The Honorable Catherine Shaffer
Noted for: January 30, 2023
Oral Argument Requested

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

VET VOICE FOUNDATION, THE WASHINGTON BUS, EL CENTRO DE LA RAZA, KAELEENE ESCALANTE MARTINEZ, BETHAN CANTRELL, DAISHA BRITT, GABRIEL BERSON, and MARI MATSUMOTO,

Plaintiffs,

v.

STEVE HOBBS, in his official capacity as Washington State Secretary of State, JULIE WISE, in her official capacity as the Auditor/Director of Elections in King County and a King County Canvassing Board Member, SUSAN SLONECKER, in her official capacity as a King County Canvassing Board Member, and STEPHANIE CIRKOVICH, in her official capacity as a King County Canvassing Board Member,

Defendants,

REPUBLICAN NATIONAL COMMITTEE and WASHINGTON STATE REPUBLICAN PARTY,

Proposed Intervenor-Defendants.

No. 22-2-19384-1 SEA

PLAINTIFFS' OPPOSITION TO THE REPUBLICAN NATIONAL COMMITTEE AND WASHINGTON STATE REPUBLICAN PARTY'S MOTION TO INTERVENE

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I. INTRODUCTION

Plaintiffs respectfully submit that this motion to intervene should be denied. Movants fall far short of meeting their burden to show that intervention is justified or warranted, whether as of right or permissive. Movants essentially suggest that because they are a major political party, intervention is a mere box-checking exercise in a voting rights case. Hardly. Rule 24 offers no "free pass" and applies with equal force to all who would seek to intervene.

Movants fail to demonstrate a significantly protectable interest warranting intervention, much less one that could be impaired by the disposition of this action. Instead, Movants offer only murky descriptions of vague "interests" regarding the electoral prospects for their favored candidates, election integrity, and upholding the fairness of Washington's elections. But these generalized interests fall far short of the requirements of Rule 24(a)(2). Indeed, such an overbroad application of Rule 24 would allow virtually *any* voter to intervene in any election law case. Moreover, the existing defendants, represented by the Attorney General, the Solicitor General, and the King County Prosecutor's Office, have deep experience with Washington's electoral systems and are well equipped to defend the signature-matching process at issue. Nothing in Movants' motion even remotely suggests that Defendants are incapable of or unwilling to defend this litigation.

Movants similarly cannot meet their burden for permissive intervention because their participation as parties is not necessary to the adequate representation of the interests they claim. And Movants' presence would clutter the litigation and imperil the expedited litigation schedule necessary to resolve this case (and the inevitable appeals) before the 2024 election. Movants would frustrate that effort, delay these proceedings, and inject partisan politics into an otherwise nonpartisan dispute.

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At most, Movants should be allowed to appear as *amicus curiae,* which would allow them to offer whatever partisan insight they wish without burdening the Court and the parties with the risk of derailing these proceedings, to the prejudice of the existing parties, and—most importantly—to the tens of thousands of fully qualified Washington voters who will be disenfranchised by Washington's signature-matching process if relief is not timely granted.

II. STATEMENT OF FACTS

Shortly after filing their complaint, Plaintiffs reached out to counsel for both Secretary Hobbs and the King County Defendants to inform them of their intention "to pursue this litigation on an accelerated basis to the extent possible to allow for resolution (including any appeals) well prior to the 2024 elections" and to convey a desire to work cooperatively to allow for discovery in time for dispositive summary judgment briefing in late spring or early summer 2023. Declaration of Matthew P. Gordon ("Gordon Decl."), Exs. A, B. The King County Defendants' counsel agreed, noting that they "also see this as a case that can be resolved by motion for summary judgment." *Id.*, Ex. A. On December 16, 2022, Plaintiffs filed the Amended Complaint. Dkt. # 10. Both defendants filed Answers on January 18, 2023. Dkt. ## 22, 24. Movants filed their Motion to Intervene on January 17, 2023. Dkt. # 11. Plaintiffs served discovery on January 23, 2023. Gordon Decl., ¶ 4.

III. STATEMENT OF ISSUES

1. Whether Movants established their right to intervene as of right pursuant to Civil Rule 24(a).
2. Whether Movants established their right to intervene permissively pursuant to Civil Rule 24(b).

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IV. EVIDENCE RELIED UPON

This motion is based upon the Gordon Decl., the accompanying exhibits, and the cited pleadings.

V. AUTHORITY AND ARGUMENT

A. Movants Are Not Entitled to Intervene as of Right

To warrant intervention as of right, Movants must meet all four Rule 24(a) requirements, but here they fall short on three. *First*, Movants demonstrate no significantly protectable interest. They identify only highly generalized interests applicable to nearly any citizen in Washington. *Second*, Movants' ability to protect those interests would not be impeded or impaired by a final disposition in this litigation. Movants rely on nothing more than a generic recitation of theoretical "harms" without any specific connection to the procedure challenged in this litigation. *Third*, any protectable interests are more than adequately represented by the Defendants, who are represented by some of the most highly skilled and experienced lawyers in the state, with deep expertise in Washington's electoral systems, processes, and issues.

More broadly, Movants suggest that they should be automatically allowed to intervene in any case involving an election law issue solely because they are political party organizations. But a political party, like any other litigant seeking intervention, must meet the standard for intervention as of right under CR 24(a)—a determination that turns on the specific claims presented and factual record.

Courts have not hesitated to deny intervention to political parties who have failed to carry their burden under the analogous federal rule.[1] *See, e.g.*, *Mi Familia Vota v. Fontes*,

[1] "Washington's CR 24 is the same as the federal rule. Therefore, we may look to federal decisions and analysis for guidance." C*olumbia Gorge Audubon Soc'y v. Klickitat Cty.*, 98 Wn. App. 618, 623 n.2, 989 P.2d 1260 (1999).

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No. 2:22-cv-00509-SRB at 6 (D. Ariz. June 23, 2022) (ECF No. 57) (denying Republican Party's motion to intervene in voting rights case); *Yazzie v. Hobbs*, No. CV-20-08222-PCT-GMS, 2020 WL 8181703, at *3, *4 (D. Ariz. Sept. 16, 2020) (denying Republican Party's motion to intervene in voting rights case); *Common Cause R.I. v. Gorbea*, No. 1:20-cv-00318-MSM-LDA, 2020 WL 4365608, at *3 n.5 (D.R.I. July 30, 2020) (explaining a previous denial of a motion to intervene by the Republican National Committee and Rhode Island Republican Party); *Democracy N.C. v. N.C. State Bd. of Elections*, No. 1:20CV457, 2020 WL 6591397, at *1 (M.D.N.C. June 24, 2020) (denying Republican National Committee and North Carolina Republican Party's motion to intervene in voting rights case); *One Wis. Inst., Inc. v. Nichol*, 310 F.R.D. 394, 397 (W.D. Wis. 2015) (denying intervention to Republican officials and voters); *Am. Ass'n of People with Disabilities v. Herrera*, 257 F.R.D. 236, 259 (D.N.M. 2008) (denying intervention motions by Republican entities seeking to defend restrictive election law).

1. Legal Standard

CR 24(a) "imposes four requirements that must be satisfied before granting intervention: (1) timely application for intervention; (2) an applicant claims an interest which is the subject of the action; (3) the applicant is so situated that the disposition will impair or impede the applicant's ability to protect the interest; and (4) the applicant's interest is not adequately represented by the existing parties."[2] *Westerman v. Cary*, 125 Wn.2d 277, 303, 892 P.2d 1067 (1994); CR 24(a). As the party seeking to intervene, Movants "bear[] the burden of showing that all the requirements for intervention have been met." *United States v. Alisal Water Corp.*, 370 F.3d 915, 919 (9th Cir. 2004) (citation

[2] Plaintiffs do not dispute that Movants' Motion is timely. But timeliness is only one of the four required factors, and Movants must demonstrate the other three. *See Westerman*, 125 Wn.2d at 303; *Spokane Cty. v. State*, 136 Wn.2d 644, 650, 966 P.2d 305 (1998).

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omitted). "Failure to satisfy any one of the requirements is fatal to the application." *United States v. Arizona*, No. CV 10-1413-PHX-SRB, 2010 WL 11470582, at *1 (D. Ariz. Oct. 28, 2010) (citing *Perry v. Proposition 8 Off. Proponents*, 587 F.3d 947, 950 (9th Cir. 2009)).

Whether Movants (or any other political parties) have been successful in intervening in other cases or in other jurisdictions is irrelevant. Intervention rights are considered on the specific facts and the specific interests of each case. *Marino Prop. Co. v. Port Comm'rs of Port of Seattle*, 97 Wn.2d 307, 316, 644 P.2d 1181 (1982).

2. Movants Fail to Show That They Have a Significantly Protectable Interest That Warrants Intervention.

Movants' scatter-shot list of generalized interests in the election process falls well short of the "direct, substantial, [and] legally protectable" interests that are required for intervention as of right. *Am. Discount Corp. v. Saratoga W.*, 81 Wn.2d 34, 38, 499 P.2d 869 (1972). Rule 24 is the bulwark preventing litigation from becoming bogged down in unwieldy collections of angry partisans, anxious to involve themselves in disputes that have little to do with their direct protectable interests.

Movants' laundry list of supposed interests includes "[wanting] Republican voters to vote, Republican candidates to win, elections to be conducted fairly, and Republican resources to be spent wisely rather than wasted on diversion," and upholding current Washington election law. Mot. at 6–7. These interests are neither specific nor particular to Movants. Nearly every voter in Washington state wants its candidates to win and to not waste resources. And every citizen, including Defendants, has an interest in fair elections. *See Nichol*, 310 F.R.D. at 397 ("asserted interest in fraud-free elections" was not unique to proposed-intervenor Republican legislators and voters and so did not warrant intervention). Nothing about Movants makes *their* interests unique, warranting intervention. Certainly,

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what Movants argue cannot be the standard for intervention as of right or CR 24(a) would be meaningless and *any* voter or group of voters could intervene here or in any other voting rights case. These undifferentiated interests are especially evident when considering Movants' assertion of vested statutory interests. Mot. 6–7. Movants admit that these statutory rights are no different than those held by all "registered voters." *Id.* at 7. That concession alone is fatal. But their argument also fails for a more fundamental reason—they cannot identify a single statutory right they would lose if Plaintiffs succeed. That's hardly a surprise: There aren't any.

Moreover, Movants fail to explain how the electoral success of the Republican party would be diminished (or Republican resources diverted) by eliminating a procedure that consistently disenfranchises tens of thousands of voters who cast lawful ballots in each election—including, presumably many would-be Republican voters. They present no evidence (statistical or otherwise) to suggest that Washington's signature-matching process has a partisan impact. Is their contention that it disproportionately rejects lawfully cast votes for Democratic candidates? And, even if they made such a showing (they have not), an interest in disenfranchising voters is hardly a *legally protectable* interest. *See Wise v. Circosta*, 978 F.3d 93, 100 (4th Cir. 2020).

Further, are Movants contending that if Plaintiffs are successful, Movants will be forced to divert resources to inform their membership that ballot declaration signatures *no longer have to match*? Mot. at 6, 8. It's difficult to imagine why any political party would divert resources to such an effort, and there is no support for such a proposition, either in Washington or in any of the states that do not require signature matching.[3]

[3] Numerous states require an affirmation from voters, but do not engage in the "faux science" exercise of attempting to match the signatures with signatures from voters that may have been signed

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Movants also fail to assert with any specificity why they support the Washington Signature-Matching Procedure or what harms *to them specifically* the law purports to prevent that aren't shared by anyone else. *See Aguirre v. AT&T Wireless Servs.*, 109 Wn. App. 80, 87, 33 P.3d 1110 (2001) (an interest must be more than speculative). This lack of specificity or credibility is precisely why Courts reject "generalized" and "undifferentiated" interests. *See Cal. ex rel. Lockyer v. United State*s, 450 F.3d 436, 441 (9th Cir. 2006). Finally, Movants put forward no actual members or examples of their members who would be harmed by Plaintiffs' success. Absent such specific detail, Movants' motion fails to provide the very detail demanded by CR 24(a).

Movants also claim a protected interest because they are "public interest groups that support" signature matching. Mot. at 6. But their only authority for that proposition, *Prete v. Bradbury*, 438 F.3d 949, 954 (9th Cir. 2006), is easily distinguished. The intervenors in *Prete* were the primary sponsors of the challenged law, *id.* at 952, but here there is no indication that either Movant sponsored Washington's Signature-Matching Procedure. *See Democracy N.C.*, 2020 WL 6591397, at *1 (the "interest in 'the currently lawfully enacted requirements,' is undoubtedly protected by the legislature and other individuals that enacted the rules in the first instance").

Finally, Movants cite two cases in arguing that "the Republican Party has consistently defended signature verification procedures in various other states." Mot. at 6 (citing *Ga. Republican Party, Inc. v. Sec'y of State for Ga.*, No. 20-14741, 2020 WL 7488181 (11th Cir. Dec. 21, 2020); *Donald J. Trump for President, Inc. v. Boockvar*, 493 F. Supp. 3d 331, 342 (W.D. Pa. 2020)). Two cases are hardly evidence of a "consistent

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years, or even decades, before (Connecticut, Delaware, Maryland, Nebraska, New Mexico, Pennsylvania, Vermont, Wyoming, and the Virgin Islands).

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pattern," but more fundamentally, in both cases, the Republican Party were plaintiffs, not defendants or intervenors. *Id.* Neither case offers any support for Movants' Rule 24(a) argument.

3. Movants Fail to Establish That Their Purported Interests Would Be Impaired by the Court's Disposition of This Action.

Because Movants fail to demonstrate a direct and specific interest in this action, their "ability to protect" an interest is not impaired. *Herrera*, 257 F.R.D. at 252; *see also Arizona*, 2010 WL 11470582, at *3 (because a potential intervenor failed to establish a protectable interest, the impairment requirement for intervention was not met).

Even assuming Movants had somehow demonstrated a protectable interest, Movants still fail to establish that their ability to protect that interest would be impeded or impaired by the disposition of this litigation.[4] It cannot be that correcting a process that wrongfully disenfranchises tens of thousands of fully qualified voters would somehow "impair" Movants' interests. No one has a legitimate, cognizable interest in preventing fully qualified voters from participating in our democracy.

Movants instead again rely on generalized assertions to conclude that their ability to protect their interests will suffer if Defendants lose or if the matter settles against Movants' position.[5] Mot. at 7–8. For example, Movants contend that "[l]aws like" Washington's Signature-Matching Procedure "serve the integrity of the election process" and that a decision adverse to Movants would lead to substantial changes to the "election landscape."

[4] Plaintiffs' requested relief will not impair voters' ability to challenge specific voters, RCW 29A.08.810, or the ability of an officer of a political party to request a recount, RCW 29A.64.011, or a voter's right to challenge an election outcome based on illegal votes, RCW 29A.68.020, or major political parties' ability to observe the ballot counting process, RCW 29A.40.100.

[5] Any concerns regarding settling this matter could be addressed by far less burdensome means to intervention, such as notifying Movants of any settlement 48 hours before notifying the Court, giving Movants an opportunity to object before the Court. *Mi Familia Vota*, No. 2:22-cv-00509-SRB at 5–6.

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Id. But Movants offer no support for such a dramatic statement, and they ignore that Plaintiffs challenge only one specific procedure, one of many that purportedly guards against fraud.

Further, Movants' contentions about their need to intervene to guard against purported confusion or disruption to the upcoming election entirely miss the mark. What confusion do Movants expect if the Washington Signature-Matching Procedure is invalidated? The answer is none because there would be no change in the process for voters. In fact, finding for Plaintiffs would *decrease* confusion in the election system, not the other way around.

Finally, Movants' warning of the persuasive effect of an adverse ruling is a red herring. This Court's determination would not bind any of the other states where the procedure may be challenged. And in any event, this is hardly evidence of a "harm." If plaintiffs prevail, then the litigation *should have persuasive effect*. But that's an issue for another day, in another state, in another court.

4. Defendants Adequately Represent Movants' Interests

For similar reasons, Movants have utterly failed to demonstrate that the Defendants do not adequately represent their interests.

To meet their burden, Movants must overcome the presumption that the existing Defendants adequately represent Movants' interests. *Perry*, 587 F.3d at 950–51. ("Where [an existing] party and the proposed intervenor share the same 'ultimate objective,' a presumption of adequacy of representation applies[.]"). A separate presumption of adequacy also applies when the government acts on behalf of its constituency. *Arakaki v. Cayetano*, 324 F.3d 1078, 1086 (9th Cir. 2003); *United States v. City of L.A.*, 288 F.3d 391,

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401 (9th Cir. 2002); *PEST Comm. v. Miller*, 648 F. Supp. 2d 1202, 1212–14 (D. Nev. 2009); *Mi Familia Vota*, No. 2:22-cv-00509-SRB at 3–4.

Defendants and Movants share the same "ultimate objective" in maintaining the Signature-Matching Procedure. And Defendants certainly share the only legitimate purported interests that Movants offer: fairly conducted elections, Mot. at 6, "the integrity of the election process," Mot. at 4, and the "orderly administration" of elections, *id*. *See Common Cause*, 2020 WL 4365608, at *3 n.5 ("[A] desire to 'protect' their voters from possible election fraud … is the same interest that the defendant agencies are statutorily required to protect."). While Movants claim that they have "fundamentally different interests," Mot. at 9, as explained in section V(A)(2) above, Movants have not offered any different *legitimate* interests.

As the Chief Elections Officer of the state, Secretary Hobbs has a particularly strong desire (and statutory obligation) to protect those interests. *See* RCW 29A.04.230. He is, moreover, represented by an Attorney General's office that is known for its willingness to aggressively litigate on behalf of the state.[6] And King County, the largest county in the entire state, comes to this litigation armed with multiple lawyers with deep litigation and electoral experience. Indeed, both Secretary Hobbs and the King County Defendants have their most experienced and best lawyers defending the Signature-Matching Procedure. Attorneys from both the Washington State Attorney General and the Solicitor General's office represent Secretary Hobbs in this matter. And, three Senior Deputy Prosecuting Attorneys represent the King County Defendants, one of whom is a near 30-year veteran of

[6] Attached to the Gordon Decl. as Exhibits D–H are press releases announcing various lawsuits initiated by the Washington State Attorney General.

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the King County Prosecuting Attorney's office. Gordon Decl., Ex. C. This is hardly evidence that Defendant will "shirk" their duties as Movants suggest, Mot. at 9.

Indeed, if there is one thing this litigation is missing, it is most assuredly *not* a lack of experienced litigation counsel deeply versed in Washington's electoral systems. Nonetheless, Movants claim to have "at least as much expertise on the relevant issues as Plaintiffs or Defendants." Mot. at 12. Maybe. But their assertion seems at odds with Movants' repeated claim to "lack knowledge or information sufficient to form a belief as to the truth of the allegations" in virtually every paragraph of their Proposed Answer that requires a response. *See, e.g.*, Proposed Answer at ¶¶ 55–91. And Movants point to no unique perspective they could offer nor articulated even a *single argument* they intend to make if intervention is granted, let alone shown that Defendants are unwilling or incapable of making those arguments themselves. *Mi Familia Vota*, No. 2:22-cv-00509-SRB at 5 (denying Republican groups' motion to intervene where "participation in the lawsuit [was] not necessary to the adequate representation of their interests").

There can be no legitimate dispute that Defendants will vigorously defend this lawsuit. Movants themselves quote the former Washington State Secretary of State, who described Washington's Signature-Matching Procedure as the "linchpin" of Washington's election security. Mot. at 4. Defendants' interest here goes far beyond "the state's general duty to protect the public's interest[.]" *See Pub. Util. Dist. No. 1 of Okanogan Cty. v. State*, 182 Wash. 2d 519, 342 P.3d 308 (2015).

For all these reasons, Movants' motion for intervention as of right under Civil Rule 24(a) should be denied.

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B. The Court Should Deny Movants' Motion for Permissive Intervention.

The Court has discretion to deny permissive intervention and should here because Movants' purported interests are adequately represented by the existing parties and intervention would unduly delay or prejudice the original parties. *Miracle v. Hobbs,* 333 F.R.D. 151, 156 (D. Ariz. 2019); CR 24(b)(1)(B).

1. Legal Standard

Under CR 24(b), a proposed intervenor may show that their claim or defense has a question of law or fact in common with the main action, and that the intervention will not "unduly delay or prejudice" the adjudication of the parties' rights. CR(b)(2). Where an applicant fails to overcome the strong presumption of adequate representation, "the case for permissive intervention disappears." *Nichol*, 310 F.R.D. at 399; *see also Perry*, 587 F.3d at 955 (district court properly denied permissive intervention where movants were adequately represented by existing parties).

2. The Court Should Deny Permissive Intervention.

The Court should exercise its discretion to deny Movants' request for permissive intervention for three reasons.

First, as discussed above, Movants have fundamentally failed to show that Defendants cannot adequately represent their purported interests. *See supra*, V(A)(4).

Second, allowing Movants to intervene will inevitably delay and disrupt the proceedings, increase litigation costs, and prejudice the existing parties and the voting public. *See PEST Comm.*, 648 F. Supp. 2d at 1214 (declining to allow permissive intervention despite movants meeting the threshold factors because their interests were already met by existing parties and "adding [movants] as parties would unnecessarily encumber the litigation"). The existing parties (and certainly the Plaintiffs) plan to pursue

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this litigation on an accelerated basis to allow for resolution (including any appeals) prior to the 2024 elections. Gordon Decl., Exs. A, B. To that end, Plaintiffs already served discovery on Defendants, proposed resolution of this case on summary judgment, and suggested filing such a motion later this spring or early summer to ensure resolution before the 2024 election. Allowing Movants to intervene will dramatically slow this case's progress and jeopardize any resolution of the issue in advance of the 2024 election season. *Mi Familia Vota*, No. 2:22-cv-00509-SRB at 5 (denying Republican groups' motion to intervene where intervention would "unnecessarily delay this time-sensitive proceeding"); *Judicial Watch, Inc. et al. v. Griswold*, No. 20-cv-02992-PAB-KMT, 2021 WL 4272719, at *4-5 (D. Colo. Sept. 20, 2021) ("Permitting intervention 'would only clutter the action unnecessarily,' without adding any corresponding benefit to the litigation.").

Third, allowing Movants to intervene "will introduce unnecessary partisan politics into an otherwise nonpartisan legal dispute." *Miracle*, 333 F.R.D. at 156 (internal quotations omitted). Indeed, if the national and state Republican parties are allowed to intervene, it is not difficult to imagine that the national and state Democratic parties (or other partisan groups, candidates, or entities) would move to intervene—all advancing the same argument as Movants.[7]

Finally, Movants implore the Court to "not consider whether to change Washington's election rules without giving [Movants] a seat at the table." Mot. at 11. The suggestion that the Court ignore the requirements of Rule 24 and allow Movants to participate because they feel they should be "seated" in this litigation should be swiftly dismissed. Under our Civil Rules, third parties have no free-floating entitlement to

[7] *See, e.g.*, *Wash. Election Integrity Coal. United v. Beaton*, No. 21-2-50572-11 (Wash. Super. Ct. Dec. 13, 2022).

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intervene in pending litigation. Movants are entitled to participate in this litigation if—*and only if*—they establish their right to do so. Because they have failed, the motion should be denied.

C. The Court Should Limit Movants Involvement to Amici, If Anything.

Given Movants' inability to meet the elements for intervention, the Court should, at most, allow Movants to participate as *amici*. *Spokane Cty.*, 136 Wn.2d at 648–651 (denying intervention as of right or permissive but treating arguments as amicus); *see also Judicial Watch*, 2021 WL 4272719, at *5 (denying proposed intervenors' motion to intervene but considering their arguments as amicus curiae); *Democracy N.C. v. N.C. State Bd. of Elections*, No. 1:20457, 2020 WL 6589359, at *1 (M.D.N.C. June 30, 2020) (declining to reconsider denial of Republican groups' motion to intervene, but allowing them to file as amici curiae).

Permitting *amici* participation would allow Movants to provide whatever partisan input they wish to contribute, while facilitating the speedy and efficient resolution of the matter and keeping the floodgates shut on unnecessary third-party participation, particularly since all of Movants' legitimate interests are already fully represented by existing parties.[8]

[8] If the Court is inclined to grant intervention, Plaintiffs respectfully request that, at a minimum, it impose strict limits to prevent unnecessary delay, duplication, and prejudice to existing parties and to judicial economy. Plaintiffs respectfully request that the Court designate existing Plaintiffs and Defendants as responsible for coordinating the legal strategy and scheduling in the matter and order that (1) Movants "cannot file a response without leave of Court;" (2) "any proposed response must not repeat any argument already raised," and (3) "any motion seeking leave to file a response will need to explain how the briefing submitted by [existing parties] does not adequately address the issue or issues affecting Movants." *Ariz. Democratic Party v. Hobbs*, No CV-20-01143-PHX-DLR, 2020 WL 6559160, at *1 (D. Ariz. June 26, 2020). Plaintiffs note that Movants "commit to complying with all deadlines that govern the parties, working to prevent duplicative briefing, and coordinating with the parties on discovery," Mot. at 11, and ask that if Movants are admitted as parties, they be strictly held to that commitment.

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VI. CONCLUSION

For the reasons described above, Movants fail to meet their burden for intervention. Movants' request should be denied, and at best, they should be allowed to participate as *amici*.

Dated: January 24, 2023

I certify that this motion/memorandum contains 4,195 words, in compliance with the Local Civil Rules.

s/ Kevin J. Hamilton

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CERTIFICATE OF SERVICE

On January 24, 2023, I caused to be served upon the below named counsel of record, at the address stated below, via the method of service indicated, a true and correct copy of the foregoing document.

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Attorneys for Proposed Intervenor-Defendants Robert J. Maguire, WSBA #29909 Harry J.F. Korrell, WSBA #23173 Arthur A. Simpson, WSBA #44479 920 Fifth Avenue, Ste. 3300 Seattle, WA 98104 (206) 622-3150 robmaguire@dwt.com harrykorrell@dwt.com arthursimpson@dwt.com	☐ Via hand delivery ☐ Via U.S. Mail, 1st Class, Postage Prepaid ☐ Via Overnight Delivery ☒ Via Email ☒ Via EService

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

EXECUTED at Seattle, Washington, on January 24, 2023.

/s/ Heath L. Hyatt
Heath L. Hyatt

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099

The Honorable Catherine Shaffer

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

VET VOICE FOUNDATION, THE WASHINGTON BUS, EL CENTRO DE LA RAZA, KAELEENE ESCALANTE MARTINEZ, BETHAN CANTRELL, DAISHA BRITT, GABRIEL BERSON, and MARI MATSUMOTO,

Plaintiffs,

v.

STEVE HOBBS, in his official capacity as Washington State Secretary of State, JULIE WISE, in her official capacity as the Auditor/Director of Elections in King County and a King County Canvassing Board Member, SUSAN SLONECKER, in her official capacity as a King County Canvassing Board Member, and STEPHANIE CIRKOVICH, in her official capacity as a King County Canvassing Board Member,

Defendants,

REPUBLICAN NATIONAL COMMITTEE and WASHINGTON STATE REPUBLICAN PARTY,

Proposed Intervenor-Defendants.

No. 22-2-19384-1 SEA

[PROPOSED] ORDER DENYING THE REPUBLICAN NATIONAL COMMITTEE AND WASHINGTON STATE REPUBLICAN PARTY'S MOTION TO INTERVENE

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The Court, having considered The Republican National Committee and the Washington State Republican Party's ("Proposed Intervenor Defendants") Motion to Intervene, the papers filed in support of and in opposition to the motion, and being fully advised, now, therefore, ORDERS as follows:

Proposed Intervenor Defendants' Motion is DENIED.

DATED this __ day of _____, 2023.

_____
The Honorable Catherine Shaffer
King County Superior Court Judge

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Phone: +1.206.359.8000
Fax: +1.206.359.9000

Dated: January 24, 2023

Presented by:

PERKINS COIE LLP

s/ Kevin J. Hamilton

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CERTIFICATE OF SERVICE

On January 24th, 2023, I caused to be served upon the below named counsel of record, at the address stated below, via the method of service indicated, a true and correct copy of the foregoing document.

Attorneys for Defendant Steve Hobbs Karl D. Smith, Deputy Solicitor General Tera M. Heintz, Deputy Solicitor General William McGinty, Assistant Attorney General 1125 Washington Street SE, PO Box 40100 Olympia, WA 98504-0100 (360) 752-6200 Karl.Smith@atg.wa.gov; Tera.Heintz@atg.wa.gov William.McGinty@atg.wa.gov	☐ ☐ ☐ ☐ ☑	Via hand delivery Via U.S. Mail, 1st Class, Postage Prepaid Via Overnight Delivery Via Email Via Eservice
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I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

EXECUTED at Seattle, Washington, on January 24, 2023.

s/ Heath L. Hyatt
Heath L. Hyatt

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