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Supreme Court of Wisconsin

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September 27, 2012

To:

Hon. Richard G. Niess
Dane County Circuit Court Judge
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You are hereby notified that the Court has entered the following order:

No. 2012AP584-AC League of Women Voters of Wisconsin Education Network, Inc. v. Scott Walker L.C.#2011CV4669

On August 21, 2012, a petition to bypass the court of appeals, a motion to stay permanent injunction, and a motion to consolidate this matter with No. 2012AP1652, Milwaukee Branch of the NAACP v. Scott Walker (NAACP),¹ were submitted on behalf of defendants-appellants, Scott Walker, Thomas Barland, Gerald C. Nichol, Michael Brennan, Thomas Cane, David G. Deininger and Timothy Vocke. On September 10, 2012, a motion for leave to file a non-party brief *amicus curiae* in support of the petition to bypass was filed on behalf of Margaret Farrow, George Mitchell, Mike Sandvick, Aaron Rodriguez, Deborah Haywood, and Mary Ann Hanson.

¹ A petition to bypass, motion to stay permanent injunction, and motion to consolidate were also filed in NAACP.

This court recognizes the importance of the issues raised in this case and NAACP. The two cases share a commonality of subject matter, and if we were to grant review, we would hear oral argument in both cases on the same day and would take both matters under advisement at the same time. It is not feasible to follow that customary procedure in these two cases when all briefs on appeal have not yet been filed in NAACP.² Accordingly, this court denies the petition to bypass.

IT IS ORDERED that the motion for leave to file a non-party brief *amicus curiae* is granted, and the brief is accepted for filing.

IT IS FURTHER ORDERED that the petition to bypass is denied, without costs.

IT IS FURTHER ORDERED that, because the court has declined to grant the petition to bypass, the motion to stay permanent injunction and motion to consolidate filed in this court are dismissed.

Diane M. Fremgen
Clerk of Supreme Court

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² This court has today, by separate order, dismissed the petition to bypass filed in NAACP as premature. See Milwaukee Branch of the NAACP v. Scott Walker, No. 2012AP1652, unpublished order (Sept. 27, 2012).