

Multiple Documents

Part	Description
1	Main Document
2	Proposed Order

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

17	Mi Familia Vota, et al.,
18	Plaintiffs,
19	v.
20	Katie Hobbs, et al.,
21	Defendants.
22	Living United for Change in Arizona, et
23	al.,
24	Plaintiffs,
25	v.
26	Katie Hobbs,
27	Defendant.

Case No: 2:22-cv-00509-SRB (Lead)
 Case No: 2:22-cv-00519-SRB (Consol.)
 Case No: 2:22-cv-01003-SRB (Consol.)
 Case No: 2:22-cv-01124-SRB (Consol.)
 Case No: 2:22-cv-01369-SRB (Consol.)

**MOTION TO INTERVENE AS
DEFENDANT BY THE REPUBLICAN
NATIONAL COMMITTEE**

1 not only seems like a logistical nightmare, but also defeats the very reasons why the *DNC*
2 plaintiffs sought consolidation. It also complicates the RNC’s plans to simply join the
3 State’s forthcoming “consolidated Motion to Dismiss.” *MFV* Doc. 100 at 3. Clarification
4 from this Court is needed.

5 To clarify their status, the RNC now moves to intervene in the four cases that are
6 consolidated with this one: *Mi Familia Vota*, No. 2:22-cv-00509; *LUCHA*, No. 2:22-cv-
7 00519; *Poder Latinx*, No. 2:22-cv-01003; and *United States*, No. 2:22-cv-01124. The RNC
8 has found itself in this situation before. In a 2020 election case in Wisconsin, a district
9 court granted the RNC’s motion to intervene in one case, and then consolidated that case
10 with two others. The RNC then moved to intervene in the two consolidated cases “in an
11 effort to clarify their status in these two cases.” *Lewis v. Knudson*, Doc. 63, No. 3:20-cv-
12 00284 (W.D. Wis., Mar. 31, 2020). The district court granted that motion. *Id.* As the court
13 explained elsewhere in those consolidated cases:

14 [T]his case is one of four closely overlapping lawsuits If anything,
15 *denying* intervention would at this point unnecessarily complicate an already
16 complicated set of cases by requiring the RNC[] to act as *amici* in this case
17 and as defendants in the other, three related cases. The Seventh Circuit has
observed that ‘Rule 24(b) is just about economy in litigation.’ Here, ...
intervention would serve the interests of judicial administration

18 *Swenson v. Bostelmann*, Doc. 38 at 5, No. 20-cv-00459 (W.D. Wis. June 23, 2020). That
19 analysis fits this case to a T.

20 The RNC satisfies the criteria for intervention, for reasons given in its memorandum
21 in *DNC* and its memoranda and reply in *Mi Familia Vota* and *LUCHA*. *See DNC* Doc. 10;
22 *MFV* Docs. 24 & 49; *LUCHA*, Docs. 23. While this Court previously denied the latter
23 motions, that denial was deliberately “without prejudice.” *MFV* Doc. 57 at 6. This Court
24 acknowledged that things could change, especially if “the Democratic Party” decided to
25 sue and “try to participate in the instant lawsuit.” Doc. 57 at 5 n.2.

26 Things indeed have changed. The Democratic Party did sue, and this Court granted
27 the RNC’s motion to intervene in that case. Three more cases were filed, and five of the
28 six cases were consolidated, including the case where the RNC is already a party. The

1 RNC’s intervention will no longer “inject ‘partisan politics into an otherwise nonpartisan
2 legal dispute,’” Doc. 57 at 5; both it and the Democratic Party are now in this case. And
3 the RNC’s intervention will no longer “unnecessarily delay this time-sensitive
4 proceeding,” Doc. 57 at 5; it is *already* a party, and the number of total parties has since
5 ballooned. As in Wisconsin, “*denying* intervention would at this point unnecessarily
6 complicate an already complicated set of cases by requiring the RNC[] to act as *amici* in
7 this case and as defendants in the other ... related cases.” *Swenson*, Doc. 38 at 5, No. 20-
8 cv-00459 (W.D. Wis.). That bizarre situation serves no purpose underlying the intervention
9 rules.

10 For all these reasons, this Court should clarify the RNC’s status by allowing it to
11 intervene in the other consolidated cases. The Attorney General does not oppose this
12 motion. The Secretary of State takes no position. The recorders for Yavapai County,
13 Maricopa County, Graham County, Cochise County, Apache County, Yuma County, Santa
14 Cruz County, and Pinal County take no position. The *MFV*, *LUCHA*, and *Poder Latinx*
15 plaintiffs oppose. The RNC has not heard from the remaining parties.

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1 Respectfully submitted on June 2, 2022.

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By: /s/ James P. McGlone

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**[PROPOSED] ORDER GRANTING
MOTION TO INTERVENE**

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