

ABBOTSFORD EDUCATION ASSOCIATION, *et al.*,

Plaintiffs,

v.

Case No. 2023-cv-3152

WISCONSIN EMPLOYMENT RELATIONS COMMISSION, *et al.*,

Defendants.

**NOTICE OF MOTION AND MOTION TO INTERVENE AS DEFENDANT
AND FOR AMICUS CURIAE STATUS**

PLEASE TAKE NOTICE that Proposed Intervenor-Defendant, Kristi Koschkee, moves this Court pursuant to Wis. Stat. § 803.09(1) and its inherent power for leave to intervene as a matter of right in the above-captioned case, but asks this Court to hold the motion to intervene in abeyance until Ms. Koschkee is prepared to demonstrate inadequate representation and to grant Ms. Koschkee amicus curiae status until that time.

The basis for this motion, which is set forth in greater detail in the accompanying Memorandum of Law in Support of Motion to Intervene as Defendant and for Amicus Curiae Status and Affidavit of Ms. Koschkee, is that Ms. Koschkee is a public school teacher who timely claims an interest relating to the property or transaction which is the subject of this action and is so situated that the disposition of the action may as a practical matter impair or impede her ability to protect that interest. *See* Wis. Stat. § 803.09(1). Further, the representation of that interest by existing parties may become inadequate. *See id.* Ms. Koschkee’s perspective as a non-union public employee who supports 2011 Wisconsin Act 10 will also assist the Court in reaching a just decision in this case.

Also accompanying the motion is the Affidavit of Kristi Koschkee, a Proposed Answer, and a Proposed Order.

Dated this 29th day of January, 2024.

Respectfully submitted,

WISCONSIN INSTITUTE FOR LAW & LIBERTY
Attorneys for Proposed Intervenor-Defendant

/s/ Electronically signed by Lucas T. Vebber

Richard M. Esenberg, WI Bar No. 1005622

414-727-6367; rick@will-law.org

Lucas T. Vebber, WI Bar No. 1067543

414-727-7415; lucas@will-law.org

Nathalie E. Burmeister, WI Bar No, 1126820

414-727-6372; nathalie@will-law.org

Wisconsin Institute for Law & Liberty

330 East Kilbourn Ave., Suite 725

Milwaukee, WI 53202

414-727-9455; FAX: 414-727-6385