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2025 Jul 03 PM 3:23
CLERK OF THE DOUGLAS COUNTY DISTRICT COURT
CASE NUMBER: DG-2025-CV-000206
PII COMPLIANT

IN THE STATE COURT OF KANSAS
DISTRICT COURT OF DOUGLAS COUNTY

KANSAS APPLESEED CENTER FOR LAW AND JUSTICE, INC.; LOUD LIGHT; and DISABILITY RIGHTS CENTER OF KANSAS, *Petitioners*, v. SCOTT SCHWAB, in his official capacity as the Kansas Secretary of State; and JAMIE SHEW, in his official capacity as DOUGLAS COUNTY CLERK, *Respondents*, REPUBLICAN NATIONAL COMMITTEE, *Proposed Intervenor-Respondent*.	No: DG-2025-CV-000206

MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE

For most of its history, Kansas required absentee ballots to be received by election officials on election day. *See* Pet. ¶¶1-2. In fact, when Kansas first introduced absentee voting during the Civil War, every State understood "that ballots must be received no later than the first Tuesday after the first Monday in November." *Republican Nat'l Comm. v. Wetzel*, 120 F.4th 200, 209 (5th Cir. 2024). That's because just before the Civil War, Congress fixed a "uniform time" for appointing presidential electors on that Tuesday in November. Act of Jan. 23, 1845, ch. 1, 5 Stat. 721 (to be codified at 3 U.S.C. § 1). Congress later extended the uniform national election day to congressional

elections. *See* 2 U.S.C. §§ 1, 7. Together, these statutes "mandate[] holding all elections for Congress and the Presidency on a single day throughout the Union." *Foster v. Love*, 522 U.S. 67, 70, 118 S. Ct. 464, 139 L.Ed.2d 369 (1997).

In recent years, States such as Kansas strayed from that federal mandate, pushing ballot receipt further and further from election day. *E.g.*, Pet. ¶1. Under existing law, Kansas will permit the counting of ballots that are postmarked by election day and received up to three days after election day. K.S.A. 25-1132(b). But last year, the Fifth Circuit reminded States that "[f]ederal law requires voters to take timely steps to vote by Election Day." *Wetzel*, 120 F.4th at 215. "Because Mississippi's statute allows ballot receipt up to five days after the federal election day, it is preempted by federal law." *Id.* at 204. The Petitioners here demand that this Court require Respondents to count "ballots postmarked by but received within seven days of election day," an extension of *four days beyond* what even the old law permits. Pet. at 29. But that relief is "contrary" to the federal election-day statutes, and thus "preempted" by federal law. *Wetzel*, 120 F.4th at 215.

The Republican National Committee moves to intervene as a respondent in this case to defend its electoral interests and prevent Petitioners' unlawful claims. Last month, a federal court granted the RNC intervention as of right to defend the election day deadline policy recognized by executive order, which authorizes the Attorney General to enforce the federal election day statutes against States. *League of United Latin Am. Citizens* [*LULAC*] *v. Exec. Off. of the President*, Doc. 135 at 9, No. 1:25-cv-946 (D.D.C.

June 12, 2025); Exec. Order No. 14248, §7(a), 2025 WL 929182 (March 25, 2025). That court held that the RNC has a right to "intervene as a Defendant based on its interest in competing in fair contests for public office." *Id.* This ruling should guide this Court's decision here. It accords with an ocean of precedent in which federal courts have frequently allowed political parties and committees to intervene in challenges to state election rules to protect their interests in the laws governing elections.[1] In such cases, national political committees "are not marginally affected individuals; they are substantial organizations with experienced attorneys who might well bring perspective that others miss or choose not to provide." *Nielsen v. DeSantis*, No. 4:20-cv-236, 2020 WL 6589656, at *26-27 (N.D. Fla. 2020) (unpublished opinion). This Court should grant the motion for two independent reasons.

[1] *E.g.*, *La Union del Pueblo Entero v. Abbott*, 29 F.4th 299, 309 (5th Cir. 2022) (reversing the district court's denial of the Republican committee's motion to intervene as of right); *Fla. Rising Together, Inc. v. Byrd*, Doc. 81, No. 6:24-cv-1682 (M.D. Fla. 2025); *New Ga. Project v. Raffensperger*, No. 1:24-cv-3412, 2024 WL 5118477 (N.D. Ga. 2024) (unpublished opinion); *League of Women Voters of Ohio v. LaRose*, Doc. 25, No. 1:23-cv-2414 (N.D. Ohio 2024); *Mont. Pub. Int. Rsch. Grp. v. Jacobsen*, Doc. 34, No. 6:23-cv-70 (D. Mont. 2024); *Int'l All. of Theater Stage Emps. Local 927 v. Lindsey*, Doc. 84, No. 1:23-cv-4929 (N.D. Ga. 2024); *Vote.Org v. Byrd*, No. 4:23-cv-111, 2023 WL 7174246 (N.D. Fla. 2023) (unpublished opinion); *DNC v. Hobbs*, Doc. 18, No. 2:22-cv-1369 (D. Ariz. 2022); *Mi Familia Vota v. Hobbs*, No. 2:21-cv-1423, 2021 WL 5217875 (D. Ariz. 2021) (unpublished opinion); *League of Women Voters of Fla. v. Lee*, No. 4:21-cv-186, 2021 WL 5278735 (N.D. Fla. 2021) (unpublished opinion); *New Ga. Project v. Raffensperger*, No. 1:21-cv-1333, 2021 WL 2450647 (N.D. Ga. 2021) (unpublished opinion); *DNC v. Bostelmann*, No. 20-cv-249-wmc, 2020 WL 1505640, at *5 (W.D. Wis. 2020) (unpublished opinion).

First, the RNC satisfies the criteria for intervention by right under K.S.A. 60-224(a)(2). This motion is timely. Petitioners filed their petition less than a month ago. This litigation is still in its earliest stages, and no party will be prejudiced. The RNC has a substantial interest in protecting Republican members, candidates, voters, and resources from Petitioners' attempt to ratchet back Kansas's compliance with the federal election-day statutes. Finally, no other party adequately represents the RNC's interests. The Petitioners bear the burden to show adequacy of representation, and the State Respondents do not share the RNC's unique interests in helping Republican candidates and voters, and in defending federal court precedent.

Second, in the alternative, the Court should grant the RNC permissive intervention under K.S.A. 60-224(b)(1)(B). As noted above, this motion is timely. The RNC's defenses share common questions of law and fact with the existing parties, and intervention will not result in delay or prejudice. The Court's resolution of the important questions in this case will have significant effects for the RNC as it works to ensure that Republican candidates and voters can participate in the 2026 election.

Whether under K.S.A. 60-224(a) or (b), the RNC should be allowed to intervene as a respondent. While the RNC maintains that it has a right to intervene under subsection (a), federal courts often grant Republican committees permissive intervention, absolving the need to address intervention as of right. The RNC conferred with the Petitioners, who oppose the motion to intervene. Respondents take no position.

INTERESTS OF PROPOSED INTERVENOR

The RNC is a national committee as defined by 52 U.S.C. § 30101. It manages the Republican Party's business at the national level, supports Republican candidates for public office at all levels and all states—including in Kansas, coordinates fundraising and election strategy, and develops and promotes the national Republican platform. The RNC's membership consists of the party chair, national committeeman, and national committeewoman for each State and territory, including multiple representatives from Kansas who are registered voters in Kansas.

The RNC regularly encourages registered Republicans to vote in Kansas. The RNC thus has an interest in ensuring that Kansas elections are conducted in a safe and secure manner and in accordance with law. Kansas will have a Republican on the 2026 midterm election ballots for Kansas's Senate seat and for each of Kansas's House seats. In addition, Kansas will hold a gubernatorial election in November 2026, and numerous state legislature seats will be up for election with a Republican candidate running in each of those races. Between now and then, Kansas also will have numerous local races with Republicans on the ballot. Because Petitioners seek permanent relief, the outcome of this case will affect Kansas elections well beyond 2025. In short, the RNC has strong interests—its own and those of its members—in how Kansas elections are structured and ballots are counted.

ARGUMENT

I. The RNC has an unconditional right to intervene.

The RNC is entitled to intervene as a matter of right under K.S.A. 60-224(a)(2). "It is well established under Kansas law that K.S.A. 60-224(a) is to be liberally construed to favor intervention." *Smith v. Russell*, 274 Kan. 1076, 1083, 58 P.3d 698 (2002). "The right to intervene under subsection (a) depends on the concurrence of three factors: (1) timely application, (2) a substantial interest in the subject matter, and (3) lack of adequate representation of the intervenor's interest." *McDaniel v. Jones*, 235 Kan. 93, 106, 679 P.2d 682 (1984). Because Kansas courts favor intervention, "to avoid intervention the opposing party has the burden of showing the applicant's interest is adequately represented by the existing parties." *Id.*

A. The motion is timely.

The RNC filed this motion quickly—not even one month after Petitioners filed their amended petition and before any Respondent has answered. The "timeliness" of intervention "is a flexible standard." *Gannon v. State*, 302 Kan. 739, 743, 357 P.3d 873 (2015). Courts generally consider intervention timely when the motion is filed "less than a month after the petition" and before discovery has begun. *Herrmann v. Bd. Of Cnty. Comm'rs of Butler Cnty.*, 246 Kan. 152, 155, 785 P.2d 1003 (1990). Indeed, the Kansas Supreme Court held that a party who moved to intervene almost one month after learning of the suit "wasted little, if any, time in asserting its right to intervene once it had knowledge of the lawsuit." *McDaniel*, 235 Kan. at 108.

Under the circumstances of this case the motion to intervene is timely filed. Petitioners filed their amended petition on June 9, 2025. *See* Am. Pet. at 31. No Respondent has answered the amended petition, no dispositive motions have been filed, and no discovery has been conducted. The RNC moved to intervene in the earliest stages, not even "a month" after the amended petition was filed. *Cf. Herrmann*, 246 Kan. at 155. Given these circumstances, no party will be prejudiced by intervention. The RNC will comply with all deadlines that govern the parties, will work to prevent duplicative briefing, and will coordinate with the parties on discovery. If the RNC is not allowed to intervene, however, its interests may be irreparably harmed by an order overriding Kansas's mail-ballot deadlines. This motion is timely.

B. Denying intervention will impair the RNC's ability to protect its interests in this case.

As the national committee of the Republican Party representing members, candidates, and voters in every county in Kansas, the RNC has substantial interests in the rules governing elections. *See* K.S.A. 60-224(a)(2). "Courts have pointedly avoided making definitive rules governing sufficiency of the interest." *Ternes v. Galichia*, 297 Kan. 918, 922, 305 P.3d 617 (2013). The question "is highly fact-specific," but an interest need not amount to a "property right" to be sufficient. *Id.* Given their inherent and intense interest in elections, usually "[n]o one disputes" that political parties "meet the impaired interest requirement for intervention as of right." *Citizens United v. Gessler*, No. 14-cv-2266, 2014 WL 4549001, *2 (D. Col. 2014) (unpublished opinion).

Given the similarities between K.S.A. 60-224 and the federal intervention rule, "[f]ederal decisions … may serve as persuasive guidance for interpreting and applying Kansas procedural statutes." *Ternes*, 297 Kan. at 922. And federal courts "routinely" find that political parties have interests supporting intervention in litigation regarding election rules. *Issa v. Newsom*, No. 2:20-cv-1044, 2020 WL 3074351, at *3 (E.D. Cal. 2020) (unpublished opinion); *see, e.g.*, *supra* n.1. Specifically, the RNC wants Republican voters to vote, Republican candidates to win, organizational resources to be effective, and precedent to be preserved. Under these principles, both the Democratic and Republican Parties have successfully intervened in numerous election cases. *See, e.g.*, *La Union del Pueblo Entero v. Abbott*, 29 F.4th 299, 306 (5th Cir. 2022); *Bost v. Ill. State Bd. of Elections*, 75 F.4th 682, 687 (7th Cir. 2023); *Mi Familia Vota v. Hobbs*, No. 2:21-cv-1423, 2021 WL 5217875 (D. Ariz. 2021) (unpublished opinion).

First, the RNC has an interest in Republican voters voting. Rules like the one Petitioners challenge here serve "the integrity of [the] election process," *Eu v. S.F. Cty. Democratic Cent. Comm.*, 489 U.S. 214, 231, 109 S. Ct. 1013, 103 L.Ed.2d 271 (1989), and the "orderly administration" of elections, *Crawford v. Marion Cty. Election Bd.*, 553 U.S. 181, 196, 128 S. Ct. 1610, 170 L.Ed.2d 574 (2008) (op. of Stevens, J.). The RNC has a "direct and substantial interest" in this case because it will "affect" its "ability to participate in and maintain the integrity of the election process" in Kansas. *La Union del Pueblo*, 29 F.4th at 306. Further, voter confidence has "independent significance," *Crawford*, 553 U.S. at 197, because it "is essential to the functioning of our participatory democracy,"

Purcell v. Gonzalez, 549 U.S. 1, 4, 127 S. Ct. 5, 166 L.Ed.2d 1 (2006). Voter confidence has a direct effect on voter turnout, *see id.*, which is key to the RNC's mission to elect Republican candidates. And the Kansas Supreme Court has recognized that "[p]otential violations of constitutional rights" such as these "can warrant intervention." *Farmers Grp. v. Lee*, 29 Kan. App. 2d 382, 386, 28 P.3d 413 (2001).

Second, the RNC has an interest in Republican candidates winning. "The RNC has standing" to "defend [rules establishing an election day deadline] that directly benefit the electoral prospects of Republican candidates for federal office." *LULAC*, Doc. 135 at 6, No. 1:25-cv-946. The RNC's legally protectible interest "in competing in fair contests for public office" is at risk of impairment. *Id.* at 9. This interest was enough to support the RNC's Article III standing, *id.*, a higher bar that Kansas law doesn't require here, *Smith*, 274 Kan. at 1083. The RNC "could be burdened" if the Court accepts the Petitioners' arguments that the challenged election day deadline "cannot lawfully" be enforced. *LULAC*, Doc. 135 at 9, No. 1:25-cv-946. "For example, a decision in the Plaintiffs' favor could result in an injunction barring the implementation of provisions that the RNC argues are beneficial to its members' ability to compete in federal elections. Therefore, the RNC has shown that the disposition of these cases could impair or impede its interests." *Id.* at 10. Sudden, court-ordered changes to Kansas's election deadlines affect the electoral prospects of Republican candidates and will require the Republican Party to adjust its electoral strategy for upcoming state and federal elections.

The RNC's interest in "advancing the overall electoral prospects" of Republican candidates is implicated by these proceedings. *Issa*, 2020 WL 3074351, at *3.

Third, Petitioners' relief would undermine the Fifth Circuit's ruling in *Republican National Committee v. Wetzel*, 120 F.4th 200 (5th Cir. 2024), an important election integrity case that the RNC initiated and won in the Fifth Circuit. The RNC has legal and practical interests in defending against Petitioners' attack on this precedent. *See Stone v. First Union Corp.*, 371 F.3d 1305, 1310 (11th Cir. 2004) (holding that the "persuasive effects" of one court's opinion on other courts can be significant and thus warrant intervention); *Crossroads Grassroots Pol'y Strategies v. FEC*, 788 F.3d 312, 320 (D.C. Cir. 2015) (recognizing an interest in defending against "[a]n adverse judgment" that "would have persuasive weight with a new court"). These aren't "speculative effect[s] of this action on an independent lawsuit;" they are practical consequences for the legal landscape if Petitioners prevail. *Ternes*, 297 Kan. at 922.

Fourth, the RNC has an interest in spending resources effectively to achieve its mission. If this Court were to enjoin Kansas' ballot deadlines, the RNC would need to divert resources from other mission-critical activities "to perform more extensive and expensive ballot-chasing and poll-watching efforts necessitated by the acceptance of absentee ballots received after election day." *RNC v. Wetzel*, 742 F. Supp.3d 587, 594 (S.D. Miss.), *rev'd in part, vac'd in part* 120 F.4th 200 (5th Cir. 2024). The Southern District of Mississippi found on summary judgment that the extended competition for mail ballots "frustrates and impedes the Republican Party's mission of 'represent[ing] the

interests of the Republican Party and secur[ing] the election of Republican candidates for state and federal office.'" *Id.* The Fifth Circuit affirmed that portion of the order, holding that "[j]urisdiction is proper" because post-election receipt of mail ballots injures the RNC. *Wetzel*, 120 F.4th at 205 & n.3. Petitioners' requested relief in this case would cause those same injuries, so the RNC has a personal stake in this case. Petitioners rely on similar injuries to their "mission" and "organizational resources" as a basis for standing. *E.g.*, Pet. ¶23. If Petitioners have standing to bring this lawsuit, the RNC satisfies the minimal interest requirement for intervention.

At a minimum, given that this case is likely to decide the absentee-ballot deadline for the next election, there is "no comparably efficient and effective method for protecting intervenors' interests." *Farmers Grp.*, 29 Kan. App. 2d at 386. Petitioners' request for a permanent injunction and an extension of the existing statutory deadline, if granted, would "change the entire election landscape for those participating" in the upcoming election. *La Union del Pueblo Entero*, 29 F.4th at 307. It would "change what [the RNC] must do to prepare for upcoming elections." *Id.* And the RNC will be forced to expend "resources to educate their members on the shifting situation in the lead-up to the 202[6] election." *Id.* Because the "very purpose of intervention is to allow interested parties to air their views" before "making potentially adverse decisions," *Brumfield v. Dodd*, 749 F.3d 339, 345 (5th Cir. 2014), the "best" course is to give "all parties with a real stake in [the] controversy" an "opportunity to be heard," *Hodgson v. UMWA*, 473

F.2d 118, 130 (D.C. Cir. 1972); *accord Farmers Grp.*, 29 Kan. App. 2d at 386. That includes the RNC.

C. Neither party adequately represents the RNC's interests.

Inadequacy of representation is not a demanding standard. The other parties—not the RNC—bear "the burden of showing the applicant's interest is adequately represented by the existing parties." *McDaniel*, 235 Kan. at 106. And "the interests of the existing parties and the party seeking intervention need not be wholly adverse before there is a basis for concluding that existing representation of a different interest may be inadequate." *Id.* at 109; *accord Huff v. Comm'r*, 743 F.3d 790, 800 (11th Cir. 2014) ("[W]hile the Taxpayers have taken the same litigation position as the [state defendants]," their "interest in their overall tax liability is not the same as the [state defendants'] interest in how the taxes are apportioned.").

The RNC easily satisfies this minimal standard. "[N]o other party in this case will 'adequately represent' the RNC's interests." *LULAC*, Doc. 135 at 10, No. 1:25-cv-946. The RNC "seeks to intervene in part" to "advance its own partisan objectives." *Id.* at 11. The Respondents "are unlikely to be adequate representatives of these private, partisan interests." *Id.* The Respondents are Kansas state and local government officials, Pet. ¶¶26-27, who must necessarily represent "the public interest," *Coal. of Ariz./N.M. Cntys. for Stable Econ. Growth v. DOI*, 100 F.3d 837, 845 (10th Cir. 1996). By contrast, the RNC's interest is inherently "partisan." *La Union del Pueblo Entero*, 29 F.4th at 309. "Neither the State nor its officials can vindicate such an interest while acting in good faith."

Id. State Respondents have no interest in the election of Republican candidates, the mobilization of Republican voters, or the costs associated with either. Instead, as state and local officials acting on behalf of Kansas citizens and the State itself, the State Respondents must consider "a range of interests likely to diverge from those of the intervenors." *Meek v. Metro. Dade Cnty.*, 985 F.2d 1471, 1478 (11th Cir. 1993). Those clashing interests include: the interests of Petitioners, *In re Sierra Club*, 945 F.2d 776, 779-80 (4th Cir. 1991), "the expense of defending the current [rules] out of [state] coffers," *Clark v. Putnam Cnty.*, 168 F.3d 458, 462 (11th Cir. 1999), and "the social and political divisiveness of the election issue" to the State, *Meek*, 985 F.2d at 1478. And the State doesn't share the RNC's interests in defending a favorable Fifth Circuit precedent in a different state.

These diverging interests make the State Respondents less likely to present the same arguments, less likely to exhaust all appellate options, and more likely to settle. *Clark*, 168 F.3d at 461-62. By contrast, the RNC cares about this case's effect on the Republican Party, Republican candidates, and Republican voters. And it seeks intervention to raise arguments that it has prevailed on in other cases. *See Wetzel*, 120 F.4th at 215.

Additionally, any party who opposes intervention bears "the burden of showing the applicant's interest is adequately represented by the existing parties." *McDaniel*, 235 Kan. at 106. Even courts that don't shift the burden of adequate representation recognize that where state defendants "nowhere argue" that they "will adequately protect

[movants'] interests," movants have "raised sufficient doubt concerning the adequacy of [its] representation." *U.S. House of Representatives v. Price*, No. 16-5202, 2017 WL 3271445, at *2 (D.C. Cir. 2017) (unpublished opinion); *see also Utahns for Better Transp. v. DOT*, 295 F.3d 1111, 1117 (10th Cir. 2002) (same). The RNC thus should be granted intervention under K.S.A. 60-224(a)(2).

II. Alternatively, the Court should grant permissive intervention.

Regardless of whether the Court finds that the RNC is entitled to intervene by right, the RNC satisfies the statutory requirements for permissive intervention under K.S.A. 60-224(b)(1)(B). The motion is timely, as discussed above. *See supra* Section I.A. The RNC's "claim or defense" shares with "the main action a common question of law or fact." K.S.A. 60-224(b)(1)(B). And the RNC's intervention will not "unduly delay or prejudice the adjudication of the original parties' rights." K.S.A. 60-224(b)(3).

Permissive intervention may be the simplest path for this Court to grant the RNC's motion. Permissive intervention does not require the intervenor to show that it is inadequately represented. *Compare id.* K.S.A. 60-224(a)(2), *with* (b). Unsurprisingly, many federal courts have held that permissive intervention by Republican party organizations is justified in similar election disputes. *See, e.g.*, *New Ga. Project v. Raffensperger*, No. 1:24-cv-3412, 2024 WL 5118477, at *2 (N.D. Ga. 2024) (unpublished opinion); *Vote.org v. Byrd*, No. 4:23-cv-111, 2023 WL 7174246, at *1 (N.D. Fla. 2023) (unpublished opinion); *Swenson v. Bostelmann*, No. 1:20-cv-459, 2020 WL 8872099, at *2 (W.D. Wis.

2020) (unpublished opinion); *Priorities USA v. Nessel*, No. 1:19-cv-13341, 2020 WL 2615504, at *5 (E.D. Mich. 2020) (unpublished opinion).

The requirements of K.S.A. 60-224(b)(1)(B) are met here. The RNC will raise defenses that share common questions of law and fact with existing parties. Petitioners allege that post-election receipt of ballots is required by state law. *See* Pet. ¶¶101, 111-13, 119-20. The RNC will argue that that post-election receipt of ballots is prohibited by federal law. *See Wetzel*, 120 F.4th at 215. Even if federal law didn't apply, the RNC rejects Petitioners' claims that Kansas' election-day-receipt law violates the Kansas Constitution. The RNC rejects Petitioners' requested remedy to extend the mail ballot receipt deadline for a week past Election Day, a blatant attempt to circumvent the legislative process and achieve through the courts what Petitioners cannot get the people's representatives in the Kansas Legislature to approve. The RNC's defenses and those brought by State Respondents "ultimately turn on the same legal issue," the legal "validity of the [challenged rules]." *Greene*, 2022 WL 1045967, at *4. So the RNC and State Respondents have questions of law and fact in common.

Moreover, the RNC's intervention will not unduly delay this litigation or prejudice anyone. There is no undue delay or prejudice where proposed intervenors file their motion when "litigation is in a relatively nascent stage." *Ga. Aquarium, Inc. v. Pritzker*, 309 F.R.D. 680, 691 (N.D. Ga. 2014). "Whatever additional burdens adding the [RNC] to this case may pose, those burdens fall well within the bounds of everyday case management." *Berger v. N.C. State Conf. of the NAACP*, 597 U.S. 179, 200, 142 S. Ct. 2191,

213 L.Ed.2d 517 (2022). Responding to the RNC's arguments will not unduly prejudice Petitioners, K.S.A. 60-224(b)(1)(B), since Petitioners "can hardly be said to be prejudiced by having to prove a lawsuit [they] chose to initiate," *Security Ins. Co. of Hartford v. Schipporeit, Inc.*, 69 F.3d 1377, 1381 (7th Cir. 1995). The RNC also commits to submitting all filings in accordance with whatever briefing schedule the Court imposes, "which is a promise" that undermines claims of undue delay. *Emerson Hall Assocs. v. Travelers Casualty Ins. Co. of Am.*, No. 1:15-cv-447, 2016 WL 223794, *2 (W.D. Wis. 2016) (unpublished opinion).

Allowing the RNC to intervene will allow the Court "to profit from a diversity of viewpoints" that will "illuminate the ultimate questions posed by the parties." *Franconia Minerals (US) LLC v. United States*, 319 F.R.D. 261, 268 (D. Minn. 2017). In a "challenge to [State] voting procedures," where "the defendants are state and county officials," it "cannot be said with assurance that the existing parties will frame the issues so well that the proposed intervention will add nothing of value. Even good lawyers sometimes miss things." *Nielsen*, 2020 WL 6589656, at *1. Those issues include whether the Petitioners' requested relief is barred by federal law, *see Wetzel*, 120 F.4th at 215, an issue this Court would be ill-advised to overlook. Ultimately, where a court has doubts, "the most prudent and efficient course" is to allow permissive intervention. *Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wis. v. United States*, No. 1:02-cv-553, 2002 WL 32350046, *3 (W.D. Wis. 2002) (unpublished opinion).

CONCLUSION

For the foregoing reasons, the RNC respectfully requests that the Court grant this motion and allow it to intervene as a Respondent.

Dated: July 3, 2025

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of July, 2025, a true and correct copy of the foregoing was emailed to all counsel of record and electronically filed using the e-filing system, which will send a notice of electronic filing to all counsel of record.

/s/ Edward D. Greim