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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

DONALD J. TRUMP FOR PRESIDENT,
INC., REPUBLICAN NATIONAL
COMMITTEE, NEW JERSEY
REPUBLICAN STATE COMMITTEE,

Plaintiffs,

v.

PHILIP D. MURPHY, in his official
capacity as Governor of New Jersey,
TAHESHA WAY, in her official capacity
as Secretary of State of New Jersey,

Defendants.

No. 3:20-cv-10753-MAS-ZNQ

**PLAINTIFFS' RESPONSE TO ATLANTIC
COUNTY DEMOCRATIC COMMITTEE'S
AND DCCC'S MOTIONS TO INTERVENE**

1. On August 20, the Atlantic County Democratic Committee (“ACDC”) moved to intervene in this case in support of Defendants Governor Philip D. Murphy and Secretary of State Tahesha Way. *See* Doc. 9. In support of its filing, the ACDC explained that its purpose is “to (a) serve as the governing body of the Atlantic County Democratic Party, (b) promote the principles and platforms of the Democratic Party, (c) serve as a grassroots organization for mobilizing Democrats, and (d) create and protect Democratic majorities at all levels of government.” *See* Doc. 9-1, ¶2. The ACDC seeks intervention “on behalf of the Registered Democratic Party Voters in Atlantic County.” *Id.* ¶15.

2. Four days later, the DCCC also moved to intervene in support of Defendants. *See* Doc. 10. The DCCC explained in its brief that it is the “official congressional committee of the national Democratic Party dedicated to ensuring the election of Democrats to U.S. Congress.” Doc. 10-1, at 5. Among other things, the DCCC’s interest in the case is to help “elect their candidates to office” and to “assert[] the rights of their members and the voters who associate with the [Democratic] Party.” *Id.*

3. During this election cycle, when the various arms of the Democratic Party have filed lawsuits and the Republican Party has moved to intervene, the Democrats have taken the scorched-Earth approach and opposed intervention—despite the fact that the same basic arguments they proffer in support of intervention apply just as well to the Republican Party, *see, e.g., Priorities USA v. Nessel*, No. 19-cv-13341, Doc. 43 (E.D. Mich. Mar. 4, 2020); *DNC v. Bostelmann*, No. 20-cv-249, Doc. 52 (W.D. Wis. Mar. 26, 2020); *Corona v. Cegavske*, No. 20-OC-00064-1B, Doc. 200424 (Nev. Dist. Ct. Apr. 24, 2020); *Nielsen v. DeSantis*, No. 4:20-cv-236, Doc. 77 (N.D. Fla. May 27, 2020), and despite the fact that the Democratic Party has told the federal courts that “political parties usually have good cause to intervene in disputes over election

rules,” *Issa v. Newsom*, Doc. 23, at 2, No. 2:20-cv-01044 (E.D. Cal. June 8, 2020).

4. Unlike their counterparts, Plaintiffs do not oppose the Democratic Party’s intervention here.

5. In this case, however, two separate arms of the Democratic Party have moved to intervene. As a result, Plaintiffs request that the Court order ACDC and DCCC to file joint briefs. That will cut down on duplicative arguments coming from the same political party and conserve both judicial and party resources.

Dated: August 28, 2020

Respectfully submitted,

/s/ Michael L. Testa Jr.
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CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2020, I electronically filed this pleading with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

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