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Appeal No. 20AP828-OA

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**SUPREME COURT OF WISCONSIN**

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Jeré Fabick and Larry Chapman,

*Petitioners,*

v.

Andrea Palm, Julie Willems Van Dijk, Nicole Safar, in their Official Capacities as Executives of Wisconsin Department of Health Services; Josh Kaul, in his Official Capacity as Attorney General of Wisconsin; David Erwin, in his Official Capacity as Chief of the Wisconsin State Capitol Police; David Mahoney, in his Official Capacity as Sheriff of Dane County, Wisconsin; Ismael Ozanne, in his Official Capacity as District Attorney of Dane County, Wisconsin; Eric Severson, in his Official Capacity as Sheriff of Waukesha County, Wisconsin; Susan Opper, in her Official Capacity as the District Attorney of Waukesha County, Wisconsin; Kurt Picknell, in his Official Capacity as Sheriff of Walworth County, Wisconsin; and Zeke Wiedenfeld, in his Official Capacity as District of Attorney of Walworth County, Wisconsin.,

*Respondents.*

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**EMERGENCY MOTION OF WISCONSIN FAITH VOICES FOR  
JUSTICE FOR LEAVE TO FILE NON-PARTY BRIEF AS *AMICUS*  
*CURIAE* IN SUPPORT OF RESPONDENTS**

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Wisconsin Faith Voices for Justice, by and through its counsel, Jeanne M. Armstrong of Fuhrman & Dodge, S.C., hereby moves this Court for permission to file an *amicus curiae* brief in this matter pursuant to Wis. Stat. § 809.19(7). Wisconsin Faith Voices for Justice (“WFVJ”) strongly opposes the granting of Petitioners Jeré Fabick and Larry Chapman’s Emergency Petition for Original Action and Petitioners’ Emergency Motion for Injunction.

The reasons and grounds for this motion are set forth with particularity below and in the accompanying proposed brief and appendix filed contemporaneously herewith:

1. *Amicus* WFVJ is an interfaith 501(c)3 charity whose mission is to draw on the wisdom, courage and strength of various faith traditions to advance the common good. WFVJ is united as progressive people of faith that moves people and government through education and advocacy to raise the dignity and address the needs of the hungry, poor, and marginalized, to care for the sick, and to lift all voices.
2. WFVJ’s interest in submitting a brief in this matter, pursuant to Wis. Stat. § 809.19(7)(a), is to respond directly to the Petitioners’

contention that provisions of Emergency Order 28 (“Order”) infringes upon their right to religious liberty. (*See, e.g.,* Memorandum in Support of Petitioners’ Emergency Petition for Original Action and Emergency Motion for Injunction, p. 8.)

3. The Court will benefit from review of WFVJ’s brief and accompanying appendix, which contains 29 letters from religious leaders representing all of Wisconsin’s faith communities.<sup>1</sup>
4. The clergy members of WFVJ have special knowledge and direct experience dealing with the Order as it affects the practice of faith. Consideration of that special knowledge will be of significant value to the Court. (*See* WI Supreme Court Operating Procedures III.B.6.c.)
5. This *amicus* brief and appendix offers information and statements in opposition to Petitioners Fabick and Chapman’s assertion that provisions of the Order has a negative impact on the religious liberties of citizens of Wisconsin and also provides historical

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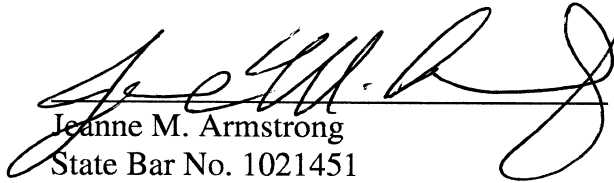
<sup>1</sup> Christian (Catholic, Presbyterian, Baptist, Episcopal, Evangelical, Moravian), Jewish, Muslim, Unitarian, Buddhist, Sikh, Quaker, Mennonite, Baha’i, AME, Hindu, and Pagan. (WFVJ-App. 8.)

parallels between the current COVID-19 pandemic and Wisconsin's handling of the 1918 Spanish Flu pandemic.

For the foregoing reasons and those included in the materials filed contemporaneously herewith, Wisconsin Faith Voices for Justice respectfully requests that this Court accept its *amicus curiae* brief in this matter pursuant to Wis. Stat. § 809.19(7).

May 8, 2020

Respectfully submitted,



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