

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

ADAM JARCHOW and	)
MICHAEL D. DEAN,	)
	)
Plaintiffs,	)
	)
v.	)
	)
STATE BAR OF WISCONSIN, a	)
professional association; STATE BAR OF	)
WISCONSIN BOARD OF	)
GOVERNORS; CHRISTOPHER E.	)
ROGERS, President of the State Bar of	)
Wisconsin; JILL M. KASTNER,	)
President-elect of the State Bar of	)
Wisconsin; STARLYN R.	)
TOURILLOTT, Secretary of the State	)
Bar of Wisconsin; JOHN E. DANNER,	)
Treasurer of the State Bar of Wisconsin;	)
ODALO J. OHIKU, Chairperson of the	)
State Bar of Wisconsin Board of	)
Governors, and PAUL G. SWANSON,	)
Immediate Past-president of the State Bar	)
of Wisconsin, in their official capacities,	)
	)
Defendants.	)
	)

Case No. 3:19-CV-00266

**DEFENDANTS’ MOTION TO DISMISS PLAINTIFFS’ COMPLAINT**

Defendants (collectively, “the State Bar”) move the Court to dismiss Plaintiffs’ Complaint for failure to state a claim under Fed. R. Civ. P. 12(b)(6). The State Bar further moves the Court to: (a) dismiss Plaintiff Jarchow for lack of Article III standing as to a portion of Count One under Fed. R. Civ. P. 12(b)(1); (b) dismiss Defendant State Bar and Defendant State Bar Board of Governors under the Eleventh Amendment, *id.*; (c) dismiss Officer Defendants Kastner, Ohiku, and Swanson under the Eleventh Amendment, *id.*; (d) dismiss all damages claims against all

Officer Defendants under the Eleventh Amendment, *id.*; and (e) dismiss all damages claims against all Officer Defendants under the doctrine of qualified immunity.

The grounds for this Motion are set forth in the accompanying Brief.

Dated: May 21, 2019

Respectfully submitted,

*/s/ Roberta F. Howell*

Roberta F. Howell WI Bar No. 1000275

Kevin M. LeRoy WI Bar No. 1105053

Foley & Lardner LLP

Suite 5000

150 East Gilman Street

Madison, WI 53703-1482

Post Office Box 1497

Madison, WI 53701-1497

608.257.5035

608.258.4258

*Attorneys for Defendants*