

1 Brian T. Hildreth (SBN 214131)
bhildreth@bmhlaw.com
2 Thomas W. Hiltachk (SBN 131215)
Katherine C. Jenkins (SBN 324014)
3 **BELL, McANDREWS & HILTACHK, LLP**
4 455 Capitol Mall, Suite 600
Sacramento, California 95814
Telephone: (916) 442-7757
5 Facsimile: (916) 442-7759

6 *Attorneys for Proposed Intervenors*
7 *National Republican Congressional Committee,*
8 *California Republican Party, Republican National*
9 *Committee*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES - CENTRAL

12 CALIFORNIA ALLIANCE FOR RETIRED
13 AMERICANS, a California nonprofit
14 corporation, JUAN PARRINO, an individual,
and SAM SAIU, an individual;

15 *Plaintiffs and Petitioners,*

16 v.

17 SHIRLEY WEBER, in her official capacity as
18 CALIFORNIA SECRETARY OF STATE,

19 *Defendant and Respondent,*

20 NATIONAL REPUBLICAN
21 CONGRESSIONAL COMMITTEE,
22 CALIFORNIA REPUBLICAN PARTY, and
REPUBLICAN NATIONAL COMMITTEE,

23 *Proposed Intervenors.*

Case No. 24STCP02062

**EX PARTE APPLICATION OF
NATIONAL REPUBLICAN
CONGRESSIONAL COMMITTEE,
CALIFORNIA REPUBLICAN PARTY,
REPUBLICAN NATIONAL
COMMITTEE FOR LEAVE TO
INTERVENE; MEMORANDUM OF
POINTS AND AUTHORITIES;
DECLARATION OF BRIAN T.
HILDRETH**

Hearing: July 17, 2024
Department: 86
Judge: Hon. Curtis A. Kin
Time: 8:30 a.m.
Action Filed: June 26, 2024

24 TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

25 **PLEASE TAKE NOTICE** that Applicants and Proposed Intervenors National Republican
26 Congressional Committee, California Republican Party, and Republican National Committee
27 (collectively, “Applicants” or “Republican Committees”) will apply ex parte on Wednesday, July
28 17, 2024 at 8:30 a.m. in Department 86 of the Los Angeles County Superior Court via

1 LACourtConnect for an order allowing them to intervene in the action as Real Parties in Interest
2 pursuant to Code of Civil Procedure section 387(d). This application is made on the ground that
3 Applicants have a direct and immediate interest in the outcome of this litigation, and that
4 adjudication of the parties' claims in the Applicants' absence will impair or impede their ability to
5 protect that interest. (Code Civ. Proc., § 387(d)(1)(B).) Alternatively, Applicants have an interest
6 in the matter in litigation, or in the success of Defendant-Respondent California Secretary of State
7 allowing for permissive intervention. (*Id.*, § 387(d)(2).)

8 Applicants have complied with all requirements for intervention under Code of Civil
9 Procedure section 387. A proposed Answer in Intervention to the Verified Petition for Writ of
10 Mandate and Complaint for Declaratory and Injunctive Relief is filed concurrently with this
11 application.

12 The National Republican Congressional Committee ("NRCC") is the national
13 congressional committee of the Republican Party as defined by 52 U.S.C. § 30101(14). The
14 NRCC's mission is to elect Republican candidates to the U.S. House of Representatives from
15 across the United States, including from California's 52 congressional districts. The NRCC works
16 to accomplish its mission in California by, among other things, providing direct and indirect
17 financial contributions and support to candidates and other Republican Party organizations;
18 providing technical and research assistance to Republican candidates and party organizations;
19 engaging in voter registration, voter education, and voter turnout programs; and other Republican
20 party-building activities. The NRCC has made significant contributions and expenditures in
21 support of Republican House candidates in California in many past election cycles and is doing so
22 again in 2024. The NRCC has a substantial and particularized interest in ensuring that California
23 carries out free and fair elections.

24 The California Republican Party is a recognized political party under California Elections
25 Code section 7250 et seq. Its general purpose is to promote and assist Republican candidates who
26 seek election or appointment to partisan federal, state, or local office in California. It works to
27 accomplish this purpose by, among other things, devoting substantial resources towards
28 educating, mobilizing, assisting, and turning out voters in California. The California Republican

1 Party has made significant contributions and expenditures to support Republican candidates in
2 California for many election cycles and is doing so again in 2024. It has a substantial interest in
3 ensuring that California runs free and fair elections according to California law as enacted and
4 enforced by the people of California's representatives.

5 The Republican National Committee is the Republican Party's national committee. (52
6 U.S.C. § 30101(14).) It manages the Republican Party's business at the national level. This
7 includes developing and promoting the Party's national platform and fundraising and election
8 strategies; supporting Republican candidates at all levels across the country, including in
9 California; and assisting state parties throughout the country(including those in California) to
10 educate, mobilize, assist, and turn out voters. Like the California Republican Party, the
11 Republican National Committee has made significant contributions and expenditures in support
12 of Republican candidates in California, both in the past and in 2024. The Republican National
13 Committee similarly has a substantial interest in ensuring that California runs free and fair
14 elections according to California law.

15 This application is timely. Applicants were never served nor otherwise given notice of this
16 election-related lawsuit. As soon as Applicants became aware of this suit, Applicants worked
17 diligently to authorize this application and to retain counsel to represent them and file this
18 application. Applicants have endeavored to file this application early in the case. To date, no
19 other filings have been submitted to the Court in this case.

20 Applicants will not expand any issues in this litigation. Applicants seek to intervene as
21 Real Parties in Interest solely to establish their rights as parties to this litigation so that they may
22 participate fully in this matter to protect their interests, the interests of their members, and the
23 interests of California voters.

24 Ex parte relief is proper here, as Applicants believe this case will be heard on an expedited
25 timeline. A noticed motion may not be resolved until after the merits of the case are presented to
26 the Court and/or the Court enters judgment.

27 As detailed in the attached Declaration of Brian T. Hildreth Regarding Notice, Plaintiffs-
28 Petitioners have been notified that this application would be presented to this Court on an ex parte

1 basis at this date and time. Defendant-Respondent was also provided notice. All named parties in
2 this case were served copies of Applicants' papers in support of this application prior to 10:00
3 a.m. on Tuesday July 16, 2024.

4 This application is based upon the attached Memorandum of Points and Authorities; the
5 accompanying Declaration of Brian T. Hildreth; the proposed Answer in Intervention; and such
6 other documents, arguments, and evidence as may subsequently be presented in connection with
7 this application that the Court may deem proper for consideration.

8 Dated: July 16, 2024.

BELL, McANDREWS, & HILTACHK, LLP

9

10

By: 

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BRIAN T. HILDRETH

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Attorney for Proposed Intervenors,
*National Republican Congressional Committee, California
Republican Party, and Republican National Committee*

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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 **I. Introduction.**

3 The National Republican Congressional Committee, the California Republican Party, and
4 the Republican National Committee (“Proposed Intervenors” or “Republican Committees”)
5 respectfully apply to intervene to defend California’s vote-by-mail ballot verification framework

6 Plaintiffs-Petitioners seek a declaration that a key piece of California’s election integrity
7 framework – the requirement that a voter’s signature on a vote-by-mail (“VBM”) ballot envelope
8 match the signature on the voter’s registration – is unconstitutional. They ask this Court to issue a
9 writ of mandate blocking the Secretary of State from enforcing the statute (Elections Code section
10 3019).

11 The Court should grant the Republican Committees’ timely application to intervene,
12 whether as a matter of right or discretion, so that the voices of those who would be impacted by
13 the relief sought by Plaintiffs-Petitioners can be heard.

14 Proposed Intervenors seek to protect their interests in preventing changes to the
15 “competitive environment” of elections. (*Shays v. FEC* (D.C. Cir. 2005) 414 F.3d 76, 85.) As
16 many courts have recognized, Proposed Intervenors (as political party organizations) have a
17 substantial and particularized interest in defending actions like this one to preserve the electoral
18 environment and to ensure that California carries out free, fair, and trusted elections. Proposed
19 Intervenors also seek to protect their members’ votes against dilution from the counting of invalid
20 ballots in contravention of the challenged Elections Code provision’s requirements, and seek
21 certainty regarding their members’ rights and obligations if they choose to exercise their statutory
22 right to vote by mail ballot.

23 Courts routinely permit political parties to intervene in cases that may impact upcoming
24 elections. The result here should be the same. No other party in this matter will be prejudiced by
25 allowing the requested intervention.

1 **II. Background.**

2 **The Republican Committees.** The National Republican Congressional Committee, the
3 California Republican Party, and the Republican National Committee are political committees
4 that support Republican voters and candidates in California.

5 The National Republican Congressional Committee (NRCC) is the national congressional
6 committee of the Republican Party as defined by 52 U.S.C. § 30101(14). The NRCC’s mission is
7 to elect Republican candidates to the U.S. House of Representatives across the United States,
8 including from California’s 52 congressional districts. The NRCC works to accomplish its
9 mission in California by, among other things, providing direct and indirect financial contributions
10 and support to candidates and other Republican Party organizations; providing technical and
11 research assistance to Republican candidates and party organizations; engaging in voter
12 registration, voter education, and voter turnout programs; and other Republican party-building
13 activities. The NRCC has made significant contributions and expenditures in support of
14 Republican House candidates in California in many past election cycles and is doing so again in
15 2024. The NRCC has a substantial and particularized interest in ensuring that California carries
16 out free and fair elections.

17 The California Republican Party (CRP) is a recognized political party under California
18 Elections Code section 7250 et seq. Its general purpose is to promote and assist Republican
19 candidates who seek election or appointment to partisan federal, state, or local office in
20 California. The CRP works to accomplish this purpose by, among other things, devoting
21 substantial resources towards educating, mobilizing, assisting, and turning out voters in
22 California. The California Republican Party has made significant contributions and expenditures
23 to support Republican candidates in California for many election cycles and is doing so again in
24 2024. It has a substantial interest in ensuring that California runs free and fair elections according
25 to California law as enacted and enforced by the people of California's representatives.

26 The Republican National Committee (RNC) is the Republican Party’s national
27 committee. (52 U.S.C. § 30101(14).) The RNC manages the Republican Party’s efforts at the
28 national level. This includes developing and promoting the Party’s national platform, fundraising,

1 and implementing election strategies. The RNC supports Republican candidates at all levels
2 across the country, including in California, and assists state parties throughout the country
3 (including those in California) to educate, mobilize, assist, and turn out voters. Like the California
4 Republican Party, the Republican National Committee has made significant contributions and
5 expenditures in support of Republican candidates in California, both in the past and in 2024. The
6 Republican National Committee similarly has a substantial interest in ensuring that California
7 runs free and fair elections according to California law.

8 **Procedural Background.** This case is in its infancy. Plaintiffs-Petitioners filed their
9 lawsuit naming the California Secretary of State on June 26, 2024. Defendant-Respondent
10 Secretary of State has not answered the complaint as of the filing of this application. No
11 substantive motions have been filed, and discovery has not yet begun. It is anticipated that
12 Plaintiffs-Petitioners will seek to expedite their challenge to California’s signature verification
13 law ahead of the November 5, 2024 election. The Republican Committees seek to intervene at
14 this early stage to protect their interests and to avoid any prejudice or delay to the parties and the
15 Court's resolution of this case.

16 **III. Argument.**

17 **A. The Republican Committees Have A Right To Intervene Under CCP § 387.**

18 The Republican Committees should be granted intervention in this action to obtain status
19 as Real Parties in Interest. Code of Civil Procedure section 387, subdivision (d)(1), provides, in
20 relevant part, that “[t]he court shall, upon timely application, permit a nonparty to intervene in the
21 action or proceeding if . . . [t]he person seeking intervention claims an interest relating to the
22 property or transaction that is the subject of the action and that person is so situated that the
23 disposition of the action may impair or impede that person’s ability to protect that interest, unless
24 that person’s interest is adequately represented by one or more of the existing parties.” (Code Civ.
25 Proc., § 387(d)(1)(B).)

26 **Permissive Intervention:** Alternatively, subdivision (d)(2) of section 387 provides that
27 “[t]he court may, upon timely application, permit a nonparty to intervene in the action or
28 proceeding if the person has an interest in the matter in litigation, or in the success of either of the

1 parties, or an interest against both.” (*Id.*, § 387(d)(2).) Permissive intervention should be allowed
2 liberally: “(1) where the proposed intervenor has a direct interest; (2) intervention will not enlarge
3 the issues in the litigation, and (3) the reasons for the intervention outweigh any opposition by the
4 present parties.” (*Lindelli v. Town of San Anselmo* (2006) 139 Cal. App. 4th 1499, 1504
5 [Involving Elections Code litigation where court held intervention is allowed liberally to
6 “promote fairness by involving all parties potentially affected by a judgment”].) The inquiry
7 whether the existing litigants will adequately represent the interveners’ interests is neither
8 required nor relevant. “The purpose of allowing intervention is to protect others potentially
9 affected by a judgment, thus obviating delay and multiplicity of suits.” (*Catello v. I.T.T. General*
10 *Controls* (1984) 152 Cal. App. 3d 1009, 1013.)

11 In sum, “section 387 should be liberally construed in favor of intervention.” (*Simpson*
12 *Redwood Co. v. State of California* (1987) 196 Cal.App.3d 1192, 1200 (“*Simpson Redwood*”);
13 *Fireman’s Fund Ins. Co. v. Gerlach* (1976) 56 Cal.App.3d 299, 302.) The purpose of intervention
14 is “to promote fairness by involving all parties potentially affected by a judgment.” (*Simpson*
15 *Redwood, supra*, at 1199.) Because Proposed Intervenors meet the requirements for either
16 mandatory or permissive intervention, the Court should grant their request to intervene.

17 **B. The Republican Committees Have a Substantial Legal Interest in the Case.**

18 The Republican Committees have a substantial legal interest in this case. In California,
19 each of the state’s 22 million voters receive a vote-by-mail ballot, which must be signed by the
20 voter and timely returned to the local elections official in order to be counted. Plaintiffs-
21 Petitioners have brought an election year challenge asking the Court to suspend existing statutes,
22 directives, and rules regarding VBM voter verification and signature-matching. The Republican
23 Committees have a substantial interest in preventing irresponsible changes to the electoral
24 “competitive environment.” (*Shays v. FEC, supra*, 414 F.3d at 85 [“illegal structuring of a
25 competitive environment injures those who are regulated in that environment”].)

26 Since their candidates seek election or reelection “in contests governed by the challenged
27 rules,” the Republican Committees have an interest in “demand[ing] adherence” to ballot
28 safeguard provisions. (*Shays v. FEC, supra*, 414 F.3d at 88.) If Plaintiffs-Petitioners are

1 successful in removing vote-by-mail ballot safeguards, it could allow a substantial number of
2 illegal ballots to be cast *and counted*, “potentially changing the results of elections,” and thereby
3 impacting the Republican Committees, their candidates, and their voters. (*Priorities USA v.*
4 *Benson* (E.D. Mich. Mar. 24, 2020) 448 F.Supp.3d 755, 764.) For this reason, courts routinely
5 allow political parties to intervene in litigation where candidates’ interests, voters’ interests and
6 election integrity are at stake. (See, e.g., *Issa v. Newsom* (E.D. Cal. June 10, 2020) No. 20-cv-
7 1044, 2020 WL 3074351, at *4 [In vote-by-mail ballots case, Democratic Party of California and
8 DCCC granted intervention as matter of right]; *Ohio Democratic Party v. Blackwell* (S.D. Ohio
9 Aug. 26, 2005) No. 2:04-cv-1055, 2005 WL 8162665, at *2 [There is “no dispute that the Ohio
10 Republican Party ha[s] an interest in the subject matter of this case, given the fact that changes in
11 voting procedures could affect candidates running as Republicans and voters who were members
12 of the Ohio Republican Party”]; *Citizens United v. Gessler* (D. Colo. Sept. 15, 2014) No. 14-cv-
13 2266, 2014 WL 4549001, at *2 [“No one disputes that the [State Democratic Party] meets the
14 impaired-interest requirement for intervention as of right”]; *N.C. State Conf. of the NAACP v.*
15 *McCrary* (M.D.N.C. 2014) 997 F.Supp.2d 322, 342 [Political parties “have a direct,
16 particularized interest in the outcome of an election”]; *Paher v. Cegavske* (D. Nev. Apr. 28, 2020)
17 No. 3:20-cv-00243-MMD-WGC, 2020 WL 2042365, at *2 [“Proposed Intervenors [Nevada State
18 Democratic Party, Democratic National Committee, DCCC] argue that Plaintiffs’ success on their
19 claims would disrupt the organizational intervenors’ efforts to promote the franchise and ensure
20 the election of Democratic Party candidates....Proposed Intervenors have sufficiently shown that
21 they maintain significant protectable interests which would be impaired by Plaintiffs’ challenge to
22 the Plan’s all-mail election provisions”].)¹

23 In *Issa v. Newsom*, a challenge was brought to California’s vote-by-mail ballot provisions
24 in California’s Eastern District Court. The plaintiffs in that case filed their complaints on May 21
25 and 24, 2020, respectively. (*Issa v. Newsom, supra*, at *6.) Proposed intervenors, the Democratic
26

27 ¹ In applying Section 387, the Court may look to Rule 24 of the Federal Rules of Civil Procedure,
28 “Intervention,” and federal cases applying that Rule. (See, e.g., *Ziani Homeowners Ass’n v.*
Brookfield Ziani LLC (2015) 243 Cal. App. 4th 274, 281 [“[S]ection 387 should be given the
same meaning, force, and effect as has been given to rule 24 by the federal courts”].)

1 Party of California and the Democratic Campaign Congressional Committee, filed their
2 application to intervene on June 3, 2020. (*Id.*) After a hearing on the intervention question, the
3 court granted the application to intervene because the intervenor political parties maintained
4 “significant protectable interests” in the outcome of the case:

5 The Proposed Intervenors cite three protectable interests as the
6 basis for their intervention [including] advancing their overall
7 electoral prospects. [S]uch interests are routinely found to
8 constitute significant protectable interests.

8 (*Issa v. Newsom, supra*, at *7-8. [“the Court concludes that significant protectable
9 interests have been demonstrated”].)

10 Here, there can be no question that the Republican Committees have a substantial interest
11 in the outcome of this case, including protecting the electoral interests of Republican candidates
12 in California, and protecting the voters from vote dilution resulting from the casting of illegal
13 ballots. Intervention should therefore be granted so that Proposed Intervenors may be afforded the
14 right to protect their interests and the interests of their candidates and voters.

15 **C. Applicants’ Interests Are Not Adequately Represented By The Existing Parties.**

16 Intervenor Applicants satisfy the other prerequisite for intervention as a matter of right
17 because none of the other parties to this action will necessarily adequately protect their unique
18 interests. To satisfy this standard, Proposed Intervenors need not show that the existing parties
19 “would intentionally thwart” their interests. (*Hodge v. Kirkpatrick Development, Inc.* (2005) 130
20 Cal.App.4th 540, 555.) Rather, it is sufficient that the existing parties’ interests might in some
21 manner *diverge* from those of Applicants. If, for example, the existing parties might have an
22 incentive to pursue results or legal strategies that Applicants would not pursue, or the Applicants
23 have a different position on some issue that could be material to the resolution of the litigation,
24 intervention is the only way to assure that its interest is adequately protected. (See, e.g., *Simpson*
25 *Redwood, supra*, 196 Cal.App.3d at 1203.)

26 Here, the interests of the Plaintiffs-Petitioners are obviously adverse to the Applicants’
27 interests, but even the Secretary of State’s interests are not completely congruent with those of
28 Applicants. Courts across the country have “often concluded that governmental entities do not

1 adequately represent the interests of aspiring intervenors.” (*Fund For Animals, Inc. v. Norton*
2 (D.C. Cir. 2003) 322 F.3d 728, 736.) That is true here. The generalized law-enforcement interests
3 of Defendant-Respondent Secretary of State Weber are distinct from the Proposed Intervenors’
4 private interests. The Secretary of State has no interest in, for example, the outcome of particular
5 elections. The SOS also must consider a broad spectrum of views, many of which may conflict
6 with the Proposed Intervenors’ specific and targeted interests. These may include the “expense of
7 defending” the current laws (*Clark v. Putnam Cnty.* (11th Cir. 1999) 168 F.3d 458, 461-62); the
8 “social and political divisiveness of the election issue” (*Meek v. Metropolitan Dade Cnty.* (11th
9 Cir. 1993) 985 F.2d 1471, 1478); and the interests of opposing parties (*In re Sierra Club* (4th Cir.
10 1991) 945 F.2d 776, 779-80). These broader interests may affect the way the Secretary of State
11 goes about defending the case. (See, e.g., *La Union del Pueblo Entero v. Abbott* (5th Cir. 2022)
12 29 F.4th 299, 308 [granting intervention because “the Committees’ private interests are different
13 in kind from the public interests of the State or its officials,” which might lead to differences in
14 litigation strategy]; see also *Building Industry Assn. v. City of Camarillo* (1986) 41 Cal.3d 810,
15 822 [initiative proponents entitled to intervention even when public officials are defending a case
16 in good faith. “To fail to do so may well be an abuse of discretion. Permitting intervention by the
17 initiative proponents under these circumstances would serve to guard the people’s right to
18 exercise initiative power, a right that must be jealously defended by the courts.”].) The same
19 rationale applies here, where Applicants’ primary objective is to safeguard the vote and the vote-
20 by-mail ballot process, which protects voters and the candidates for whom they cast their ballots.
21 For all of these reasons, it is imperative that Applicants be present with the status of a full party in
22 order to protect their own interests and those of the candidates and voters they represent.

23 **D. Applicants’ Application To Intervene Is Timely.**

24 Code of Civil Procedure section 387 does not require that intervention be sought at any
25 particular time in a proceeding, only that the request to intervene be “timely.” “Thus intervention
26 is possible, if otherwise appropriate, at any time, even after judgment.” (*Mallick v. Superior Court*
27 (1979) 89 Cal.App.3d 434, 437.) The most important factor in determining the timeliness of an
28 intervention motion is whether granting intervention would prejudice the existing parties. (See

1 generally *United States v. State of Oregon* (9th Cir. 1984) 745 F.2d 550, 552, citing 7A C. Wright
2 & A. Miller, *Federal Practice and Procedure* (1972), § 1916, p. 575.)

3 Proposed Intervenors' application to intervene could scarcely be timelier. This case has
4 just begun. Plaintiffs filed their complaint less than one month ago on June 26, 2024. Defendant-
5 Respondent Secretary of State has yet to submit an answer and no discovery has been conducted.
6 In short, nothing has happened in this case yet, so no party is prejudiced by the timing of
7 intervention at this early stage of the litigation.

8 **E. Applicants' Intervention Will Not Broaden The Legal Issues In This Litigation.**

9 Granting intervention will not broaden the existing legal issues in this litigation.
10 Applicants intend to address the legal and factual issues raised by the Complaint and will abide
11 by any schedule the Court sets in this case.

12 **F. Ex Parte Relief Is Proper.**

13 An intervention application may be made "by noticed motion or ex parte application."
14 (*Id.*, § 387(c) ["A nonparty shall petition the court for leave to intervene by noticed motion or ex
15 parte application."].) In light of the Plaintiffs'-Petitioners' complaint, and the fact it seeks to
16 overturn longstanding rules governing verification of vote-by-mail ballots at an impending
17 election, Applicants run the risk of not having their request to intervene resolved before the Court
18 hears substantive issues in the case were they to pursue a regularly noticed motion to intervene.
19 Under these circumstances, it is proper and appropriate for the Court to grant Applicants' request
20 to intervene by an ex parte order.

21 **IV. Conclusion.**

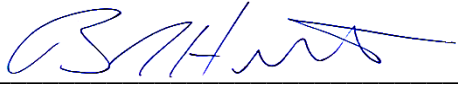
22 Applicants have fully complied with all procedural requirements of Code of Civil
23 Procedure section 387. The Republican Committees are the types of entities that courts have
24 historically and repeatedly found to have a clear interest in litigation relating to attacks on vote-
25 by-mail statutes and procedures. Applicants deserve to be parties in litigation challenging the
26 constitutionality of the Elections Code's vote-by-mail verification statute. The request to
27 intervene is timely and will not broaden the legal scope of this litigation. Accordingly, Applicants
28 should be allowed to intervene in the present action so that they can represent their interests in

1 this matter.

2 Date: July 16, 2024

Respectfully submitted,

3 BELL, McANDREWS & HILTACHK, LLP

4
5 BY: 

6 BRIAN T. HILDRETH
7 KATHERINE C. JENKINS

8 *Attorneys for Proposed Intervenors*
9 National Republican Congressional Committee,
10 California Republican Party, and Republican
11 National Committee

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1 **DECLARATION OF BRIAN T. HILDRETH**

2 I, Brian T. Hildreth, declare:

3 1. I am counsel for Proposed Intervenors National Republican Congressional Committee,
4 California Republican Party, and Republican National Committee. I am a member of the
5 California State Bar and am admitted to practice before this California Court. I make this
6 declaration of my personal knowledge of the facts stated herein and could and would competently
7 testify to them if called to do so.

8 2. On July 16, 2024 at approximately 8:20 a.m., I provided notice by email of Proposed
9 Intervenors’ Ex Parte Application to counsel for Plaintiffs-Petitioners. My email was transmitted
10 to Omar Qureshi (omar@qureshi.law), Max Schoening (max@qureshi.law); Aria C. Branch
11 (abrand@elias.law), William K. Hancock (whancock@elias.law), and Renata O’Donnell
12 (rodonnell@elias.law), and advised counsel that on Wednesday, July 17, 2024 at 8:30 a.m. in
13 Department 86 of the Los Angeles County Superior Court located at 111 North Hill Street, Los
14 Angeles, CA 90012, Proposed Intervenors National Republican Congressional Committee,
15 California Republican Party, and Republican National Committee would appear and apply ex
16 parte seeking leave to intervene as Real Parties in Interest in this case. I further requested counsel
17 for Plaintiffs-Petitioners respond to my notice and advise me as to whether he planned to appear
18 and/or oppose Proposed Intervenors’ Ex Parte Application. (A true and correct copy of the ex
19 parte notice is attached hereto as **Exhibit A**.) On July 16, 2024 at approximately 8:50 a.m.,
20 counsel for Plaintiffs-Petitioners responded to my notice and stated they would appear and oppose
21 this Ex Parte Application.

22 3. On July 16, 2024 at approximately 8:20 a.m., I provided notice by email of Proposed
23 Intervenors’ Ex Parte Application to counsel for Defendant-Respondent California Secretary of
24 State Shirley Weber, Ph.D. My email was transmitted to Deputy California Attorney General Seth
25 Goldstein (Seth.Goldstein@doj.ca.gov) and advised that on Wednesday, July 17, 2024 at 8:30
26 a.m. in Department 86 of the Los Angeles County Superior Court located at 111 North Hill Street,
27 Los Angeles, CA 90012, Proposed Intervenors National Republican Congressional Committee,
28

1 California Republican Party, and Republican National Committee would appear and apply ex
2 parte seeking leave to intervene as Real Parties in Interest in this case. (A true and correct copy of
3 the ex parte notice is attached hereto as **Exhibit B.**) I was informed by Mr. Goldstein that
4 Secretary of State Weber would take no position on Proposed Intervenors' Ex Parte Application.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed this 16th
6 day of July, 2024, at Sacramento, California.

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BRIAN T. HILDRETH

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1 **PROOF OF SERVICE**

- 2 1. I, the undersigned, declare under penalty of perjury that:
- 3 2. I am a citizen of the United States, over the age of 18, and not a party to the within
- 4 cause of action. My electronic mail address is kmerina@bmhlaw.com

5 On July 16, 2024, I served the foregoing document entitled:

6 **EX PARTE APPLICATION OF NATIONAL REPUBLICAN CONGRESSIONAL**

7 **COMMITTEE, CALIFORNIA REPUBLICAN PARTY, REPUBLICAN NATIONAL**

8 **COMMITTEE FOR LEAVE TO INTERVENE; MEMORANDUM OF POINTS AND**

9 **AUTHORITIES; DECLARATION OF BRIAN T. HILDRETH**

10 on each person named below by attaching a true copy as a PDF addressed as shown in Item 3 and

11 by transmitting by email to the offices of the addressees following ordinary business practices

12 during ordinary business hours, pursuant to an agreement among the parties to accept electronic

13 service.

- 14 3. Name and address of each person served:

15 Omar Qureshi

16 Qureshi Law PC

17 omar@qureshi.law

18 Aria Branch

19 Elias Law Group

20 abbranch@elias.law

21 *Attorneys for Plaintiff and Petitioners*

22 Seth Goldstein

23 seth.goldstein@doj.ca.gov

24 *Attorney for Defendant and Respondent*

25 I declare under penalty of perjury under the laws of the State of California that the

26 foregoing is true and correct. Executed on July 16, 2024, at Sacramento, California.

27 

28 Kiersten Merina

RETRIEVED FROM DEMOCRACYDOCKET.COM

Brian T. Hildreth

From: Brian T. Hildreth
Sent: Tuesday, July 16, 2024 8:21 AM
To: omar@qureshi.law; max@qureshi.law; abranh@elias.law; whancock@elias.law; rodonnell@elias.law
Cc: KC Jenkins
Subject: Ex Parte Notice: California Alliance for Retired Americans, et al. v. Weber

Dear Counsel:

This email provides notice of an *ex parte* hearing regarding Proposed Intervenors' National Republican Congressional Committee, California Republican Party, and Republican National Committee application for an order granting them leave to intervene in this matter as Real Parties In Interest. The *ex parte* application will be heard Wednesday, July 17, 2024 at 8:30 a.m. in Department 86 of the Los Angeles County Superior Court located at 111 North Hill Street, Los Angeles, CA 90012. The Court's Department 86 Rules advise that "Court Connect appearances are permitted for all matters, including...an *ex parte* application." Our clients seek to intervene in this matter pursuant to Code of Civil Procedure section 387, in support of their direct interests as duly organized nonprofit organizations primarily formed to support candidates, including candidates running in California, at the November 5, 2024 election, and voters who will cast vote-by-mail ballots subject to Elections Code section 3019, which Plaintiffs-Petitioners seek to overturn. We will provide you with copies of our *ex parte* papers once they are filed with the Court shortly. Please confirm whether you will appear at the *ex parte* hearing and whether you will oppose the application, as we are required to inform the Court. Thank you.

-Brian

Brian T. Hildreth
Partner
BELL, MCANDREWS
& HILTACHK, LLP

455 Capitol Mall, Suite 600
Sacramento, CA 95814
P (916) 442-7757
F (916) 442-7759
E bhildreth@bmlaw.com
Follow us on [Twitter](#)

This communication is confidential and may be legally privileged.

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To: Seth Goldstein
Cc: KC Jenkins
Subject: Ex Parte Notice: California Alliance for Retired Americans, et al. v. Weber

Mr. Goldstein:

Thank you for the courtesy of your email yesterday. This email provides formal notice of an *ex parte* hearing regarding Proposed Intervenor's National Republican Congressional Committee, California Republican Party, and Republican National Committee application for an order granting them leave to intervene in this matter as Real Parties In Interest. The *ex parte* application will be heard Wednesday, July 17, 2024 at 8:30 a.m. in Department 86 of the Los Angeles County Superior Court located at 111 North Hill Street, Los Angeles, CA 90012. The Court's Department 86 Rules advise that "Court Connect appearances are permitted for all matters, including...an *ex parte* application." Our clients seek to intervene in this matter pursuant to Code of Civil Procedure section 387, in support of their direct interests as duly organized nonprofit organizations primarily formed to support candidates, including candidates running in California, at the November 5, 2024 election, and voters who will cast vote-by-mail ballots subject to Elections Code section 3019, which Plaintiffs-Petitioners seek to overturn. We will provide you with copies of our *ex parte* papers once they are filed with the Court shortly. Per your email, we will inform the Court that Secretary of State Weber takes no position on the intervention application of Proposed Intervenor's. Thank you.

-Brian

Brian T. Hildreth
Partner
BELL, MCANDREWS
& HILTACHK, LLP

455 Capitol Mall, Suite 600
Sacramento, CA 95814
P (916) 442-7757
F (916) 442-7759
E bhildreth@bmhlaw.com
Follow us on [Twitter](#)

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