

State of Wisconsin \ Elections Board

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JOHN C. SCHOBER
Chairperson

KEVIN J. KENNEDY
Executive Director

May 12, 2005

Hon. Scott Walker
Friends of Scott Walker
2334 N. 73rd Street
Wauwatosa, WI 53213

Re: Complaint of John Weishan Jr. and Gerry Broderick, Complainants Against Scott Walker and Friends of Scott Walker, Respondents
ElBd Cpt.05-10

Dear County Executive Walker:

This letter is in regard to the above-captioned matter in which you and your campaign committee have been named as respondents. A copy of the complaint(s) initiating this matter, filed with the State Elections Board by John Weishan and Gerry Broderick, electors of the State of Wisconsin, is not enclosed because you should have received the complaint by mail or by personal service. If a copy has not been delivered to you, please notify the undersigned immediately.

The Elections Board requests that a sworn, written response to the complaint be filed with the Board at its offices at 17 West Main Street, Suite 310, P.O. Box 2973, Madison, Wisconsin 53702, within 10 days of the date of this letter. If additional time to respond is required, please make that request in writing to the undersigned

Board procedure requires that a copy of the response should be served on or mailed (by certified mail) to each of the complainant(s) named in the complaint. Absence of a response may be treated by the Board, in its deliberation or consideration of this matter as an acknowledgment of the truth of the assertions contained in the complaint.

The Elections Board will meet to consider this matter, and other matters, at its next meeting after completion of its investigation. Tentatively, that meeting will be held in the Brookfield City Hall, Common Council Chambers, located at 2000 North Calhoun Road, Brookfield, Wisconsin, on or about July 12, 2005. When the meeting date is finalized you will be informed.

The meeting will begin at 9:30 a.m., or as soon thereafter as a quorum is obtained. You will be notified of the exact date and place when the date and location are set. (If the location is changed to a Madison meeting you will be notified.)

If you and/or your representative wish to be heard on this matter, you and/or your representative should be present at, or about, 9:30 a.m., when personal appearances will be taken on all matters before the Board. If you wish to submit any additional written materials for the Board's

consideration, they should not be in excess of five (5) typewritten pages and must be in the hands of the Board's staff **not later than 1:30 p.m. on the Monday before the meeting of the Board.** (Earlier delivery is preferred and offers an opportunity for pre-meeting delivery to and reading by the Board's members.)

If there is some reason why you cannot appear before the Board at the time of the meeting, or otherwise need a continuance of the consideration of this matter until the following meeting of the Board, you should make that reason or need known within the time required for your response.

Your response should address the following issues: According to both the complaint and the records on file at the Elections Board, (a notice that your treasurer sent to our office on November 4, 2004):

. . . when the call [pre-recorded telephone calls relating to the county budget] was recorded, it did include a disclaimer. However, when the calls were placed by our automated call vendor the disclaimer was inadvertently omitted from the call.

What is the name of the “call vendor” who inadvertently omitted the source identification (disclaimer) from the call. What was the message that was recorded and teleplayed and was anything other than the source identification (disclaimer) omitted from the message? Has the call vendor explained how the source identification was omitted – if so, what was that explanation. Over what period of time were the calls placed to Milwaukee County residents.

If you have any questions about this matter, or if I can be of any other assistance, please give me a call. (608) 266-0136.

STATE ELECTIONS BOARD

George A. Dunst
Legal Counsel

cc: John Hiller, Treasurer
Friends of Scott Walker
10500 North Port Washington Rd., Suite 203
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