, *et al.*,
Plaintiffs-Appellees,
v.
MARGE BOSTELMANN, *et al.*,
Defendants-Appellees,
and
REPUBLICAN NATIONAL COMMITTEE and REPUBLICAN PARTY OF WISCONSIN, *et al.*,
Intervening Defendants-Appellants.

CRYSTAL EDWARDS, *et al.*,
Plaintiffs-Appellees,
v.
WISCONSIN STATE LEGISLATURE, *et al.*,
Intervening Defendant-Appellant,
and
REPUBLICAN NATIONAL COMMITTEE and REPUBLICAN PARTY OF WISCONSIN, *et al.*,
Intervening Defendants-Appellants.

JILL SWENSON, *et al.*,
Plaintiffs-Appellees,
v.
MARGE BOSTELMANN, *et al.*,
Defendants-Appellees,
and
REPUBLICAN NATIONAL COMMITTEE and REPUBLICAN PARTY OF WISCONSIN, *et al.*,
Intervening Defendants-Appellants.

On Appeal from the United States District Court
for the Western District of Wisconsin (Conley, J.)

**EMERGENCY MOTION OF REPUBLICAN NATIONAL COMMITTEE
AND REPUBLICAN PARTY OF WISCONSIN TO STAY
THE PRELIMINARY INJUNCTION**

Based largely on the unique and different circumstances confronting Wisconsin last April, the district court substantially rewrote the rules for Wisconsin's ongoing election to make numerous adjustments to long-established voting rules and deadlines. Most notably, the district court extended deadlines—which are still weeks away—for voter registration and the receipt of ballots on the assumption that some hypothetical voters will needlessly delay until the last minute and thus place themselves at risk of missing the relevant deadlines. Even setting aside the questionable assumption that voters today are unaware of or unable to account for COVID-19 in making their plans to vote in any of the myriad ways Wisconsin allows, the question that matters here is whether the future deadlines (and other state laws modified by the district court) impose “a substantial burden on the right to vote.” *Crawford v. Marion Cty. Election Bd.*, 553 U.S. 181, 198 (2008). For the reasons described in the Legislature's motion, they do not. *See* Doc. 9-1 (No. 20-2835).

Movants are entitled to a stay pending appeal for the reasons provided in the Wisconsin Legislature's motion. Given this Court's admonition that “brevity in motion procedure is extremely important,” *Practitioner's Handbook for Appeals* 87 (2019 ed.), Movants simply adopt the Legislature's motion and incorporate those arguments here. Accordingly, Movants ask the Court to grant a stay pending appeal of the district court's entire injunction.

Dated: September 24, 2020

Respectfully submitted,

/s/ Patrick Strawbridge
Patrick Strawbridge
CONSOVOY MCCARTHY PLLC
Ten Post Office Square
8th Floor South PMB #706
Boston, MA 02109
(617) 227-0548
patrick@consovoymccarthy.com

Jeffrey M. Harris
Cameron T. Norris
Alexa R. Baltes
CONSOVOY MCCARTHY PLLC
1600 Wilson Blvd., Ste. 700
Arlington, VA 22209
(703) 243-9423
jeff@consovoymccarthy.com
cam@consovoymccarthy.com
lexi@consovoymccarthy.com

*Counsel for Intervenor-Defendant-Appellants
Republican National Committee and Republican Party of Wisconsin*

CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limitation of Rule 27(d)(2) because it contains 229 words, excluding the parts that can be excluded. This motion complies with all typeface requirements of Rules 27(d)(1)(E) and 32(a)(5)-(6), because it has been prepared in a proportionally spaced typeface using the 2016 version of Microsoft Word in 14-point Garamond.

Dated: September 24, 2020

/s/ Patrick Strawbridge

CERTIFICATE OF SERVICE

I filed this motion with the Court via ECF, which will electronically notify all counsel requiring notice.

Dated: September 24, 2020

/s/ Patrick Strawbridge