

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, Plaintiff, v. COMMONWEALTH OF PENNSYLVANIA; and AL SCHMIDT, in his official capacity as Secretary of the State of Pennsylvania, Defendants.	Case No. 2:25-cv-1481 (Hon. Cathy Bissoon)
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**MOTION TO INTERVENE AS DEFENDANTS OF NICHOLAS MASTON, GREGORY
PERRY, TODD THATCHER, JOEL DICKSON, TRISHA KENT, LIOR STERNFELD,
JOHN THOMPSON, THE LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA, AND
COMMON CAUSE**

Nicholas Maston, Gregory Perry, Todd Thatcher, Joel Dickson, Trisha Kent, Lior Sternfeld, John Thompson, the League of Women Voters of Pennsylvania, and Common Cause (collectively, “Proposed Intervenorors” or the “Voter Intervenorors”) respectfully move to intervene as of right and become defendants pursuant to Fed. R. Civ. P. 24(a)(2) or, in the alternative, to intervene permissibly under Fed. R. Civ. P. 24(b)(1). A memorandum in support of this Motion to Intervene is filed herewith.

Proposed Intervenorors Nicholas Maston, Gregory Perry, Todd Thatcher, Joel Dickson, Trisha Kent, Lior Sternfeld, and John Thompson, are qualified Pennsylvania voters whose interests and rights under federal and/or state law would be threatened should the United States obtain its requested relief. Their respective declarations are appended to this Motion as Exhibits A through G.

Proposed Intervenor the League of Women Voters of Pennsylvania (“LWV-PA”), and Common Cause (“Common Cause”) are nonpartisan membership organizations committed to, *inter alia*, ensuring that all eligible Pennsylvania voters register to vote and exercise their right of suffrage at each election. The relief requested by the United States would threaten their interests and their members’ interests by jeopardizing voters’ privacy, chilling voter engagement, and facilitating baseless voter challenges and other barriers to the free exercise of the right to vote. The declaration of Amy Widestrom, Executive Director of LWV-PA, is appended to this Motion as Exhibit H. The declaration of Suzanne Almeida, Common Cause’s Vice President, States, is appended to this Motion as Exhibit I.

The Voter Intervenor is entitled to intervene as of right under Rule 24(a) because they have (1) filed a timely motion to intervene; and (2) have an interest in the present litigation, that (3) stands to be impaired or affected by the resolution of this case, and (4) are not adequately represented by the existing parties. *See Liberty Mut. Ins. Co. v. Treesdale, Inc.*, 419 F.3d 216, 220 (3d Cir. 2005); Fed. R. Civ. P. 24(a). The Voter Intervenor should, in the alternative, be allowed to intervene permissibly under Rule 24(b) because they have “claim[s] or defense[s] that share[] with the main action a common question of law or fact.” Fed. R. Civ. P. 24(b)(1)(B).

Because this motion is being filed at the initial stages of the litigation, granting this motion will not delay or prejudice the adjudication of any party’s rights. Not all Defendants have filed a responsive pleading and this motion and memorandum provide sufficient notice of the basis for intervention and relief the Proposed Intervenor will seek. Moreover, the lack of prejudice is especially clear here because all deadlines in this case are currently being held in abeyance at the United States’ request due to the government shutdown.

Pursuant to Rule 24(c), Proposed Intervenors have appended as Exhibit J a Proposed Answer to the United States' complaint. Proposed Intervenors reserve the right to file a motion to dismiss pursuant to Rule 12 within the time allotted for the filing of such motions if their Motion is granted.

Defendant the Commonwealth of Pennsylvania takes no position on the Motion and Defendant Secretary Schmidt does not oppose. Plaintiff the United States did not reply to inquiries regarding its position; in response to an email inquiry, Proposed Intervenors received an automatic response indicating that counsel for the United States had been furloughed due to the lapse in government appropriations and the resulting shutdown.

WHEREFORE, Proposed Intervenors respectfully request that the Court grant their motion to intervene as of right or, in the alternative, grant their motion under the standard for permissive intervention.

Dated: October 9, 2025

Respectfully submitted,

/s/ Witold J. Walczak

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** application for admission pro hac vice
forthcoming*

CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2025, a true and correct copy of the foregoing document was served via the Court's ECF system on all counsel of record and by email on counsel for the Commonwealth of Pennsylvania and Secretary Schmidt.

/s/ Witold J. Walczak