

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JULIE CONTRERAS, IRVIN FUENTES,)
ABRAHAM MARTINEZ, IRENE)
PADILLA, and ROSE TORRES,)

Plaintiff,)

v.)

Case No. 21 CV 3139

ILLINOIS STATE BOARD OF)
ELECTIONS, ET. AL.,)

Defendants,)

and,)

ANGELICA GUERRERO-CUELLAR, in)
her official capacity as Illinois State)
Representative for the 22nd District)

Petitioner/Defendant-Intervenor.)

**PETITIONER/DEFENDANT-INTERVENOR’S REPLY IN SUPPORT OF
HER MOTION TO INTERVENE PURSUANT TO RULE 24**

NOW COMES Petitioner/Defendant-Intervenor, Angelica Guerrero-Cuellar (the “Representative”) by and through her attorney Veronica Bonilla-Lopez of Del Galdo Law Group, LLC, and as her reply in support of her motion to intervene as a Defendant in this action pursuant to Federal Rule of Civil Procedure 24(a)(2) or alternatively 24(b)(1) argues:

ARGUMENT

Plaintiffs would have their votes trump those of others. While Plaintiffs purport that their votes are diluted in an alleged malapportioned map, they in turn contend the Representative’s protection of the imminent dilution of her constituents’

votes is not sufficient to establish standing. However, as articulated in her motion and herein the Representative has standing. Moreover, the Representative has met all of the Rule 24 requirements for intervention as of right, or alternatively by permission.

Rule 24(c) has been fulfilled

Initially, Plaintiffs argue that the Representative's motion should be denied for failure to comply with 24(c) requiring a pleading to be filed with the filing of her motion. There is some leniency in the requirement of 24(c) such that the requirement of 24(c) is met when the necessary pleading is filed soon after the motion to intervene, and there is no prejudice to the other parties.¹ See *Wildcat Enterprises, LLC v. Weber Jr.*, 2016 WL 8711474, *6, Case No. 11 C 4922 (N.D. Ill. Mar. 4, 2016)(finding compliance with 24(c) where intervenors' attached to their reply brief a joint motion to terminate citation proceedings and a motion to vacate reasoning that courts have routinely declined to dismiss motions to intervene based on mere technical violations of Rule 24(c)); *Louis Berger Group, Inc. v. JP Morgan Chase Bank, N.A.*, 2011 WL 2837462, fn 3, Case No. 11 C 430 (N.D. Ill. Jul. 18, 2011)(declining to deny motion to intervene where intervenor's filing of an answer with its reply brief satisfied the requirement of Rule 24(c)); *Mirfasihi v. Fleet Mortgage Corp.*, 2004 WL 2609184, *4 (N.D. Ill. Nov. 17, 2004)(court declined to reject motion to intervene because

¹The Representative did indicate her intent to join the pleading of the Defendants in her motion to intervene. Defendants have now filed their motion to dismiss and the Representative has incorporated those arguments by reference to her motion to dismiss, along with the addition of her own argument, which is attached as an exhibit to this reply.

