

STATE OF WISCONSIN : CIRCUIT COURT : BROWN COUNTY

DAIRY BUSINESS ASSOCIATION, INC.,
2763 MANITOWOC ROAD, SUITE B
GREEN BAY, WI 54311-6633

Case No. 17-CV-001014

Plaintiff,

Case Code: 30703

v.

WISCONSIN DEPARTMENT OF NATURAL
RESOURCES,
101 SOUTH WEBSTER STREET
P.O. BOX 7921
MADISON, WI 53707-7921

KURT THIEDE, in his official capacity as
Acting Secretary of the Wisconsin Department
of Natural Resources,
101 SOUTH WEBSTER STREET
P.O. BOX 7921
MADISON, WI 53707-7921; and

MARK D. AQUINO, in his official capacity as
Director of the Office of Business Support and
Science of the Wisconsin Department of Natural
Resources,
101 SOUTH WEBSTER STREET
P.O. BOX 7921
MADISON, WI 53707-7921

Defendants.

**NOTICE OF MOTION AND MOTION TO INTERVENE
OF PROPOSED DEFENDANT-INTERVENORS**

TO: DAIRY BUSINESS ASSOCIATION, INC.,
2763 MANITOWOC ROAD, SUITE B
GREEN BAY, WI 54311-6633

c/o Joseph L. Olson
David A. Crass
Andrew C. Cook
MICHAEL BEST & FRIEDRICH, LLP
100 East Wisconsin Avenue, Suite 3300
Milwaukee, WI 53202

WISCONSIN DEPARTMENT OF
NATURAL RESOURCES, and

DAN MEYER, in his official capacity
as Secretary of the Wisconsin
Department of Natural Resources, and

KURT THIEDE, in his official capacity
as Acting Secretary of the Wisconsin
Department of Natural Resources, and

MARK D. AQUINO, in his official
capacity as Director of the Office of
Business Support and Science of the
Wisconsin Department of Natural
Resources

c/o WISCONSIN DEPARTMENT OF NATURAL RESOURCES
101 SOUTH WEBSTER STREET
P.O. BOX 7921
MADISON, WI 53707-7921

PLEASE TAKE NOTICE that, Clean Water Action Council, Clean Wisconsin, Friends of the Central Sands, Milwaukee Riverkeeper, and Wisconsin Wildlife Federation (collectively, “Movants”), on behalf of themselves and their members, through their undersigned counsel, hereby move this Court for leave to intervene as defendants in the above-captioned matter, pursuant to Wis. Stat. § 803.09, and for leave to file the attached brief in support of this motion.

This motion will be heard at 9 a.m. on November 6, 2017.

Movants have the right to intervene as defendants, pursuant to Wis. Stat. § 803.09(1), because: The motion to intervene has been timely filed; Movants have an interest sufficiently related to the subject of the action; disposition of the action may impair Movants' ability to protect their interest; and the existing parties do not adequately represent Movants' interest.

In the alternative, Movants seek leave to intervene as defendants, pursuant to Wis. Stat. § 803.09(2), because resolution of the questions of law and fact before the Court in this proceeding will impact Movants' interests and intervention will not unduly delay or prejudice the adjudication of the rights of the original parties.

Movants' brief in support of this motion to intervene is attached, along with affidavits by Movants' members or representatives attesting to the interests that may be impacted by the disposition of this case.

Dated this 2nd day of October, 2017.

Electronically Signed by Evan Feinauer

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