

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

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<b>DAWN CURRY PAGE, et al.,</b>		)	
		)	
<b>Plaintiffs,</b>		)	
		)	
<b>v.</b>		)	
		)	
<b>VIRGINIA STATE BOARD OF ELECTIONS, et al.,</b>		)	<b>Civil Action No.: 3:13-cv-678</b>
		)	
<b>Defendants.</b>		)	
		)	
<hr/>		)	

**MOTION OF VIRGINIA REPRESENTATIVES DAVID BRAT AND BARBARA COMSTOCK TO INTERVENE AS ADDITIONAL INTERVENOR-DEFENDANTS**

This Court already has recognized that it is “proper” to allow intervention in this lawsuit by congressional representatives elected to office under the Enacted Plan that Plaintiffs challenge. *See* Order (DE 26). Indeed, such representatives have a strong interest in protecting Virginia’s legislatively enacted congressional districting plan that Plaintiffs seek to replace with a mid-decade judicial redistricting plan and that this Court invalidated prior to the Supreme Court’s vacatur and remand order in this case. This strong interest will be harmed if Plaintiffs’ requested relief is granted, and no existing defendant will adequately represent it. For these reasons, the Court previously granted intervention to Intervenor-Defendants. *See id.*

Representatives David Brat and Barbara Comstock were elected to represent Virginia Congressional Districts 7 and 10, respectively, on November 6, 2014, after the Court’s October 7, 2014 decision in this case. Representatives Brat and Comstock now respectfully move to intervene as additional Intervenor-Defendants in this case under Federal Rule of Civil Procedure 24. No party will be prejudiced or delayed by this intervention. Defendants have stated that they

have no objection to this motion based on the representation that it will not cause any delay in this case, and without prejudice to any argument about any party's entitlement to relief. Counsel for Representatives Brat and Comstock left voice mails for Plaintiffs' counsel on April 6, 2015 and April 10, 2015, stating their intention to file this motion on Monday, April 13, 2015 and requesting Plaintiffs' position on the motion. Counsel for Representatives Brat and Comstock followed up with an email to Plaintiffs' counsel on April 13, 2015. Plaintiffs' counsel did not respond to these messages, and Plaintiffs have not stated their position with respect to this motion.

The Court should grant Representatives Brat and Comstock intervention as of right or, in the alternative, permissive intervention, as additional Intervenor-Defendants.

Dated: April 13, 2015

Respectfully submitted,

/s/ Jonathan A. Berry

Michael A. Carvin (*pro hac vice* pending)

John M. Gore (*pro hac vice* pending)

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*Counsel for Intervenor-Defendants and Movants  
David Brat and Barbara Comstock*

**CERTIFICATE OF SERVICE**

I certify that on April 13, 2015, a copy of this MOTION OF VIRGINIA REPRESENTATIVES DAVID BRAT AND BARBARA COMSTOCK TO INTERVENE AS ADDITIONAL INTERVENOR-DEFENDANTS was filed electronically with the Clerk of Court using the ECF system which will send notification to the following ECF participants:

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Dated: April 13, 2015

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