

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
(SOUTHERN DIVISION - SANTA ANA)  
(WESTERN DIVISION - LOS ANGELES)

UNITED STATES OF AMERICA,	)	CASE NO: 8:25-cv-01370-DOC-ADS
	)	
Plaintiff,	)	CIVIL
	)	
vs.	)	Los Angeles, California
	)	
ROBERT PAGE, ET AL,	)	Wednesday, November 19, 2025
	)	(9:07 a.m. to 9:45 a.m.)
Defendants.	)	
UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	CASE NO: 2:25-cv-09149-DOC-MAR
	)	
vs.	)	
	)	CIVIL
SHIRLEY WEBER, ET AL,	)	
	)	
Defendants.	)	

MOTION TO STAY [DKT.NO.21]; STATUS CONFERENCE

MOTION TO STAY CASE PENDING LAPSE IN APPROPRIATIONS [DKT.NO.6];

NAACP; NAACP CALIFORNIA-HAWAII STATE CONFERENCE; AND SERVICES,  
IMMIGRANT RIGHTS AND EDUCATION NETWORK MOTION TO INTERVENE AS  
DEFENDANTS [DKT.NO.14];

MOTION TO INTERVENE [DKT.NO.24]

BEFORE THE HONORABLE DAVID O. CARTER,  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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1 Los Angeles, CA; Wednesday, November 19, 2025; 9:07 a.m.

--oOo--

3                   **THE COURT:** -- *versus Robert Page.* And also the  
4 companion case *United States versus Shirley Weber.*

5 You folks come on up. Let's see if we can get you  
6 back to Washington, D.C. or across the country. How's  
7 everybody this morning? Good morning.

8 MR. NEFF: Good morning, Your Honor.

11 So first of all you have a fascinating case. Are all  
12 of you holding up okay to my hours?

14 | THE COURT: Good, good. Okay.

15 And, counsel, once again would you make the  
16 appearances on behalf of the United States of America, please.

18                   **THE COURT:** And once again, where are you located?

19 MR. NEFF: Washington, D.C.

20                   **THE COURT:** Okay. We'll try to get you back to your  
21 family I promise you.

22                   **MS. HAMILL:** Good morning, Your Honor, Julie Hamill  
23 for the United States. I'm located here.

24 | **THE COURT:** And you were here before.

25 MS. HAMILL: Yes, Your Honor.

1                   **THE COURT:** Are you on the Page case?

2                   **MS. HAMILL:** Yes, Your Honor.

3                   **THE COURT:** All right. And so Julie Hamill. And  
4 where are you located, Washington, D.C. also?

5                   **MS. HAMILL:** I'm located here, Your Honor.

6                   **THE COURT:** Local.

7                   **MS. HAMILL:** Yes.

8                   **THE COURT:** All right. Nice to have you here.

9                   Who's Eric Neff?

10                  **MR. NEFF:** That's me, Your Honor.

11                  **THE COURT:** And who's Maureen Riordan?

12                  **MR. NEFF:** That is our senior counsel.

13                  **THE COURT:** Okay. I'm going to refer to Page as the  
14 county case. Would that be acceptable for all parties?

15                  **MR. NEFF:** Yes, Your Honor.

16                  **THE COURT:** Who's here on behalf of the United States  
17 versus Shirley Weber?

18                  **MR. NEFF:** I am, Your Honor.

19                  **THE COURT:** Okay. So you're doing double duty. And,  
20 Julie Hamill, are you here also on that case?

21                  **MS. HAMILL:** Yes, Your Honor.

22                  **THE COURT:** Okay. And now counsel on behalf of the  
23 defendant and let's start with Robert Page, the voter registrar  
24 of Orange County.

25                  **MS. SHOAI:** Good morning, Your Honor, Deputy County

1 Counsel, Susann Shoai on behalf of the defendant Robert Page.

2 **THE COURT:** All right. And you're Susann Shoai; is  
3 that correct?

4 **MS. SHOAI:** Correct.

5 **THE COURT:** And who else is appearing today?

6 **MS. SHOAI:** I'm all there is.

7 **THE COURT:** Oh, by yourself? All right.

8 **MS. SHOAI:** For Mr. Page.

9 **THE COURT:** Daniel Richards?

10 **MS. SHOAI:** He's not here today, but he is also.

11 **THE COURT:** Okay. That's fine. And Robert William  
12 Setrakian?

13 **MR. SETRAKIAN:** Good morning, Your Honor, Deputy  
14 Attorney General Robert William Setrakian and I'm here for  
15 defendant Shirley Weber.

16 **THE COURT:** Are you -- well I also have you listed  
17 under Page, but that's not correct, is it?

18 **MR. SETRAKIAN:** That's not correct, apologies.

19 **THE COURT:** Let me turn to Shirley Weber and who's  
20 appearing then once again on the Weber case, which I'll call  
21 the state case.

22 **MR. BRUDIGAM:** Good morning, Your Honor, Deputy  
23 Attorney General Malcolm Brudigam on behalf of the state  
24 defendants.

25 **THE COURT:** Okay.

1                   **MR. SETRAKIAN:** Yes, Deputy Attorney General Robert  
2 William Setrakian also for the state defendant.

3                   **THE COURT:** And are you both from Washington, D.C.?

4                   **MR. BRUDIGAM:** I'm located in Sacramento, Your Honor.

5                   **THE COURT:** Just about as far. Just joking.

6                   **MR. SETRAKIAN:** And I'm located in Los Angeles.

7                   **THE COURT:** Okay. So you're okay. And you're  
8 located?

9                   **MS. SHOAI:** In Orange County.

10                  **THE COURT:** Okay. Now, the intervenors, there are  
11 numerous requests for intervention we've got across the  
12 country. I've lost track of them, but on behalf of the NAACP.  
13 They were here on the last occasion.

14                  **MR. DODGE:** That's correct, Your Honor, Christopher  
15 Dodge on behalf of the NAACP and SIREN, which is the immigrants  
16 organization.

17                  **THE COURT:** Okay. And you represent both; is that  
18 correct?

19                  **MR. DODGE:** That's correct, Your Honor.

20                  **THE COURT:** As well as the immigrants organization.

21                  **MR. DODGE:** That's correct.

22                  **THE COURT:** And the League of Women Voters?

23                  **MS. ZELPHIN:** That would be me, Your Honor. I'm  
24 Grace Zelphin from the ACLU of Northern California here on  
25 behalf of the proposed intervenors, the League.

1                   **THE COURT:** All right. Ever since this case was  
2 filed and each of you cause some local international headlines  
3 or national headlines, we've been trying to resolve the matter.  
4 And on the county case, which is Page, where there's an  
5 allegation of voter fraud, including your last counsel, Michael  
6 Gates, who I believe is the Assistant DOJ who flew out, about a  
7 dog voting on a couple of occasions.

8                   He'd originally asked this Court for a stay because  
9 it was anticipated that the United States would also file a  
10 broader case that would encompass all of California. And I'm  
11 going to refer to that as the State matter, which is the Weber  
12 matter.

13                   I think that we've all agreed, or at least this Court  
14 believes that it's important to resolve this matter as quickly  
15 as possible because this case has to go to the Ninth Circuit  
16 and probably will go to the Supreme Court. And you've asked  
17 for a stay on the county case, Page, and we've had a frank  
18 discussion probably because you want to truncate discovery.  
19 Now you can't say that, but it's pretty evident.

20                   And the State case seems to have much more  
21 significance for the Ninth Circuit to examine whatever decision  
22 this Court makes because whatever decision I made it's going up  
23 on appeal and I think to the Supreme Court. They may even take  
24 this on cert.

25                   So I want you to describe the Page case to me, the

1 county case. And then I want a response on Page. And if  
2 you're still asking for a stay, so counsel, on behalf of the  
3 county case first before we get to the state case, because this  
4 involves voter rights.

5 **MR. NEFF:** Thank you, Your Honor. I do think the  
6 county case sort of is subservient to the state case and the  
7 state case is what's going to get reviewed first. What I would  
8 say in the big picture is that they both bring up the same  
9 issue.

10 **THE COURT:** Yeah, they do.

11 **MR. NEFF:** We're just asking for the same thing, but  
12 from different officials. And so essentially it really  
13 shouldn't matter.

14 **THE COURT:** But before when Mr. Gates, and apparently  
15 he was in contact with Bondi, was pressing for discovery on the  
16 state case, believing that Orange County had been lax in terms  
17 of persons who were voting or should have been removed from the  
18 rolls. Main Justice wanted to continue on with that case and  
19 he was quite candid with the Court, which I appreciate.  
20 Because it would open up discovery in the county case.

21 The county had taken the position at that time that  
22 they wanted the county case stayed to -- well, it would shut  
23 down discovery. What's your position on the state case? Are  
24 you asking for a stay and agreeing with the county so that the  
25 state case proceeds first? Are you -- so what is your position

1 today?

2 **MR. NEFF:** To some extent, I would posit, Your Honor,  
3 you're asking me to speculate as to what their position is, but  
4 I will try.

5 **THE COURT:** Well, they were pretty blunt last time  
6 about what their position was and --

7 **MR. NEFF:** And I do apologize.

8 **THE COURT:** -- they want to stay --

9 **MR. NEFF:** I wasn't here for that and I'm now --

10 **THE COURT:** Well, that's okay. You're responsible,  
11 we've got transcripts. You're the Government.

12 **MR. NEFF:** The -- but the crux of it would be I think  
13 it's fair to say the United States would like to have seen more  
14 cooperation, not just from these election officials, but  
15 country-wide election officials. And -- but, however, that  
16 hasn't been forthcoming. We think the law is very clear. And  
17 I believe the general country-wide attitude of lack of  
18 cooperation has led to all jurisdictions essentially saying, we  
19 want to see a court order. And I will say from colleague to  
20 colleague, I understand that position. I think that's largely  
21 what this comes down to.

22 **THE COURT:** So are you acquiescing to a stay on the  
23 country stay or is your position that you're proceeding forward  
24 and you'd like discovery? And you can make a call to Bondi if  
25 you want to, I don't care, you can call the Attorney General.

1                   **MR. NEFF:** Yes, we're --

2                   **THE COURT:** Gates was calling her.

3                   **MR. NEFF:** -- happy to withdraw the motion to stay.

4 And we're happy to litigate that if Your Honor finds it ripe,  
5 but I just think at this point it does make sense to allow the  
6 -- just get a ruling on the state case and that that would be  
7 dispositive for the county case.

8                   **THE COURT:** Because the state's going to sweep -- I  
9 mean, from San Francisco to Los Angeles.

10                  **MR. NEFF:** Correct.

11                  **THE COURT:** It's going to be probably the more  
12 dispositive case and certainly we'll get to the Supreme Court a  
13 little bit quicker.

14                  You had agreed to a stay before, this was the desire  
15 on the county's part. Are you still agreeing to a stay?

16                  **MS. SHOAI:** Yes, Your Honor. We think a stay would  
17 be prudent to allow the state case to go forward first.

18                  **THE COURT:** Okay. And I'm just going to kid you,  
19 how's our dog doing voting? Just joking.

20                  **MS. SHOAI:** Your Honor, I do want to --

21                  **THE COURT:** It captured a lot of headlines, but you  
22 know, originally the complaint was there were about 17 people  
23 that you could verify in that case, some dead, some removed,  
24 some not. And then the precedent with a dog having voted a  
25 number of occasions which probably titillated the public but

1 it's not the main vehicle to get this up to the Supreme Court,  
2 or minimally the Ninth Circuit.

3 So a stay is stipulated to by all parties?

4 **MS. SHOAI:** Yes, Your Honor.

5 **THE COURT:** Counsel, stay stipulated? Make sure you  
6 check with Bondi. Calls going back and forth were made.

7 **MR. NEFF:** Yes, Your Honor.

8 **THE COURT:** Okay. Then I'm going to grant a stay on  
9 the county case, but on this condition. Now, you have to move  
10 on the state case and there's been a lot of delay waiting for  
11 the government to then file with the state and you haven't had  
12 a chance until recently to respond, so we've been patient.

13 Now, you asked for a stay from this Court last week  
14 because the federal government had shut down. Now, I had a  
15 little bit of fun with you. Not you, because you're kind of in  
16 between, so I have wonderful counsel in my court.

17 So let me kid you a little bit but not because when  
18 I'm smiling it's dangerous, the judiciary didn't leave when  
19 they weren't getting paid. Karlin didn't get paid. My clerks  
20 didn't get paid. The staff didn't get paid.

21 The executive branch and maybe the legislative branch  
22 got into a situation where the government closed. And when you  
23 asked for that continuance, I denied it, but I'm working with  
24 you. The problem is you're not going back to Washington, D.C.  
25 until we complete the briefing. Because I'm denying a request

1 to simply put this matter over, when the executive and  
2 legislative branch has chosen to close and you shouldn't have  
3 been on vacation, I don't mean you personally. You should have  
4 been working without pay as all of the benches of the  
5 government were working, so I don't have a lot of mercy about  
6 that. But I'm kind. I'll work with you.

7 How are you doing on this continuous and perpetual  
8 briefing that you'll be here with me until we complete? Where  
9 are you on at it because you're not going back to D.C. until we  
10 complete it.

11 **MR. NEFF:** I'm at the Court's service, Your Honor.

12 **THE COURT:** Well, you are. Yes, you are. How are we  
13 doing?

14 **MR. NEFF:** Well, we had filed our response.

15 **THE COURT:** Good.

16 **MR. NEFF:** We filed that I believe last night.

17 **THE COURT:** Last night, okay. Are you satisfied with  
18 the response? Do you need any more time because I'm here all  
19 the time.

20 **MR. NEFF:** We are satisfied.

21 **THE COURT:** Okay, good. And is there going to be a  
22 reply?

23 **MR. BRUDIGAM:** Yes, Your Honor. We --

24 **THE COURT:** And when will that reply take place?

25 **MR. BRUDIGAM:** Seven days from yesterday, so Tuesday,

1 next Tuesday.

2                   **THE COURT:** Nope, nope. Here we are. We're ready.

3 I was clear before, this case needs to be decided on behalf of  
4 the voters. A decision has to be made. It has to get to the  
5 Ninth Circuit. And there's been too much delay already. So  
6 are we coming back tomorrow or Friday, Monday? When are we  
7 coming back?

8                   **MR. BRUDIGAM:** For the hearing on our motion to --

9                   **THE COURT:** Your reply. Yeah, I'm going to push this  
10 case now. We've been dawdling around waiting for the county  
11 and now the state and I'm very clear about this. This case is  
12 going to get decided now one way or the other.

13                   **MR. BRUDIGAM:** Whenever Your Honor would like to set  
14 a hearing.

15                   **THE COURT:** I'm here all the time. You tell me,  
16 because you're here with me.

17                   **MR. BRUDIGAM:** I guess next Tuesday if we could.

18                   **THE COURT:** Sure, next Tuesday is fine. That gives  
19 you a chance to go back to D.C. and come back.

20                   **MR. BRUDIGAM:** Just what I wanted, Your Honor.

21                   **THE COURT:** But I'm ordering you back here. I'm not  
22 now trusting that this will be done. There's been far too much  
23 delay on this. Let's get the briefing done, okay? So next  
24 Tuesday, the order back into session.

25                   Where are you flying into? I can sit in either

1 Orange County as a courtesy to you or I can sit in Los Angeles.

2 I'm both places?

3 **MR. BRUDIGAM:** Preference for Los Angeles but --

4 **THE COURT:** Counsel, your preference? Where's the  
5 easiest place for you to fly into, counsel, on behalf of the  
6 Government? Counsel, is it easier for you to fly into Los  
7 Angeles because I can drive to L.A.

8 **MR. NEFF:** It actually makes no difference to me,  
9 Your Honor.

10 **THE COURT:** Then let's make it Los Angeles for the  
11 convenience of everybody, okay?

12 **MR. NEFF:** Okay.

13 **THE COURT:** And what time, 7:30 okay?

14 **MR. NEFF:** Yes.

15 **THE COURT:** 7:30?

16 **MR. BRUDIGAM:** Sure.

17 **THE COURT:** Okay. All right. Now, do you have any  
18 questions of the Court?

19 **MR. BRUDIGAM:** Yes, Your Honor. So our reply, just  
20 get it to you as soon as we can?

21 **THE COURT:** Absolutely. If you do it tomorrow, I'll  
22 call you back into session. In other words, I'm not trying to  
23 hold you. If you get your briefing done Thursday or Friday,  
24 notify me and we'll get you going. Okay?

25 **MR. BRUDIGAM:** Okay.

1                   **THE COURT:** As far as further delay, because the  
2 government is shut down, that was not caused by the judiciary  
3 and that's a tremendous detriment to the voters. They just  
4 don't know what to do right now, in terms of these allegations  
5 of voter fraud, okay. Okay?

6                   All right. Then, counsel, any other questions?

7                   **MR. BRUDIGAM:** No, Your Honor.

8                   **THE COURT:** Counsel?

9                   **MR. NEFF:** No, Your Honor.

10                  **THE COURT:** So I'll set it for Tuesday at 7:30. Now,  
11 let's take the intervenors for just a moment. Let me hear  
12 first from the --

13                  **MS. ZELPHIN:** The League of Women Voters.

14                  **THE COURT:** League of Women Voters. Come on up for  
15 just a moment. It's a pleasure to meet you again and identify  
16 yourself again for the record. And the question I'm going to  
17 have eventually if I let you intervene is, am I going to have  
18 contradiction between the intervenors? Often times, I'd only  
19 let one intervenor come into a case, Shayla Meyers here with LA  
20 Alliance, she was the only -- you don't know here, but she was  
21 the only intervenor I allowed in that case, although there were  
22 numerous intervenors. Why and what's your interest in this  
23 case to intervene?

24                  **MS. ZELPHIN:** Your Honor, so I represent the League  
25 of Women Voters and as we laid out in our briefs --

1                   **THE COURT:** No, no, I want to hear it now on the  
2 record.

3                   **MS. ZELPHIN:** Okay. The interest of the League  
4 includes both the privacy and security of the voter's data of  
5 the 7,000 members of the League of Women Voters. So their  
6 personal data is one of their interests, as well as their  
7 mission to ensure that every voter has the opportunity to  
8 register and vote and folks are registered. So really  
9 increasing engagement with the voting process.

10                  And third, the League is very involved in advocacy in  
11 increasing voter data privacy, as well as securing folks'  
12 rights to vote. In that capacity, there's been a lot of state  
13 policies that the League has championed and pushed  
14 successfully, which would be infringed in this case should the  
15 plaintiff succeed.

16                  And, you know, to the point of whether existing  
17 parties adequately represent the League's interests, we would  
18 argue they really do not. While we anticipate and are very  
19 happy that a lot of the arguments being made by both the state  
20 defendants and the other intervenors here are very strong and  
21 we agree that the motion for dismissal will likely be granted  
22 on the merits here.

23                  There are a couple of differences in legal position  
24 that the League has that we feel are very important for us to  
25 raise. For example, while we agree that the NDI here, the

1 public disclosure requirements under 8(i) which actions are  
2 permitted, we would argue that electronic voter rolls are  
3 necessary because we, you know, request similar records often  
4 to ensure that folks are not purged from voter rolls  
5 unnecessarily.

6                   **THE COURT:** Without granting your request to  
7 intervene at the present time, and with the Court staying the  
8 county case by stipulation of both counsel, but proceeding with  
9 the statewide case concerning these voter issues, is that  
10 harmful to your position? And have you sought to intervene on  
11 the county case or are you seeking to intervene on the state  
12 case or both?

13                   **MS. ZELPHIN:** We have moved to intervene on both,  
14 Your Honor.

15                   **THE COURT:** Okay. Now, having moved on both, is  
16 there any detriment to you in me staying the county case and  
17 proceeding with the state case?

18                   **MS. ZELPHIN:** No, Your Honor. I think that, you  
19 know, as counsel stipulated most, if not all of the issues that  
20 are being litigated in the Page case are encompassed in the  
21 Weber litigation. And as intervenors, we felt it very  
22 important to ensure that the League's interests were  
23 represented if there wasn't a stay. So if Page is going  
24 forward first, we wanted to ensure that those interests were  
25 represented. If Weber goes first, as it will under the

1 stipulation, we want to ensure that the League's interests are  
2 represented in the Weber case.

3 **THE COURT:** Thank you very much. Let me hear from  
4 your colleague on behalf of the NAACP and the immigration  
5 rights groups. And would you identify yourself once again for  
6 the record.

7 **MR. DODGE:** Good morning, Your Honor, Christopher  
8 Dodge on behalf of the NAACP and SIREN.

9 My clients have a very strong interest in this case.  
10 They represent communities that oftentimes have the greatest  
11 difficulty accessing the ballot box, black Americans, immigrant  
12 communities, people of color. And, you know, what the Justice  
13 Department is trying to do here by collecting a nationwide  
14 voter registration database will have the effect of making it  
15 more difficult for the communities that my clients represent to  
16 be able to engage in the political process, to feel comfortable  
17 registering to vote here in California, without concern that  
18 their private information will at the drop of a hat be turned  
19 over to the Justice Department.

20 So those are the stakes here for us. You know, we  
21 collectively represent over 12,000 members here in California  
22 who are very concerned about their personal data being given  
23 over to the Justice Department.

24 And we certainly agree with Your Honor that the state  
25 case here is where the action is, it's where the legal issues

1 are going to be resolved. And that's where we've intervened.  
2 And to that end, on Monday evening after the first hearing  
3 here, we filed a proposed motion to dismiss, where we raised  
4 some distinct arguments from the State, as to why we do not  
5 believe the Justice Department is entitled to these records.

6 That motion to dismiss is not formally on the docket,  
7 because we have not been granted intervention yet. We filed it  
8 under a motion for leave, but that motion is ready to go. It  
9 can be adjudicated at the Tuesday hearing Your Honor has set,  
10 you know, obviously we would give plaintiff an opportunity to  
11 respond to that motion and the distinct arguments we raised in  
12 it. But we agree that this case can be resolved quickly on  
13 Rule 12(b) briefing and that's why we've submitted a proposed  
14 motion to dismiss.

15 **THE COURT:** If the Court grants intervention on  
16 behalf of the League of Women Voters or the NAACP and by the  
17 way there are other entities seeking to intervene who filed  
18 papers with the court, so you're part of that process, have you  
19 moved to intervene on both the county case and the state case?

20 **MR. DODGE:** We've moved to intervene solely in the  
21 state case, Your Honor. Because as I think many of the parties  
22 here agree, we think that is the best vehicle for resolving  
23 this fundamental legal question of does the Justice Department  
24 get these records or not.

25 **THE COURT:** Okay. So why don't both of you come to

1 the lectern for just a moment. Counsel, is there any objection  
2 by the United States Government for intervention by the League  
3 of Women Voters and the NAACP, as well as the immigration  
4 groups? And if so, what is your objection.

5 **MR. NEFF:** Yes.

6 **THE COURT:** What's your objection?

7 **MR. NEFF:** The objection is that they are not proper  
8 intervenors under the law and that they -- for the same reasons  
9 that they're not proper intervenors under the law they would  
10 only serve in this case to delay and not add to the issues that  
11 are being litigated here.

12 **THE COURT:** And under the law, why wouldn't they be  
13 proper intervenors?

14 **MR. NEFF:** Well, Your Honor, under Rule of Civil  
15 Procedure 24, they can either be mandatory intervenors or they  
16 can be permissive intervenors.

17 **THE COURT:** Permissive.

18 **MR. NEFF:** Under mandatory they're required to --  
19 there are four prongs, one of them is procedural and three are  
20 substantive. They don't meet any of the three substantive  
21 reasons.

22 **THE COURT:** And permissive, counsel?

23 **MR. NEFF:** Permissive, it's many of the same  
24 arguments, because permissive essentially goes down to do they  
25 have an independent ground to be in this litigation and

1 essentially all their arguments boil down to speculation and  
2 they -- this -- they can't overcome what is a presumption that  
3 the Government is going to represent the very interests that  
4 they identify.

5 We're -- as we mentioned in our briefing, they seem  
6 perfectly appropriate to file as an amicus in this type of  
7 litigation and they're free to -- and we would agree that Your  
8 Honor would be perfectly reasonable to allow them to do so.  
9 But they simply can't state an interest, a cognizable legal  
10 interest in this litigation.

11 **THE COURT:** Counsel?

12 **MR. BRUDIGAM:** The state defendants do not oppose  
13 intervention, Your Honor.

14 **THE COURT:** Counsel?

15 **MS. SHOAI:** On the Page matter, we also do not oppose  
16 intervention.

17 **THE COURT:** How would intervention help this Court  
18 versus amicus briefs? Because I expect that I'm going to get  
19 literally nationwide amicus briefs if I allow that, because the  
20 voter rights here issue in California are going to extend, that  
21 decision is going to extend nationwide at least by -- well,  
22 it's going to have a nationwide impact.

23 So if you're allowed to file amicus briefs, are you  
24 concerned that you get mixed up with dozens of amicus briefs  
25 that come to court without an ability to represent your

1 positions here? And the second question is, am I going to be  
2 subject to delay because if I let you intervene, I would let  
3 you of course brief and we're already into the briefing  
4 schedule because I've held a continuous session now to get this  
5 filing done by the Government.

6 **MS. ZELPHIN:** To your first point, Your Honor, you  
7 know, I have great faith that this Court will read all of the  
8 amicus briefs and consider those. However, under Rule 24(a) we  
9 believe that the League has special interests that it needs to  
10 represent in this matter throughout the litigation. You know,  
11 as Your Honor has indicated there's a high chance this will go  
12 to appeals and throughout and we want to ensure that the  
13 arguments that are made are consistent with, you know, the  
14 interest of the League and the League's interests remain  
15 preserved all the way through, not just on an amicus basis.

16 And to your other question, Your Honor, at least for  
17 --

18 **THE COURT:** On the briefing schedule. In other  
19 words, am I --

20 **MS. ZELPHIN:** Yes. The proposed intervenors have no  
21 incentive to delay the briefing in this case. We would ask  
22 Your Honor really that we can file a very short, maybe five  
23 page reply brief with the State Attorneys, not an additional  
24 motion --

25 **THE COURT:** But under due process then I give the

1 same opportunity for the Government to respond. In other  
2 words, coming in a reply brief it may resolve your issue, but  
3 that would be unfair to the Government not to be able to  
4 respond.

5 **MS. ZELPHIN:** Well, I would take the directions of  
6 Your Honor in terms of minimizing paper that Your Honor  
7 receives, but also preserving our interest.

8 **THE COURT:** What are your thoughts, counsel?

9 **MR. DODGE:** Your Honor, we're in a unique position in  
10 that we've already filed our motion to dismiss, so we'll cause  
11 no delay. You have our arguments.

12 And I think going to the point about, you know, why  
13 we have a unique interest in the case, I will note that we  
14 raised arguments in our motion to dismiss that the State,  
15 although we agree with all of their arguments, did not raise.

16 And so I think our participation would add  
17 additional, potentially dispositive arguments here as to why  
18 the Justice Department's request must fail. Again, those  
19 arguments are now on the record here. We agree that the  
20 Justice Department should have time to respond to them, but  
21 that is more than possible given the Tuesday hearing, they can  
22 respond in due course.

23 And, you know, we could either forego a reply on that  
24 and just address it at the hearing or file a very short reply  
25 on the unique arguments that we raise.

1                   **THE COURT:** All right. First, I'm trying to count  
2 the days of us finally receiving the Government's briefing.  
3 Upon reflection, due process is not accomplished because you  
4 have seven days to file a response. So therefore, I think it's  
5 unwise on me or on my part now to bring you back upon  
6 reflection next Tuesday.

7                   What I'm worried most about though is continuing  
8 delay, permissibly I think you have strong grounds for  
9 intervention, I'm not sure mandatorily you do. So if I  
10 indicated to you tentatively subject to a final decision by  
11 this Court that I'll write over the weekend, that I was going  
12 to let you -- that I'm inclined to allow you to intervene on  
13 behalf of the NAACP, the immigration rights group and the  
14 League of Women Voters.

15                   What I need then is some kind of briefing schedule  
16 that both of you could meet and I'm wondering if you'd like to  
17 just before I call the next matter, which is going to take some  
18 time, just talk to each other about how we work that out in  
19 fairness, and then I'm not going to bring you back next  
20 Tuesday, I'm just going to rely upon the fact that your  
21 response is due in seven days.

22                   But now we have a different problem. If I allow  
23 intervention, what we really need now is that due process on  
24 both sides. I'm not going to allow you to simply come in as  
25 the League and file a brief without a response from the

1 Government, and I don't know then if there's going to be a  
2 response or surreply to that. So why don't you just have a  
3 little conference for a moment in the back, because otherwise  
4 you'll be coming back this afternoon. I don't want to do that.  
5 So don't leave the court, just have a little conference and  
6 work this out for me because I'm inclined to allow you to  
7 intervene. Okay?

8 **(Pause)**

9 **THE COURT:** And, counsel, to help you along with  
10 this, my only struggle is about mandatory intervention. This  
11 isn't a close call for the Court concerning permissive  
12 intervention. So to move this along, this Court's granting the  
13 motion to intervene by the proposed intervenors, the NAACP, the  
14 NAACP California, Hawaii State Conference Services, the  
15 Immigration Rights and Education Network and the League of  
16 Women Voters of California.

17 Under Rule 24(a) of the Federal Rules of Civil  
18 Procedure a timely motion to intervene must be granted, where  
19 the movant alleges first a significant protectable interest  
20 relating to the subject matter of the lawsuit.

21 Second, that the disposition of the action will, as a  
22 practical matter, impair or impede its ability to protect that  
23 interest. And, third, that the interest will be inadequately  
24 represented by the parties to the action.

25 In this matter, intervenors have now appeared after

1 filing briefing with the Court on two different occasions.  
2 They've made timely motions and collectively represent  
3 thousands of people who are concerned that their sensitive  
4 personal voting information will be turned over to the federal  
5 government.

6                   Intervenors have been doing the work to ensure all  
7 eligible voters are able to access the polls and participate in  
8 the political process. The bedrock of American democracy is  
9 worth protecting. Intervenors have represented that they serve  
10 some of the most marginalized among us who fear retaliation for  
11 their political beliefs. And our country has come a long way  
12 in ensuring every American has the ability to advocate their  
13 beliefs by casting a ballot, regardless of race, gender, or  
14 national origin.

15                   The intervenors represent this struggle as such, and  
16 the Court now grants the motions to intervene by all proposed  
17 intervenors and I'm going to grant permissive intervention,  
18 counsel, in this matter.

19                   **MR. DODGE:** Thank you, Your Honor.

20                   **MS. ZELPHIN:** Thank you, Your Honor.

21                   **THE COURT:** Now, if that furthers your discussion  
22 maybe then that helps in terms of some of the delays.

23                   **MR. DODGE:** I think we have an agreed upon schedule,  
24 Your Honor, that will permit the Court to hear argument the  
25 week after Thanksgiving.

1                   **THE COURT:** Okay. What is that schedule?

2                   **MR. DODGE:** What we would propose is that by -- now  
3 that our intervention has been granted, by which I mean the  
4 NAACP and SIRENS, we would accept that the Court accept our  
5 proposed motion to intervene and formally put it on the docket.

6                   **THE COURT:** We will.

7                   **MR. DODGE:** On behalf of the League of Women Voters I  
8 can represent that they will file a brief tomorrow raising the  
9 unique arguments they wish to raise. The Government, the  
10 Justice Department will then have until Wednesday, the 26th,  
11 the day before Thanksgiving to file an opposition to  
12 intervenor's arguments.

13                   **THE COURT:** Okay.

14                   **MR. DODGE:** And intervenors will then file any reply  
15 that following Monday or Tuesday, the day after Thanksgiving  
16 with a hearing to follow.

17                   **THE COURT:** All right. Is this acceptable to the  
18 United States Government or do you need to make a call to  
19 Washington, D.C.

20                   **MR. NEFF:** No, that's fine. I can represent that's  
21 fine. I just -- I'd prefer that we have --

22                   **THE COURT:** Well be sure because before Michael Gates  
23 was here those calls flowed back and forth, although he was  
24 Assistant DOJ. Are you sure?

25                   **MR. NEFF:** I'll do it myself if I have to.

1                   **THE COURT:** Okay? All right. Stipulated then?

2                   **MR. NEFF:** Stipulated, though I would ask that we  
3 just like have a clear day for the reply, I would just say that  
4 following Monday like we just --

5                   **MR. DODGE:** The following Monday is fine, Your Honor.

6                   **THE COURT:** Okay. Counsel, stipulated to?

7                   **MR. BRUDIGAM:** Yeah. One small addition is that the  
8 State's reply to the opposition that was filed yesterday will  
9 be filed next Tuesday.

10                  **MR. DODGE:** So the Court should have full briefing by  
11 the Monday following Thanksgiving.

12                  **THE COURT:** All right. And then what day would I set  
13 this for hearing on?

14                  **MR. DODGE:** Any day of that week is amenable to us,  
15 Your Honor.

16                  **THE COURT:** Uh-huh. And let me clearly state once  
17 again because you're joining us and they've heard this before.  
18 This case needs to be decided fairly but as quickly as  
19 possible, because quite frankly we've got primaries coming up  
20 and a decision by this Court will be the first step, because  
21 the Ninth Circuit is going to have to look at whatever decision  
22 I make and have some time. And I can almost guarantee you the  
23 United States Supreme Court is going to take this on cert. I'm  
24 pretty certain on that.

25                  So how do we get this case, you know, fairly and

1 adequately decided by this Court in a timely fashion so we have  
2 time that for review, because my great fear is that anymore  
3 delay leaves our voters in a very difficult position concerning  
4 voter information that the United States Government is  
5 requesting. Okay?

6 Now, if that's the case I don't need to bring you  
7 back next Tuesday, right?

8 **MR. BRUDIGAM:** Understood.

9 **THE COURT:** That's good.

10 **MR. BRUDIGAM:** Yes, Your Honor.

11 **THE COURT:** Okay. Will you then draft this for me  
12 and put this in written form? And would you like to return on  
13 December 3rd or 4th and I'll have that as Los Angeles as a  
14 courtesy. I'm here almost every other day anyway, so.

15 **MR. DODGE:** Do you know what days of the week those  
16 are, Your Honor?

17 **MR. BRUDIGAM:** Wednesday and Thursday.

18 **THE CLERK:** Wednesday and Thursday.

19 **THE COURT:** Wednesday and Thursday. Which is better  
20 for you?

21 **MR. NEFF:** The United States prefers the 4th if we  
22 can do that.

23 **THE COURT:** The 4th? Is that acceptable?

24 **MR. BRUDIGAM:** That's acceptable, Your Honor.

25 **THE COURT:** Okay. Now if you're flying in, I still

1 need you here in the morning unfortunately. So let's get  
2 started at 7:30. Okay? Any other questions?

3 **MR. BRUDIGAM:** No, Your Honor.

4 **THE COURT:** You arrive on that day and then I'll do  
5 my best to write and hand out a decision by the weekend, okay?

6 **MR. BRUDIGAM:** Sounds good.

7 **THE COURT:** We want to thank you very much for your  
8 courtesy. It's been a pleasure to see all of you. I look  
9 forward to the litigation. Thank you very much, counsel.

10 **(Proceedings concluded at 9:43 a.m.)**

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**CERTIFICATION**

I certify that the foregoing is a correct transcript  
from the electronic sound recording of the proceedings in the  
above-entitled matter.



December 15, 2025

Signed

Dated

*TONI HUDSON, TRANSCRIBER*