

**UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND**

COMMON CAUSE RHODE ISLAND,  
LEAGUE OF WOMEN VOTERS OF  
RHODE ISLAND, MIRANDA  
OAKLEY, BARBARA MONAHAN,  
and MARY BAKER,

*Plaintiffs,*

v.

Case No. 1:20-cv-00318-MSM-LDA

NELLIE M. GORBEA, in her official  
capacity as Secretary of State of Rhode  
Island; DIANE C. MEDEROS, LOUIS  
A. DESIMONE JR., JENNIFER L.  
JOHNSON, RICHARD H. PIERCE,  
ISADORE S. RAMOS, DAVID H.  
SHOLES, and WILLIAM E. WEST, in  
their official capacities as members of the  
Rhode Island Board of Elections,

*Defendants,*

REPUBLICAN NATIONAL  
COMMITTEE, and RHODE ISLAND  
REPUBLICAN PARTY

*[Proposed] Intervenor-Defendant.*

**EMERGENCY MOTION TO INTERVENE AS DEFENDANTS BY  
REPUBLICAN NATIONAL COMMITTEE AND RHODE ISLAND  
REPUBLICAN PARTY**

Movants, the Republican National Committee and the Rhode Island Republican Party, seek to intervene as a defendant in this case under Federal Rules of Civil Procedure 24(a)(2) and (b). This motion is accompanied by a memorandum of law that

explains why Movants are entitled to intervention as of right and permissive intervention.

On Thursday, July 23, 2020, Plaintiffs Common Cause Rhode Island, League of Women Voters of Rhode Island, Miranda Oakley, Barbara Monahan, Mary Oakley filed the present action against Nellie Gorbea, in her official capacity as the Secretary of State of Rhode Island, and the individual members of the Rhode Island Board of Elections in their official capacities. Plaintiffs challenge the State's requirement that vote-by-mail voters "have their mail-in ballot envelopes signed by either two lay witnesses or one notary." Complaint For Temporary Restraining Order, Preliminary And Permanent Injunctive Relief, And Declaratory Judgment, at ¶1.

The day after Plaintiffs filed their Complaint, the Rhode Island Board of Elections (the members of which are defendants here) called an emergency meeting to "discuss and vote upon the entry of a consent order, including possible modification to the witness/notary public requirements for mail ballots, set forth under Chapter 20 of Title 17 of the General Laws, in the lawsuit pending in the United States District Court for the District of Rhode Island, captioned, *Common Cause Rhode Island, et al. v. Nellie M. Gorbea, et al.*, C.A. No. 1:20-cv-00318-MSM-LDA." Exhibit A (State of Rhode Island Board of Elections, Emergency Meeting Agenda (July 24, 2020)).

Movants' understand that the Board of Elections is likely to vote in favor of this "consent order" and that the parties will promptly submit it for the Court's approval.

Movants thus submit this motion on an emergency basis as their intervention will likely provide the *only* adversarial testing of Plaintiffs' claims.

**Movants respectfully request that the Court order the parties to respond to this motion by Wednesday, July 29, 2020, and Movants to file their reply on July 30, 2020.**

For the reasons set forth in the accompanying memorandum, Movants respectfully ask this Court to grant their motion. All Plaintiffs' and Defendant's counsel have been notified and so far at least one Plaintiff objects.

Dated: July 26, 2020

Respectfully submitted,

/s/ Brandon S. Bell

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*Counsel for Proposed Intervenor-Defendant  
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**CERTIFICATE OF SERVICE**

**I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that paper copies will be sent to all those non-registered participants on July 27, 2020.**

**/S/ BRANDON S. BELL**

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