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**Admitted Pro Hac Vice*

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

1789 Foundation Inc., d/b/a Citizen AG, and Lindsey Graham, Plaintiffs, v. Adrian Fontes, in his official capacity as Secretary of State, Defendant.	No. 24-CV-02987-SPL **REPLY IN SUPPORT OF MOTION TO INTERVENE AS DEFENDANTS OF ONE ARIZONA AND THE ARIZONA ALLIANCE OF RETIRED AMERICANS**

INTRODUCTION

No party disputes that the motion to intervene filed by One Arizona and the Arizona Alliance for Retired Americans (the "Alliance") (together, "Proposed Intervenors") was timely, and Proposed Intervenors satisfy each of the other requirements for intervention as of right under Federal Rule of Civil Procedure 24(a). The motion should be granted.

Proposed Intervenors have two significant protectable interests threatened by Plaintiffs' attempt to force election officials to purge up to 1.2 million voters from Arizona's voter registration rolls. First, Proposed Intervenors have an interest in protecting the right to vote of their over half a million members and constituents. Second, they have an interest in preserving the allocation of their mission-critical resources. The pre-existing parties do not adequately represent either interest. Plaintiffs seek relief that would harm Proposed Intervenors, and Defendant Secretary of State Adrian Fontes has dueling statutory duties under the National Voter Registration Act ("NVRA") that preclude him from fully representing Proposed Intervenors' parochial, private interests. These conclusions are amply supported by caselaw laid out in Proposed Intervenors' brief. *See* Mot. to Intervene as Defs. of One Ariz. and the Ariz. All. of Retired Americans, ECF No. 19 ("Mot."). But Plaintiffs' response fails to address any of those on-point cases, instead relying on irrelevant and antiquated precedent. In doing so, it only serves to underscore that Proposed Intervenors have satisfied each of the elements for intervention as of right under Rule 24(a).

In the alternative, the Court should grant Proposed Intervenors permissive intervention under Rule 24(b) because their full participation in this case—as the only parties rising to the unequivocal defense of Arizona voters at risk of erroneous removal from the registration rolls—would ensure fair and efficient adjudication of this matter. Their intervention would not introduce any undue delay or prejudice to the parties. Proposed Intervenors' have consistently cooperated with the parties' various extension requests and commit to following any schedule set by the Court for the prompt resolution of this matter.

ARGUMENT

I. Proposed Intervenors are entitled to intervene as a matter of right.

A proposed intervenor has a right to intervene under Rule 24(a)(2) when (1) the motion is timely, (2) the movant has a significantly protectable interest in the litigation that (3) may be impaired or impeded, and (4) the existing parties may not adequately represent those interests. *See United States v. Aerojet Gen. Corp.*, 606 F.3d 1142, 1148 (9th Cir. 2010). Plaintiffs do not dispute that Proposed Intervenors' motion was timely. And because Proposed Intervenors also satisfy the remaining elements set forth in Rule 24(a)(2), they are entitled to intervention as of right.

A. The disposition of this case will impair Proposed Intervenors' ability to protect their interests.

Proposed Intervenors satisfy the second and third elements of Rule 24(a)(2) because they have two significant and protectable interests that may be impaired or impeded by the disposition of this case: (1) protecting the voting rights of their members and constituents, and (2) preserving their mission-critical organizational resources. Plaintiffs' contrary arguments ignore the myriad of on-point cases supporting intervention.

1. This action threatens Proposed Intervenors' ability to protect the voting rights of their members and constituents.

Proposed Intervenors have significant, protectable interests in the voting rights of their members and constituents, including ensuring they remain registered to vote. *See generally* Decl. of Natali Fierros Bock, ECF No. 19-1 ("Bock Decl."); Decl. of Dora Vasquez, ECF No. 19-2 ("Vasquez Decl."). Plaintiffs' lawsuit aims to remove up to 1.2 million registrants from Arizona's voter rolls. ECF No. 1, ¶¶ 113–14. Their heavy-handed approach threatens to wrongfully remove any number of One Arizona's over 600,000 constituents and the Alliance's nearly 51,000 members. Indeed, Proposed Intervenors' members and constituents face a *heightened risk of* wrongful removal. *See* Bock Decl. ¶¶ 6, 8–12, ECF No. 19-1; Vazquez Decl. ¶¶ 3, 6–9, ECF No. 19-2.

Numerous courts have recognized that an organization's interest in protecting the voting rights of its members is a significant and protectable interest that may be impaired

when plaintiffs seek relief like that sought here, satisfying the requirements for intervention as of right. *See* Mot. at 11, ECF No. 19 (discussing *Jud. Watch, Inc. v. Ill. State Bd. of Elections*, No. 24 C 1867, 2024 WL 3454706 (N.D. Ill. July 18, 2024), and *Bellitto v. Snipes*, No. 16-cv-61474, 2016 WL 5118568 (S.D. Fla. Sept. 21, 2016)). Proposed Intervenors cited these decisions in their motion to dismiss, but rather than address them, Plaintiffs simply—and baldly—claim that Proposed Intervenors' "interest in protecting their members' right to vote is not at all unique to" them. Pls.' Resp. in Opp'n to Mot. To Intervene at 6, ECF No. 37 ("Opp'n"). Not so.

Proposed Intervenors seek to protect the voting rights of *their* members and constituents from the voter purge sought by Plaintiffs. As other courts have correctly found, this is an interest that distinctly "belong[s] to" them as "the would-be intervenor[s]." *Jud. Watch*, 2024 WL 3454706, at *3; *see also Bellitto*, 2016 WL 5118568, at *2–3. Ultimately, each Proposed Intervenor's interest in the voting rights of its members, which are directly threatened by the purge sought by Plaintiffs, is distinct from the general rights of Arizonans broadly because Proposed Intervenors' missions depend upon *their members*' abilities to vote and participate in the democratic process. Bock Decl. ¶¶ 3–7, ECF No. 19-1; Vasquez Decl. ¶¶ 3–5, ECF No. 19-2.[1]

Plaintiffs' conclusory assertion that "Proposed Intervenors have failed to demonstrate how their . . . associational interests . . . may be impaired" also falls flat. Opp'n at 7, ECF No. 37. Proposed Intervenors provided detailed declarations that demonstrate the serious risk of removal facing their members and constituents as a result of Plaintiffs' efforts to use the courts to purge more voters from the rolls, and the consequent impact of wrongful

[1] Plaintiffs' reliance on *United States v. Arizona*, No. CV 10-1413, 2010 WL 11470582 (D. Ariz. Oct. 28, 2010), and *Miracle v. Hobbs*, 333 F.R.D. 151 (D. Ariz. 2019), is misplaced. First, both focused largely on the inadequacy of representation prong, which, as discussed *infra* Section I.B, is satisfied here. Furthermore, in both cases, the parties moving to intervene sought *only* to defend the constitutionality of a statute. *See Arizona*, 2010 WL 11470582, at *2–3; *Miracle*, 333 F.R.D. at 155. Here, in contrast, Proposed Intervenors seek to intervene to prevent an outcome—specifically, a remedy sought by Plaintiffs—that directly threatens Proposed Intervenors and their members and constituents, including by presenting an intolerable risk of their wrongful removal from the voting rolls.

removal of members on each Proposed Intervenor organization. *See* Bock Decl. ¶¶ 7–12, ECF No. 19-1; Vasquez Decl. ¶¶ 3–9, 13–15, ECF No. 19-2. Instead of disputing this sworn testimony, or addressing the fact that other federal courts have repeatedly and expressly recognized the acute risk of "remov[ing] eligible voters" posed by their "maximum effort at purging voting lists," *Pub. Int. Legal Found. v. Winfrey*, 463 F. Supp. 3d 795, 801 (E.D. Mich. 2020) (quoting *Bellitto*, 935 F.3d at 1198), Plaintiffs rely on irrelevant caselaw. *See* Opp'n at 7–8, ECF No. 37. For instance, *Sierra Club v. Morton*, 405 U.S. 727 (1972), *La Asociacion de Trabajadores de Lake Forest v. City of Lake Forest*, 624 F.3d 1083 (9th Cir. 2010), and *Arizona School Boards Association Inc. v. State of Arizona*, 252 Ariz. 219 (2022)), all turn on what a plaintiff must show to establish Article III standing. But when a movant seeks "to intervene in ongoing litigation between other parties, [it] need only meet the [four Rule 24(a)(2)] criteria." *Yniguez v. State of Ariz.*, 939 F.2d 727, 731 (9th Cir. 1991). Article III standing is only required when an intervenor "*seeks additional relief beyond that which the plaintiff requests*." *Town of Chester, N.Y. v. Laroe Ests., Inc.*, 581 U.S. 433, 439 (2017) (emphasis added). Here, Proposed Intervenors seek to intervene as defendants alongside the Secretary and do not "seek relief that is broader than or different from the relief sought by existing parties." *California Dep't of Toxic Substances Control v. Jim Dobbas, Inc.*, 54 F.4th 1078, 1085 (9th Cir. 2022) (citations omitted). Thus, they need not demonstrate Article III standing to have a right to intervene.

2. This action threatens Proposed Intervenors' ability to use their resources to focus on their civic engagement missions.

Proposed Intervenors also have an interest in preserving the allocation of their organizational resources. If the Court grants Plaintiffs' requested relief, Proposed Intervenors would be forced to divert resources at the expense of their existing activities, impairing this significant interest. For example, Proposed Intervenors would have to divert resources to educating voters about the impeding purges and to ensuring voters remain registered and are able to re-register if removed, all at the expense of existing investments

in ongoing civic engagement activities. Bock Decl. ¶ 14, ECF No. 19-1; Vasquez Decl. ¶¶ 10–15, ECF No. 19-2.

Plaintiffs contend that each organization's interest is merely an "economic expectancy [that] is not a legally protected interest for purposes of intervention." Opp'n at 5, ECF No. 37 (quoting *Ranchers Cattlemen Action Legal Fund United Stockgrowers of Am. v. U.S. Dep't of Agric.*, 143 F. App'x 751, 753 (9th Cir. 2005)). But that misses the point. In *Ranchers*, the Ninth Circuit concluded that bare allegations that the National Meat Association suffered harm because a USDA rule effectively "reopen[ed] the U.S. border to certain categories of Canadian cattle and beef," constituted a "pure economic expectancy" that is not "legally protected in any manner." 143 F. App'x at 753–54. But when courts have held that expected economic interests do not suffice, they have done so not because they are "economic"—a well-established type of injury that generally suffices to satisfy even Article III's more demanding standards, *see TransUnion LLC v. Ramirez*, 594 U.S. 413, 417 (2021); *Yniguez*, 939 F.2d at 735—but because they are too indirect and therefore speculative. *See, e.g.*, *United States v. Alisal Water Corp.*, 370 F.3d 915, 920–21 (9th Cir. 2004) (rejecting purported interest in "prospective collectability of [a] debt . . . not sufficiently related to" the pending action); *S. California Edison Co. v. Lynch*, 307 F.3d 794, 803 (9th Cir.) (rejecting purported interest in "contingent, unsecured claim against a third-party debtor" which "[t]he pending litigation would not resolve"), *modified*, 307 F.3d 943 (9th Cir. 2002); *Mt. Hawley Ins. Co. v. Sandy Lake Properties, Inc.*, 425 F.3d 1308, 1311 (11th Cir. 2005) (rejecting purported interest that was "purely speculative" and "contingent upon [movant] prevailing . . . in the wrongful death action"). Plaintiffs also misunderstand the holding of *Dilks v. Aloha Airlines*, 642 F.2d 1155 (9th Cir. 1981), which affirmed a denial of intervention not because of the sufficiency of its asserted interests, but because the movant "failed to establish that its interests are unlikely to be fully represented." *Id.* at 1157. In fact, *Dilks* confirms that a movant with a "direct, non-contingent, substantial and legal protectable" interest may satisfy the requirements for intervention as of right. *Id.*

Proposed Intervenors' organizational interest here easily meets these requirements. Plaintiffs' requested relief directly threatens the organizations' ability to preserve the allocation of their mission-critical resources and would require each organization to shift resources to address and mitigate its impact, at the expense of their existing activities. *See* Bock Decl. ¶ 14, ECF No. 19-1; Vasquez Decl. ¶¶ 10–15, ECF No. 19-2. Numerous federal courts have concluded that interests like this satisfy Rule 24(a)(2). *See, e.g.*, *Jud. Watch*, 2024 WL 3454706, at *3 (labor unions had "organizational interest in avoiding adverse reallocation of resources to protect the voting rights of their members"); *Issa v. Newsom*, No. 2:20-CV-01044, 2020 WL 3074351, at *3 (E.D. Cal. June 10, 2020) (organizations had significant protectable interest in "diverting their limited resources to educate their members on the election procedures"); *Paher v. Cegavske*, No. 3:20-CV-00243-MMD-WGC, 2020 WL 2042365, at *2 (D. Nev. Apr. 28, 2020) (finding "significant protectable interest" in "organizational intervenors' efforts to promote the franchise"). Although Proposed Intervenors laid out all of this authority in their brief, Mot. at 13, ECF No. 19, Plaintiffs address none of it, and thus fail to provide any reason for this Court to hold any differently.

B. Proposed Intervenors' interests are not adequately represented.

Proposed Intervenors also satisfy the fourth element for intervention as of right because the Secretary of State does not, and cannot, adequately represent their significant interests in the outcome of this litigation. *See supra* Section I.A. As the Supreme Court has long recognized, where the interests of Proposed Intervenors and existing parties are not "identical," the burden for satisfying this element "should be treated as minimal." *Berger v. N. Carolina State Conf. of the NAACP*, 597 U.S. 179, 195–97 (2022) (discussing *Trbovich v. United Mine Workers of Am.*, 404 U.S. 528, 537–38 (1972)).

Plaintiffs correctly concede that "[t]he most important factor in determining the adequacy of representation is how *the interest[s] compare[]* with the interests of existing parties." Opp'n at 8, ECF No. 37 (emphasis added) (quoting *Arakaki v. Cayetano*, 324 F.3d 1078, 1085 (9th Cir. 2003)). But they quickly get off-track by suggesting that it is a comparison of "ultimate objective[s]" that matters. *Id.* at 8–9, ECF No. 37. This argument

conflicts with the plain text of Rule 24(a), which asks whether "existing parties adequately represent *that* interest" identified by a proposed intervenor, not whether the movant's ultimate litigation goal is aligned with that of existing parties. Fed. R. Civ. P. 24(a)(2) (emphasis added). Moreover, the Supreme Court's recent decision in *Berger* "calls into question whether the application of such a[n] ['ultimate objective'] presumption is appropriate." *Callahan v. Brookdale Senior Living Cmtys., Inc.*, 42 F.4th 1013, 1021 n.5 (9th Cir. 2022) (declining to apply "ultimate objective" test because interests in that case were identical, and "offer[ing] no opinion as to whether [that test] remains good law in light of *Berger*").

More to the point, *Berger* explained that it is not appropriate to "presum[e] . . . adequate representation" by a public official, absent "identical" interests between the parties, because public officials must "bear in mind broader public-policy implications" than private entities. 597 U.S. at 196 (citing *Trbovich*, 404 U.S. at 538–39). Even where "state agents may pursue 'related'" interests, then, "they cannot be fairly presumed to bear 'identical' ones." *Id.* at 197 (citing *Trbovich*, 404 U.S. at 538). That is precisely the situation here: The NVRA requires Secretary Fontes to effectuate the "balance" sought by Congress in enacting the NVRA: "easing barriers to registration and voting, while at the same time protecting electoral integrity and the maintenance of accurate voter rolls." *Bellitto v. Snipes*, 935 F.3d 1192, 1198 (11th Cir. 2019). And "[t]hese twin objectives . . . naturally create some tension," *id.*, and require the conclusion that the existing parties' interests are far from identical to Proposed Intervenors' distinct interests in protecting their members' right to vote and preserving their mission-critical organizational resources, *see supra* Section I.A. *See, e.g.*, *Jud. Watch*, 2024 WL 3454706, at *5 (recognizing "daylight between Proposed Intervenors' interests and those that belong to the State Board," which include "an interest in fulfilling its election obligations as required by the NVRA and Illinois law").

Even before *Berger*, Proposed Intervenors satisfied the Rule 24(a) test as interpreted and applied by the Ninth Circuit, under which parties do not share the same "ultimate objective[]" where one seeks the "broadest possible" reading of a statute—such as Proposed

Intervenors' reading of the NVRA's protections against removal—while an existing party adopts "narrower [views that] suffice to comply with its statutory mandate," as the Secretary must under the NVRA. *Citizens for Balanced Use v. Mont. Wilderness Ass'n*, 647 F.3d 893, 899 (9th Cir. 2011). Such differing views of a statute "represent[] more than a mere difference in litigation strategy . . . but rather demonstrate[] the fundamentally differing points of view . . . on the litigation as a whole." *Id.* (citing *California ex rel. Lockyer v. United States*, 450 F.3d 436, 444–445 (9th Cir. 2006)). Because the Secretary must "balance the[] competing interests" of the NVRA, *Bellitto*, 935 F.3d at 1198, he cannot represent the "parochial interest[]s" of Proposed Intervenors and fully share in their objectives, *Citizens for Balanced Use*, 647 F.3d at 899 (quotation omitted). *See also Kleissler v. U.S. Forest Serv.*, 157 F.3d 964, 972 (3d Cir. 1998) (recognizing when a government-official defendant's "views are necessarily colored by its view of the public welfare rather than the more parochial views of a proposed intervenor whose interest is personal to it, the burden" for establishing inadequate representation "is comparatively light"). Thus, even if the "ultimate objective" test applies and survives *Berger*, Proposed Intervenors satisfy it.

Plaintiffs' assertion that *Yazzie v. Hobbs*, No. CV-20-08222-PCT-GMS, 2020 WL 8181703 (D. Ariz. Sept. 16, 2020), rejected "an identical argument" rests on a misreading of that case. *Yazzie*, an unreported case that predated *Berger*, involved a challenge to Arizona's mail ballot receipt deadline under the U.S. Constitution and the Voting Rights Act of 1965. *See* 2020 WL 8181703, at *1. After finding that the Republican movants shared the same objective in defending the statute's constitutionality and applying a presumption of adequate representation, the court rejected the argument that inadequacy could be shown merely by the presence of divergent views taken by the Secretary on issues that were, at best, tangential to the litigation. *Id.* at *3 (noting that movants complained the Secretary had "speculated on Twitter about whether President Trump conspired to violate an Arizona law," asked for an investigation into "the Trump administration's proposed changes to the U.S. Postal Service," and took a "divergent view of the Voting Rights Act in a separate

case"). With no basis for finding inadequate representation, that court denied intervention. *Id.* at *4.

Here, Proposed Intervenors assert two protectable interests in the outcome of *this litigation* and under the statute at issue *here*. *See supra* Section I.A. Both interests are distinct from those of the Secretary, whose legal obligations compel the conclusion that he cannot share them, and in fact must serve some number of competing obligations. Illustrating the divergence between the Secretary and Proposed Intervenors is the fact that the Secretary recently filed an Answer, ECF No. 39, while Proposed Intervenors intend to file a motion to dismiss the Complaint under Rule 12(b), *see* Mot. at 9 n.3, ECF No. 19. Clearly, then, Proposed Intervenors satisfy the test for inadequate representation, whether under the more recent *Berger* standard or the antiquated "ultimate objective" standard.

II. In the alternative, the Court should grant permissive intervention.

Even if the Court were to find intervention as of right inappropriate, it should grant permissive intervention because Proposed Intervenors would be the *only parties* seeking to unequivocally protect the voters at risk of wrongful removal, at every stage of this lawsuit, without the need to balance other duties or considerations. Consequently, Proposed Intervenors will help the Court develop a full record and thereby ensure the "just and equitable adjudication" of this lawsuit. *Ariz. All. for Retired Ams. v. Hobbs*, No. CV-22-01374, 2022 WL 4448320, at *2 (D. Ariz. Sept. 23, 2022).

No party disputes that Proposed Intervenors have "'defense[s] that share[] with the main action a common question of law or fact'" and that their intervention will not "'prejudice the adjudication of the original parties' rights.'" *Ariz. Democratic Party v. Hobbs*, No. CV-20-01143, 2020 WL 6559160, at *1 (D. Ariz. June 26, 2020) (quoting Fed. R. Civ. P. 24(b)). Instead, Plaintiffs baldly assert that, "[g]iven the need to adequately maintain voter registration rolls in advance of elections, adding the Proposed Intervenors as parties would unnecessarily delay this litigation." Opp'n at 10, ECF No. 37. These purported concerns lack merit. For one, the next federal elections in Arizona are well over a year away. Beyond that, the existing parties have already postponed the adjudication of

this case multiple times, *see* ECF Nos. 24, 26, 31–32, 35–36, because Plaintiffs and Defendant were engaged in negotiations over data requests that could have resolved "some or all of the issues at bar." ECF No. 35 at 2. And Plaintiffs have not yet sought to amend their complaint to account for any of these disclosures. Proposed Intervenors joined each extension request to ensure this matter's efficient adjudication, and they commit to follow any schedule set by this Court and to continue to work with the existing parties as such if granted intervention.

III. The Court should permit Proposed Intervenors an opportunity to move to dismiss under Rule 12(b).

Although they attached a Proposed Answer to the Motion to Intervene under Rule 24(c), *see* ECF No. 19-3, Proposed Intervenors also noted that they "believe the Complaint should be dismissed under Rule 12(b) and intend to move for dismissal under that Rule." Mot. at 9 n.3, ECF No. 19. Thus, "Proposed Intervenors respectfully reserve[d] the right to file a Rule 12(b) motion." *Id.* In opposing the Motion to Intervene, Plaintiffs briefly argue that even if Proposed Intervenors are granted intervention, the Court "should impose strict limits on all submissions." Opp'n at 10, ECF No. 37 (citing *Mi Familia Vota v. Hobbs*, No. CV-21-01423, 2021 WL 5217875, at *2 (D. Ariz. Oct. 4, 2021)). Although they do not specify which "limits" they seek, Plaintiffs' citation to *Mi Familia Vota* suggests they want the Court to limit Proposed Intervenors' participation in the same manner as the intervenors in that case. In *Mi Familia Vota*, the court granted intervention but ordered that:

> Plaintiffs (for the challengers to SB 1485/1003) and the Attorney General and Secretary (for the defenders of those laws) are designated as the representatives responsible for coordinating the prosecution or defense of this case, respectively. If an intervenor believes that an issue affecting it has not been briefed, it may move for leave to file a brief, but it may not repeat any argument already raised in the briefing submitted by one of the original parties to the action.

2021 WL 5217875, at *2. This Court should reject any similar suggestion here.

In *Mi Familia Vota*, another intervention decision predating *Berger*, several national Democratic and Republican Party committees sought to intervene alongside several private plaintiffs and state defendants. *Id.* at *1. Those movants seeking intervention as plaintiffs

asserted essentially the same claims as existing plaintiffs, *compare* Compl. at 28–31, *Mi Familia Vota v. Hobbs*, No. CV-21-01423 (D. Ariz. Aug. 17, 2021), ECF No. 1, *with* DSCC's and DCCC's Proposed Compl. in Intervention at 27-31, *id.* (Sept. 24, 2021), ECF No. 50-1, while those seeking intervention as defendants sought to join existing defendants in a broad defense of the constitutionality of all statutes challenged by these claims, *see generally* Mot. To Intervene by RNC and NRSC, *id.* (Sept. 2, 2021), ECF No. 28; *cf. supra* note 1. Because no party opposed permissive intervention, the court did not evaluate the Rule 24(a) requirements, instead finding the Rule 24(b) conditions satisfied and granting all movants limited intervention as described above to "avoid redundant briefing and delay." *Mi Familia Vota*, 2021 WL 5217875, at *2 (quotation omitted).

Unlike *Mi Familia Vota*, Proposed Intervenors are the only parties seeking to intervene in this case, and they seek intervention as defendants specifically to protect interests that belong to them and that are otherwise unrepresented by either existing party. *See supra* Part I. They are also the only parties seeking to dismiss the Complaint under Rule 12(b). *Compare* Mot. at 9 n.3, ECF No. 19, *with* ECF No. 39. The Court should permit them to participate as a full party so they may adequately represent their distinct interests. If Plaintiffs' concern is delay, those concerns are not well founded. *See supra* Part II; *see also* Mot. at 9–10, ECF No. 19. And, as a practical matter, requiring Proposed Intervenors to first request leave of Court to file briefing would impose undue and unnecessary delay given the likelihood that their distinct interests will result in differences between their arguments and the Secretary's. *See Arakaki*, 324 F.3d at 1086. Allowing Proposed Intervenors' unconditional participation as parties—including by permitting them to file a Rule 12(b) motion—will thus help ensure "just and equitable adjudication," taking into account in particular the views of Arizona voters and civic organizations that stand to be severely injured by Plaintiffs' requested relief. *Ariz. All. for Retired Ams.*, 2022 WL 4448320, at *2.

CONCLUSION

The Court should unconditionally grant Proposed Intervenors' motion to intervene and permit them an opportunity to file a motion to dismiss.

RESPECTFULLY SUBMITTED this 21st day of February, 2025.

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