

October 12, 2026

Via E-Mail only (elections@wi.gov)

Wisconsin Elections Commission
201 West Washington Avenue, 2nd Floor
Madison, WI 53703

Re: *Justin Gavery v. Maricha Harris, et al.* EL 26-58

Dear Chairman Millis:

I am writing to urge you, as Chair of the Wisconsin Elections Commission, to add an agenda item to the October 15 meeting for consideration of action regarding Milwaukee's Central Count in advance of November 3. I'm not asking the Commission to decide on the merits. My request is narrower. The Complaint in EL 26-58 can follow its normal course, but Election Day can't, and I believe the record gives the Commission good reason to take up interim steps.

The Commission's responsibility covers issues that may occur as well as those that have. The Commission can order action related to election administration effective immediately. Milwaukee is moving its Central Count to a new location, the Italian Community Center. The observation layout, results-export process, and notice posting are actively being set. A clear plan before the election will do much more than a finding after it. The Reply in this matter asks for, and it would be prudent for the Commission to order, a written observation plan for the Italian Community Center prior to November 3, along with a written export procedure that includes a requirement for bipartisan participation in the results export process for each tabulator.

A brief discussion of interim action could address this. The merits can be resolved on the ordinary timeline.

I appreciate how full the Commission's calendar is and thank you for considering this. I'm glad to provide anything that would help.

Sincerely,

Nicholas Boerke

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