

STATE OF MINNESOTA  
COUNTY OF ANOKA

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DISTRICT COURT  
TENTH JUDICIAL DISTRICT

Minnesota Voters Alliance; Mary Amlaw; Ken  
Wendling; Tim Kirk,

Petitioners,

v.

Tom Hunt, in his official capacity as elections  
official for Anoka County; Steve Simon, in his  
official capacity as Secretary of State; Anoka  
County; the Office of the Minnesota Secretary  
of State; Shannon Reimann, in her official  
capacity as chief executive officer of the  
Minnesota Correctional Facility – Lino Lakes,

Respondents,

Jennifer Schroeder, an individual; and Elizer  
Eugene Darris, an individual,

[Proposed] Intervenor-  
Respondents.

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Case Type: Civil  
File No. 02-cv-23-3416  
The Honorable Thomas R. Lehmann

**INTERVENOR-RESPONDENTS’  
MEMORANDUM IN SUPPORT OF  
MOTION TO INTERVENE**

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## INTRODUCTION

Minnesota courts “encourage intervention whenever possible.” *Norman v. Refsland*, 383 N.W.2d 673, 678 (Minn. 1986); accord *Blue Cross/Blue Shield of R.I. v. Flam by Strauss*, 509 N.W.2d 393, 396 (Minn. Ct. App. 1993) (“The policy of encouraging intervention whenever possible is favored by courts, and the rule should be liberally applied.” (citing *Engelrup v. Potter*, 224 N.W.2d 484, 489 (Minn. 1974))).

On March 3, 2023, Governor Tim Walz signed House File 28, Laws of Minnesota 2023, Chapter 12 (“**Re-enfranchisement Statute**”), which amended Minnesota Statutes 2022, Section 201.014, to restore the right to vote to persons living in the community on probation, parole, or supervised release following a felony conviction. The Re-enfranchisement Statute restored the voting rights of Proposed Intervenor-Respondents Jennifer Schroeder and Elizer Eugene Darris (collectively the “**Proposed Intervenor-Respondents**”), after they spent years lobbying, organizing, and litigating to achieve that result. They value the right to vote as a fundamental right, and they have registered and are prepared to vote in upcoming elections.

The Petition filed by the Minnesota Voters Alliance (“**MVA**”), Mary Amlaw, Ken Wendling, and Tim Kirk (collectively “**Petitioners**”) threatens to deprive Ms. Schroeder and Mr. Darris of the right to vote they have worked so hard to secure. Any relief that jeopardizes their voting rights, including any possibility of an order invalidating the Re-enfranchisement Statute, would profoundly injure the Proposed Intervenor-Respondents. Accordingly, the Proposed Intervenor-Respondents respectfully request that the Court enter an order granting their motion to intervene in this action pursuant to Rules 24.01 and 24.02 of the Minnesota Rules of Civil Procedure.

## BACKGROUND

### I. THE PROPOSED INTERVENOR-RESPONDENTS

Both of the Proposed Intervenor-Respondents were plaintiffs in recent litigation challenging the constitutionality of the statutory scheme that resulted in the disenfranchisement of tens of thousands of Minnesotans who live and work in the community on probation, parole, or supervised release. The case garnered national attention, raised public awareness, and fueled legislative action. While the Minnesota Supreme Court ultimately rejected their constitutional challenge, it clarified that the Minnesota Legislature possesses the authority and discretion to determine when and how to restore voting rights following felony convictions. *Schroeder v. Simon*, 985 N.W.2d 529 (Minn. 2023) (hereinafter “*Schroeder*”). Both Ms. Schroeder and Mr. Darris have worked for years to support, advocate, and lobby for the right to vote that the Re-enfranchisement Statute secures. (See **Declaration of Jennifer Schroeder** (“Schroeder Decl.”), ¶¶ 8-15; see also **Declaration of Elizer Eugene Darris** (“Darris Decl.”), ¶¶ 5-12.)

#### A. Jennifer Schroeder

Ms. Schroeder was born in Edina, Minnesota on July 28, 1982. (Schroeder Decl., ¶ 2.) She came from a broken home and developed an addiction at a young age. (*Id.*) Her childhood was spent in foster homes and group homes without positive role models. (*Id.*) Shortly after losing custody of her newborn daughter, Ms. Schroeder was pulled over for driving without a license and charged with possession of controlled substances. (*Id.* at ¶ 4.) She was convicted on October 29, 2013. (*Id.*)

Ms. Schroeder was sentenced to one year in county jail and 40 years of probation, depriving her of the right to vote for most of her adult life. (*Id.* at ¶ 5.) The court terminated her parental rights, and her daughter was given up for adoption. (*Id.*) Even when faced with this bleak outlook, Ms. Schroeder continued her rehabilitation. (*Id.*) After her year in jail, she enrolled in college and

eventually graduated with a degree in addiction counseling. (*Id.* at ¶ 6.) Prior to the COVID pandemic, she worked as a counselor at Wayside Recovery Center, where she helped others overcome addiction. (*Id.*)

Until passage of the Re-enfranchisement Statute, Ms. Schroeder could not vote, despite caring passionately about politics and public policy. (*Id.* at ¶ 7.) Now, even though she has been rehabilitated through the criminal justice system, counsels others on avoiding and recovering from addiction, and the Minnesota Legislature restored her right to vote, Petitioners seek relief that may have the effect of once again disenfranchising her.

**B. Elizer Eugene Darris**

In 1999, at the age of 15, Mr. Darris was arrested for homicide and sentenced to life in prison. (Darris Decl., ¶ 3.) The conviction was vacated due to lack of evidence and in 2003, the court re-sentenced him to 25 years in prison. (*Id.*) He now lives and works in the community on supervised release until 2025. (*Id.*)

In 2016, Darris began serving his supervised release. (*Id.* at ¶ 4.) He obtained a job and began paying taxes immediately. (*Id.*) He has volunteered as a mentor, reentry coach, neighborhood cleaner and with many state and local political campaigns over the years. (*Id.*) He also volunteered for years with the movement to restore voting rights to returning citizens living and working in the community. (*Id.*) Mr. Darris is now the CEO of Darris Consulting Group, and he consults with local and state-level governments and non-profit organizations on public policy. (*Id.* at ¶ 2.)

Despite extraordinary efforts to participate positively in the community, Mr. Darris was disenfranchised prior to passage of the Re-enfranchisement Statute. Mr. Darris attended Governor Walz's signing ceremony for the Re-enfranchisement Statute and was among the first newly enfranchised persons who registered to vote under the law. (*Id.* at ¶¶ 11-12.) He now has the

opportunity to vote in the general election. Petitioners' relief threatens to disenfranchise Mr. Darris once again, after all of his work to restore the voting rights of those living in the community following felony convictions.

## II. THE RE-ENFRANCHISEMENT STATUTE AND THIS LITIGATION

On March 3, 2023, Governor Walz signed House File 28, Laws of Minnesota 2023 chapter 12, which amended Minnesota Statutes 2022, section 201.014, to state:

An individual who is ineligible to vote because of a felony conviction has the civil right to vote restored during any period when the individual is not incarcerated for the offense. If the individual is later incarcerated for the offense, the individual's civil right to vote is lost only during that period of incarceration.

And in House File 1830, signed by Governor Walz on May 24, 2023, the Legislature added this language: "For purposes of this subdivision only, an individual on work release under section 241.26 or 244.065 or an individual released under section 631.425 is not deemed to be incarcerated." Laws of Minnesota 2023, Chapter 62, Article 4, § 10..

Petitioners filed their lawsuit claiming that House File 28 and amendments to Section 201.014 are unconstitutional. *See generally* Petition for a Writ of Quo Warranto or, in the Alternative, for a Declaratory Judgment ("**Petition**"). Petitioners claim that Article VII, section 1 of the Minnesota Constitution, which states a person who has been convicted of a felony may not vote "unless restored to civil rights," precludes the Legislature from restoring only voting rights, claiming instead that *all* civil rights must be restored or *none* at all. (*Id.* at ¶¶ 1-7.) Petitioners claim that a person on supervised release, work release, or probation has not yet been "restored to civil rights" and therefore cannot have their voting rights restored. (*Id.* at ¶ 19.) In short, Respondents seek to disenfranchise those persons to whom the Legislature has restored voting rights.

For the reasons discussed below, these arguments, if successful, would cause terrible injury to Proposed Intervenor-Respondents by depriving them of the right to vote that they have worked so hard to have restored by the Re-enfranchisement Statute.

### **ARGUMENT**

Proposed Intervenor-Respondents move to intervene in this litigation to safeguard their fundamental right to vote. The courts have long recognized that voting rights are the cornerstone of civil and political freedom:

Undoubtedly, the right of suffrage is a fundamental matter in a free and democratic society. Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized. Almost a century ago, in *Yick Wo v. Hopkins*, 118 U.S. 356, 6 S. Ct. 1064, 30 L. Ed. 220, the Court referred to ‘the political franchise of voting’ as ‘a fundamental political right, because preservative of all rights.’ 118 U.S. at 370, 6 S. Ct. at 1071.

*Reynolds v. Sims*, 377 U.S. 533, 561–62 (1964). Because the relief that Petitioners seek may deprive Ms. Schroeder and Mr. Darris of that fundamental right, Proposed Intervenor-Respondents have a direct and compelling interest in participating as a party to this litigation.

Indeed, facing disenfranchisement as a result of this litigation, it is hard to envision any injury or interest that could provide a more compelling basis for intervention under Rule 24. Accordingly, Proposed Intervenor-Respondents are entitled to intervene under Rule 24.01 and should be granted permissive intervention under Rule 24.02.

#### **I. RULE 24.01 SUPPORTS INTERVENTION AS A MATTER OF RIGHT.**

“Minnesota courts are to follow a policy of encouraging all legitimate interventions.” *Jerome Faribo Farms, Inc. v. Cnty. of Dodge*, 464 N.W.2d 568, 570 (Minn. Ct. App. 1990); *see also Halverson ex rel. Halverson v. Taflin*, 617 N.W.2d 448, 450 (Minn. Ct. App. 2000) (providing

that rules considering intervention are to be “liberally applied”). Rule 24.01 of the Minnesota Rules of Civil Procedure governs interventions as a matter of right:

Upon timely application anyone shall be permitted to intervene in an action when the applicant claims an interest relating to the property or transaction which is the subject of the action and the applicant is so situated that the disposition of the action may as a practical matter impair or impede the applicant’s ability to protect that interest, unless the applicant’s interest is adequately represented by existing parties.

Minn. R. Civ. P. 24.01.

To meet the requirements of Rule 24.01, the Proposed Intervenor-Respondents must satisfy four requirements: “(1) a timely application; (2) an interest in the subject of the action; (3) an inability to protect that interest unless the applicant is a party to the action; and (4) the applicant’s interest is not adequately represented by existing parties.” *Miller v. Miller*, 953 N.W.2d 489, 493 (Minn. 2021) (quoting *League of Women Voters Minn. v. Ritchie*, 819 N.W.2d 636, 641 (Minn. 2012) (internal quotation marks omitted)). Because all factors are fully met here, the motion to intervene should be granted.

**A. Proposed Intervenor-Respondents’ Motion is timely.**

“[T]he requirement of timely intervention reveals that such a matter must be determined on a case-by-case basis.” *Engelrup*, 224 N.W.2d at 488. “The timeliness of [an] application to intervene . . . will be based upon the particular circumstances involved and such factors as how far the suit has progressed, the reason for any delay in seeking intervention, and any prejudice to the existing parties because of a delay.” *Minneapolis Star & Tribune Co. v. Schumacher*, 392 N.W.2d 197, 207 (Minn. 1986). Here, the particular circumstances establish that Proposed Intervenor Respondents’ intervention is timely. Indeed, they filed a Notice of Intervention shortly after the lawsuit was filed and before any Respondent filed a response to the complaint. Proposed

Intervenor-Respondents have done everything in their power to expeditiously protect their right to participate in this litigation.

Petitioners filed the Petition on June 28, 2023. Sixteen days later, counsel for Proposed Intervenor-Respondents contacted Petitioners counsel stating their intention to file a Notice of Intervention and inquiring whether Petitioners would object. (Exhibit 1.) Proposed Intervenor-Respondents filed the Notice of Intervention and their Answer to the Petition on July 19, 2023, 21 days after filing of the petition. (Dkts. 6, 7) Because Petitioners informed counsel that they would object to intervention, Proposed Intervenor-Respondents followed up with counsel on July 24 seeking to coordinate a briefing schedule on the motion to intervene that would enable the Court to hear argument at the hearing initially scheduled on August 24. (Exhibit 2.) By deferring the hearing on Rule 12 motions to October, the Court's schedule obviated the need to adjust deadlines related to the motion to intervene. On August 8, 2023, Petitioners filed and served their Objection to Intervention. (Dkt. 17) Then, complying with Minn. R. Civ. P. 24.03, Proposed Intervenor-Respondents filed and served this Motion to Intervention upon all parties within 30 days. In fact, to ensure additional time with the motion, Proposed Intervenor-Respondents filed the motion to intervene on August 31, 2023, well in advance of the October 30 hearing and before any party filed any other motion.

In sum, Proposed Intervenor-Respondents moved quickly to ensure that intervention would be resolved at the outset of the litigation and would minimize any possible disruption to the litigation. Their motion to intervene is well within the timeframe accepted by courts as timely. *See, e.g., Campaign Legal Ctr. v. Fed. Election Comm'n*, 334 F.R.D. 1, 6 (D.D.C. 2019) (“The application is certainly timely, since Intervenor-Respondents ‘moved to intervene less than two months after the plaintiffs filed their complaint and before the defendant[] filed an answer’ or was required to

do so.”) (quoting *Fund for Animals, Inc. v. Norton*, 322 F.3d 728, 735 (D.C. Cir. 2003)); *see also North Dakota v. Heydinger*, 288 F.R.D. 423, 429 (D. Minn. 2012) (holding that intervention more than one year after filing of the amended complaint was timely because the parties had not engaged in discovery).

Proposed Intervenor-Respondents have diligently pursued intervention and have acted to ensure that there has been no delay or prejudice caused by the motion. With this litigation at the earliest stages, allowing the Proposed Intervenor-Respondents to intervene will not cause any delay.

**B. Proposed Intervenor-Respondents have an interest in the subject matter of the action because Petitioners seek to strip their right to vote.**

Rule 24.01 recognizes entitlement to intervention when the proposed intervening party demonstrates “a direct and concrete interest that is accorded some degree of legal protection.” *Miller*, 953 N.W.2d at 494 (quoting *Diamond v. Charles*, 476 U.S. 54, 75 (1986) (internal quotation marks omitted)). “[A] party is entitled to intervene when he would necessarily gain or lose by the direct legal effect of the judgment therein if he became a party to the action.” *Sister Elizabeth Kenny Found., Inc. v. Nat’l Found.*, 26 N.W.2d 640, 645 (Minn. 1964). The Court examines “the pleadings and, absent sham or frivolity . . . “accept[s] the allegations in the pleadings as true.” *Snyder’s Drug Stores, Inc. v. Minn. State Bd. of Pharmacy*, 221 N.W.2d 162, 164 (Minn. 1974). The Court does not, however, consider the merits of the proposed complaint. *Id.*

This is an easy determination here. Ms. Schroeder and Mr. Darris are currently eligible and registered to vote, a right they are intervening to protect. (*See* Schroeder Decl. ¶¶ 16-17; Darris Decl. ¶¶ 13-15.) And the right to vote is not only accorded “some degree of protection”—the threshold for intervention under *Miller*—but is a fundamental constitutional right warranting vigilant protection by the courts. *See, e.g., Kahn v. Griffin*, 701 N.W.2d 815, 832 (Minn. 2005)

(holding that “any potential infringement” of the right to vote must be subject to strict scrutiny because it is a fundamental right); *Ulland v. Growe*, 262 N.W.2d 412, 415 (Minn. 1978) (recognizing the right to vote as a fundamental right for courts to safeguard). There can be no cognizable legal interest more compelling for intervention than a voter’s interest in maintaining the franchise.

**C. The disposition of this action will impair and impede the Proposed Intervenor-Respondents’ ability to protect their right to vote.**

The third factor is whether disposition of the pending litigation may impair or impede the intervenor’s legal interests, and courts examine this factor “from a practical standpoint rather than one based on strict legal criteria.” *Minneapolis Star & Tribune Co. v. Schumacher*, 392 N.W.2d 197, 207 (Minn. 1986). Entitlement to intervene is established if the relief sought by a lawsuit may practically undermine an intervenor’s interests. *Id.*

Once again, this factor obviously justifies intervention. Petitioners seek to invalidate the Re-enfranchisement Statute that has restored Ms. Schroeder’s and Mr. Darris’s right to vote. Petitioners’ lawsuit is nothing less than an effort to disenfranchise them. Given the relief Petitioners seek, Ms. Schroeder’s and Mr. Darris’s right to vote hangs in the balance. And Ms. Schroeder and Mr. Darris have personally worked for years to lobby the Legislature to pass the Re-enfranchisement Statute and to restore their voting rights. (*See* Schroeder Decl. ¶¶ 16-17; Darris Decl. ¶¶ 13-15.) Even the possibility of being disenfranchised by this litigation is devastating and inimical to Proposed Intervenor-Respondents’ most fundamental legal interests. (*Id.*)

Accordingly, the Proposed Intervenor-Respondents *must* be allowed to intervene in this Action in order to protect their fundamental right to vote. *See Reynolds*, 377 U.S. at 561–62.

**D. The current parties will not adequately protect the Proposed Intervenor-Respondents' right to vote.**

The burden to demonstrate that existing parties may not adequately represent the interests of the Proposed Intervenor-Respondents is “minimal.” *Jerome Faribo Farms*, 464 N.W.2d at 571. Minnesota courts follow the policy of “encouraging all legitimate interventions.” *Costley v. Caromin House, Inc.*, 313 N.W.2d 21, 28 (Minn. 1981). Accordingly, the Proposed Intervenor-Respondents “should be allowed to intervene unless it is clear that the [parties] will provide adequate representation for the absentee.” *Id.* (citing 7 A.C. Wright & A. Miller, *Federal Practice & Procedure* § 1909, at 524 (1972)). The Respondents do not oppose this intervention, meaning that “such intervention shall be deemed to have been accomplished” pursuant to Rule 24.03, absent the Plaintiff’s meritless objection.

Even if Respondents have a general interest in defending statutes against legal challenge, intervention is proper when the stakes for the proposed intervenors outweigh the general interest the State has in defending its own statutes. *See Sierra Club v. Glickman*, 82 F.3d 106, 110 (5th Cir. 1996) (holding that the government’s representation of the general public interest did not adequately represent the intervenor’s narrower private interests, despite the similarity in their goals). “In litigating on behalf of the general public, the government is obligated to consider a broad spectrum of views, many of which may conflict with the particular interest of [a private party] intervenor.” *Utah Ass’n of Cnty. v. Clinton*, 255 F.3d 1246, 1255-56 (10th Cir. 2001); *see also Fund for Animals*, 322 F.3d at 736 (“governmental entities do not adequately represent the interests of aspiring intervenors.” (footnote omitted)); *see also Crossroads Grassroots Policy Strategies v. Fed. Election Comm’n*, 788 F.3d 312, 321 (D.C. Cir. 2015) (“we look skeptically on government entities serving as adequate advocates for private parties.”) Respondent’s generalized interests in enforcing the law on behalf of all Minnesota citizens and the State are distinct from the

private interests of the Proposed Intervenor-Respondents. *See Utah Ass'n of Cnty.*, 255 F.3d at 1255-56 (“the government’s representation of the public interest generally cannot be assumed to be identical to the individual parochial interest of a [private party] merely because both entities occupy the same posture in the litigation.”).

The Proposed Intervenor Respondents’ interests in the outcome of this litigation depart significantly from Respondents. While Respondents may have an interest in vindicating the legality of the Re-enfranchisement Statute and actions taken pursuant to it, Petitioners relief would deprive Ms. Schroder and Mr. Darris of the right to vote. The Court should ensure that direct interest in the petition is represented in the litigation.

MVA cannot reasonably contest this factor. In *Schroeder*, at the Court of Appeals, MVA appeal the trial court’s denial of its motion to intervene, where they claimed an interest based on being taxpayers and claimed that the Attorney General’s Office was not defending its interest, despite the Attorney General ultimately litigating the case to the Minnesota Supreme Court. *See generally* Brief for Appellant, *Schroeder v. Simon*, 962 N.W.2d 471 (Minn. Ct. App. 2021) (No. A20-0272). MVA correctly stated that “in certain public law cases, a party may have a right of intervention because a matter can’t be left solely to the public authorities’ and the court’s discretion.” *Id.* at 15. MVA based its purported need to intervene on the fact that, as in this case, “it is taxpayer funds that are paying the public official who are defendants in the case, that are paying the Attorney General’s Office for defending the public official in this case and that are paying the district court for adjudicating the case.” Reply Brief for Appellant at 6, *Schroeder*, 962 N.W.2d 471 (No. A20-0272).

The very fact the litigation is continuing is causing unnecessary cost to taxpayers. There will never be a way to recover the taxpayer funds unnecessarily spent on this continuing litigation. This Court should allow the intervention to cause the

unnecessary waste of taxpayer funds on this lawsuit to stop—and **to save the voting statute from an unconstitutional attack.**

*Id.* at 7-8 (emphasis added). “The Attorney General’s Office has not adequately represented MVA’s interests in upholding the constitutionality of Minnesota’s voting laws.” Brief for Appellant at 37, *Schroeder*, 962 N.W.2d 471 (No. A20-0272). If the Attorney General was not adequate in that case, MVA’s contradictory arguments should not be taken seriously here.

Because Proposed Intervenor-Respondents plainly meet all factors applicable to Rule 24.01, they are entitled to intervention by right. They respectfully request that the Court grant their motion.

## **II. PROPOSED INTERVENOR-RESPONDENTS SHOULD BE GRANTED PERMISSIVE INTERVENTION UNDER RULE 24.02.**

Whether in addition or in the alternative, intervention should be granted under Rule 24.02:

Upon timely application anyone may be permitted to intervene in an action when an applicant's claim or defense and the main action have a common question of law or fact. ... In exercising its discretion, the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.

Minn. R. Civ. P. 24.02. Permissive intervention requires only that the proposed intervenors have “a common question of law or fact with the action.” *League of Women Voters*, 819 N.W.2d at 642 (internal quotation marks and quoting citation omitted). As demonstrated above in Section II.A, Proposed Intervenor-Respondents have submitted a timely application for permissive intervention, satisfying the first prong of Rule 24.02.

The Proposed Intervenor-Respondents will raise defenses that share many common questions with the claims and defenses of the parties. As set forth in their Answer, Proposed Intervenor-Respondents fundamentally disagree with the legal premise of the petition, and they should be entitled to litigate their defenses as a party. Further, as parties to the *Schroeder* case that

bears directly on the validity of the Re-enfranchisement Statute, the perspective and arguments of Ms. Schroeder and Mr. Darris will assist the Court in assessing the petition.

Finally, Proposed Intervenor-Respondents intend to challenge the standing of Petitioners, who face no injury from Ms. Schroeder and Mr. Darris exercising their right to vote. Indeed, the contrast between the injury from disenfranchisement that Proposed Intervenor-Respondents face and Petitioners' purported interest in disenfranchising others will bring Petitioners lack of standing into high relief.

Because the Proposed Intervenor-Respondents have submitted a timely application and this case is currently in the early stages, intervention will not cause any undue delay. Permissive intervention should be granted.

### **CONCLUSION**

For the reasons stated above, Proposed Intervenor-Respondents respectfully request that the Court grant their Motion to Intervene and permit them to participate in the litigation as party respondents.

Dated: August 31, 2023

*/s/ Craig S. Coleman*

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**From:** Coleman, Craig S.

**Sent:** Friday, July 14, 2023 1:06 PM

**To:** 'doug.seaton@umlc.org' <[doug.seaton@umlc.org](mailto:doug.seaton@umlc.org)>; 'james.dickey@umlc.org' <[james.dickey@umlc.org](mailto:james.dickey@umlc.org)>

**Cc:** Justman, Jeffrey P. <[jeff.justman@faegredrinker.com](mailto:jeff.justman@faegredrinker.com)>; Nelson, Terri <[tnelson@aclu-mn.org](mailto:tnelson@aclu-mn.org)>; 'McKinney, David' <[dmckinney@aclu-mn.org](mailto:dmckinney@aclu-mn.org)>

**Subject:** Minnesota Voters Alliance, et al. v. Hunt, et al.

Counsel –

We represent Jennifer Schroeder and Elizer Darris in connection with the above-referenced lawsuit. Ms. Schroeder and Mr. Darris were plaintiffs in *Schroeder v. Simon*, and the relief requested by the Plaintiffs risks depriving them of the right to vote. As a result, they intend to file and serve a Notice of Intervention. Please let us know whether you will accept service of that Notice on behalf of the named Plaintiffs. Additionally, please let us know whether Plaintiffs intend to object intervention.

Regards, Craig

**Craig S. Coleman**

Partner

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**Faegre Drinker Biddle & Reath LLP**

2200 Wells Fargo Center, 90 South Seventh Street  
Minneapolis, Minnesota 55402, USA

**From:** [Coleman, Craig S.](#)  
**To:** [Moran, Erica Abshez](#); [Ingram, Cassidy J.](#); [Fournier, Ehren M.](#); [McGrew, Kristen M.](#)  
**Subject:** FW: Minnesota Voters Alliance v. Hunt, Case No. 02-cv-23-3416  
**Date:** Monday, July 24, 2023 3:06:33 PM

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**From:** Coleman, Craig S.  
**Sent:** Monday, July 24, 2023 3:01 PM  
**To:** 'james.dickey@umlc.org' <james.dickey@umlc.org>; 'doug.seaton@umlc.org' <doug.seaton@umlc.org>; 'Jason Stover' <Jason.Stover@co.anoka.mn.us>; 'Allen.Barr@ag.state.mn.us' <Allen.Barr@ag.state.mn.us>; 'Nathan.Hartshorn@ag.state.mn.us' <Nathan.Hartshorn@ag.state.mn.us>  
**Cc:** 'McKinney, David' <dmckinney@aclu-mn.org>; Justman, Jeffrey P. <jeff.justman@faegredrinker.com>; Snyder, Evelyn (Evie) <evelyn.snyder@faegredrinker.com>  
**Subject:** Minnesota Voters Alliance v. Hunt, Case No. 02-cv-23-3416

Counsel –

The Petitioners have stated their intention to oppose intervention by the Proposed Intervenor-Respondents, so our clients will be filing a Motion to Intervene. Please let us know whether any of the parties objects to the Court hearing argument on that motion during the scheduled August 24 hearing. Because doing so would further judicial economy, the Proposed Intervenor-Respondents intend to file their Motion to Intervene on July 27 and adhere to the briefing schedule in place for motions to dismiss. I am available to discuss should it be necessary.

Thanks, Craig

**Craig S. Coleman**

Partner

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