

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

WILLIAM FEEHAN,

Plaintiff,

v.

WISCONSIN ELECTIONS  
COMMISSION, and its members ANN  
S. JACOBS, MARK L. THOMSEN,  
MARGE BOSTELMANN, JULIE M.  
GLANCEY, DEAN HUDSON, ROBERT  
F. SPINDELL, JR., in their official  
capacities, GOVERNOR TONY EVERS,  
in his official capacity,

Defendants.

No. 2:20-cv-1771

**EXPEDITED NONDISPOSITIVE MOTION TO INTERVENE OF  
PROPOSED INTERVENOR-DEFENDANT DEMOCRATIC  
SERVICES CORPORATION/DEMOCRATIC NATIONAL  
COMMITTEE (THE “DNC”) PURSUANT TO CIVIL L. R. 7(h)**

Proposed Intervenor-Defendant Democratic Services Corporation/Democratic National Committee (“DNC”) respectfully moves for expedited consideration of its motion for leave to intervene in this action to defend its interests against the claims asserted by Plaintiff. For the reasons discussed in the Proposed Intervenor-Defendant DNC’s Brief in Support of Motion to Intervene (“DNC Intervention Brief”) filed on December 4, 2020 (Dkt. No. 23), the DNC is entitled to intervene in this case as a matter of right under Federal Rule of Civil Procedure 24(a)(2). In the alternative, the DNC requests permissive intervention pursuant to Rule 24(b).

At the time the DNC filed its Motion to Intervene,<sup>1</sup> the Court had indicated it would await the Defendants' opposition brief, which Plaintiff had 21 days to file. Dkt. No. 7. Thereafter, this Court set an expedited briefing schedule requiring responses and replies to be filed by December 7 and 8, 2020, respectively. Today, December 5, 2020, the Court also set a deadline of December 28, 2020, for Plaintiff's response to the DNC's Motion to Intervene.

In order to protect Proposed Intervenor-Defendant DNC's rights and critical interests as set forth in the DNC Intervention Brief, the DNC respectfully requests that the Court consider the DNC's motion expeditiously and grant it permission to intervene in this case as soon as reasonably possible. The DNC is prepared to submit its response as an Intervenor-Defendant in accordance with this Court's schedule (i.e., by 5:00 p.m. on December 7, 2020).

Counsel for the DNC has asked counsel for both the Plaintiff and the Defendants if they oppose the DNC's motion to intervene. Plaintiff's counsel states that that it opposes the DNC's motion. None of the Defendants oppose the DNC's motion.

WHEREFORE, the DNC requests that the court grant it leave to intervene in the above-captioned matter so that it may file its response in accordance with the Court's expedited schedule in this matter.

DATED: December 5, 2020

---

<sup>1</sup> Dkt. No. 22. In accordance with Rule 24(c), a proposed answer to Plaintiff's complaint was attached as Exhibit 1 to the DNC's Motion to Intervene. *Id.*, Attachment 1.

Seth P. Waxman\*  
WILMER CUTLER PICKERING HALE AND  
DORR LLP  
1875 Pennsylvania Ave., NW  
Washington, DC 20006  
(202) 663-6000  
seth.waxman@wilmerhale.com

David S. Lesser\*  
Jamie Dycus\*  
WILMER CUTLER PICKERING HALE AND  
DORR LLP  
7 World Trade Center  
250 Greenwich Street  
New York, NY 10007  
(212) 230-8800  
david.lesser@wilmerhale.com  
jamie.dycus@wilmerhale.com

Matthew W. O'Neill  
SBN 1019269  
FOX, O'NEILL &  
SHANNON, S.C.  
622 North Water Street,  
Suite 500  
Milwaukee, WI 53202  
(414) 273-3939  
mwoneill@foslaw.com

\* *Application for admission pending*

Respectfully Submitted,

s/Michelle M. Umberger

---

Charles G. Curtis, Jr.  
SBN 1013075  
Michelle M. Umberger  
SBN 1023801  
Sopen B. Shah  
SBN 1105013  
Will M. Conley  
SBN 1104680  
PERKINS COIE LLP  
33 East Main St., Suite 201  
Madison, WI 53703  
(608) 663-7460  
ccurtis@perkinscoie.com  
mumberger@perkinscoie.com  
sshah@perkinscoie.com  
wconley@perkinscoie.com

Marc E. Elias\*  
John Devaney\*  
Zachary J. Newkirk\*  
PERKINS COIE LLP  
700 Thirteenth St., N.W.,  
Suite 800  
Washington, D.C. 20005  
(202) 654-6200  
melias@perkinscoie.com  
jdevaney@perkinscoie.com  
znewkirk@perkinscoie.com

*Counsel for Proposed Intervenor-Defendant*

## CERTIFICATE OF SERVICE

I hereby certify that on Saturday, December 5, 2020, I filed a copy of the foregoing with the Clerk of the Court using the CM/DKT. system, which will send notification of such filing to all counsel of record.

/s/ Michelle M. Umberger  
Counsel for Proposed Intervenor