

**United States District Court
District of Western District of Wisconsin
Madison Division**

THE HONORABLE JOHN SIEFERT

Plaintiff,

v.

JAMES C. ALEXANDER, et al;

Defendants.

Civil Action No. 08-CV-126-BBC

PLAINTIFF'S PROPOSED CONCLUSIONS OF LAW

1. No issues of material fact are in dispute.
2. SCR 60.06(2)(b)(1), both on its face and as applied to Judge Siefert, is unconstitutional as a matter of law. Specifically, it does not survive strict scrutiny analysis, and is unconstitutionally overbroad.
3. SCR 60.06(2)(b)(4), both on its face and as applied to Judge Siefert, is unconstitutional as a matter of law. Specifically, it does not survive strict scrutiny analysis, and is unconstitutionally overbroad.
4. SCR 60.06(4), both on its face and as applied to Judge Siefert, is unconstitutional as a matter of law. Specifically, it does not survive strict scrutiny analysis, and is

unconstitutionally overbroad.

5. The Defendants, their agents, and successors are prohibited from enforcing Wisconsin Supreme Court Rule 60.06(2)(b)(1), 60.06(2)(b)(4), and 60.06(4), and from filing, initiating, or considering complaints based on Wisconsin Supreme Court Rule 60.06(2)(b)(1), 60.06(2)(b)(4), and 60.06(4) against Judge Siefert or any other judicial candidate.

Dated: July 18, 2008

Respectfully Submitted,

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