

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

COMMON CAUSE FLORIDA, et al.,

Plaintiffs,

MICHAEL ARTEAGA, et al.,

Intervenor Plaintiffs,

Case No. 4:22-cv-109-AW-MAF

v.

LAUREL M. LEE,

Defendant.

ORDER GRANTING MOTION TO INTERVENE

A group of Florida voters—plaintiffs in a parallel state-court action¹—moved to intervene as plaintiffs here. ECF No. 10. No party opposes their intervention.

The Federal Rules of Civil Procedure authorize two types of intervention: intervention of right (Rule 24(a)) and permissive intervention (Rule 24(b)). The movants argue they are entitled to both. ECF No. 10 ¶¶ 4, 5; ECF No. 11 at 2-3. Because we agree that they satisfy the standard for permissive intervention, we need not decide whether they could intervene as of right.

“Rule 24(b) allows courts to permit timely intervention by anyone with ‘a claim or defense that shares with the main action a common question of law or fact’” after “consider[ing] whether the intervention will ‘unduly delay or prejudice the

¹ *Arteaga v. Lee*, No. 2022-CA-000398 (Fla. 2d Cir. Ct. Mar. 11, 2022).

adjudication of the original parties' rights.'" *Comm'r, Ala. Dep't of Corr. v. Advance Loc. Media, LLC*, 918 F.3d 1161, 1171 (11th Cir. 2019) (quoting Fed. R. Civ. P. 24(b)(1)(B), (3)). Here, the motion was timely: it came less than a week into the case. And the proposed intervenors' claims share common questions with the existing plaintiffs' claims. Each alleges that Florida's congressional districts are malapportioned, and each seeks a court-imposed map as a remedy. Finally, allowing intervention will neither unduly delay adjudication nor prejudice the existing parties. The movants' counsel agreed at the status conference that they would not inject new issues or parties into the case, although they may propose a different map.

The motion to intervene (ECF No. 10) is GRANTED. Intervenors must file an amended complaint within seven days.²

SO ORDERED on April 6, 2022.

s/ Allen Winsor
United States District Judge
for the Three-Judge Court

² The movants' proposed complaint included legislative parties and Florida's Governor as defendants. ECF No. 10-1. At the time, this mirrored the Plaintiffs' complaint, which included the same defendants. ECF No. 1. Since then, Plaintiffs have dismissed all defendants other than the Secretary. ECF Nos. 57, 58, 59. At the status conference, movants' counsel appeared and agreed that if permitted to intervene, movants would proceed against the Secretary only. Therefore, movants must file an amended complaint omitting claims against the other parties.