

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

THE STATE OF LOUISIANA, by and
through its Attorney General, LIZ MURRILL,
and ROSALIE MARKEZICH,

Plaintiffs,

v.

U.S. FOOD AND DRUG
ADMINISTRATION, *et al.*,

Defendants.

Civil Action No. 6:25-cv-01491

Judge: David C. Joseph

Mag. Judge: David J. Ayo

GENBIOPRO, INC.’S MOTION TO INTERVENE

Pursuant to Federal Rule of Civil Procedure 24, GenBioPro, Inc. (“GenBioPro”) hereby moves to intervene as a defendant in this action. As detailed in the accompanying Memorandum of Law, GenBioPro has protectable interests in this action that may be impaired by the disposition of the case, and which are not adequately represented by Defendants. GenBioPro therefore is entitled to intervene as of right under Rule 24(a). Alternatively, at a minimum, the Court should grant GenBioPro intervention on a permissive basis under Rule 24(b) because GenBioPro’s prospective defenses share common questions of law and fact with the existing action and no party would suffer prejudice from GenBioPro’s intervention.

Pursuant to Federal Rule of Civil Procedure 24(c) and Local Rule 7.6, GenBioPro also attaches hereto two proposed pleadings: (1) a Conditional Memorandum in Opposition to Plaintiffs’ Motion for Preliminary Relief, and (2) a Conditional Motion to Dismiss. GenBioPro respectfully requests that these documents be deemed filed if this Motion for Leave to Intervene is granted.

GenBioPro has conferred with the existing parties regarding their positions on this motion. Plaintiffs oppose intervention and Defendants take no position on intervention.

For the foregoing reasons, and those set forth in the accompanying Memorandum of Law, GenBioPro respectfully requests that the Court grant its motion to intervene as a defendant in this action.

Dated: February 3, 2026

Skye L. Perryman
WDLA Temp. Bar No. 918774
Carrie Y. Flaxman
WDLA Temp. Bar No. 918135
Lisa Newman
WDLA Temp. Bar No. 918773
DEMOCRACY FORWARD
FOUNDATION
P.O. Box 34553,
Washington, DC 20043
Tel: (202) 448-9090
sperryman@democracyforward.org
cflaxman@democracyforward.org
lnewman@democracyforward.org

Respectfully submitted,

/s/ Robert J. Katerberg
Robert J. Katerberg
WDLA Temp. Bar No. 918627
Daphne O'Connor
WDLA Temp. Bar No. 918772
ARNOLD & PORTER
KAYE SCHOLER LLP
601 Massachusetts Avenue, N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
daphne.oconnor@arnoldporter.com
robert.katerberg@arnoldporter.com

John Adcock
ADCOCK LAW LLC
Louisiana Bar No. 30372
8131 Oak Street, Ste 100
New Orleans, LA 70118
Tel: (504) 233-3125
Fax: (504) 308-1266
jnadcock@gmail.com

*Counsel for Proposed Intervenor-Defendant
GenBioPro, Inc.*