

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NORTHEAST OHIO COALITION FOR THE HOMELESS, *et al.*,

Plaintiffs,

v.

FRANK LAROSE, in his official capacity as Ohio Secretary of State,

Defendant.

Civil Action No. 1:23-cv-26

Judge Donald C. Nugent

Magistrate Judge Jonathan D. Greenberg

**MOTION TO INTERVENE OF SANDRA FEIX, MICHELE LAMBO,
AND THE OHIO REPUBLICAN PARTY**

Sandra Feix, Michele Lambo, and the Ohio Republican Party move for leave to intervene as party defendants pursuant to Federal Rule of Civil Procedure 24. Intervention is warranted for the reasons set forth in the accompanying memorandum in support. Intervenors attach as **Exhibit 1** the Motion to Dismiss they would file if permitted to intervene in this matter and as **Exhibit 2** the Answer and Affirmative Defenses they would alternatively file if permitted to intervene.¹

Counsel for the Proposed Intervenors contacted counsel for Plaintiffs and counsel for Defendant prior to filing this motion. Plaintiffs did not provide a position on this motion prior to filing. The Secretary of State has no objection to the intervention.

¹ Proposed Intervenors prefer to file their Motion to Dismiss rather than an Answer to Plaintiffs' Amended Complaint, but Rule 24 does not specify whether a motion to dismiss satisfies the requirement to provide "a pleading that sets out the claim or defense for which intervention is sought." Fed. R. Civ. P. 24(c). Therefore, in an abundance of caution, Proposed Intervenors also attach a proposed Answer.

Dated: March 21, 2023

Respectfully submitted,

/s/ James R. Saywell

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Attorneys for Proposed Intervenors

**Pro hac vice application forthcoming*

CERTIFICATE OF SERVICE

I certify that on March 21, 2023, a copy of the foregoing Motion to Intervene was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ James R. Saywell

James R. Saywell
Attorney for Proposed Intervenor-Defendants

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[PROPOSED] ORDER

AND NOW, this ___ day of _____, 2023, upon consideration of the Motion to Intervene of Sandra Feix, Michele Lambo, and the Ohio Republican Party, it is hereby ORDERED, ADJUDGED, and DECREED that the Motion is GRANTED. The clerk is direct to file on the docket Intervenors' Motion to Dismiss.

Honorable Donald C. Nugent
United States District Judge