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** Pro hac vice application forthcoming*

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DAVID TANGIPA; ERIC CHING;
SAUL AYON; PETER HERNANDEZ;
ROXANNE HOGE; JOEL GUITERREZ
CAMPOS; SOLOMON VERDUZCO;
PAUL RAMIREZ; JANE ORTIZ-
WILSON; VERNON COSTA; RACHEL
GUNTHER; DOUG BUCHANAN;
SAYRS MORRIS; MIKE NETTER;
CHRISTINA RAUGHTON; KRISTI
HAYS; JAMES REID; MICHAEL
TARDIF; ALEX GALICIA; and
CALIFORNIA REPUBLICAN PARTY,

Plaintiffs,

v.

GAVIN NEWSOM, in his official
capacity as the Governor of California;
SHIRLEY WEBER, in her official
capacity as California Secretary of State,
Defendants.

Case No: 2:25-cv-10616

**DCCC'S NOTICE OF MOTION
AND UNOPPOSED MOTION TO
INTERVENE AS DEFENDANT;
MEMORANDUM OF POINTS AND
AUTHORITIES**

Hearing Date: November 14, 2025

Time: 10:30 a.m.

Courtroom: 8A

NOTICE OF MOTION AND UNOPPOSED MOTION TO INTERVENE

The Democratic Congressional Campaign Committee (“DCCC”) respectfully requests that this Court grant it leave to intervene as a defendant in this case as a matter of right under Federal Rule of Civil Procedure 24(a)(2) or, alternatively, grant it leave to intervene on a permissive basis under Federal Rule of Civil Procedure 24(b). No party opposes this request.

In support of its Motion, DCCC submits and incorporates the below Memorandum of Points and Authorities, a declaration by Julie Merz on behalf of DCCC (Exhibit A), a Proposed Answer submitted pursuant to Rule 24(c) (Exhibit B), and a Proposed Order (Exhibit C).¹

Pursuant to Local Rule 7-3, counsel for DCCC conferred by with counsel for the existing parties on November 7, 2025. Counsel for Plaintiffs stated that Plaintiffs take no position on the Motion. Counsel for Defendants stated that Defendants do not oppose the Motion.

Because the Motion is not opposed, DCCC respectfully submits that no hearing on the motion is necessary and requests that the Court grant the motion without any hearing. Alternatively, given the time-sensitive nature of this election-law case, DCCC respectfully requests that the Court set a hearing for this Motion (if necessary) as soon as practicable and no later than November 14, 2025.

¹ While DCCC submits a Proposed Answer as required by Rule 24(c), it reserves the right to file a Rule 12(b) motion in accordance with any schedule set by the Court or agreed to be the existing parties.

1 Dated: November 10, 2025

Respectfully submitted,

2 /s/ Lalitha D. Madduri

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INTRODUCTION

This summer, in an attempt to predetermine the outcome of the 2026 midterm elections, President Trump began a far-ranging campaign pressuring Republican-led states into redrawing their congressional maps to eliminate Democratic-held seats, claiming Republicans were “entitled” to those seats.¹ Many Republican-led states answered the President’s call, starting with Texas. Over public protests and the vehement opposition of Democratic lawmakers, the Texas Legislature called a special session to muscle through a mid-decade redraw of Texas’s congressional map, systematically dismantling Democratic-held seats in major urban areas and South Texas. Missouri and North Carolina followed suit, and several other states are poised to join their ranks. The result of these efforts is hugely consequential: While Republicans currently have a razor-thin majority in the House of Representatives, these recent gerrymanders may well net them at least half a dozen more seats. President Trump’s desire is clear—to ensure that, no matter what voters want, there will be a permanent Republican majority in Congress.

In response to these unprecedented mid-decade redraws, California’s elected leaders refused to stand idly by. Governor Newsom called on President Trump and Republican governors to halt redistricting efforts, indicating that, if they persisted, California would have no choice but to respond in kind.² Although Governor Newsom made clear that California would happily abandon mid-decade redistricting efforts if other states reciprocated, several states bowed to President Trump’s demands and redrew their maps. In response, the California Legislature enacted a package of legislation to permit mid-decade redistricting. Unlike other states’ efforts, however, the Legislature did

¹ Giselle Ewing, *Trump on Texas Redistricting: “We Are Entitled to 5 More Seats,”* Politico (Aug. 5, 2025, 10:18 ET), <https://www.politico.com/news/2025/08/05/trump-texas-redistricting-00493624?utm>.

² Letter from Gavin Newsom, Governor of Cal., to Donald J. Trump, President of the U.S. (Aug. 11, 2025), <https://htv-prod-media.s3.amazonaws.com/files/newsom-trump-letter-689a0a50d88e9.pdf>.

1 not move forward unilaterally. Instead, California placed this proposal before the voters
2 as Proposition 50—and in the elections held last Tuesday, voters overwhelmingly backed
3 the measure by a nearly 2:1 margin.

4 California Republicans have now sued to block California’s new congressional
5 map, notwithstanding the endorsement of California’s new map by over five-and-a-half
6 million California voters—or the nuclear approach to aggressive mid-cycle redistricting
7 being actively taken by Republicans in other states. Plaintiffs’ lawsuit directly threatens
8 the interests of DCCC, which is the national congressional campaign committee for the
9 Democratic Party, responsible for promoting the electoral prospects of Democratic
10 congressional candidates in California and across the country. Proposition 50 bears
11 directly on DCCC’s ability to elect Democratic candidates in California’s congressional
12 districts and achieve a majority in the House of Representatives. The organization’s
13 interests in this case are therefore both of paramount importance and self-evident. Indeed,
14 Plaintiffs expressly recognize DCCC’s interests here through their misleading allegations
15 of DCCC’s involvement in the Proposition 50 map. The threat this lawsuit poses to
16 DCCC’s interests is thus beyond dispute.

17 DCCC also easily meets the other elements to be entitled to intervene as a matter
18 of right under Rule 24(a)(2). It has unquestionably moved in a timely manner, seeking
19 admittance to this suit mere days after it was filed. It has clear and significant interests at
20 stake—the preservation of Proposition 50—that will be impaired by the relief Plaintiffs
21 seek. And it cannot be assured of adequate representation by the existing Defendants
22 who, as public officers sued in their official capacities, lack DCCC’s partisan,
23 competitive, and reputational interests. In any event, the requirements for permissive
24 intervention under Rule 24(b) are also clearly met because DCCC has moved promptly,
25 will defend the suit based on common issues of fact and law as to the existing parties,
26 and its involvement will not cause prejudice. In fact, DCCC will aid resolution by
27 responding to factual allegations made against it in the Complaint and lending a partisan
28

1 counterbalance to the California Republican Party on the Plaintiffs’ side. The Court
2 should therefore grant the motion to intervene.

3 **BACKGROUND**

4 Proposed Intervenor DCCC is the national congressional campaign committee for
5 the Democratic Party. *See* Merz Decl. ¶ 3. DCCC’s mission is to promote the success of
6 the Democratic Party in congressional elections and ultimately to secure a majority for
7 the Democratic Party in the U.S. House of Representatives. *See id.* ¶¶ 3–4. It pursues this
8 mission by, among other things, recruiting candidates, raising funds to support
9 candidates, and helping candidates achieve electoral success by offering strategic
10 guidance and bringing organizational resources to bear on the campaign trail. *Id.* ¶ 3.
11 DCCC engages in this work throughout California, where it strives to help Democratic
12 Party candidates win office and contribute towards a Democratic Party majority in the
13 House of Representatives. *Id.*

14 As part of its mission, DCCC naturally has an interest in redistricting efforts
15 throughout the country. *Id.* ¶ 4. The aggressive redistricting efforts that have taken place
16 in Texas and other Republican-controlled states at the President’s direction threaten to
17 frustrate DCCC’s goal of promoting the electoral success of Democratic Party candidates
18 and the ability of the Democratic Party to obtain a House majority. *See id.* ¶ 9.
19 Accordingly, when DCCC became aware that elected leaders in California were
20 considering a potential redistricting plan that could benefit Democratic Party candidates
21 and were soliciting public input, it responded by submitting a proposed congressional
22 district map to the California Legislature. *Id.* ¶ 5.

23 The Complaint refers to DCCC’s role in Proposition 50, though it misstates the
24 facts. The Complaint alleges that DCCC “paid Redistricting Partners to draw the map”
25 that was approved by the voters in Proposition 50. Compl. ¶¶ 50–51, 70. In fact, DCCC
26 learned about Mr. Mitchell and Redistricting Partners’ map-drawing effort only after an
27 initial map was drawn. Merz Decl. *Id.* ¶ 5. DCCC proposed certain revisions to that initial
28

1 map to increase Democratic performance in various districts, then decided to pay
2 Redistricting Partners to obtain a copy of a revised map that DCCC then submitted to the
3 California Legislature through the public input process. *Id.* The revised map was then
4 incorporated, in whole or in part, into Proposition 50, which Californians
5 overwhelmingly approved at the ballot box on November 4. *Id.* ¶ 6.

6 The map approved by California voters thus reflects DCCC’s goals of improving
7 the electoral prospects of Democratic congressional candidates in California and
8 combatting the redistricting efforts undertaken by Texas and other Republican-led states
9 at the behest of President Trump. *See id.* ¶¶ 7, 9. Consistent with these interests, DCCC’s
10 chair issued a statement the day after the election commending California’s voters for
11 helping to create a “path to the Democratic majority.” *Id.* ¶ 7.

12 LEGAL STANDARD

13 Under Rule 24, a party may intervene either as a matter of right or with permission
14 of the Court. *See* Fed. R. Civ. P. 24. “Rule 24 traditionally receives liberal construction
15 in favor of applicants for intervention.” *Arakaki v. Cayetano*, 324 F.3d 1078, 1083 (9th
16 Cir. 2003). “A liberal policy in favor of intervention serves both efficient resolution of
17 issues and broadened access to the courts.” *United States v. City of Los Angeles*, 288 F.3d
18 391, 397–98 (9th Cir. 2002) (quoting *Forest Conservation Council v. U.S. Forest Serv.*,
19 66 F.3d 1489, 1496 n.8 (9th Cir. 1995)). When reviewing a motion to intervene, courts
20 must “take all well-pleaded, nonconclusory allegations in the motion to intervene, the
21 proposed complaint or answer in intervention, and declarations supporting the motion as
22 true absent sham, frivolity or other objections.” *Sw. Ctr. for Biological Diversity v. Berg*,
23 268 F.3d 810, 820 (9th Cir. 2001).

24 Under Rule 24(a)(2), an applicant has a right to intervene if it satisfies four
25 requirements:

- 26 (1) the applicant must timely move to intervene; (2) the applicant must have
27 a significantly protectable interest relating to the property or transaction that
28

1 is the subject of the action; (3) the applicant must be situated such that the
2 disposition of the action may impair or impede the party's ability to protect
3 that interest; and (4) the applicant's interest must not be adequately
4 represented by existing parties.

5 *Arakaki*, 324 F.3d at 1083 (discussing intervention under Fed. R. Civ. P. 24(a)(2)). The
6 Ninth Circuit has adopted a policy of "interpret[ing] these requirements broadly in favor
7 of intervention," guided by "practical considerations, not technical distinctions." *W.*
8 *Watersheds Project v. Haaland*, 22 F.4th 828, 835 (9th Cir. 2022) (quoting *Citizens for*
9 *Balanced Use v. Mont. Wilderness Ass'n*, 647 F.3d 893, 897 (9th Cir. 2011)). An
10 applicant that satisfies each of these requirements must be granted intervention. *Arakaki*,
11 324 F.3d at 1083.

12 Federal courts also may grant permissive intervention under Rule 24(b); such
13 motions are "directed to the sound discretion of the district court." *S.J. Mercury News,*
14 *Inc. v. U.S. Dist. Ct.*, 187 F.3d 1096, 1100 (9th Cir. 1999). Only two factors must be
15 satisfied where, as here, the intervening party does not intend to assert additional "new
16 claims" for relief: (1) the motion must be timely and (2) the applicant's claim or defense
17 must have a question of law or fact in common with the main action. *Freedom from*
18 *Religion Found. v. Geithner*, 644 F.3d 836, 843–44 (9th Cir. 2011).³

19 **ARGUMENT**

20 **I. DCCC is entitled to intervene as a matter of right.**

21 **A. This motion is timely.**

22 DCCC's motion is indisputably timely. To make this determination, courts in this
23 Circuit must consider the totality of the circumstances, including "(1) the stage of the
24 proceeding at which an applicant seeks to intervene; (2) the prejudice to other parties;

25
26
27 ³ DCCC submits a Proposed Answer as required by Rule 24(c), *see* Ex. B, but reserves
28 the right to file a Rule 12 motion by the deadline set by the Court or the Federal Rules of
Civil Procedure.

1 and (3) the reason for and length of [any] delay.” *W. Watersheds Project*, 22 F.4th at
2 835–36 (quoting *Smith v. L.A. Unified Sch. Dist.*, 830 F.3d 843, 854 (9th Cir. 2016)).
3 Those factors all support a finding of timeliness here. DCCC’s motion comes a mere five
4 days after this case was filed and before any “substantive proceedings have occurred.”
5 *Issa v. Newsom*, No. 22-CV-1044, 2020 WL 3074351, at *2 (E.D. Cal. June 10, 2020)
6 (permitting DCCC to intervene in election-law challenge brought by Republicans); *see*
7 *also W. States Trucking Ass’n v. Becerra*, No. 5:19-cv-02447, 2020 WL 1032348, at *2
8 (C.D. Cal. Mar. 2, 2020) (noting that a “motion to intervene is generally considered
9 timely if it is filed soon after a complaint, prior to any substantive proceedings” (citing
10 *Nw. Forest Res. Council v. Glickman*, 82 F.3d 825, 837 (9th Cir. 1996))). DCCC’s
11 intervention would also not require the Court to amend any scheduling order because no
12 such order has been entered. *See Loyd v. United States*, No. EDCV 23-00381-CJC
13 (SSCx), 2024 WL 3009014, at *1 (C.D. Cal. Jan. 3, 2024) (“A scheduling order has not
14 yet issued, so Plaintiff’s motion is timely.”). In sum, these proceedings remain at the
15 earliest stage, there has been no delay on DCCC’s part, and there is no risk of prejudice
16 to the existing parties.

17 Finally, DCCC agrees to abide by any future deadlines set by the Court or agreed
18 to by the existing parties, including as to any preliminary injunction briefing. That
19 commitment further eliminates any conceivable prospect of prejudice. *E.g., Or. Nat.*
20 *Desert Ass’n v. Shuford*, No. 06-cv-242, 2006 WL 2601073, at *2 (D. Or. Sep. 8, 2006)
21 (finding no prejudice where intervenors moved promptly and agreed “to comply with the
22 court’s discovery and pretrial scheduling order”), *aff’d sub nom. Or. Nat. Desert Ass’n*
23 *v. McDaniel*, 405 F. App’x 197 (9th Cir. 2010).

24 **B. DCCC has substantial, protectable interests that are threatened by**
25 **the relief Plaintiffs seek.**

26 DCCC also satisfies the “closely related” second and third requirements for
27 intervention because it has significant protectable interests in this lawsuit, and the relief
28

1 Plaintiffs seek threatens to impair those interests. *Chiles v. Thornburgh*, 865 F.2d 1197,
2 1213 (11th Cir. 1989). As the Ninth Circuit has explained, under Rule 24(a)(2), “a
3 prospective intervenor ‘has a sufficient interest for intervention purposes if it will suffer
4 a practical impairment of its interests as a result of the pending litigation.’” *Wilderness*
5 *Soc’y v. U.S. Forest Serv.*, 630 F.3d 1173, 1179 (9th Cir. 2011) (quoting *California ex*
6 *rel. Lockyer v. United States*, 450 F.3d 436, 441 (9th Cir. 2006)). Consistent with this
7 liberal standard, “Rule 24(a)(2) does not require a specific legal or equitable interest,”
8 and “it is generally enough that the interest is protectable under some law, and that there
9 is a relationship between the legally protected interest and the claims at issue.” *Id.*
10 (alteration omitted) (quoting *Sierra Club v. EPA*, 995 F.2d 1478, 1484 (9th Cir. 1993)).
11 Furthermore, “[t]he interest requirement may be judged by a more lenient standard if the
12 case involves a public interest question or is brought by a public interest group.”
13 *Brumfield v. Dodd*, 749 F.3d 339, 344 (5th Cir. 2014) (quoting Moore’s Federal Practice
14 § 24.03[2][c] (3d ed. 2008)).

15 Once a movant has shown some protectible interest, courts generally “have little
16 difficulty concluding that the disposition of [a] case may, as a practical matter, affect”
17 the intervenor’s interests. *Lockyer*, 450 F.3d at 442. The intervenor need not show that
18 impairment is a “certainty,” only that “disposition of the action ‘may’ practically impair
19 a party’s ability to protect their interest in the subject matter of the litigation.” *Citizens*
20 *for Balanced Use*, 647 F.3d at 900 (quoting Fed. R. Civ. P. 24(a)(2)). In other words,
21 “the ‘interest’ test is primarily a practical guide to disposing of lawsuits by involving as
22 many apparently concerned persons as is compatible with efficiency and due process.”
23 *Wilderness Soc’y*, 630 F.3d at 1179 (citation omitted).

24 DCCC has at least three significant interests that are at risk of impairment from
25 the relief Plaintiffs seek. *First*, DCCC is an organization dedicated to advancing the
26 electoral prospects of Democratic Party congressional candidates, so it naturally has an
27 interest in the validity of a congressional map that aids the electoral prospects of
28

1 Democrats. *See* Merz Decl. ¶ 9. Other courts have considered this precise interest in
2 evaluating motions to intervene filed by DCCC, and concluded that DCCC’s interest in
3 promoting the electoral success of Democratic congressional candidates warrants
4 intervention as of right. *E.g.*, *Issa*, 2020 WL 3074351, at *3 (holding DCCC could
5 intervene as of right under Rule 24(a)(2) in a challenge to a California executive order
6 concerning mail-in voting, in part because of the DCCC’s interest in “advancing [the
7 Democrats’] overall electoral prospects”); *Paher v. Cegavske*, No. 3:20-cv-0243, 2020
8 WL 2042365, at *2 (D. Nev. Apr. 28, 2020) (similarly granting a motion to intervene by
9 DCCC in a suit concerning election rules based on DCCC’s interest in “ensur[ing] the
10 election of Democratic Party candidates”). Indeed, the Ninth Circuit has long recognized
11 that winning elections is a judicially cognizable interest in the context of Article III
12 standing. *See Owen v. Mulligan*, 640 F.2d 1130, 1132–33 (9th Cir. 1981) (holding that
13 “the potential loss of an election” is a sufficient injury to give rise to Article III standing).
14 Accordingly, DCCC has an interest in this case that not only satisfies Rule 24, but also
15 the “more stringent” requirements of Article III standing. *Yniguez v. Arizona*, 939 F.2d
16 727, 735 (9th Cir. 1991) (observing that satisfying Article III standing “compels the
17 conclusion” that a party also satisfies Rule 24). The relief Plaintiffs seek would directly
18 impair DCCC’s interest in promoting Democrats’ electoral prospects by invalidating a
19 congressional map that favors Democratic Party candidates.

20 *Second*, DCCC supported the efforts of Proposition 50, including by submitting a
21 congressional map to the California Legislature—which the California Legislature
22 approved, in whole or in part, and which California voters ultimately endorsed. *See* Merz
23 Decl. ¶¶ 5–6, 10. That alone warrants intervention under Ninth Circuit law. As the court
24 explained in *Prete v. Bradbury*, “a public interest group that has supported a
25 measure . . . has a ‘significant protectable interest’ in defending the legality of the
26 measure.” 438 F.3d 949, 954 (9th Cir. 2006). The same logic applies here: DCCC
27 supported and continues to support Proposition 50, and “an adverse judgment might
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1 impede or impair” DCCC’s interest in Proposition 50’s legality. *Id.* at 955; *see also*
2 *Soltysik v. Padilla*, No. 15-7916, 2015 WL 13819001, at *2 (C.D. Cal. Dec. 11, 2015)
3 (finding a group that advocated for a proposition concerning open primaries had a
4 “significant protectable interest” in defending the proposition’s legality in litigation);
5 *New Cingular Wireless PCS, LLC v. Kootenai County*, No. 2:23-cv-0124, 2023 WL
6 7283153, at * 4 (D. Idaho Nov. 2, 2023) (finding a group which “played an important
7 role” in advocating for a measure had a “significant protectable interest” in an action
8 challenging that measure).

9 *Third*, DCCC also has an interest in rebutting the false allegations Plaintiffs make
10 about it in the Complaint, which explicitly accuses DCCC of paying Paul Mitchell and
11 Redistricting Partners to develop unconstitutional “racial gerrymanders.” Compl. ¶¶ 50–
12 51, 70. Not only is this characterization untrue, *see* Merz Decl. ¶¶ 5–6, 10, it wrongly
13 implicates DCCC in “unlawful, intentional discrimination based on race.” Compl. ¶ 33.
14 These false allegations independently supply DCCC with another significant protectable
15 interest in this litigation. *See, e.g., N.C. Green Party v. N.C. State Bd. of Elections*, 619
16 F. Supp. 3d 547, 562 (E.D.N.C. 2022) (holding that a party could intervene as of right,
17 in part because there were “numerous allegations in plaintiffs’ amended complaint
18 concerning the intervenor[.]” to which it was entitled to respond).

19 In sum, DCCC has a strong interest in promoting the electoral prospects of
20 Democratic candidates for the House of Representatives; defending the legality of the
21 congressional map that it helped propose; and rebutting the Complaint’s misleading
22 characterization of DCCC’s activities. An adverse judgment in this litigation would
23 jeopardize each of these interests. DCCC therefore readily meets the second and third
24 requirements for intervention as of right.

25 **C. The existing parties do not adequately represent DCCC.**

26 DCCC cannot be assured adequate representation of its distinct interests at stake
27 in this matter if it is denied intervention. The Ninth Circuit “stress[es] that intervention
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1 of right does not require an absolute certainty . . . that existing parties will not adequately
2 represent [an intervenor’s] interests.” *Citizens for Balanced Use*, 647 F.3d at 900.
3 Accordingly, “the burden of making this showing is minimal” and is “satisfied if the
4 applicant shows that representation of its interests may be inadequate.” *Hoopa Valley*
5 *Tribe v. U.S. Bureau of Reclamation*, 648 F. Supp. 3d 1196, 1204 (E.D. Cal. 2022)
6 (quoting *Sagebrush Rebellion Inc. v. Watt*, 713 F.2d 525, 528 (9th Cir. 1983)); *see also*
7 *Berger v. N.C. State Conf. of the NAACP*, 597 U.S. 179, 196 (2022) (citing *Trbovich v.*
8 *United Mine Workers*, 404 U.S. 528, 538 n.10 (1972)). Courts are also “liberal in finding”
9 this requirement satisfied, recognizing that “there is good reason in most cases to suppose
10 that the applicant is the best judge of the representation of the applicant’s own interests.”
11 7C Charles Alan Wright & Arthur R. Miller, *Federal Practice & Procedure* § 1909 (3d
12 ed. 2024).

13 Here, DCCC has unique partisan, competitive, and reputational interests that may
14 not be adequately represented by Defendants, who are sued as governmental officers
15 responsible for impartially enforcing federal and California law.⁴ *See* Merz Decl. ¶¶ 9–
16 10. DCCC’s core interest is in preserving a congressional map that maximizes the
17 electoral prospects for Democratic congressional candidates and increases the likelihood
18 of Democrats retaking control of the House of Representatives—full stop. In contrast, as
19 the Complaint acknowledges, Governor Newsom and Secretary Webster are responsible
20 for implementing Proposition 50 as part of their official duties. *See* Compl. ¶¶ 28–29.

21 This mismatch between a private litigant’s parochial interests and a governmental
22 party’s public interests and duties is well-recognized. Federal courts have “often
23 concluded that governmental entities do not adequately represent the interests of aspiring
24 intervenors.” *Fund for Animals, Inc. v. Norton*, 322 F.3d 728, 736 (D.C. Cir. 2003)
25 (Garland, J.). This is because a government-official defendant’s interests are “necessarily
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27 ⁴ There is also no dispute that Plaintiffs—who seek relief setting aside a congressional
28 map that DCCC supports—will not adequately represent DCCC’s interests.

1 colored by [their] view of the public welfare rather than the more parochial views of a
2 proposed intervenor whose interest is personal to it.” *Kleissler v. U.S. Forest Serv.*, 157
3 F.3d 964, 972 (3d Cir. 1998) (explaining that the burden in these circumstances is
4 “comparatively light”). Simply put, “the government’s representation of the public
5 interest may not be ‘identical to the individual parochial interest’ of a particular group
6 just because ‘both entities occupy the same posture in the litigation.’” *Citizens for*
7 *Balanced Use*, 647 F.3d at 899 (quoting *WildEarth Guardians v. U.S. Forest Serv.*, 573
8 F.3d 992, 996 (10th Cir. 2009)); *see also GHP Mgmt. Corp. v. City of Los Angeles*, 339
9 F.R.D. 621, 624 (C.D. Cal. 2021) (explaining courts “have permitted intervention on the
10 government’s side in recognition that the intervenors’ interests are narrower than that of
11 the government and therefore may not be adequately represented”); *Barke v. Banks*, No.
12 8:20-cv-00358, 2020 WL 2315857, at *3 (C.D. Cal. May 7, 2020) (collecting cases).

13 That divergence is particularly stark in election-law cases, where political groups
14 like DCCC are singularly focused on preserving their own partisan advantage. As another
15 district court in California explained, in election disputes like this one “Defendants’
16 arguments turn on their inherent authority as state executives and their responsibility to
17 properly administer election laws,” while groups like DCCC are “concerned with . . .
18 advancing [their] overall electoral prospects.” *Issa*, 2020 WL 3074351, at * 3 (granting
19 DCCC intervention). The Fifth Circuit has similarly reasoned that governmental
20 defendants are not likely to adequately represent political committees because the latter
21 have “private interests different in kind from the public interests of the State or its
22 officials.” *La Union del Pueblo Entero v. Abbott*, 29 F.4th 299, 309 (5th Cir. 2022); *see*
23 *also Berg*, 268 F.3d at 823 (explaining any presumption of adequate representation is
24 rebutted when parties “do not have sufficiently congruent interests”); *Bellitto v. Snipes*,
25 No. 16-cv-61474, 2016 WL 5118568, at *2 (S.D. Fla. Sep. 21, 2016) (concluding
26 adequate representation not guaranteed where existing defendant was “an elected
27 official” with “interests” that “may not be aligned” with an intervenor’s).

1 The Supreme Court recently emphasized this point, explaining that public officials
2 must “bear in mind broader public-policy implications,” whereas private litigants—like
3 DCCC—seek to vindicate their own rights “full stop.” *Berger*, 597 U.S. at 195–96 (citing
4 *Trbovich*, 404 U.S. at 538–39). Thus, the Supreme Court cautioned that courts should
5 not conduct the adequacy of representation analysis at too “high [a] level of abstraction,”
6 and reaffirmed that, even where the parties’ interests “seem[] closely aligned,” the burden
7 to demonstrate inadequate representation remains “minimal” unless those interests are
8 “identical.” *Id.* at 196 (citation omitted); *cf. United Guar. Residential Ins. Co. v. Phila.*
9 *Sav. Fund Soc’y*, 819 F.2d 473, 475 (4th Cir. 1987) (explaining that, under *Trbovich*,
10 “when a party to an existing suit is obligated to serve two distinct interests, which,
11 although related, are not identical, another with one of those interests should be entitled
12 to intervene”). In other words, even if Governor Newsom and Secretary Weber oppose
13 the relief that Plaintiffs seek at a high level of abstraction, it does not follow that they
14 share the same interests as a private political organization committed to improving its
15 electoral chances. *See Berger*, 597 U.S. at 196.

16 Finally, unlike the existing Defendants, DCCC has discrete reputational interests
17 at stake based on accusations against it in the Complaint. *Cf. N.C. Green Party*, 619 F.
18 Supp. 3d at 562 (recognizing an intervenor’s interest in responding to allegations against
19 it); *Meese v. Keene*, 481 U.S. 465, 480 (1987) (recognizing risk of reputational harm as
20 concrete legal interest). There is no reason to believe the existing Defendants will
21 adequately defend that interest, which does not implicate them.

22 At bottom, the governmental defendants do not stand in the same shoes as DCCC
23 and thus do not adequately represent their interests, which plainly are at stake in this case.

24 **II. DCCC should, alternatively, be granted permissive intervention.**

25 This Court should alternatively exercise its discretion to grant permissive
26 intervention. The terms of Rule 24(b) are readily satisfied: DCCC asserts a “defense that
27 shares with the main action a common question of law or fact,” and granting intervention
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1 would not “unduly delay or prejudice the adjudication” of the matter in view of DCCC’s
2 timely motion. Fed. R. Civ. P. 24(b). DCCC has moved promptly, *see supra* Argument
3 § I.A, and agrees to abide by any schedule set by the Court or agreed to by the original
4 parties, meaning there will be no delay or prejudice. And DCCC’s defense requires
5 resolution of the same factual and legal issues raised in the underlying lawsuit. *See* Ex.
6 B (Proposed Answer).

7 The Ninth Circuit has also identified additional considerations the Court can weigh
8 in evaluating permissive intervention requests. *See Callahan v. Brookdale Senior Living*
9 *Cmtys., Inc.*, 42 F.4th 1013, 1022 (9th Cir. 2022). Those considerations—including the
10 proposed intervenors’ interests, the inadequacy of the representation of those interests,
11 and the intervenors’ contribution to the factual and legal issues, *see id.*—buttress the case
12 for intervention here.

13 *First*, DCCC has enormous interests at stake. It seeks to defend legislation that is
14 not merely helpful to DCCC, but which DCCC participated in by submitting a map
15 through the public submission process. *See* Merz Decl. ¶¶ 5–6. Separately, Plaintiffs
16 themselves have conceded DCCC’s interests here by naming it in the Complaint and
17 making (inaccurate) allegations that place DCCC at the center of this dispute. *See id.*
18 ¶¶ 5–6, 10. These considerations give DCCC an uncommonly strong and acute interest
19 in this suit.

20 *Second*, DCCC’s parochial interests are not identical to the public interests of the
21 existing, governmental defendants, and may not be fully advanced without their
22 intervention. *See supra* Argument § I.C. Indeed, the existing Defendants may be hesitant
23 to advance the openly partisan arguments that DCCC will present in support of
24 California’s effort to combat President Trump’s unprecedented effort to rig the 2026
25 midterm elections through mid-decade redistricting.

26 *Finally*, DCCC will contribute to the “full development of the underlying factual
27 issues in the suit and to the just and equitable adjudication of the legal questions
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1 presented.” *Callahan*, 42 F.4th at 1022 (quoting *Spangler v. Pasadena City Bd. of Educ.*,
2 552 F.2d 1326, 1329 (9th Cir. 1977)). Again, Plaintiffs have effectively conceded this
3 consideration by making factual allegations to which DCCC is uniquely well-suited to
4 respond. *See* Compl. ¶¶ 50–51, 70. Moreover, DCCC’s distinct perspective and
5 involvement in the advancement of Proposition 50 will aid the Court in fully fleshing out
6 the factual and legal issues at bar.

7 “Courts often allow the permissive intervention of political parties in actions
8 challenging voting laws for exactly th[ese] reason[s].” *Democratic Party of Va. v. Brink*,
9 No. 3:21-CV-756-HEH, 2022 WL 330183, at *2 & n.5 (E.D. Va. Feb. 3, 2022)
10 (collecting cases); *see also Ariz. All. for Retired Ams. v. Hobbs*, No. CV-22-01374-PHX-
11 GMS, 2022 WL 4448320, at *3 (D. Ariz. Sep. 23, 2022) (collecting cases); *Nielsen v.*
12 *DeSantis*, No. 4:20CV236-RH-MJF, 2020 WL 6589656, at *1 (N.D. Fla. May 28, 2020)
13 (granting permissive intervention to Republican-affiliated organizations “with
14 experienced attorneys who might well bring perspective that others miss or choose not
15 to provide”); *Thomas v. Andino*, 335 F.R.D. 364, 371 (D.S.C. 2020) (similar); *Paher*,
16 2020 WL 2042365, at *2 (similar). Finally, permissive intervention is particularly
17 warranted since Plaintiffs include a political organization—the California Republican
18 Party—with “mirror-image” interests of DCCC. *DNC v. Bostelmann*, No. 20-CV-249-
19 WMC, 2020 WL 1505640, at *5 (W.D. Wis. Mar. 28, 2020) (explaining permissive
20 intervention is warranted where organizations share “mirror-image” interests).

21 In short, because Rule 24 must be liberally construed to protect DCCC’s rights and
22 interests, and because DCCC’s participation will assist rather than prejudice efficient
23 development and resolution of this case, the Court should grant permissive intervention
24 if it does not find that DCCC may intervene as a matter of right.

25 CONCLUSION

26 DCCC respectfully requests that this Court grant its motion to intervene as a matter
27 of right—or, in the alternative, grant permissive intervention.
28

1 Dated: November 10, 2025

Respectfully submitted,

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24 ** Pro hac vice application forthcoming*

CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record for Proposed Intervenor-Defendant DCCC, certifies that this brief contains 4,561 words, which complies with the word limit of Local Rule 11-6.1.

Dated: November 10, 2025

/s/ Lalitha D. Madduri

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