

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

KRIS W. KOBACH, <i>et al.</i>)	
)	
Plaintiffs,)	
)	
vs.)	CIVIL ACTION NO.
)	5:13-CV-4095-EFM-DJW
)	
UNITED STATES ELECTION)	
ASSISTANCE COMMISSION, <i>et al.</i>)	
)	
Defendants,)	
)	
and,)	
)	
PROJECT VOTE, INC.)	
)	
Defendant-Intervenor.)	
_____)	

MOTION FOR LEAVE TO INTERVENE AS DEFENDANT

Movant requests the Court to grant it leave to intervene as Defendant in this action as of right pursuant to Federal Rule of Civil Procedure 24(a)(2), or in the alternative grant it permissive intervention pursuant to Federal Rule of Civil Procedure 24(b)(1)(B).

Movant Project Vote is a national, non-partisan nonprofit corporation dedicated to conducting voter registration drives in low-income, minority, youth, and other marginalized communities and supporting the efforts of other organizations doing similar work. Since 1994, Project Vote has developed state-of-the-art voter registration programs and assisted millions of citizens nationwide to register to vote, including through partnerships with state and local civic groups that conduct voter registration drives in states such as Arizona and Kansas. For example, in 2012 Project Vote directly funded civic engagement programs including voter registration

programs in a number of states, and provided technical assistance and training to national groups that conducted voter registration drives, including in Arizona.

Movant requests the Court grant it leave to intervene as a Defendant in this action as of right pursuant to Federal Rule of Civil Procedure 24(a)(2). As appears more fully from the attached memorandum, the grounds for the motion are that Movant claims an interest in the property or transaction that is the subject of this action and is so situated that disposing of the action may as a practical matter impair or impede its ability to protect its interest. Movant further alleges that its interest is not adequately represented by existing parties.

In the alternative, Movant requests the Court grant it permissive intervention pursuant to Federal Rule of Civil Procedure 24(b)(1)(B), on the grounds that it has a claim or defense that shares with the main action a common question of law or fact.

If intervention is granted, Movant will: (i) participate in the action on the schedule that will be established for the existing parties; (ii) avoid unnecessary delays or duplication of efforts in areas satisfactorily addressed and represented by the existing Defendants, to the extent possible; and (iii) coordinate all future proceedings with the existing Defendants, to the extent possible.

This motion is accompanied by Movant's answer setting forth the claims and defenses for which intervention is sought.

Counsel for Plaintiffs has advised counsel for Movant that Plaintiffs oppose the motion to intervene. Counsel for Defendants has advised counsel for Movant that Defendants take no position on the motion to intervene.

WHEREFORE, Movant requests that its Motion for Leave to Intervene as Defendant be granted.

Dated: November 13, 2013

Respectfully submitted,

s/Michelle Kanter Cohen
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*Attorneys for Defendant-Intervenor
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**Pro Hac Vice Motion Pending*

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of November, 2013, I electronically filed the foregoing MOTION FOR LEAVE TO INTERVENE AS DEFENDANT with the clerk of the court by using the CM/ECF system, which will automatically send a notice of electronic filing and a copy of the filing to all counsel of record.

s/ Erin Thompson
Erin Thompson