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IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

RICHARD VON GLAHN, Plaintiff, v. DENNY HOSKINS, in his official capacity, Defendant.	)	Case No. 26AC-CC00440

SECOND AMENDED MOTION TO INTERVENE OF REPUBLICAN NATIONAL COMMITTEE, NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE, AND MISSOURI REPUBLICAN STATE COMMITTEE

The Republican National Committee, National Republican Congressional Committee, and Missouri Republican State Committee respectfully move this Court for leave to intervene as defendants in the above-captioned action under Missouri Rules of Civil Procedure 52.12(a) and (b)(2). In support of this Motion, Movants state:

Proposed Intervenors

1. The Republican National Committee (RNC) is the national committee of the Republican Party as defined by 52 U.S.C. § 30101(14).

2. RNC manages the Republican Party's business at the national level, including development and promotion of the Party's national platform and fundraising and election strategies; supports Republican candidates for public office across the country, including those seeking election to Congress from Missouri; and assists state parties throughout the country, including the Missouri Republican State Committee, to educate, mobilize, assist, and turn out voters.

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3. RNC has an interest in ensuring Republican candidates win elections to offices across the State, including to Congress.

4. RNC has made significant contributions and expenditures in support of Republican candidates for Congress and in mobilizing and educating voters in Missouri in the past many election cycles, is doing so in 2026, and will do so in future election cycles.

5. The National Republican Congressional Committee (NRCC) is the national congressional committee of the Republican Party as defined by 52 U.S.C. § 30101(14).

6. NRCC's mission is to elect Republican candidates to Congress from across the United States, including from Missouri's eight congressional districts.

7. NRCC has an interest in ensuring Republican candidates win election to Congress from Missouri.

8. NRCC works to accomplish this mission in Missouri by, among other things, providing direct and indirect financial support to candidates and other Republican Party organizations; providing technical and research assistance to Republican candidates and Party organizations; engaging in voter registration, voter education, and voter turnout programs; and other Republican party-building activities.

9. NRCC has made significant contributions and expenditures in support of Republican candidates for Congress and in mobilizing and educating voters in Missouri in the past many election cycles, is doing so in 2026, and will do so in future election cycles.

10. Missouri Republican State Committee ("The State Committee") is the duly established state committee for the Missouri Republican Party under Section 115.603, RSMo.

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11. The State Committee has been selected and serves in the role of representing and acting for the Missouri Republican Party in the interim between party conventions under Section 115.605, RSMo.

12. The Missouri Republican Party is composed of numerous organizations and committees that work toward the common goal of electing Republicans in all corners of our state.

13. The Missouri Republican Party maintains "a congressional district committee for each congressional district in the state." Section 115.603, RSMo.

14. The State Committee—on behalf of itself, its committees, its voters, and its candidates—has an interest in ensuring Republican candidates win elections to offices across the State, including to Congress.

15. The State Committee has expended substantial resources to support the election of Republican candidates to Congress, and to educate and turnout Republican voters, in the past several election cycles, is doing so again in the 2026 elections, and will do so in future election cycles.

Background

16. During an Extraordinary Session held from September 3 to September 12, 2025, the General Assembly passed House Bill 1 which was promptly signed by Governor Michael Kehoe on September 28, 2025.

17. House Bill 1 repealed Missouri's prior congressional districting plan created new boundaries for Missouri's eight congressional districts.

18. Plaintiff Von Glahn filed proposed referendum petitions with Defendant.

19. Defendant ultimately approved one of Plaintiff Von Glahn's petitions.

20. That petition related to a referendum seeking repeal of House Bill 1.

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21. Following his review under Chapter 116, RSMo., Defendant issued a certificate of insufficiency for Plaintiff's petition.

22. Plaintiff filed this action on August 4, 2026, challenging that decision.

23. Plaintiff seeks a court order requiring placement of Plaintiff's proposed referendum on the ballot for the November 2026 general election and prohibiting Defendant from implementing or mandating the use of House Bill 1. Petition 8.

Intervention as of Right under Rule 52.12

24. Intervention generally should 'be allowed with considerable liberality.'" *Johnson v. State*, 366 S.W.3d 11, 20 (Mo. banc 2012) (internal citation omitted).

25. "The proposed intervenor carries the burden of establishing the presence of all three elements required for intervention as a matter of right. When an applicant satisfies these elements, however, the right to intervene is absolute and the motion to intervene may not be denied." *State ex rel. Nixon v. American Tobacco Co.*, 34 S.W.3d 122, 127 (Mo. banc 2000) (internal citations omitted).

26. The elements of intervention as a matter of right under 52.12(a)(2), are: "(1) an interest relating to the property or transaction which is the subject of the action; (2) that the applicant's ability to protect the interest is impaired or impeded; and (3) that the existing parties are inadequately representing the applicant's interest." *Id.* (internal citations omitted).

27. "The Rule 'should be liberally construed to permit broad intervention' and that even the requirement of a pleading may be excused." *Allred v. Carnahan*, 372 S.W.3d 477, 482 (Mo. App. W.D. 2012) (quoting *State*

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ex rel. St. Joseph, Mo. Ass'n of Plumbing, Heating and Cooling Contractors, Inc. v. City of St. Joseph, 579 S.W.2d 804, 806 (Mo. App. W.D.1979)).

28. "An interest, for purposes of intervention as of right, means a concern, more than mere curiosity, or academic or sentimental desire. An interest necessary for intervention as a matter of right does not include a mere, consequential, remote or conjectural possibility of being affected as a result of the action but must be a direct claim upon the subject matter such that the intervenor will either gain or lose by direct operation of judgment." *Allred v. Carnahan*, 372 S.W.3d 477, 484-85 (Mo. App. W.D. 2012) (internal citations omitted).

I. Proposed Intervenors' Interests Directly Relate to the Subject of the Action

29. Political party committees have routinely been granted intervention in cases involving the laws that govern how their supported candidates are elected and how their voters exercise their right to vote and to participate in elections.

30. The State Committee has already been granted intervention in three prior cases presenting challenges to House Bill 1. *See Luther v. Mo. Sec. of State*, No. 25AC-CC06964 (Cole County); *Wise v. State*, No. 2516-CV29597 (Jackson County); *Healey v. State*, No. 2516-CV31273 (Jackson County).

31. RNC, NRCC, and the State Committee support and seek to uphold House Bill 1 under which they, their candidates exercise their right to vote and to participate in congressional elections in Missouri and expend time, money, and other resources seeking election of Republican candidates to Congress.

32. RNC, NRCC, and the State Committee therefore have an obvious interest in opposing Plaintiff's requested relief prohibiting implementation of House Bill 1. *See* Petition 8.

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33. RNC, NRCC, and the State Committee also support the Secretary's rejection of Plaintiff's petition and would oppose Plaintiff's proposed referendum seeking repeal of House Bill 1 if it is placed on the ballot.

34. RNC, NRCC, and the State Committee therefore have an obvious interest in opposing Plaintiff's requested relief of a court order requiring placement of Plaintiff's proposed referendum on the ballot.

35. These interests are not abstract or ideological, but immediate and concrete.

36. Accordingly, RNC, NRCC, and the State Committee have "a direct claim upon the subject matter such that the intervenor will either gain or lose by direct operation of judgment." *State ex rel. Nixon*, 34 S.W.3d at 128.

II. Proposed Intervenors' Ability to Protect Their Interests Will Be Practically Impaired as a Direct Result of this Litigation

37. If a court grants Plaintiff's requested relief of an order enjoining implementation of House Bill 1 for the 2026 election cycle or any future election cycle, RNC, NRCC, and the State Committee would be required to deploy substantial financial and organizational resources to supporting and seeking election of Republican candidates, educating and turning out voters, and otherwise exercising their constitutional rights in congressional districts other than those the General Assembly enacted in House Bill 1.

38. If ordered, that relief also could affect the likelihood of whether Republican candidates are elected to Congress from Missouri.

39. Moreover, if the Court grants Plaintiff's requested relief of an order requiring placement of Plaintiff's proposed referendum on the ballot, RNC, NRCC, and the State Committee would be required deploy their limited financial and organization resources to opposing Plaintiff's proposed referendum, educating voters regarding Plaintiff's proposed referendum, to

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turning out voters to vote in opposition to Plaintiff's proposed referendum, and to informing the public regarding the legal and policy defects in Plaintiff's proposed referendum.

40. Conversely, RNC, NRCC, and the State Committee would not be required to deploy their resources in either manner if the Secretary's determination is upheld.

41. Therefore, the outcome of this litigation directly determines the extent of Proposed Intervenors' financial and operational expenditures and whether their preferred Republican candidates are elected to Congress.

III. The Existing Parties are Inadequate to Protect Proposed Intervenors' Interest

42. "[O]nce a proposed intervenor establishes an interest in the underlying litigation and that such an interest may be impaired or impeded if intervention is not permitted, the third element is satisfied upon a 'minimal showing' that there is a divergence of interest between the proposed intervenor and the party." *Allred*, 372 S.W.3d at 486.

1. The State's Institutional Role Differs Fundamentally from Intervenor's Advocacy Interests.

43. The Secretary of State and Attorney General are defending the validity of the Secretary's action through their institutional obligation to represent the interests of the State as a sovereign – not the interests of private citizens or organizations that support the outcome of that determination.

44. The State's interest is limited to ensuring that its procedures were lawful, that its officials acted within their statutory authority, and that the integrity of the election process is maintained.

45. By contrast, Proposed Intervenors' interests are political, operational, and mission-specific: seeking election of Republican candidates to

Congress under House Bill 1 and preventing the referendum from appearing on the ballot because its adoption would adversely affect the political, electoral, and policy environment Proposed Intervenors seek to preserve.

46. Proposed Intervenors' opposition stems not merely from procedural concerns, but from substantive policy consequences of the referendum's passage.

47. The State neither shares nor represents that substantive objective.

48. Therefore, there is "a divergence of interest between the proposed intervenor and the party" sufficient to show inadequate representation may exist. *Merchant v. Grand Lodge of Ancient Free & Accepted Masons*, 685 S.W.3d 455, 464 (Mo. App. W.D. 2024).

2. The State's Defense Is Limited to Procedural Validity, Not the Broader Political, Electoral, Or Policy Impact.

49. In this action, the State's primary objective is to demonstrate that the Secretary's review of the referendum petition complied with statutory requirements and administrative rules.

50. Even if the State prevails, its arguments will likely focus on process integrity, *i.e.*, how the review was conducted, what standards were applied, and whether sufficient evidence supports the decision.

51. Proposed Intervenors, by contrast, have a direct and practical interest in ensuring the referendum does not advance for any reason, including the political reason of preserving House Bill 1's district lines under which Proposed Intervenors support election of Republican candidates to Congress.

52. This is because its passage would undermine political and electoral interests that Proposed Intervenors have in House Bill 1.

53. That difference matters.

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54. The State may choose not to raise arguments concerning the substantive harm of the referendum, the costs of reversal to interested parties, or the broader electoral implications—all of which are central to Proposed Intervenors' mission and interests.

55. Because the State's defense does not encompass those substantive dimensions, its representation cannot be deemed adequate under Rule 52.12(a)(2). *Ainsworth v. Old Sec. Life Ins. Co.*, 694 S.W.2d 838, 841 (Mo. App. W.D. 1985) (holding inadequate representation exists where a party may come short of an Intervenor's single-minded purpose in litigation).

3. The State's Broader Public Obligations May Lead to Strategic or Policy Divergences.

56. The State must balance competing interests, including neutrality toward referendum proponents and adherence to statutory duties.

57. It cannot, for instance, engage in advocacy that could be perceived as partisan or policy driven.

58. Proposed Intervenors is under no such constraint.

59. As such, Proposed Intervenors can assert positions, marshal evidence, and pursue arguments that the State – due to its governmental neutrality – may decline to advance.

60. Furthermore, if the litigation proceeds to appeal or settlement discussions, the State might elect to narrow its defense, stipulate to certain facts, or refrain from further review for institutional reasons unrelated to Proposed Intervenors' objectives and interests.

61. Because a different approach to the conduct of litigation is present between the State and Proposed Intervenors, the State cannot adequately protect Proposed Intervenors' interests. *Trbovich v. United Mine Workers of Am.*, 404 U.S. 528, 539, 92 S. Ct. 630, 637, 30 L. Ed. 2d 686 (1972) (holding

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inadequate representation existed when a differing approach to litigation between a party and Intervenor exists).

Permissive Intervention

62. In the alternative, and without waiving any of the arguments about regarding Intervention as of Right, Proposed Intervenors should be granted permissive intervention pursuant to Rule 52.12(b), which authorizes the Court to allow intervention where, as here, proposed intervenors filed a timely motion and the intervenor's claim and/or defense have a question of law or fact in common with the existing litigation.

63. Proposed Intervenors have timely filed their Motion to Intervene. *Robinson v. Mo. Dept. of Health & Senior Servs.*, 672 S.W.3d 224, 233 (Mo. banc 2023) (timeliness for a motion to intervene considers "how far the litigation has progressed when intervention is sought, the reason for the delay, and prejudice that other parties will suffer as a result of additional delay") (quoting *McClain v. Wagner Elec. Corp.*, 550 F.2d 1115, 1120 (8th Cir. 1977)).

64. No hearings have been conducted in the docket thus far, nor are any responsive pleadings due yet.

65. The intervention will not delay or impede adjudication of this case.

66. Accordingly, RNC, NRCC, and the State Committee seek to intervene in accordance with Missouri Rule Of Civil Procedure 52.12(a) and (b)(3) on all counts.

* * *

67. Defendant takes no position on Intervention. Plaintiff has not consented to Intervention.

68. In accordance with Rule 52.12(c), Proposed Intervenors have attached their responsive pleadings hereto as Exhibit 1.

WHEREFORE, RNC, NRCC, and the State Committee pray the Court grant their Motion to Intervene and award such further relief this Court deems just and proper.

Respectfully submitted,

ELLINGER BELL LLC

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Attorneys for Proposed Intervenors

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served via the Court's electronic filing system on August 9, 2026 on all parties of record.

/s/ Marc H. Ellinger

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IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI

RICHARD VON GLAHN, Plaintiff,	)	
v.	)	Case No. 25AC-CC07128
DENNY HOSKINS, in his official capacity, Defendant.	)	

VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF)

I, Miles Ross, of lawful age, being first duly sworn on my oath, state that I am the Executive Director of the Missouri Republican State Committee and that I am duly authorized to speak on its behalf. I have read Motion to Intervene of Republican National Committee, National Republican Congressional Committee, and Missouri Republican State Committee in the above-captioned matter, and the statements in that Motion true and correct according to my best knowledge, information and belief.

Miles Ross

Subscribed and sworn to before me, the undersigned, a Notary Public in and for the county and state aforesaid, on this 7th day of August, 2026.

Notary Public

My Commission Expires: March 17th 2029

THERON LEE COLE
Notary Public - Notary Seal
STATE OF MISSOURI
Christian County
My Commission Expires Mar. 17, 2029
Commission #25430319