

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

REPUBLICAN NATIONAL COMMITTEE,
MISSISSIPPI REPUBLICAN PARTY, JAMES
PERRY, and MATTHEW LAMB,

Plaintiffs,

v.

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the Circuit Court of Harrison County*, TONI JO DIAZ, BECKY PAYNE, BARBARA KIMBALL, CHRISTENE BRICE, and CAROLYN HANDLER, *in their official capacities as members of the Harrison County Election Commission*, and MICHAEL WATSON, *in his official capacity as the Secretary of State of Mississippi*,

Defendants.

No. 1:24-cv-00025-LG-RPM

**VET VOICE FOUNDATION AND THE MISSISSIPPI ALLIANCE FOR RETIRED
AMERICANS' MOTION TO INTERVENE AS DEFENDANTS**

Pursuant to Federal Rule of Civil Procedure 24, Vet Voice Foundation (“Vet Voice”) and the Mississippi Alliance for Retired Americans (“Alliance”) respectfully move to intervene as a matter of right in the above-captioned matter as Defendants. Vet Voice and the Alliance are entitled to intervene as of right because their motion is timely, they have direct and legally protectable interests in this action, disposition of this case could impair their ability to protect such interests, and they are not adequately represented by the existing parties. Alternatively, pursuant to Rule 24(b), Vet Voice and the Alliance respectfully move for permissive intervention as, again, their motion is timely, intervention will not unduly delay or prejudice the existing parties, and Vet Voice and the Alliance’s defenses and the main action have questions of law and fact in common.

In support of this motion, Vet Voice and the Alliance concurrently file a memorandum brief of law setting forth the reasons warranting their intervention under Rule 24, along with declarations from Janessa Goldbeck, Chief Executive Officer of Vet Voice, and James Sims, President of the Mississippi Alliance for Retired Americans. In compliance with Rule 24(c), Vet Voice and the Alliance also attach to this motion a proposed Motion to Dismiss and accompanying proposed Memorandum Brief that sets out the defenses and arguments for which intervention is sought.

Pursuant to Local Rule 7(b)(10), counsel for Vet Voice and the Alliance contacted Plaintiffs' counsel to determine their position on the instant motion but have not yet received a response. The Proposed Intervenors will apprise the Court of any response. Relatedly, because Plaintiffs have still not effected service on the most of the named Defendants, *see* ECF Nos. 3-4, no counsel for Defendants has yet entered an appearance. The Proposed Intervenors contacted the Attorney General's office to determine whether that office represents any Defendants in this matter and, if so, what position Defendants take on the instant motion. The Attorney General's office confirmed that they represent Secretary of State Watson—but not any of the county official Defendants—in this matter, and indicated that they are unable take a position on the motion until they have an opportunity to first review the motion papers.

Dated: February 9, 2024

Respectfully submitted,

/s/ Robert B. McDuff

Robert B. McDuff

Paloma Wu

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion to Intervene has been filed with the Court using the CM/ECF system which will automatically send e-mail notification of such filing to all counsel of record.

Dated: February 9, 2024

/s/ Robert B. McDuff _____

Robert B. McDuff
*Counsel for Proposed-Intervenors Vet Voice
Foundation and the Mississippi Alliance for
Retired Americans*

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