

FILED

September 20, 2023

**STATE OF MINNESOTA
IN SUPREME COURT**

**OFFICE OF
APPELLATE COURTS**

Joan Growe, Paul Anderson, Thomas Beer, David Fisher, Vernae Hasbargen, David Thul, Thomas Welna, and Ellen Young,

Petitioners,

vs.

Steve Simon, Minnesota Secretary of State,

Respondent.

Case No.: A23-1354

Notice of Motion and Motion to Intervene

Notice of Motion and Motion to Intervene

PLEASE TAKE NOTICE that pursuant to Minn. R. Civ. App. P. 127, and in accordance with Minn. R. Civ. P. 24, the Republican Party of Minnesota (“RPM”), by and through undersigned counsel, respectfully requests that this Court permit the RPM to intervene as a respondent in this action. The RPM seeks intervention to protect its rights to govern itself in accordance with state law and its governing documents, internal rules, and procedures.

In support of this Motion, the RPM states the following:

1. The RPM has obtained verbal consent from the existing parties in this action to intervene.
2. The RPM is a major political party, as defined by Minn. Stat. § 200.02, subd. 7, in the State of Minnesota, operating under Minnesota law.

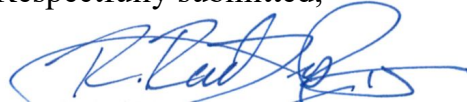
3. The RPM's primary object, as stated in Article I of its Constitution, is to elect nominated Republican candidates to public office and to implement principles adopted by Republican Party conventions. Republican Party of Minnesota Const. Art. I.
4. The RPM is responsible for determining which candidates "are to be placed on the presidential nomination primary ballots" on behalf of the Republican Party. Minn. Stat. § 207A.13, subd. 2.
5. The Chairman of the RPM is responsible for submitting the name of the candidate that is to appear on the presidential nomination primary ballots on behalf of the Republican Party to the Secretary of State. Minn. Stat. § 207A.13, subd. 2.
6. The RPM has a significant, direct, and concrete legal interest in protecting the access of Republican Party members to as many candidates as possible and ensuring that it can designate the candidate of its choosing.
7. Disposition of the action will impair or impede the RPM's ability to protect its interests. Indeed, the Petition threatens to restrict the RPM's ability to govern itself in accordance with state law and the RPM's governing documents, internal procedures, policies, and operations.
8. RPM's intervention will not interject new facts into this matter; rather, RPM's position will embrace existing law and defend its rights thereunder.
9. The RPM will not be adequately represented by existing parties to the case because the Secretary of State's interest differs from the RPM's interests.

10. The Secretary of State is primarily interested in the rights of the general public, whereas the RPM's interest is protecting its own rights.

11. Intervention is timely and will not unduly delay or prejudice the adjudication of the rights of the original parties given the Petition was filed on Tuesday, September 12, 2023, no hearing or briefing schedule has been set by this Court, and the case has not otherwise substantially progressed.

Based on the foregoing, the Republican Party of Minnesota respectfully requests that this Court permit the Republican Party of Minnesota to intervene as a respondent in this action.

Respectfully submitted,



Date: September 20, 2023

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ACKNOWLEDGMENT

The undersigned hereby acknowledges that sanctions may be imposed under
Minn. Stat. § 549.211.

Date: September 20, 2023



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