

City of Whitewater Memorandum

To: City of Whitewater Common Council
From: Attorney Jonathan K. McDonell
Date: 11/6/2024
Re: Emergency Petition to Extend Voting Hours

At approximately 7:50 PM on election night, November 5, 2024, I was contacted by City of Whitewater City Clerk, Heather Boehm. She informed me that an attorney from the Democratic National Committee (DNC) had notified her of an emergency ex parte petition to extend voting hours at the two City of Whitewater polling locations until 10:00 PM.

At approximately 9:45 PM, a court hearing was held before Walworth County Circuit Court Judge David Reddy to address the motion. Present at the hearing were Attorney Eduardo Castro representing the DNC, Attorney Kurt Goehre representing the Republican National Committee (RNC), and myself representing the City of Whitewater.

After hearing the arguments, Judge Reddy determined that the Court had the proper jurisdiction and authority to extend the voting hours under Wis. Stat. § 6.96. He granted the motion, extending the voting hours to 10:30 PM. The City Clerk was instructed to mark the ballots of voters arriving between 8:00 PM and 10:30 PM with "S. 6.96" for identification purposes.

Attached you will find the Motion filed by the petitioner, the declaration in support of the petition, and the order approved by Judge Reddy. These documents provide further details on the legal basis for the extension and the Court's decision.