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

17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 vs.

20 ROBERT PAGE, in his official
21 capacity as Registrar of Voters for
Orange County, California,

22 Defendant.

CASE NO: 8:25-cv-01370-DOC-ADS

**NOTICE OF MOTION AND
MOTION FOR INTERVENTION OF
LEAGUE OF WOMEN VOTERS OF
CALIFORNIA, LEAGUE OF
WOMEN VOTERS OF ORANGE
COAST, AND LEAGUE OF WOMEN
VOTERS OF NORTH ORANGE
COUNTY; MEMORANDUM OF
POINTS AND AUTHORITIES IN
SUPPORT THEREOF**

DATE: December 15, 2025

TIME: 8:30 AM

COURTROOM: 10A, 10th Floor

JUDGE: Hon. David O. Carter

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1 **NOTICE OF MOTION AND MOTION TO INTERVENE**

2 The League of Women Voters of California (“LWVC”), the League of
3 Women Voters of Orange Coast (“LWVOC”), and the League of Women Voters
4 of North Orange County (“LWVNOC”) (collectively, “Proposed Intervenor-
5 Defendants”) respectfully move for leave to intervene as Defendants in this case as
6 a matter of right pursuant to Federal Rule of Civil Procedure 24(a)(2) or,
7 alternatively, for permissive intervention pursuant to Rule 24(b).

8 In support of their Motion, Proposed Intervenor-Defendants submit and
9 incorporate the below Memorandum of Points and Authorities, declaration of Jenny
10 Farrell (attached as Exhibit A), declaration of Anne Stone (attached as Exhibit B),
11 declaration of Geraldine McNenny (attached as Exhibit C), a Proposed Answer
12 submitted pursuant to Rule 24(c) (attached as Exhibit D), and a Proposed Order
13 (attached as Exhibit E). Pursuant to Local Rule 7-3, counsel for Proposed
14 Intervenor-Defendants made a good-faith effort to confer with counsel for the
15 existing parties. (See Declaration of Grayce Zelphin, attached as Exhibit F). On
16 November 12, 2025, counsel for Proposed Intervenor-Defendants contacted
17 Plaintiff’s counsel and Defendant’s Counsel requesting availability for a call to
18 discuss proposed intervention. On November 13, 2025, Plaintiff’s counsel
19 responded by email and stated that Plaintiff opposes the motion. Proposed
20 Intervenor-Defendants also met and conferred with Defendant’s counsel, and on
21 November 14, 2025, they confirmed that Defendant does not oppose Proposed
22 Intervenor-Defendants’ motion.

23 For the reasons below, Proposed Intervenor-Defendants’ motion should be
24 granted.

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INTRODUCTION

Proposed Intervenor-Defendants, the League of Women Voters of California (“LWVC”), the League of Women Voters of Orange Coast (“LWVOC”), and the League of Women Voters of North Orange County (“LWVNOC”), move to intervene in this action to guard against federal intrusion into state management of elections and prevent the United States Department of Justice (“DOJ”) from unlawfully collecting and misusing sensitive data California voters entrusted to their election officials when registering to vote. Concerned by the DOJ’s attempt to unlawfully extract sensitive and confidential voter data, and motivated by its mission to encourage civic participation and protect voters’ privacy, Proposed Intervenor-Defendants respectfully move to intervene pursuant to Federal Rule of Civil Procedure 24(a)(2).

This lawsuit arises from the DOJ’s June 2025 demand for certain voter data from the Orange County Registrar of Voters, with the dispute hinging on DOJ’s insistence that Orange County provide *all* data relating to certain individuals who had registered to vote—even the sensitive information protected by California law—completely unredacted. After this lawsuit was filed, the broader contours of the scope of the DOJ’s planned data requests have begun to emerge more clearly: rather than an isolated investigation, the DOJ’s demand for voter data from Orange County appears to be the tip of the iceberg of an unprecedented nationwide campaign to unlawfully compile full, unredacted state voter files.

Despite the federal government’s constitutionally limited role in managing federal elections, which extends only so far as Congress has specifically legislated, over the past several months the DOJ has repeatedly attempted to intrude upon states’ authority to manage elections. Following a slew of sweeping data requests for extensive voter information from at least 40 states,¹ the DOJ has already sued

¹ Kaylie Martinez-Ochoa, Eileen O’Connor & Patrick Berry, *Tracker of Justice Department Requests for Voter Information*, Brennan Center (Oct. 28, 2025),

1 eight states that declined to provide their full unredacted voter files in light of state
2 and federal laws protecting sensitive information.² While the DOJ asserts that it
3 is merely investigating “voter registration list maintenance” in these states, media
4 reports and the national reach of its voter data requests suggest that the true motive
5 is a broader quest to create an illegal national voter roll.³ Although the data the
6 DOJ seeks from Orange County in this case is narrower in scope, a judgment in
7 this case may well impact related DOJ lawsuits against states seeking unredacted
8 voter data, including the lawsuit against California, *United States v. Weber*. Here,
9 as elsewhere, the DOJ’s requests go beyond what is authorized by federal law—
10 and complying with them would violate California law.

11 LWVC is a non-partisan grassroots organization with thousands of
12 members across the state, including in Orange County. It is one of the state’s
13 preeminent pro-democracy and pro-voter organizations, dedicated to encouraging
14 civic participation and increasing voter registration across California. LWVC has
15 led many of California’s efforts to expand voter registration opportunities and to
16 pass legislation securing the confidentiality and privacy of voter information.
17 LWVC seeks to intervene to safeguard its interests in conducting voter
18 engagement and education work, maintaining the privacy of voters, and defending
19 the pro-voter policies it has helped to pass. The two local chapters of LWVC in

20 [https://www.brennancenter.org/our-work/research-reports/tracker-justice-](https://www.brennancenter.org/our-work/research-reports/tracker-justice-department-requests-voter-information)
21 [department-requests-voter-information](https://www.brennancenter.org/our-work/research-reports/tracker-justice-department-requests-voter-information).

22 ² *U.S. v. Maine*, No. 1:25-cv-468 (D. Me. filed Sept. 25, 2025); *U.S. v. Benson*,
23 No. 1:25- cv-01148 (W.D. Mich. filed Sept. 25, 2025); *U.S. v. Simon*, No. 0:25-
24 cv-03761 (D. Minn. filed Sept. 25, 2025); *U.S. v. Bd. of Elections of the State of*
25 *New York*, No. 1:25-cv-01338 (N.D.N.Y. filed Sept. 25, 2025); *U.S. v. Scanlan*,
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26 ³ Devlin Barrett & Nick Corasaniti, *Trump Administration Quietly Seeks to Build*
27 *National Voter Roll*, N.Y. Times (Sept. 9, 2025),
28 [https://www.nytimes.com/2025/09/09/us/politics/trump-voter-registration-](https://www.nytimes.com/2025/09/09/us/politics/trump-voter-registration-data.html)
[data.html](https://www.nytimes.com/2025/09/09/us/politics/trump-voter-registration-data.html).

1 Orange County, LWVOC and LWNOC, share the mission of LWVC to
2 encourage civic participation and voter registration at the local level and also seek
3 to intervene to safeguard their interests.

4 Proposed Intervenor-Defendants’ participation will not cause any delay and
5 will provide the Court with important context that will aid in the swift and just
6 resolution of this case. No other party can fully represent Proposed Intervenor-
7 Defendants’ unique interests here. Proposed Intervenor-Defendants’ motion for
8 mandatory intervention under Rule 24(a)—or in the alternative, for permissive
9 intervention under Rule 24(b)—should accordingly be granted.⁴

10 BACKGROUND

11 I. Federal Law Entrusts States with the Responsibility to Collect, 12 Maintain, and Protect Voter Data

13 Under the Elections Clause of the U.S. Constitution, it is the responsibility
14 of states to regulate the “Times, Places, and Manner” of federal elections, and only
15 Congress can enact laws to “make or alter” those regulations. *See* U.S. Const. art.
16 I, § 4, cl. 1. The Framers intentionally delegated the power to register voters and
17 collect and maintain voter data to the states to avoid concentrated power in a single
18 federal body.

19 Even where Congress has exercised its authority to alter states’ regulation of
20 federal elections, it has made clear that it is the state’s responsibility to maintain
21 voter data. In 1993, Congress enacted the National Voter Registration Act
22 (“NVRA”) and directed states to establish voter registration procedures to increase
23 registration and maintain accurate voter rolls. *See* 52 U.S.C. §§ 20501(b),
24 20503(a). The NVRA’s text clearly delegates “the administration of voter
25 registration for elections for Federal office” to “each state.” *See id.* § 20507(a);
26 *Husted v. A. Philip Randolph Inst.*, 584 U.S. 756, 761 (2018). It required *states* to

27 ⁴ Proposed Intervenor-Defendants’ motion is accompanied by a proposed
28 Answer, pursuant to Rule 24(c).

1 maintain accurate voter rolls by conducting a “general program that makes a
2 reasonable effort” to remove voters who are deceased or have changed their
3 address. 52 U.S.C. § 20507(a)(4). While the NVRA created guidelines for states
4 to follow and required states to have a program for list maintenance, the duty to
5 safeguard voter data remained with the states, not the federal government. *See*
6 *Husted*, 584 U.S. at 761-62.

7 In enacting the Help America Vote Act (“HAVA”) in 2002, Congress again
8 made it clear that states are responsible for maintaining voter rolls. HAVA directs
9 “each State” to implement a uniform computerized voter registration list “defined,
10 maintained, and administered at the State level.” 52 U.S.C. § 21083(a)(1)(A). Like
11 the NVRA, HAVA created specific requirements for *states* to follow in maintaining
12 accurate voter information and does not give this power to the federal government.
13 *See id.* HAVA has no requirement that voter information be publicly disclosed.

14 **II. The Department of Justice Demands Unwarranted Access to** 15 **Unredacted Voter Data, Citing Questionable Rationale**

16 On June 2, 2025, the DOJ sent a letter to Orange County demanding, within
17 14 days:

- 18 1. Records showing the number of voter registration records in
19 Orange County cancelled because the registrant did not satisfy the
citizenship requirements for voter registration.
- 20 2. Records related to each cancellation described in Request No. 1,
21 including copies of each registrant’s voter registration application,
22 voter registration record, voting history, and related
23 correspondence sent or received by your office in regard to the
registration.

24 ECF No. 9-1 at 2; *see also* Compl. ¶ 19.

25 On June 16, 2025, Orange County responded by providing the requested
26 data, but redacting certain sensitive information pursuant to California law and
27 consistent with governing federal law: California driver’s license and identification
28 card numbers, social security numbers (“SSN”), state-assigned voter identification

1 numbers, language preferences, and images of registrants' signatures. Compl. ¶ 20;
2 ECF No. 9-2 at 2. On June 17, 2025, the DOJ claimed that the data provided by
3 Orange County did not allow the DOJ to "make an accurate assessment of [Orange
4 County's] compliance with HAVA," and that "the California statutes on which
5 [Orange County] relied to redact the information is pre-empted when it conflicts
6 with [DOJ's] enforcement authority under HAVA." ECF No. 9-3 at 1. The DOJ
7 demanded the unredacted data by June 20, 2025, and threatened to otherwise
8 initiate litigation by June 24, 2025. *Id.* On June 20, 2025, counsel for Orange
9 County responded, again explaining the legal basis for the redactions, and noting
10 that Orange County was "unaware of any HAVA provision requiring the disclosure
11 of registration records upon request without a subpoena, let alone confidential
12 personal information," but that Orange County "would certainly be open to further
13 consideration of the matter" if the DOJ could "provide legal authority that requires
14 the Registrar of Voters to produce the sensitive information redacted here without
15 a subpoena and without any protection from public disclosure." ECF No. 9-4 at 2.
16 In a subsequent phone call on June 23, 2025, the counsel for Orange County
17 confirmed it would not be providing the requested unredacted records. Compl.
18 ¶ 29.

19 Notwithstanding these statements, in a separate email communication on
20 June 24, 2025, counsel for Orange County expressed potential willingness to share
21 the unredacted data:

22 To avoid a lawsuit, would the USDOJ consider another mechanism to
23 enable the County to provide the USDOJ with this sensitive
24 information? For example, would the USDOJ be amenable to entering
25 into a confidentiality agreement that would enable us to provide
26 records with assurances that such sensitive personal identifiers will
remain confidential and be used for governmental purposes only?⁵

27 ⁵ City News Service, *Justice Department Rejects Orange County Proposal to*
28 *Avoid Lawsuit Over Sensitive Voter Information*, L.A. Times (Jun. 26, 2025),

1 Despite this offer, the DOJ sued Orange County the next day, citing the NVRA and
2 HAVA as its basis for demanding unredacted sensitive personal information from
3 Orange County.

4 **III. LWVC, LWVOC, and LWVNOC Have a Vested Interest in Protecting**
5 **California Voters, Including Their Members, and Preserving**
6 **Legislative Advocacy**

7 LWVC is the California affiliate of the League of Women Voters (“LWV”),
8 which was founded in 1920 as an outgrowth of the struggle for voting rights for
9 women. Declaration of Jenny Farrell (“Farrell Decl.”) ¶ 4. LWV has more than
10 one million members and supporters and is organized in more than 750
11 communities in all 50 states and the District of Columbia. *Id.* In California, LWVC
12 serves as a large non-partisan grassroots membership organization that has
13 approximately 7,000 dues-paying members in the state across 62 local chapters.
14 *Id.* ¶¶ 5-6. Its mission is to engage all Californians in acting on the issues that
15 matter to them, to build political power and voice in communities historically
16 underrepresented in the halls of government, to enact solutions to some of the
17 biggest challenges facing the state, and to drive every eligible voter to register and
18 to cast their ballot. *Id.* ¶ 8.

19 LWVOC and LWVNOC are the two local chapters of LWVC in Orange
20 County. Declaration of Anne Stone (“Stone Decl.”) ¶ 5; Declaration of Geraldine
21 McNenny (“McNenny Decl.”) ¶ 6. In Orange County, LWVOC has approximately
22 200 members, Stone Decl. ¶ 7, and LWVNOC has approximately 116 members,
23 McNenny Decl. ¶ 8. As local chapters, LWVOC and LWVNOC are non-partisan
24 grassroots membership organizations that share the mission of LWVC and LWV,
25

26
27 [https://www.latimes.com/socal/daily-pilot/entertainment/story/2025-06-](https://www.latimes.com/socal/daily-pilot/entertainment/story/2025-06-26/justice-department-rejects-orange-county-proposal-to-avoid-lawsuit-over-sensitive-voter-information)
28 [26/justice-department-rejects-orange-county-proposal-to-avoid-lawsuit-over-sensitive-voter-information.](https://www.latimes.com/socal/daily-pilot/entertainment/story/2025-06-26/justice-department-rejects-orange-county-proposal-to-avoid-lawsuit-over-sensitive-voter-information)

1 and all members of LWVOC and LWVNOC are also members of LWVC and
2 LWV. Stone Decl. ¶¶ 6-7, 9; McNenny Decl. ¶¶ 7-8, 10.

3 LWVC members and volunteers work year-round in their local communities
4 as part of an integrated voter engagement model of organizing. Farrell Decl. ¶¶ 6,
5 10-11. Through and in coordination with local chapters, including LWVOC and
6 LWVNOC, LWVC regularly conducts voter service projects, including efforts to
7 register voters, get out the vote, and educate the public on elections. *Id.* ¶ 12. For
8 example, during 2024, nearly 3,000 LWVC volunteers donated almost 35,000
9 hours of their time providing voter information to Californians. *Id.* These
10 volunteer hours were applied at over 2,000 individual activities, including voter
11 registration drives at high schools, colleges, and local community events; hosting
12 “pros and cons” speaking events to educate the public regarding upcoming ballot
13 measures; hosting candidate forums; and conducting get out the vote events, often
14 in partnership with other community organizations, to educate, engage, and turn
15 out voters in the period leading up to an election. *Id.* Similarly, LWVOC and
16 LWVNOC volunteers donated thousands of hours through such voter service
17 projects in Orange County. *See* Stone Decl. ¶ 12; McNenny Decl. ¶ 12.

18 The vast majority of members and volunteers of LWVC, LWVOC, and
19 LWVNOC, as well as members of the communities they serve, are registered to
20 vote or intend to register in California, including in Orange County. Farrell Decl.
21 ¶ 7; Stone Decl. ¶ 8; McNenny Decl. ¶ 9. In Orange County, LWVC, LWVOC,
22 and LWVNOC members have already provided or plan to provide Defendant Page
23 with sensitive information in order to register—including date of birth, driver’s
24 license number, state identification card number, or the last four digits of their
25 social security number—and they reasonably expect the State to keep this
26 information private. Stone Decl. ¶ 8; McNenny Decl. ¶ 9; *see also* Farrell Decl.
27 ¶ 7. If this sensitive information can be provided unredacted in response to DOJ’s
28

1 demands in this action, the same sensitive information of members and volunteers
2 of LWVOC, LWVNOC, and LWVC could equally be subject to disclosure.

3 LWVC also dedicates significant resources to support or oppose legislation
4 on issues which its statewide membership has reached consensus. Farrell Decl.
5 ¶ 19. In this capacity, LWVC has supported AB 1461 (Gonzalez 2015), *id.*,
6 California’s Motor Voter law which automatically registers eligible residents to
7 vote when they complete a Department of Motor Vehicle (“DMV”) transaction
8 unless they opt out, *see generally* Cal. Elec. Code §§ 2260-2277. The law also
9 includes enhanced privacy safeguards such as limits on data sharing, confidential
10 voter categories, liability protections that shield mistakenly registered voters from
11 fraud charges unless they knowingly vote while ineligible, and criminal penalties
12 for unauthorized disclosure or misuse of DMV voter registration information. *See*
13 *id.* §§ 2265(b)(4)(c), (f) (data use and sharing limits); *id.* § 2266 (confidentiality
14 procedures and penalties for unauthorized disclosure); *id.* § 2269 (confidential
15 voter categories); *id.* § 2271 (protections for inadvertent registration); *see also*
16 Farrell Decl. ¶ 19. LWVC currently sits on the California Motor Voter Task Force,
17 created by AB 796 (Berman 2021), and has sponsored bills extending the Task
18 Force. Farrell Decl. ¶ 19. LWVC also supported AB 1037 (Berman 2023), which
19 modernized California’s vote-by-mail cure process by allowing voters with missing
20 or mismatched signatures to submit their verification statements electronically,
21 while also requiring elections officials to adopt strict privacy and security protocols
22 to ensure that transmitted information would be used only for signature verification
23 of their ballots. *Id.*

24 LWVC has also supported other bills that would have included privacy
25 protections, including AB 1337 (Ward 2025), which would have extended privacy
26 protections from state to local governments to ensure consistent safeguards for all
27 Californians’ data, and expanded the definition of personal information to include
28 sensitive categories such as immigration status. *Id.* ¶ 20. In addition, LWVC

1 supported AB 2677 (Gabriel 2022), which would have expanded the definition of
2 personal information, prohibited state agencies from using personal information for
3 purposes beyond those for which it was collected, and required clearer notice about
4 all intended uses of data. *Id.* LWVC has also opposed legislation, like AB 25
5 (DeMaio 2025), which would have required voters to provide additional
6 identification information to cast a ballot, creating both new risks of data exposure
7 and barriers to participation, and SB 511 (Bates 2021), which would have created
8 privacy risks by requiring jury commissioners to share personal information from
9 juror questionnaires with elections officials for voter roll maintenance, including
10 sensitive details like language skills that are irrelevant to voter eligibility. *Id.*

11 If the DOJ succeeds in securing its requested relief, this will harm members
12 of LWVC, LWVOC, and LWVNOC by undermining protections of their sensitive
13 personal information, stripping away the voter privacy rights they have fought to
14 bolster under California law, and eroding the pro-voter mission they champion as
15 League members. Farrell Decl. ¶ 23; Stone Decl. ¶ 17; McNenny Decl. ¶ 17.
16 Additionally, the voter outreach and registration efforts of LWVC, LWVOC, and
17 LWVNOC would be harmed, as Californians concerned by the prospect of their
18 sensitive information being shared with the federal government may become less
19 engaged and reluctant to register to vote or participate in the political process.
20 Farrell Decl. ¶ 24; Stone Decl. ¶ 18; McNenny Decl. ¶ 18.

21 ARGUMENT

22 I. Proposed Intervenor-Defendants Are Entitled to Intervene as of Right 23 Under Rule 24(a)(2).

24 Under Rule 24(a) of the Federal Rules of Civil Procedure, a “timely” motion
25 to intervene must be granted where the movant alleges (1) a “significantly
26 protectable interest” relating to the subject matter of the lawsuit, (2) that
27 “disposition of the action” will “as a practical matter impair or impede its ability to
28 protect that interest[,]” and (3) that the interest will be “inadequately represented

1 by the parties to the action.” *Wilderness Soc’y v. U.S. Forest Serv.*, 630 F.3d 1173,
2 1177 (9th Cir. 2011) (quoting *Sierra Club v. EPA*, 995 F.2d 1478, 1481 (9th Cir.
3 1993)). Rule 24(a) must be construed “broadly in favor of proposed intervenors.”
4 *Id.* at 1179 (quoting *United States v. City of Los Angeles*, 288 F.3d 391, 397 (9th
5 Cir. 2002)). Further, in the Ninth Circuit, intervenors “that seek the same relief
6 sought by at least one existing party to the case need not” independently
7 demonstrate Article III standing. *Cal. Dep’t of Toxic Substances Control v. Jim*
8 *Dobbas, Inc.*, 54 F.4th 1078, 1085 (9th Cir. 2022); *see also* 7C Charles Alan Wright
9 et al., *Fed. Prac. & Proc.* § 1908 (3d ed. 1998 & Supp. 2025). Thus, a party “must”
10 be permitted to intervene when it satisfies the requirements of Rule 24(a). Fed. R.
11 Civ. P. 24(a). Here, Proposed Intervenor-Defendants satisfy each of the elements
12 for intervention as of right.

13 **A. Proposed Intervenor-Defendants’ Motion Is Timely.**

14 Proposed Intervenor-Defendants’ motion is timely. There are three “primary
15 factors” that courts consider in evaluating timeliness: “(1) the stage of the
16 proceeding at which an applicant seeks to intervene; (2) the prejudice to other
17 parties; and (3) the reason for and length of the delay.” *Kalbers v. U.S. Dep’t of*
18 *Just.*, 22 F.4th 816, 822 (9th Cir. 2021) (quoting *Smith v. L.A. Unified Sch. Dist.*,
19 830 F.3d 843, 854 (9th Cir. 2016)); *see also W. Watersheds Project v. Haaland*, 22
20 F.4th 828, 835-36 (9th Cir. 2022). The Ninth Circuit interprets these factors
21 “broadly in favor of intervention.” *W. Watersheds Project*, 22 F.4th at 835.

22 Here, Proposed Intervenor-Defendants have moved for intervention at an
23 early stage in the proceedings, about four and a half months from when the case
24 was filed on June 25, 2025, before any major deadlines have passed and before any
25 substantive rulings have been made. Courts regularly find such motions timely. In
26 a September 15, 2025 Scheduling Order, the Court set a fact discovery cut-off
27 deadline of December 1, 2025 and a motion cut-off deadline of January 26, 2026,
28 with the final pretrial conference on March 9, 2026 and trial on March 31, 2026.

1 ECF No. 19 at 1. Additionally, on October 1, 2025, Plaintiff filed a Motion to Stay
2 based on the lapse in federal appropriations, which is currently pending. ECF No.
3 21. In that motion, Plaintiff requested that “all current deadlines” listed above be
4 “extended by the total number of days of the lapse in appropriations, *id.* at 3, and
5 Defendant did not oppose,⁶ except to seek clarification that the response dates for
6 outstanding discovery would also be tolled, ECF No. 22 at 1-2. As of October 24,
7 2025, Plaintiff and Defendant appear to have agreed on a November 26, 2025
8 deadline for outstanding written discovery, and December 5, 2025 for an
9 outstanding deposition date. ECF No. 30 at 1-2. And the only hearings in this case
10 thus far have focused on non-substantive matters—primarily regarding scheduling
11 and the Motion to Stay. *See* ECF No. 25; ECF No. 31.

12 Courts routinely find motions to intervene timely under such circumstances
13 where the litigation is still at an early stage of the proceedings. *See, e.g., United*
14 *States v. Aerojet Gen. Corp.*, 606 F.3d 1142, 1149 (9th Cir. 2010) (motion to
15 intervene was timely where it was filed within four months of when applicants
16 learned of proposed consent decree); *Citizens for Balanced Use v. Mont.*
17 *Wilderness Ass’n*, 647 F.3d 893, 897 (9th Cir. 2011) (finding motion timely where
18 movants intervened around three months after the complaint was filed); *Nw. Env’t*
19 *Def. Ctr. v. U.S. Army Corps of Eng’rs*, 2024 WL 3290349, at *2 (D. Or. July 2,
20 2024) (delay of five months constituted “minimal delay”); *Issa v. Newsom*, 2020
21 WL 3074351, at *2 (E.D. Cal. June 10, 2020) (finding motion timely where “no
22 substantive proceedings ha[d] occurred”); *Est. of Toguri v. Pierotti*, 2023 WL
23 8703417, at *6 (C.D. Cal. Feb. 27, 2023) (finding delay of nearly a year was still
24 timely because there had been no “rulings on the merits and the case is in its
25 procedural infancy”); *United States v. McGraw-Hill Cos. Inc.*, 2013 WL 12308202,
26 at *2 (C.D. Cal. Nov. 7, 2013) (finding intervention timely eight months after
27 lawsuit was filed, while “the action is in a relatively early stage of the proceeding”);

28 ⁶ Proposed Intervenor-Defendants also do not oppose the Motion to Stay.

1 *Sawyer v. Bill Me Later, Inc.*, 2011 WL 13217238, at *4 (C.D. Cal. Aug. 8, 2011)
2 (granting motion to intervene filed about a year after lawsuit commenced, and
3 noting that “[s]ister district courts in the Ninth Circuit have regularly found motions
4 to intervene timely” at later stages) (citing *Delano Farms Co. v. Cal. Table Grape*
5 *Comm’n*, 2010 WL 2942754, at *1 (E.D. Cal. July 23, 2010) (motion timely even
6 after about three years because no substantive rulings had been made); *Alturas*
7 *Indian Rancheria v. Salazar*, 2011 WL 587588, at *3 (E.D. Cal. Feb. 9, 2011)
8 (motion timely after nearly six months, even where several substantive motions had
9 been filed)).

10 Intervention at this early stage will not prejudice any of the existing parties.
11 “The only prejudice that is relevant is that which flows from a prospective
12 intervenor’s failure to intervene after he knew, or reasonably should have known,
13 that his interests were not being adequately represented.” *Kalbers*, 22 F.4th at 825
14 (quoting *Smith*, 830 F.3d at 857) (cleaned up). Here, given the early stage of this
15 litigation, before any substantive rulings and before the close of discovery and other
16 substantive deadlines, the parties will not be prejudiced by intervention. *See, e.g.*,
17 *Citizens for Balanced Use*, 647 F.3d at 897 (granting motion to intervene because
18 it was made “at an early stage of the proceedings, the parties would not have
19 suffered prejudice from the grant of intervention at that early stage, and
20 intervention would not cause disruption or delay in the proceedings”); *KOR Servs.,*
21 *LLC v. Thomson Int’l*, 2022 WL 18278406, at *4 (C.D. Cal. Aug. 3, 2022) (granting
22 motion to intervene because parties would not be prejudiced when the proceedings
23 were “still in the early stages,” discovery was not closed, the parties had not taken
24 depositions, and no dispositive motions had been filed); *Apache Stronghold v.*
25 *United States*, 2023 WL 3692937, at *2 (D. Ariz. May 29, 2023) (finding that
26 existing parties would not be prejudiced where the case was “still in the very early
27 stages”); *Crimson Pipeline Mgmt., Inc. v. Herzog Contracting Corp.*, 2013 WL
28 12246623, at *2 (C.D. Cal. July 9, 2013) (finding no prejudice where intervention

1 would not require the extension of any deadlines). Here, Proposed Intervenor-
2 Defendants will comply with the schedule adopted by the Court, and none of these
3 substantive deadlines have passed.

4 When the instant lawsuit was filed, the relatively narrow scope of the data
5 sought by DOJ here belied the broader context and significant voter privacy
6 concerns that would later emerge through DOJ's filing of a slew of records requests
7 and lawsuits against at least eight states (so far) seeking entire unredacted statewide
8 voter files. *See* Farrell Decl. ¶¶ 22-23; Stone Decl. ¶ 17; McNenny Decl. ¶ 17.
9 Around mid to late October, when LWVC moved to intervene in the related
10 statewide case against California, *United States v. Weber*, LWVC, along with the
11 local Orange County chapters of LWVOC and LWNOC, assessed and
12 determined that their interests would be implicated in the instant lawsuit as well,
13 and expeditiously sought to intervene shortly thereafter. *See id.*

14 Proposed Intervenor-Defendants thus meet Rule 24(a)'s timeliness
15 requirement.

16 **B. Proposed Intervenor-Defendants Have a Significantly Protectable**
17 **Interest that Will be Impaired if Plaintiff DOJ Prevails.**

18 To demonstrate a "significantly protectable interest" relating to the subject
19 matter of the action, the intervenor must (1) assert "an interest that is protected
20 under some law," and (2) show that "there is a relationship between its legally
21 protected interest and the plaintiff's claims." *Kalbers*, 22 F.4th at 827. This is a
22 "practical, threshold inquiry"; no "specific legal or equitable interest need be
23 established." *Sw. Ctr. for Biological Diversity v. Berg*, 268 F.3d 810, 818 (9th Cir.
24 2001) (quoting *Greene v. United States*, 996 F.2d 973, 976 (9th Cir. 1993)).
25 Similarly, to satisfy the impairment requirement, an intervenor need only show that
26 "it will suffer a practical impairment of its interests as a result of the pending
27 litigation." *Wilderness Soc'y*, 630 F.3d at 1179 (quoting *Cal. Ex rel. Lockyer v.*
28 *United States*, 450 F.3d 436, 441 (9th Cir. 2006)).

1 Proposed Intervenor-Defendants have a significantly protectable interest in
2 ensuring their members' personal voter registration data is safeguarded and is not
3 at risk of similar disclosure as a result of the outcome of this action. *See* Farrell
4 Decl. ¶¶ 22-23; Stone Decl. ¶ 17; McNenny Decl. ¶ 17. Most members of LWVC
5 are registered to vote in California, and most members of LWVOC and LWNOC
6 are registered to vote in Orange County, and these members have already submitted
7 sensitive information to their counties and the State for voter registration purposes.
8 Farrell Decl. ¶ 7; Stone Decl. ¶ 8; McNenny Decl. ¶ 9. These members have
9 legitimate concerns about a decision in this case that allows for sensitive voter
10 information to be disclosed. *See id.*; *see also* Farrell Decl. ¶¶ 22-23; Stone Decl.
11 ¶ 17; McNenny Decl. ¶ 17. A possible *stare decisis* effect is an "important
12 consideration in determining the extent to which [a proposed intervenor's] interest
13 may be impaired." *United States v. Oregon*, 839 F.2d 635, 638 (9th Cir. 1988)
14 (citing *United States v. Stringfellow*, 783 F.2d 821, 826 (9th Cir.1986)).

15 Furthermore, Proposed Intervenor-Defendants have a significantly
16 protectible interest in pursuing their shared core mission of increasing civic
17 participation and encouraging all eligible Californians to vote, understand, and
18 engage in the political process. Farrell Decl. ¶¶ 8, 24; Stone Decl. ¶¶ 9, 18;
19 McNenny Decl. ¶¶ 10, 18. Proposed Intervenor-Defendants' interests in (1)
20 asserting the rights of their members to vote without risking their privacy, (2)
21 advancing their non-partisan advocacy efforts, and (3) diverting their limited
22 resources to educate members about increased privacy concerns, *see* Farrell Decl.
23 ¶¶ 7, 8, 12, 19-20, 24-26; Stone Decl. ¶¶ 8, 12, 18-19; McNenny Decl. ¶¶ 9, 12,
24 18-19, are strikingly similar to interests courts have held are sufficient for
25 intervention in other cases, *see, e.g., Issa*, 2020 WL 3074351, at *3 ("[S]uch
26 interests are routinely found to constitute significant protectable interests."); *see*
27 *also, e.g., Paher v. Cegavske*, No. 3:20-CV-00243, 2020 WL 2042365, at *2 (D.
28 Nev. Apr. 28, 2020). Proposed Intervenor-Defendants and their members and

1 volunteers have conducted voter registration drives and provided voters with
2 information about how to register to vote and, when relevant to their voter
3 education efforts, provided information about the confidentiality of voter data.
4 Farrell Decl. ¶ 12; Stone Decl. ¶ 12; McNenny Decl. ¶ 12. Proposed Intervenor-
5 Defendants have a vested interest in ensuring that this information remains valid,
6 and that the significant resources it has devoted to education and outreach programs
7 continue to be impactful and provide accurate information. *See* Farrell Decl. ¶¶ 23-
8 26; Stone Decl. ¶¶ 18-19; McNenny Decl. ¶¶ 18-19.

9 Proposed Intervenor-Defendants’ interests in carrying out their mission will
10 be impaired as a practical matter if DOJ prevails. Farrell Decl. ¶ 24; Stone Decl.
11 ¶ 18; McNenny Decl. ¶ 18. This is independently sufficient to satisfy the
12 impairment requirement. *See, e.g., Paher*, 2020 WL 2042365, at *2 (finding that
13 intervenors’ interests in promoting the franchise and the election of Democratic
14 Party candidates would be impaired by plaintiff’s challenge to Nevada’s all mail
15 election provisions); *see also SEC v. Navin*, 166 F.R.D. 435, 440 (N.D. Cal. 1995)
16 (intervenor need only show “potential adverse impact” on the interest). To support
17 their mission of increasing voter participation, Proposed Intervenor-Defendants
18 have a strong foundational interest in preserving the trust of voters—including the
19 trust of their members and volunteers—in the security of the voter registration
20 process and the data that voters must provide through voter registration—and an
21 adverse decision in this case would have significant harmful implications regarding
22 voter privacy. *See* Farrell Decl. ¶ 24; Stone Decl. ¶ 18; McNenny Decl. ¶ 18; *see*
23 *also Citizens for Balanced Use v. Montana Wilderness Ass’n*, 647 F.3d 893, 897-
24 98 (9th Cir. 2011) (finding that wilderness groups had significant protectable
25 interest in “conserving and enjoying the wilderness character” of an area, which
26 depended on provisions invoked in the case); *United States v. Carpenter*, 526 F.3d
27 1237, 1240 (9th Cir. 2008) (explaining its prior holding that environmental groups
28 were entitled to intervene “because they had the requisite interest in seeing that the

1 wilderness area be preserved for the use and enjoyment of their members”);
2 *Sagebrush Rebellion, Inc. v. Watt*, 713 F.2d 525, 528 (9th Cir. 1983) (finding that
3 “there can be no serious dispute [regarding] . . . the existence of a protectable
4 interest on the part of the applicant which may, as a practical matter, be impaired”
5 where an “adverse decision in this suit would impair the [organization]’s [stated]
6 interest in the preservation of birds and their habitats”).

7 The claims and relief sought by DOJ in this action also threaten Proposed
8 Intervenor-Defendants’ legislative advocacy—including the privacy guarantees for
9 which they have advocated. Farrell Decl. ¶ 19; *see also id.* ¶ 20 (LWVC support
10 and opposition to bills regarding voter privacy and general data privacy). LWVC
11 has advocated for legislation that reduces barriers to voter registration, protects
12 voter data confidentiality and general data privacy, and limits laws, practices, and
13 systems that risk the unnecessary or erroneous deactivation of voter registrations,
14 *id.* ¶¶ 19-20—goals that conflict with the DOJ’s stated intent of purging voters and
15 collecting the sensitive information of individuals who have already had their voter
16 registration cancelled. Such conflicting motivations bolster Proposed Intervenor-
17 Defendants’ interest in intervention. In analogous cases, the Ninth Circuit has
18 frequently held that “a public interest group is entitled as a matter of right to
19 intervene in an action challenging the legality of a measure it has supported.” *Idaho*
20 *Farm Bureau Fed’n v. Babbitt*, 58 F.3d 1392, 1397 (9th Cir. 1995) (granting
21 intervention to environmental group to defend agency’s action that the group had
22 advocated); *see also, e.g., Sagebrush Rebellion*, 713 F.2d at 526-27 (granting
23 intervention to wildlife organization to defend Department of Interior’s creation of
24 a wildlife habitat area, where the group had participated in the administrative
25 process); *Idaho v. Freeman*, 625 F.2d 886 (9th Cir. 1980) (granting intervention to
26 women’s rights organization to help a federal agency defend a policy that the
27 organization had supported). In all of these cases, the court had no “difficulty
28

1 determining that the organization seeking to intervene had an interest in the subject
2 of the suit.” *Sagebrush Rebellion*, 713 F.2d at 527.

3 There can be no doubt that the rights and legal interests of Proposed
4 Intervenor-Defendants would be directly impeded by the relief Plaintiff seeks.

5 **C. Proposed Intervenor-Defendants’ Interests Are Not Adequately**
6 **Represented by the Existing Parties.**

7 Proposed Intervenor-Defendants cannot rely on the existing parties to
8 adequately represent their interests. Courts in this Circuit consider three factors in
9 evaluating adequacy of representation: “(1) whether the interest of a present party
10 is such that it will undoubtedly make all of a proposed intervenor’s arguments; (2)
11 whether the present party is capable and willing to make such arguments; and (3)
12 whether a proposed intervenor would offer any necessary elements to the
13 proceeding that other parties would neglect.” *Citizens for Balanced Use*, 647 F.3d
14 at 898 (cleaned up); *Sable Offshore Corp. v. County of Santa Barbara*, 2025 WL
15 2412147, at *5 (C.D. Cal. July 25, 2025). This is a “minimal” burden, and the
16 intervenor need only show that the existing parties’ representation of its interests
17 “may be inadequate.” *Citizens for Balanced Use*, 647 F.3d at 898.

18 Here, the Orange County Registrar of Voters will not adequately represent
19 Proposed Intervenor-Defendants’ interests. As the Ninth Circuit has explained,
20 “the government’s representation of the public interest may not be ‘identical to the
21 individual parochial interest’ of a particular group just because ‘both entities
22 occupy the same posture in the litigation.’” *Id.* at 899. Thus, while Registrar Page
23 and Proposed Intervenor-Defendants may share an objective—defending against
24 DOJ’s attempt to forcibly compel production of sensitive, unredacted voter data—
25 their “interests are neither ‘identical’ nor ‘the same.’” *Cal. Dump Truck Owners*
26 *Ass’n v. Nichols*, 275 F.R.D. 303, 308 (E.D. Cal. 2011). For example, while
27 Registrar Page is responsible for administering voter registration and voter list
28 maintenance in Orange County, Proposed Intervenor-Defendants have distinct and

1 particular interests in ensuring that the privacy rights of voters that they serve are
2 guaranteed, as well as ensuring that their shared organizational mission—including
3 increasing voter participation and advancing pro-voter policies—is unimpeded.
4 Government officials, like Registrar Page, broadly represent the public interest, not
5 the particular concerns of Proposed Intervenor-Defendants. *See Boot Barn, Inc. v.*
6 *Bonta*, 2023 WL 5155878, at *3 (E.D. Cal. Aug. 10, 2023) (finding that the
7 government did not adequately represent the interests of advocacy organizations
8 whose operations and memberships go beyond California’s borders); *see also Issa*,
9 2020 WL 3074351, at *3 (finding Democratic Party organizations had distinct
10 interests from state officials in protecting voters’ interests, advancing electoral
11 prospects, and allocating the organizations’ limited resources to inform voters).

12 No other party will represent Proposed Intervenor-Defendants’ particular
13 interests in this case, and there is no reason to think that Defendant will
14 “undoubtedly make all of” Proposed Intervenor-Defendants’ arguments or that
15 Defendant will be “capable and willing to make such arguments.” *Citizens for*
16 *Balanced Use*, 647 F.3d at 898. Indeed, Proposed Intervenor-Defendants have a
17 particular interest not just in advancing merits arguments that deny the DOJ’s
18 access to non-public information and confirm the legal validity of California’s
19 privacy laws *but also* highlighting the need for clear voter-friendly data disclosure
20 rules, protecting data security, and ensuring that voter registrations and turnout are
21 not reduced as a policy matter. *See* Farrell Decl. ¶¶ 10, 12, 19-21; Stone Decl.
22 ¶¶ 12, 16; McNenny Decl. ¶¶ 12, 16. Defendant Page, by contrast, may seek to
23 settle due to his office’s competing interests or take positions that Proposed
24 Intervenor-Defendants would not support. In fact, in order to “avoid a lawsuit,”
25 counsel for Defendant Registrar Page has already expressed openness to disclosing
26 unredacted “sensitive information” to the DOJ if the DOJ would be “amenable to
27 entering into a confidentiality agreement.” *See supra* Background Part II, n.5; *see*
28 *also* ECF No. 32 (notice of assignment of a panel mediator in this case). By

1 contrast, Proposed Intervenor-Defendants would not support disclosure of this
2 sensitive voter information to the DOJ even under a confidentiality agreement.
3 These potential divergences are enough to find that Proposed Intervenor-
4 Defendants' interests may not be adequately protected by the existing parties. *See*,
5 *e.g.*, *Paher*, 2020 WL 2042365, at *3 ("Proposed Intervenor . . . have
6 demonstrated entitlement to intervene as a matter of right" where they "may present
7 arguments about the need to safeguard [the] right to vote that are distinct from
8 Defendants' arguments"); *GHP Mgmt. Corp. v. City of L.A.*, 339 F.R.D. 621, 624
9 (C.D. Cal. 2021) (finding "[a]s an initial matter, Proposed Intervenor's very
10 existence is premised on the notion that governmental policies have failed to secure
11 economic or social justice, including housing stability, for Proposed Intervenor's
12 members."); *cf. Associated Gen. Contractors of Am. v. Cal. Dep't of Transp.*, 2009
13 WL 5206722, at *3 (E.D. Cal. Dec. 23, 2009) (granting intervention where
14 defendant state agency's "main interest is ensuring safe public roads and highways"
15 and agency "is not charged by law with advocating on behalf of minority business
16 owners" as intervenors would). Proposed Intervenor-Defendants have distinct
17 interests in ensuring the privacy of sensitive voter registration information and
18 preserving hard-fought successes in legislative advocacy that increased voter
19 security and engagement—these interests will only be adequately represented if
20 Proposed Intervenor-Defendants' motion to intervene is granted.

21 **II. In the Alternative, Proposed Intervenor-Defendants Should Be**
22 **Granted Permissive Intervention Under Rule 24(b).**

23 In addition to the requirements for intervention as of right, Proposed
24 Intervenor-Defendants also satisfy the requirements for permissive intervention.
25 The Court may permit intervention by a proposed intervenor who files a timely
26 motion and "has a claim or defense that shares with the main action a common
27 question of law or fact." Fed. R. Civ. P. 24(b)(1)(B). The court may utilize its
28 broad discretion to grant permissive intervention when the movant files "a timely

1 motion” and raises a claim or defense that shares “a common question of law and
2 fact” with the “main action.” *Callahan v. Brookdale Senior Living Communities,*
3 *Inc.*, 42 F.4th 1013, 1022 (9th Cir. 2022) (quoting *Freedom from Religion Found.,*
4 *Inc. v. Geithner*, 644 F.3d 836, 843 (9th Cir. 2011)). In exercising its discretion, a
5 court must “consider whether the intervention will unduly delay or prejudice the
6 adjudication of the original parties’ rights.” Fed. R. Civ. P. 24(b)(3). Courts also
7 consider other factors, including “the nature and extent of the intervenors’ interest,”
8 the “legal position [the intervenors] seek to advance,” and “whether parties seeking
9 intervention will significantly contribute to full development of the underlying
10 factual issues in the suit and to the just and equitable adjudication of the legal
11 questions presented.” *Callahan*, 42 F.4th at 1022 (quoting *Spangler v. Pasadena*
12 *City Bd. of Educ.*, 552 F.2d 1326, 1329 (9th Cir. 1977)).

13 Here, all of these considerations favor granting permissive intervention.
14 First, as explained above, Proposed Intervenor-Defendants timely sought
15 intervention. *See supra* Argument Part I.A; *see also Crimson Pipeline Mgmt., Inc.*,
16 2013 WL 12246623, at *2 (granting permissive intervention where movant filed
17 about a year after the complaint and two months after the scheduling order).

18 Second, Proposed Intervenor-Defendants’ defenses share common questions
19 of law and fact with the main action. “A common question of law and fact between
20 an intervenor’s claim or defense and the main action arises when the intervenor’s
21 claim or defense relates to the subject matter of the action before the district court,”
22 or, put differently, “when such claims or defenses are clearly a critical part of the
23 instant case.” *Republican Nat’l Comm. v. Aguilar*, 2024 WL 3409860, at *2 (D.
24 Nev. July 12, 2024) (cleaned up). Proposed Intervenor-Defendants easily satisfy
25 this requirement, as the applicable state and federal laws at issue are the same
26 across parties, and Proposed Intervenor-Defendants seek to protect their core
27 mission and sensitive voter registration data that, as a factual matter, Plaintiff DOJ
28 is aiming to infringe by forcing unauthorized and unlawful disclosure.

1 Third, as explained above, there will be no prejudice to any existing party if
2 Proposed Intervenor-Defendants are permitted to intervene, nor will there be any
3 delay, because this case is still in the early stages, and the substantive deadlines in
4 the schedule adopted by this Court have not passed. *See supra* Argument Part I.A.

5 As prominent non-partisan pro-voter and pro-democracy organizations with
6 a strong presence and history of voter registration and voter engagement, and
7 members and volunteers throughout California, including Orange County, *see*
8 Farrell Decl. ¶¶ 5-6, 12-18; Stone Decl. ¶¶ 5-7, 11-15; McNenny Decl. ¶¶ 6-8, 11-
9 15, Proposed Intervenor-Defendants have a unique and informed point of view that
10 would not otherwise be before the Court and that will aid the Court in its
11 consideration of the matter. As such, there is no question that Proposed Intervenor-
12 Defendants “will significantly contribute to full development of the underlying
13 factual issues in the suit and to the just and equitable adjudication of the legal
14 questions presented.” *Sullivan v. Ferguson*, 2022 WL 10428165, at *4 (W.D.
15 Wash. Oct. 18, 2022) (quoting *Spangler v. Pasadena City Bd. of Educ.*, 552 F.2d
16 1326, 1329 (9th Cir. 1977)). The district court’s decision in *Republican National*
17 *Committee v. Aguilar* is instructive on this point. There, various groups sought to
18 intervene in a case where plaintiffs sought to “compel the State to remove from the
19 [voter] rolls voters whom they claim[ed were] ineligible” to vote. 2024 WL
20 3409860, at *3. The court granted permissive intervention, finding that intervenors
21 would “contribute to the just and equitable resolution of the issues before” it
22 because they had a “singular purpose” of “ensur[ing] voters [were] retained on or
23 restored to the rolls,” which provided a “counterbalance” to plaintiffs that the state-
24 defendant could not provide due to its “split mission” of “easing barriers to
25 registration and voting” and “protecting electoral integrity.” *Id.* at *3. The same
26 reasoning applies here. LWVC, LWVOC, and LWNOC should be permitted to
27 intervene under Rule 24(b) to advance their members’ rights, the rights and
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1 interests of California voters that they serve, and their core missions, which
2 Plaintiff's action threatens.

3 **CONCLUSION**

4 For the foregoing reasons, the Court should grant Proposed Intervenor-
5 Defendants intervention as of right under Rule 24(a), or in the alternative,
6 permissive intervention under Rule 24(b).

7
8 Dated: November 14, 2025

Respectfully submitted,

9
10 /s/ Grayce Zelphin

11 Grayce Zelphin

12 Counsel for Proposed Intervenor-
13 Defendants
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CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record for the League of Women Voters of California, League of Women Voters of Orange Coast, and League of Women Voters of North Orange County, certifies that this brief contains 6851 words, which complies with the word limit of L.R. 11-6.1.

DATED: November 14, 2025 /s/ Grayce Zelphin
Grayce Zelphin