

3. The State now requests to intervene in this matter as permitted by Federal Rule of Civil Procedure 5.1(c) to defend the constitutionality of the challenged State laws.

4. Further, 28 U.S.C. § 2403(b) provides that when the constitutionality of any statute of a “State affecting the public interest is called into question, the court shall certify such fact to the attorney general of the State, and shall permit the State to intervene for presentation of evidence, if evidence is otherwise admissible in the case, and for argument on the question of constitutionality”

4. The plaintiffs, through counsel, notified the undersigned that they do not object to the State of Indiana intervening in this case. The defendant, the Lake County Judicial Nominating Commission, a county body (Indiana Code § 33-33-45-27(b)), has not appeared in this case.

5. In accordance with Federal Rule of Civil Procedure 24(c), the State of Indiana is filing with this motion a responsive pleading.

WHEREFORE, the State of Indiana respectfully requests to intervene in this matter under Federal Rule of Civil Procedure 5.1 and 28 U.S.C. § 2403(b).

Respectfully submitted,

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