UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

THE CONCERNED BLACK CLERGY OF METROPOLITAN ATLANTA, INC., a Georgia nonprofit corporation; THE JUSTICE INITIATIVE, INC., a Georgia nonprofit corporation; SAMUEL DEWITT PROCTOR CONFERENCE, INC., a nonprofit corporation; MIJENTE, INC., a nonprofit corporation; SANKOFA UNITED CHURCH OF CHRIST LIMITED, a Georgia nonprofit corporation; NEW BIRTH MISSIONARY BAPTIST CHURCH, INC., a Georgia nonprofit corporation; METROPOLITAN ATLANTA BAPTIST MINISTERS UNION, INC., a Georgia nonprofit corporation; FIRST CONGREGATIONAL CHURCH, UNITED CHURCH OF CHRIST INCORPORATED, a Georgia nonprofit corporation; GEORGIA LATINO ALLIANCE FOR HUMAN RIGHTS, INC., a Georgia nonprofit corporation; FAITH IN ACTION NETWORK, a nonprofit corporation; GREATER WORKS MINISTRIES NETWORK, INC., a Georgia nonprofit corporation; and EXOUSIA LIGHTHOUSE INTERNATIONAL C.M., INC., a Georgia nonprofit corporation,

Plaintiffs,

v.

BRAD RAFFENSPERGER, in his official capacity as the Georgia Secretary of State;

Civil Action No. 1:21-cv-1728-JPB

REBECCA SULLIVAN, in her official capacity as the Vice Chair of the Georgia State Election Board; DAVID WORLEY, in his official capacity as a member of the Georgia State Election Board; MATTHEW MASHBURN, in his official capacity as a member of the Georgia State Election Board; and ANH LE, in her official capacity as a member of the Georgia State Election Board,

Defendants.

PLAINTIFFS' RESPONSE IN OPPOSITION TO REPUBLICAN NATIONAL COMMITTEE, NATIONAL REPUBLICAN SENATORIAL COMMITTEE, NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE, AND GEORGIA REPUBLICAN PARTY, INC.'S MOTION TO INTERVENE AS DEFENDANTS

INTRODUCTION

To date, 30 different plaintiffs—nearly all nonprofit organizations—have filed lawsuits challenging various aspects of Senate Bill 202 ("SB 202"). These lawsuits collectively name at least 89 different government actors as defendants, all of whom are required to enforce the statute at issue. Adding four *new* defendants to "preserve" the challenged law—as Proposed Intervenor-Defendants (collectively, the "Republican Committees") would have the Court do—will only mean significantly more filings, more discovery, and more time spent in hearings, conferences, and trial. It would add these complexities despite the Republican

Committees' failure to identify any particular interest in this litigation beyond their general desire to weigh in on election rules. They also fail to show how any of the generic interests they *do* identify would be impaired if Plaintiffs prevail. Further, the Republican Committees fail to show that the existing Defendants will inadequately represent their claimed interest of "preserv[ing]" SB 202—as is required to establish intervention as of right under Federal Rule of Civil Procedure 24(a)(2). ECF No. 3-1 at 11.

The existing Defendants are state actors charged with defending Georgia's election laws, and they have shown in prior cases that they will do so zealously. There is no reason to believe that the Republican Committees would bring anything further to the litigation, other than to needlessly multiply these proceedings, burdening Plaintiffs and this Court. Under these circumstances, the Federal Rules disfavor intervention, both as of right and permissively. The Republican Committees' motion should be denied.

BACKGROUND

Plaintiffs are nonprofit corporations that represent several predominantly Black Georgia churches and faith-based organizations and Latinx organizations. They challenge several provisions of Georgia's SB 202 that individually and collectively burden the right to vote and discriminate against Georgia's Black and Latinx voters, including Plaintiffs' members.

SB 202 is the product of a rushed legislative process that began immediately after Georgia's runoff election in January 2021, when Georgia voters elected two Democrats to the U.S. Senate, including the state's first Black U.S. Senator. The runoff election, like the general election in November 2020, had no fraud or irregularities and was marked by record-high voter turnout—particularly among communities of color. The Georgia General Assembly responded by hurriedly enacting a mammoth 98-page bill that deliberately and significantly restricts access to the polls, especially for Georgia's minority, young, poor, and disabled citizens.

Plaintiffs allege that certain provisions of SB 202, individually and collectively, create an undue burden on the right to vote in violation of the First, Fourteenth, and Fifteenth Amendments to the U.S. Constitution. Plaintiffs also allege that SB 202 violates Section 2 of the federal Voting Rights Act, 52 U.S.C. § 10301 and Title II of the Americans with Disabilities Act.

Eight days after Plaintiffs filed their complaint, the Republican Committees filed this motion to intervene with the stated goal of "preserv[ing]" SB 202. ECF No. 3-1 at 11. For the following reasons, the motion should be denied.

LEGAL STANDARD

A non-party seeking to intervene as of right bears the burden of satisfying four required elements: (1) their application must be timely; (2) they must have an "interest relating to the property or transaction which is the subject of the action";

(3) they must be "so situated that disposition of the action, as a practical matter, may impede or impair [their] ability to protect that interest"; and (4) their interests must be "represented inadequately by the existing parties to the suit." *Stone v. First Union Corp.*, 371 F.3d 1305, 1308–09 (11th Cir. 2004) (quoting *Worlds v. Dep't of Health & Rehab. Servs.*, 929 F.2d 591, 593 (11th Cir. 1991)); *see also Chiles v. Thornburgh*, 865 F.2d 1197, 1213 (11th Cir. 1989); *United States v. City of Miami*, 278 F.3d 1174, 1178 (11th Cir. 2002). Plaintiffs must satisfy all four elements; a failure to establish just one necessary element is fatal to a motion to intervene as of right.

While a court has discretion to grant or deny motions for permissive intervention, "[i]n exercising its discretion, the court must consider whether the intervention will unduly delay or prejudice the adjudication of the original parties' rights." Fed. R. Civ. P. 24(b)(1), (3). Even if a movant's intervention is timely and shares a claim or defense in common with the main action, requirements under Rule 24(b)(2), the court nonetheless "has the discretion to deny intervention," *Chiles*, 865 F.2d at 1213, and may consider "almost any factor rationally relevant," *Bake House SB, LLC v. City of Miami Beach*, No. 17-20217-CV-LENARD/GOODMAN, 2017 WL 2645760, at *6 (S.D. Fla. June 20, 2017) (citation omitted). These factors include "'the nature and extent of the intervenors' interest' and 'whether the intervenors' interests are adequately represented by other parties.'" *Perry v. Proposition 8 Off. Proponents*, 587 F.3d 947, 955 (9th Cir. 2009) (citation omitted).

The movant "must demonstrate an actual claim or defense—more than a general interest in the subject matter of the litigation—before permissive intervention is allowed." *First Nat'l Bank of Tenn. v. Pinnacle Props. V, LLC*, NO. 1:11-CV-2087-ODE, 2011 WL 13221046, at *3 (N.D. Ga. Nov. 1, 2011).

ARGUMENT

I. The Republican Committees are not entitled to intervene as of right.

The Republican Committees' motion fails to satisfy three of the four required elements for intervention as of right. As Plaintiffs explain below, the Republican Committees have not identified any legally protectable interests to justify intervention; the generic interests they do advance will not be impeded or impaired without their participation in this case; and, in any event, their asserted interests are adequately represented by Defendants, who already have a duty to "preserve" Georgia election law. ECF No. 3-1 at 11. For each of these reasons, the Court should deny the Republican Committees' motion to intervene as of right.

A. The Republican Committees fail to identify any legally protectable interest that entitles them to intervention.

The Republican Committees advance a scattershot list of generic interests but none entitle them to participate as a party in this case. Intervention as of right is "obviously meant" to encompass only "significantly protectable interest[s]." *Donaldson v. United States*, 400 U.S. 517, 531 (1971). The Eleventh Circuit has likewise recognized that an interest warranting intervention must be "direct,

substantial, [and] legally protectable." *Huff v. IRS Comm'r*, 743 F.3d 790, 796 (11th Cir. 2014) (quotation omitted). "What is required is that the interest be one which the *substantive* law recognizes as belonging to or being owned by the applicant." *United States v. S. Fla. Water Mgmt. Dist.*, 922 F.2d 704, 710 (11th Cir. 1991) (citation omitted) (emphasis in original).

The Republican Committees' stated interests—to ensure "fair and reliable" elections, to preserve "the integrity of the election process," or to promote "orderly administration" of elections—fall well short of the direct and substantial interests required to intervene as of right. ECF No. 3-1 at 7. These kinds of generalized interests in fair and reliable elections are shared by *all* Georgians, including the Secretary of State and the members of the State Election Board, who are already defending these laws as parties to this lawsuit, as well as the plaintiffs who brought the multiple related cases challenging SB 202. Asserting interests shared by all citizens is insufficient to establish intervention as of right. *Athens Lumber Co., Inc. v. Fed. Election Comm'n*, 690 F.2d 1364, 1366 (11th Cir. 1982) (finding movant asserting interests "shared with . . . all citizens" is "so generalized it will not support a claim for intervention of right").

That the Republican Committees' candidates will "actively seek election or reelection in contests governed by the challenged rules" is likewise unpersuasive. ECF No. 3-1 at 8 (brackets omitted). Under this theory of intervention, *any*

organization in Georgia—or any citizen of Georgia, for that matter—with *any* interest in electing a partisan candidate would be entitled to intervene as of right in *any* lawsuit so long as the case involves an election law. This unlimited interpretation of interests requiring intervention would render Rule 24(a)'s requirements meaningless.

The Republican Committees also advance an interest in "demanding adherence" to the newly enacted laws—regardless of whether SB 202 violates the rights of Plaintiffs and their members. *Id*. For this proposition, the Republican Committees cite *Shays v. Fed. Election Comm'n*, 414 F.3d 76 (D.C. Cir. 2005), which did not address intervention at all. Instead, the court held that two congressional candidates had standing to challenge Federal Election Commission rules interpreting a campaign finance law they had sponsored because the rules allegedly would permit their campaign opponents to violate the duly enacted law. *See id.* at 84.

The context here is distinct several times over. First, the Republican Committees are not suing as plaintiffs; they are seeking to intervene as defendants. The distinction is critical because, while intervenor-plaintiffs in such circumstances seek to *challenge* the legality of a rule, intervenor-defendants merely seek to stand in the government's shoes by *defending* a rule, which they lack standing to do. Second, they cannot argue that an adverse ruling would subject them to an "illegally

structure[ed] competitive environment"—the crux of the argument in *Shays*. *Id.* at 87. Plaintiffs' success would merely restore practices from recent elections that no one suggests were in violation of federal law. And third, they have not identified their actual interest in "adherence" to SB 202. If overturning the bans on outdoor drop boxes, mobile polling units, food and water distributions for voters waiting in line, and the other challenged provisions would competitively disadvantage the Republican Committees, it would do so only by removing barriers that, if left to stand, will make it harder for lawful Georgia voters, particularly racial minorities, young people, and people with disabilities, to participate in the state's elections. Maintaining those barriers and suppressing these voters is not the sort of legally protectable interest that gives rise to intervention as of right under Rule 24(a). *See Harris v. Pernsley*, 820 F.2d 592, 601 (3d Cir. 1987) (concluding that alleged interest in perpetuating "unconstitutional conditions" was not a "legally protected interest" that can support intervention).

Finally, as for the Republican Committees' unsupported argument that they have a "distinct" interest in "conserving their resources," ECF No. 3-1 at 4, the Eleventh Circuit has made "plain that something more than an economic interest" is necessary for intervention as a matter of right, *Georgia v. U.S. Army Corps of Eng'rs*, 302 F.3d 1242, 1251 (11th Cir. 2002). Asserting only an unexplained interest in saving money, *see infra* at 11-12, and generic interests that are quite literally held

by any Georgia voter, the Republican Committees fail to identify a direct, substantial, and legally protectable interest sufficient to support intervention as of right.

B. The Republican Committees' generic interests will not be impeded or impaired absent intervention.

While the Republican Committees assert only generalized interests in a functioning electoral process (which are insufficient to support intervention as of right), they also fail to articulate how a ruling in Plaintiffs' favor will impede those interests. Instead, the Republican Committees advance two speculative theories of impairment: They claim they will "suffer" because an adverse decision will "undercut democratically enacted laws," ECF No. 3-1 at 8, and they hypothesize that a ruling in Plaintiffs' favor might require them to spend "substantial resources" to educate their voters on any changes to Georgia's election laws. *Id*. at 9.

These supposed impairments are far too generalized and speculative to demonstrate "*practical* impairment" entitling the Republican Committees to intervene. *Stone*, 371 F.3d at 1310 (emphasis added); *see also United States v. City of Jackson*, 519 F.2d 1147, 1153 (5th Cir. 1975) (explaining how the interest that "must be impaired or impeded" must be "the substantive one" proposed intervenors assert); *Johnson v. Mortham*, 915 F. Supp. 1529, 1538 (N.D. Fla. 1995) (denying intervention when movants had "no more than a generalized interest" in the case and the alleged impairment of their interest was "no more than speculative").

Plaintiffs are challenging newly enacted voting restrictions that inflict burdens on voters and discriminate against Black, Latinx, and disabled voters. The Republican Committees do not explain how enjoining these *new*, burdensome, and discriminatory laws will cause "inevitable confusion" or "undermine confidence in the electoral process." ECF No. 3-1 at 9. If anything, it is SB 202 and its new slate of provisions that create confusion as Georgians attempt to navigate the sea change in voting restrictions, which the Republican Committees, for reasons they have not adequately explained, seek to preserve and demand adherence to. In short, the Republican Committees' generalized speculation is not enough to show a "practical disadvantage which warrants intervention of right." *Chiles*, 865 F.2d at 1214.

C. The existing parties more than adequately represent the Republican Committees' interests.

Adequate representation by the existing parties to the suit is presumed when an existing party seeks the same objectives as the proposed intervenors. *Stone*, 371 F.3d at 1311 (citing *Clark v. Putnam County*, 168 F.3d 458, 461 (11th Cir. 1999)). To overcome the presumption, the Republican Committees must "present some evidence to the contrary." *Stone*, 371 F.3d at 1311; *see also Clark*, 168 F.3d at 461.

Even if they do, a court will then "return[] to the general rule that adequate representation exists '[1] if no collusion is shown between the representative and an opposing party, [2] if the representative does not have or represent an interest

adverse to the proposed intervener, and [3] if the representative does not fail in fulfillment of his duty.'" *Stone*, 371 F.3d at 1311 (quoting *Clark*, 168 F.3d at 461).

That the existing Defendants share the exact same goal as the Republican Committees—to defend SB 202—is yet another reason to deny their motion to intervene. The Eleventh Circuit presumes that a proposed intervenor's interest is adequately represented when, as here, "an existing party pursues the same ultimate objective as the party seeking intervention." *Fed. Sav. & Loan Ins. Corp. v. Falls Chase Special Taxing Dist.*, 983 F.2d 211, 215 (11th Cir. 1993). And when the existing parties are government entities, the Eleventh Circuit presumes "that the government entity adequately represents the public, and . . . require[s] the party seeking to intervene to make a strong showing of inadequate representation." *Burke v. Ocwen Fin. Corp.*, 833 F. App'x 288, 293 (11th Cir. 2020) (quotation and citation omitted); *see also Stuart v. Huff*, 706 F.3d 345, 351 (4th Cir. 2013) ("[W]hen a statute comes under attack, it is difficult to conceive of an entity better situated to defend it than the government.").

The Republican Committees admit they "seek to preserve" Georgia's SB 202 and have an interest in "demand[ing] adherence" to it. ECF No. 3-1 at 8, 11. But this is precisely what Defendants are already required to do under the Georgia Constitution and Georgia law. The Attorney General must "represent the state in all civil actions tried in any court." O.C.G.A. § 45-15-2(6). The State Election Board,

further, must "formulate, adopt, and promulgate such rules and regulations, *consistent with law*, as will be conducive to the fair, legal, and orderly conduct" of elections. O.C.G.A. § 21-2-31(2) (emphasis added). The Republican Committees' desire to "preserve" SB 202 is shared and adequately represented by Defendants in the exercise of their constitutional and statutory duties. ECF No. 3-1 at 11.

Because "an existing party seeks the same objectives as the would-be interveners," the Republican Committees shoulder the "burden of coming forward with some evidence to the contrary." *Clark*, 168 F.3d at 461. They have not. Aside from a brief filled with admissions that the Republican Committees' objectives overlap with those of the existing Defendants, they fail to provide *any* evidence to suggest that the Secretary of State and the State Election Board's members inadequately represent their interests or that they will refuse to enforce or defend the bill.[1] Nor can they.

Instead, the Republican Committees make blanket characterizations of the existing Defendants that only underscore the adequacy of the Defendants' representation. For example, the Republican Committees explain that "Defendants necessarily represent the public interest," *id*. at 10, while simultaneously asserting

[1] On the contrary, Georgia Attorney General Chris Carr, in fact, has vowed to "defend this law" in court. Dave Miller, *Attorney General Carr pushes back on GA voting law*, WTVM (Apr. 5, 2021), *available at* https://www.wtvm.com/2021/04/05/attorney-general-carr-pushes-back-ga-voting-law/.

their own interests in "ensuring that the State's election procedures are fair and reliable," *id*. at 7. At best, the Republican Committees seek to provide a "vigorous and helpful supplement" to the Defendants' argument, but that is insufficient to overcome the presumption of adequate representation, which can be accomplished through an amicus brief. ECF No. 3-1 at 11; *see also One Wis. Inst., Inc. v. Nichol*, 310 F.R.D. 394, 398–99 (W.D. Wis. 2015) (denying Republican officeholders and candidates intervention because they "shared the same goal" as the Government Accountability Board in defending the voter ID law) (citation omitted); *Am. Ass'n of People with Disabilities v. Herrera*, 257 F.R.D. 236, 258–59 (D.N.M. 2008) (denying Republican entities' motions to intervene in voting rights case because party "does not assert any protectable interest that the [Secretary of State] is not already adequately protecting").

The other arguments the Republican Committees advance to show supposedly unique interests—"protecting their resources and the rights of their candidates and voters," for example, ECF No. 3-1 at 10—have been rejected time and again as inadequate to support intervention. *See, e.g., Common Cause Rhode Island v. Gorbea*, No. 1:20-cv-00318-MSM-LDA, 2020 WL 4365608, at *3 n.5 (D.R.I. July 30, 2020) (rejecting state Republicans Party's rationale "to see that existing laws remained enforced" because "[t]hat is the same interest the defendant agencies are statutorily required to protect"); *Democracy N.C. v. N.C. State Bd. of Elections*, No.

20-CV457-WO-JLW, ECF No. 59 at 4 (M.D.N.C. June 30, 2020) (declining to reconsider denial of Republicans Committees' motion to intervene because their alleged interest in "preserv[ing] North Carolina's voting laws" is "being adequately represented" by government defendants). Because the Republican Committees share the same interests and ultimate objectives as the existing Defendants, and because they have made no effort to demonstrate the existing Defendants' inadequacy of representation, intervention as of right is inappropriate.

II. The Republican Committees' request for permissive intervention should be denied because intervention will unduly prejudice Plaintiffs.

While this Court has the discretion to grant permissive intervention when the movant has a defense "that shares with the main action a common question of law or fact," Fed. R. Civ. P. 24(b)(1)(B), the Republican Committees' involvement here will simply duplicate the existing Defendants' arguments and delay adjudication of the original parties' rights. Even more, the Republican Committees fail to advance any interest that will assist this Court in efficiently resolving this case. Rule 24(b)(3) requires courts to consider whether intervention will "unduly delay or prejudice the adjudication of the original parties' rights" before granting permissive intervention, and here, the Republican Committees' motion makes clear that their participation in this case will only prolong and multiply litigation proceedings.

As detailed above, *see supra* at 9–10, the Republican Committees seek to "preserve" and "demand adherence" to a law that Defendants are already defending.

ECF No. 3-1 at 8, 11. Courts regularly deny permissive intervention when would-be intervenors bring nothing to the table aside from duplication of work. *See, e.g.*, *Gumm v. Jacobs*, 812 F. App'x 944, 948 (11th Cir. 2020) (holding district court properly exercised discretion in denying permissive intervention when movant was adequately represented by existing parties); *Perry*, 587 F.3d at 955 (same); *Wollschlaeger v. Farmer*, No. 11-22026-Civ-COOKE/TURNOFF, 2011 WL 13100241, at *3 (S.D. Fla. July 11, 2011) (denying permissive intervention because intervenors' inclusion would be "duplicative" and "unlikely to shed any new light on the constitutional issues in this case"); *Smith v. Cobb Cnty. Bd. of Elections & Registrations*, 314 F. Supp. 2d 1274, 1313 (N.D. Ga. 2002) (denying intervention when movants "failed to demonstrate that their interests are not being adequately represented" and failed to show any "compelling reason" for permissive intervention).

Adding four more parties to this litigation will contribute nothing except "more issues to decide [and] more discovery requests." *South Carolina v. North Carolina*, 558 U.S. 256, 287 (2010) (Roberts, C.J., concurring in part and dissenting in part); *see also ManaSota-88, Inc. v. Tidwell*, 896 F.2d 1318, 1323 (11th Cir. 1990) (affirming denial of permissive intervention when intervention "would severely protract litigation"). The Republican Committees do not identify any perspectives they would bring to the case that are different from those Defendants will raise. They

assert only "a general interest in the subject matter of the litigation," which is not enough for permissive intervention. *Pinnacle Props. V, LLC*, 2011 WL 13221046, at *3.

It is entirely within this Court's discretion to avoid the inevitable delays that will flow from intervention, as courts regularly do. *See, e.g.*, *Democracy N.C. v. N.C. State Bd. of Elections*, No. 20-CV457-WO-JLW, ECF No. 48 at 6 (M.D.N.C. June 24, 2020) (denying intervention of Republican Party entities and finding that "allowing [them] to intervene will result in undue prejudice on the parties and will result in 'accumulating . . . arguments without assisting the court.'" (quoting *Allen Calculators, Inc. v. Nat'l Cash Register Co.*, 322 U.S. 137, 141–42 (1944))); *Ansley v. Warren*, No. 1:16cv54, 2016 WL 3647979, at *3 (W.D.N.C. July 7, 2016) (denying timely intervention motions by Republican state legislators because "allowing the Movants to intervene . . . would needlessly prolong and complicate this litigation, including discovery, and delay the final resolution of this case"); *One Wis. Inst. Inc.*, 310 F.R.D. at 399 (denying permissive intervention to Republican officials and voters because "the nature of this case requires a higher- than-usual commitment to a swift resolution"); *Herrera*, 257 F.R.D. at 259 (denying timely intervention motions by Republican entities seeking to defend restrictive election law because "intervention is likely to lead to delays that could prejudice the Plaintiff's case and the Defendant" by increasing pleadings and discovery).

CONCLUSION

For these reasons, the Republican Committees' motion to intervene as of right under Rule 24(a) should be denied. Plaintiffs also request that the Court exercise its discretion to deny permissive intervention under Rule 24(b).

Respectfully submitted, this 18th day of May, 2021.

Respectfully submitted,

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*Applications for admission p*ro hac vice* to be filed

Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
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THE CONCERNED BLACK CLERGY OF METROPOLITAN ATLANTA, INC., a Georgia nonprofit corporation; THE JUSTICE INITIATIVE, INC., a Georgia nonprofit corporation; SAMUEL DEWITT PROCTOR CONFERENCE, INC., a nonprofit corporation; MIJENTE, INC., a nonprofit corporation; SANKOFA UNITED CHURCH OF CHRIST LIMITED, a Georgia nonprofit corporation; NEW BIRTH MISSIONARY BAPTIST CHURCH, INC., a Georgia nonprofit corporation; METROPOLITAN ATLANTA BAPTIST MINISTERS UNION, INC., a Georgia nonprofit corporation; FIRST CONGREGATIONAL CHURCH, UNITED CHURCH OF CHRIST INCORPORATED, a Georgia nonprofit corporation; GEORGIA LATINO ALLIANCE FOR HUMAN RIGHTS, INC., a Georgia nonprofit corporation; FAITH IN ACTION NETWORK, a nonprofit corporation; GREATER WORKS MINISTRIES NETWORK, INC., a Georgia nonprofit corporation; and EXOUSIA LIGHTHOUSE INTERNATIONAL C.M., INC., a Georgia nonprofit corporation,

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Defendants.

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of L.R. 5.1, using font type of Times New Roman and a point size of 14.

Dated: May 18, 2021

/s/ Kurt Kastorf
Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
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Defendants.

CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2021, I electronically filed this document with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the attorneys of record.

Dated: May 18, 2021

/s/ Kurt Kastorf
Counsel for Plaintiffs