

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

VIRGINIA STATE CONFERENCE OF)
NATIONAL ASSOCIATION FOR THE)
ADVANCEMENT OF COLORED)
PEOPLE BRANCHES, et al.,)

Plaintiffs,)

v.)

Civil Action No. 2:08 CV 508 – RAJ

TIMOTHY M. KAINE, et al.,)

Defendants,)

and)

ALBEMARLE COUNTY REPUBLICAN)
COMMITTEE, as an organization and on)
behalf of its members and candidates;)

CHRISTIAN SCHOENEWALD, Chair,)
Albemarle County Republican Committee;)

REPUBLICAN PARTY OF NORFOLK,)
as an organization and on behalf of its)

members and candidates; PAMELA BROWN,)
Chair, Republican Party of Norfolk;)

THIRD CONGRESSIONAL DISTRICT)
REPUBLICAN COMMITTEE, on behalf)

of its members and candidates;)
MICHAEL WADE, Chair, Third)

Congressional District Republican Committee;)
ROANOKE CITY REPUBLICAN)

COMMITTEE, as an organization and)
on behalf of its members and candidates;)

ADAM BOITNOTT, Chair, Roanoke City)
Republican Committee; SECOND)

CONGRESSIONAL DISTRICT)
REPUBLICAN COMMITTEE, on behalf of)

its members and candidates, and GARY)
BYLER, Chair, Second Congressional)

District, Republican Committee; JON)
ONDRAK; and CHERYLN STARLET)

STEVENS,)

Putative Intervenor–)

Defendants.)

MOTION TO INTERVENE

The Putative Intervenor–Defendants, Albemarle County Republican Committee, Christian Schoenewald, Republican Party of Norfolk, Pamela Brown, Michael Wade, Roanoke City Republican Committee, Adam Boitnott, Second Congressional District Republican Committee, Gary Byler, Third Congressional District Republican Committee, Jon Ondrak, and Cherlyn Starlet Stevens (together, the “Intervenor–Defendants”), by counsel and pursuant to Fed. R. Civ. P. 24(a), move to intervene in this action. In support of this Motion, the Intervenor–Defendants state that they have an interest in the election that is the subject of this action, and that they are so situated that disposing of this action may as a practical matter impair or impede their ability to protect their interests, which the existing parties will not adequately represent.

Alternatively, the Intervenor–Defendants move this Court for permission to intervene pursuant to Fed. R. Civ. P. 24(b), because they intend to present legal defenses to the relief Plaintiffs seek. The grounds and reasons for this Motion set forth more fully in the accompanying Memorandum.

ALBEMARLE COUNTY REPUBLICAN
COMMITTEE, CHRISTIAN SCHOENEWALD,
REPUBLICAN PARTY OF NORFOLK, PAMELA
BROWN, MICHAEL WADE, ROANOKE CITY
REPUBLICAN COMMITTEE, ADAM
BOITNOTT, SECOND CONGRESSIONAL
DISTRICT REPUBLICAN COMMITTEE, GARY
BYLER, THIRD CONGRESSIONAL DISTRICT
REPUBLICAN COMMITTEE, JON ONDRAK,
and CHERLYN STARLET STEVENS

/s/ Cameron S. Matheson

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Counsel for Intervenor–Defendants

CERTIFICATE OF FILING AND SERVICE

I certify that on November 3, 2008, I filed this Motion electronically with the Clerk of Court using the CM/ECF System, which will provide notice of this filing to all persons indicated on the filing receipt. In addition, I sent a copy of this Motion via facsimile to:

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