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10 *NAACP; NAACP California/Hawaii State Conference;*

11 *NAACP Los Angeles Branch*

12 **Pro hac vice application forthcoming*

13 ***Admission application forthcoming*

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF CALIFORNIA; SHIRLEY
WEBER, in her official capacity as the
Secretary of State of California; and
DEAN LOGAN, in his official capacity as
Los Angeles County Registrar-Recorder,
Defendants.

Case No. 2:26-cv-12025

**LEAGUE OF UNITED LATIN
AMERICAN CITIZENS; NAACP;
NAACP CALIFORNIA/HAWAII
STATE CONFERENCE; AND
NAACP LOS ANGELES BRANCH'S
NOTICE OF MOTION AND
MOTION TO INTERVENE AS
DEFENDANTS AND
MEMORANDUM OF POINTS AND
AUTHORITIES**

Date: To be determined
Time: To be determined
Courtroom: To be determined
Judge: To be determined

NOTICE OF MOTION AND MOTION TO INTERVENE

The League of United Latin American Citizens (LULAC), National Association for the Advancement of Colored People, NAACP California/Hawaii State Conference, and NAACP Los Angeles Branch (together, NAACP) (collectively, Proposed Intervenor-Defendants) respectfully request an order granting them leave to intervene as additional defendants in this action as a matter of right under Federal Rule of Civil Procedure 24(a)(2) or, in the alternative, granting them permission to intervene under Rule 24(b).

Proposed Intervenor-Defendants are some of our nation's leading Latino and Black advocacy organizations. They seek to intervene because the Federal Government's demands flout the law, disregard the realities of election administration, and defy basic standards of decency—all while voting is underway. The Federal Government's eleventh-hour suit, if successful, would have devastating consequences, not only for the communities and U.S. citizen voters that Proposed Intervenor-Defendants serve, but for the election systems administered under state law. Requiring Defendants to comply with these demands would cause profound harm and, indeed, have already created confusion, disrupted an ongoing voting process, and deterred eligible voters from participating. While in more ordinary circumstances, Proposed Intervenor-Defendants could proceed on a less expedited basis, this suit and its requested relief threatens California's election system and its voters and requires immediate action.

The bases of this Motion are more fully set forth in the accompanying Memorandum of Points and Authorities, which is supported by the Declarations of Juan Proaño, Tyler Sterling, and Anna Baldwin, along with a Proposed Answer, each of which is incorporated by reference. Prior to filing, and as described in the Declaration of Anna Baldwin, counsel for Proposed Intervenor-Defendants contacted counsel for the Plaintiff and attorneys representing each Defendant. Counsel for the Plaintiff

1 indicated their position as follows: “The United States opposes this request. It is
2 premature. Defendants should be properly served, and a judge should be assigned to the
3 case.” Counsel for Defendants the State of California and Secretary of State Shirley N.
4 Weber took no position on the motion. Counsel for Defendant Los Angeles County
5 Registrar-Recorder Dean C. Logan also took no position on the motion.

6 Proposed Intervenor-Defendants acknowledge that this Motion is filed prior to
7 conferral by phone or in person with opposing counsel for Plaintiff the United States,
8 pursuant to Local Rule 7-3. Proposed Intervenor-Defendants nonetheless respectfully
9 request the Court consider this Motion. As set out in the Declaration of Anna Baldwin,
10 Proposed Intervenor-Defendants attempted to schedule such conferral prior to filing this
11 motion. But as described in the Complaint and the attached exhibits, Plaintiff’s conduct
12 required a more expeditious response, given the urgency of the ongoing election, the
13 Federal Government’s representation that it would seek “Emergency Relief,” ECF No.
14 1-3, and that Local Rule 7-3 exempts applications under Federal Rule of Civil Procedure
15 65 for temporary restraining orders or preliminary injunctions.

16 In the alternative, should the Court determine that the Motion is premature or
17 further conferral is required, Proposed Intervenor-Defendants respectfully request that
18 that the Court hold the Motion in abeyance and order that all required conferral take
19 place by 5:00 PM Pacific time on October 16, 2026, and that Proposed Intervenor-
20 Defendants file a notice informing the Court of the parties’ positions following such
21 conferral.

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8 Nicholas Kerr & Elise Spenner, *System that DHS is urging states to use to assess*

9 *voter rolls known to return faulty results: reports*, ABC News (July 19, 2026),

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11 *Public Voter File Acquisition and Handling*, FedScoop (Sep. 1, 2026),

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13 Sam Levine, *Nearly 200 people wrongly identified on Nevada’s voter rolls as non-*

14 *citizens*, The Guardian (Sep. 25, 2026), <https://perma.cc/9VUK-LWWP> 4

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16 *with DHS election directives*, ABC News (July 17, 2026), [https://perma.cc/AL3Y-](https://perma.cc/AL3Y-QX9H)

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INTRODUCTION¹

The Federal Government, acting through the U.S. Department of Justice (USDOJ) and the U.S. Department of Homeland Security (DHS), has initiated this case, demanding, 19 days before Election Day, that the State of California and Los Angeles County comply with its lawless demands to circumvent state and federal law governing voter eligibility, voter list maintenance procedures, and mail ballot rules. These demands have no basis in law or fact and would cause unconstitutional disenfranchisement of eligible voters. *Reynolds v. Sims*, 377 U.S. 533, 554 (1964) (citation omitted) (describing the “constitutionally protected right to vote, and to have [] votes counted”). This type of action is well in excess of any Congressionally-delegated authority the executive branch may have in federal elections. The states and Congress share responsibilities for regulating election administration, but the executive does not have free-ranging authority in this sphere. See U.S. Const. art. I, § 2, cl. 1; U.S. Const. art. I, § 4, cl. 1. The Constitution “assign[s] no role at all to the President” in election administration. *League of United Latin Am. Citizens v. Exec. Off. of the President*, 818 F. Supp. 3d 34, 53 (D.D.C. 2026) (*LULAC II*), judgment entered, No. 25-cv-0946, 2026 WL 880056 (D.D.C. Mar. 31, 2026).

Proposed Intervenor-Defendants seek to intervene to protect the rights of voters, including their members, against this type of federal overreach and resulting disenfranchisement. Proposed Intervenor-Defendant the League of United Latin American Citizens (LULAC) is the nation’s largest and oldest Latino civil rights

¹ Consistent with Rule 24(c), Proposed Intervenor-Defendants have attached a Proposed Answer to their motion. However, if granted intervention, Proposed Intervenor-Defendants intend to file a Rule 12 Motion before filing a responsive pleading in this case. See, e.g., *Kern Cnty. Farm Bureau v. Badgley*, No. CVF 025376 AWI DLB, 2002 WL 34236869, at *19 (E.D. Cal. Oct. 10, 2002) (holding Rule 12 motion filed after intervention was granted is timely where proposed answer accompanied prior motion to intervene).

1 organization in the country and it works to advance the voting rights, economic
2 conditions, and social welfare of the Hispanic community. LULAC has over half a
3 million members nationwide, including over 40,000 in California. Proposed Intervenor-
4 Defendants the National Association for the Advancement of Colored People, NAACP
5 California/Hawaii State Conference, and NAACP Los Angeles Branch (together,
6 NAACP) is the nation's oldest civil rights organization with nearly 200,000 members
7 nationally and nearly 12,000 members in California. The NAACP is dedicated to
8 achieving equity, political rights, and social inclusion by advancing policies and
9 practices that expand human and civil rights, eliminate discrimination, and accelerate
10 the well-being, education, and economic security of Black people and all persons of
11 color. Each Proposed Intervenor-Defendant is a membership organization whose
12 mission and work centers the promotion of civic engagement, including through voting.
13 Because Proposed Intervenor-Defendants' interests and their members are directly
14 impacted by this litigation, they have a right to intervene pursuant to Federal Rule of
15 Civil Procedure 24(a)(2). In the alternative, Proposed Intervenor-Defendants seek
16 permissive intervention under Rule 24(b)(1).

17 **BACKGROUND**

18 This case is the Federal Government's latest and most transparent gambit to
19 undermine a state's existing electoral process and interfere with administration of an
20 ongoing election. Over the last two years, the executive branch has continually sought
21 to exceed the bounds of its limited authority to enforce federal election statutes,
22 frequently usurping the election regulation and administration authority that the
23 Constitution assigns primarily to the states. In March 2025, the President issued an
24 executive order that purported to require, among other things, that the Election
25 Assistance Commission take action to require additional documentation for voters to
26 register using the federal registration form and to prohibit states from counting ballots
27 received after election day. Exec. Order No. 14,248, 90 Fed. Reg. 14005, 14006-07,

1 § 2(b), 2(b)(iii) (Mar. 25, 2025) (2025 Elections EO). In March 2026, the President
2 issued an executive order on mail voting that directed DHS to create lists of citizens
3 eligible to vote using information from U.S. Citizenship and Immigration Services, the
4 Social Security Administration, and “other relevant Federal databases.” Exec. Order
5 No. 14,399, 91 Fed. Reg. 17125, 17125, § 2(a) (Mar. 31, 2026) (Mail Voting EO). That
6 executive order also required the United States Postal Service to implement rules to
7 redesign ballot envelopes and send ballots only to voters who appear on certain lists.
8 *See* Ballot Mail for Federal Elections, 91 Fed. Reg. 54966 (Aug. 26, 2026). And over
9 the last thirteen months, USDOJ has sued 30 states and the District of Columbia,
10 seeking to compel them to produce unredacted versions of their state voter registration
11 lists. *See United States v. Hobbs*, No. C25-6078-KKE, 2026 WL 2833713, at *1 n.3
12 (W.D. Wash. Sep. 22, 2026) (listing cases). This is part of a larger USDOJ effort to
13 obtain voter information from the states and share that information throughout the
14 executive branch. *See Common Cause v. U.S. Dep’t of Just.*, No. CV 26-1352, 2026
15 WL 3033772, at *5-7 (D.D.C. Oct. 9, 2026) (describing USDOJ’s policy of obtaining
16 and sharing voter lists).

17 The courts have overwhelmingly rejected the Federal Government’s efforts. *See*
18 *id.* at *36 (setting aside and vacating USDOJ’s policy); *Hobbs*, 2026 WL 2833713, at
19 *1 n.3 (cases in which courts have dismissed USDOJ efforts to compel unredacted voter
20 lists); *LULAC II*, 818 F. Supp. 3d at 53 (enjoining portions of 2025 Elections EO);
21 *League of Women Voters of Mass. v. Trump*, No. 1:26-CV-11549-IT, 2026 WL
22 2620871, at *1 (D. Mass. Sep. 4, 2026) (enjoining portions of Mail Voting EO), *stay*
23 *denied sub nom. U.S. Postal Serv. v. California*, 26A305, 2026 WL 2687160 (U.S. Sep.
24 14, 2026). The Government’s efforts to interfere with election administration and
25 restrict voting have persisted. As recently as July 17, 2026, the Secretary of DHS
26 threatened to withhold funds and possibly prosecute state officials unless they “scrub”
27 their voter rolls in line with DHS’s demands, after apparently running several states’

1 voter rolls through the SAVE program.² And DHS’s investigations unit recently put out
2 a request for information to find a contractor who can “secure delivery of publicly
3 available voter registration files and voter history files to support Homeland Security
4 Investigations (HSI) fraud detection and data segmentation activities.”³ The Federal
5 Government’s baseless claims that large numbers of non-citizens are present on voting
6 rolls have repeatedly been proven false. In Nevada, for example, DHS initially
7 identified up to 15,903 such individuals but later reduced that number to 185. Nevada
8 officials then confirmed that all 185 are citizens.⁴

9 **A. Procedural Posture**

10 The United States filed its Complaint in this matter on October 15, 2026, alleging
11 a single count under the Supremacy Clause, and requesting that this Court, among other
12 things, “[i]ssue a preliminary and permanent injunction enjoining California from
13 tabulating in federal elections vote-by-mail ballots received from” over 20,000
14 individuals that it claims to have identified. Compl. at 14, ECF No. 1. This relief, which
15 lacks a basis in law, would disenfranchise eligible U.S. citizen voters in Los Angeles
16 County. Both the filings from the United States and their correspondence with
17 California election officials represent an intention to seek preliminary relief at the outset
18 of this case. *See* Compl. ¶ 63, ECF No. 1; Ex. C, Declaration of Anna Baldwin, at 2.
19 Proposed Intervenor-Defendants LULAC and NAACP seek timely intervention as
20 defendants to vindicate their interests in this matter.
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23 ² Nicholas Kerr & Elise Spenner, *System that DHS is urging states to use to assess voter*
24 *rolls known to return faulty results: reports*, ABC News (July 19, 2026),
25 <https://perma.cc/5YBE-LRW6>.

26 ³ *See Public Voter File Acquisition and Handling*, FedScoop (Sep. 1, 2026),
<https://perma.cc/RU4S-82KV>.

27 ⁴ Sam Levine, *Nearly 200 people wrongly identified on Nevada’s voter rolls as non-*
28 *citizens*, The Guardian (Sep. 25, 2026), <https://perma.cc/9VUK-LWWP>.

B. League of United Latin American Citizens

LULAC is the largest and oldest Latino civil rights organization in the United States. Established in 1929 and headquartered in Washington, D.C., LULAC is a nationwide, non-profit, nonpartisan, membership-based organization with more than 400 councils (local chapters) and over 500,000 members, with members in every state in the country. LULAC uses local community-based programming to advance the voting rights, economic conditions, educational attainment, and health outcomes of the Hispanic community. LULAC's voting rights work includes educational initiatives, voter registration drives, get-out-the-vote campaigns, and community events around critical issues.

In California, LULAC has 28 councils and over 40,000 members. More than 80 percent of these members are registered to vote. In Los Angeles County alone, LULAC has five councils and over 5,700 members. The five councils in the Los Angeles area are Young Professionals, Long Beach, Antelope Valley, UCLA, and USC.

C. The NAACP, NAACP California/Hawaii State Conference, and NAACP Los Angeles Branch

The NAACP was founded in 1909 by pioneers of racial justice and is the nation's oldest civil rights organization. Its mission is to achieve equity, political rights, and social inclusion by advancing policies and practices that expand human and civil rights, eliminate discrimination, and accelerate the well-being, education, and economic security of Black people and all persons of color. Part of this mission includes working to register and mobilize voters through robust non-partisan civic engagement and get-out-the-vote programming. The NAACP also engages in voter protection efforts, advocating on behalf of voters across the country to ensure that the law is followed and that the right to vote is respected and protected. The NAACP has over two thousand local branches, college chapters, prison chapters, and youth councils, including the California/Hawaii State Conference and the Los Angeles Branch. Nationwide, the

1 NAACP has approximately 200,000 formal members, including approximately 12,000
2 in California and 1,000 in Los Angeles County.

3 LEGAL STANDARD

4 The federal rules provide two pathways for a nonparty to intervene in a pending
5 action.

6 First, Rule 24(a) entitles a nonparty to intervene in an action as a matter of right
7 when: (1) the motion to intervene is timely filed; (2) the proposed intervenors have “an
8 interest relating to” the subject matter of the action; (3) the proposed intervenors are “so
9 situated that disposing of the action may as a practical matter impair or impede [their]
10 ability to protect [that] interest”; and (4) the proposed intervenors’ interests are
11 inadequately represented by the existing parties to the suit. Fed. R. Civ. P. 24(a); *see*
12 *also Berger v. N.C. State Conf. of the NAACP*, 597 U.S. 179, 190 (2022). The Ninth
13 Circuit interprets the requirements of Rule 24(a) “broadly in favor of intervention.” *W.*
14 *Watersheds Project v. Haaland*, 22 F.4th 828, 835 (9th Cir. 2022) (quoting *Citizens for*
15 *Balanced Use v. Mont. Wilderness Ass’n*, 647 F.3d 893, 897 (9th Cir. 2011)). “In
16 addition to mandating broad construction, [] review is guided primarily by practical
17 considerations, not technical distinctions.” *Id.* A court must allow any party to intervene
18 who meets the four criteria set forth by the Federal Rules. *Arakaki v. Cayetano*, 324
19 F.3d 1078, 1083 (9th Cir. 2003).

20 Second, Rule 24(b) provides that, even if a nonparty cannot intervene as a matter
21 of right, a court may permit intervention when the movant has “a claim or defense that
22 shares with the main action a common question of law or fact” and intervention will not
23 “unduly delay or prejudice the adjudication of the original parties’ rights.” Fed. R. Civ.
24 P. 24(b). “A motion for permissive intervention pursuant to Rule 24(b) is directed to the
25 sound discretion of the district court.” *San Jose Mercury News, Inc. v. U.S. Dist. Ct.-N.*
26 *Dist. (San Jose)*, 187 F.3d 1096, 1100 (9th Cir. 1999). In considering motions to
27 intervene, courts “take all well-pleaded, nonconclusory allegations in the motion to

1 intervene, the proposed complaint or answer in intervention, and declarations
2 supporting the motion as true absent sham, frivolity[,] or other objections.” *Sw. Ctr. for*
3 *Biological Diversity v. Berg*, 268 F.3d 810, 820 (9th Cir. 2001).

4 ARGUMENT

5 I. LULAC and NAACP are entitled to intervene as of right under Rule 6 24(a)(2).

7 LULAC and NAACP are entitled to intervene in this litigation because the
8 motion is timely; the organizations and their members have significant interests in the
9 case; those interests will be impacted by the outcome; and no other existing party
10 adequately represents those interests.

11 A. This motion is timely.

12 Whether a motion to intervene is timely is within “the sound discretion of the
13 trial court.” *Alaniz v. Tillie Lewis Foods*, 572 F.2d 657, 659 (9th Cir. 1978). Factors
14 courts consider include “the stage of the proceeding”; “prejudice to other parties”; and
15 “the reason for and the length of the delay.” *Id.* All of these factors support finding the
16 utmost timeliness here.

17 Proposed Intervenor-Defendants moved to intervene the very next day after the
18 filing of the Complaint, long before the case progressed beyond the initial stages. *Equal*
19 *Emp. Opportunity Comm’n v. Fed. Express Corp.*, No. C94-790C, 1995 WL 569446, at
20 *5 (W.D. Wash. Aug. 8, 1995) (granting motion to intervene filed years into litigation
21 at summary judgment stage despite “substantial[] delay[]”). Although a judge has not
22 yet been assigned and Defendants have not yet filed a responsive pleading, neither is a
23 rationale to delay granting, or otherwise denying, Proposed Intervenor-Defendants’
24 motion. *See Washington v. U.S. Dep’t of Transp.*, No. 2:25-cv-00848-TL, 2025 WL
25 3023041, at *8 (W.D. Wash. Oct. 29, 2025) (granting motion to intervene where
26 defendants had not answered and no dispositive motions had been filed); *see also W.*
27 *States Trucking Ass’n v. Schoorl*, No. 2:18-CV-1989, 2018 WL 5920148, at *1 (E.D.

1 Cal. Nov. 13, 2018) (finding no prejudice where party “sought to intervene [at] the very
2 outset of litigation”). Accordingly, neither party will be prejudiced because no delay
3 will result if Proposed Intervenor-Defendants’ motion is granted. Proposed Intervenor-
4 Defendants’ motion is therefore timely.

5 **B. LULAC and NAACP have significantly protectable interests related**
6 **to this litigation.**

7 This litigation is closely tied to Proposed Intervenor-Defendants’ organizational
8 interests and the interests of the thousands of individuals who comprise LULAC’s and
9 NAACP’s membership within Los Angeles County and the State of California. Under
10 Rule 24(a)(2), “a prospective intervenor ‘has a sufficient interest for intervention
11 purposes if it will suffer a practical impairment of its interests as a result of the pending
12 litigation.’” *Wilderness Soc’y v. U.S. Forest Serv.*, [630 F.3d 1173, 1179](#) (9th Cir. 2011)
13 (quoting *California ex rel. Lockyer v. United States*, [450 F.3d 436, 441](#) (9th Cir. 2006)).
14 “Rule 24(a)(2) does not require a specific legal or equitable interest.” *Id.* (citing *Fresno*
15 *Cnty. v. Andrus*, [622 F.2d 436, 438](#) (9th Cir. 1980)). “[I]t is generally enough that the
16 interest is protectable under some law, and that there is a relationship between the
17 legally protected interest and the claims at issue.” *Id.* (quoting *Sierra Club v. EPA*, [995](#)
18 [F.2d 1478, 1484](#) (9th Cir. 1993)). The Ninth Circuit has recognized that “[t]here is no
19 doubt that the right to vote is a legally protected interest and voter disenfranchisement
20 is a concrete and particularized injury.” *Am. Encore v. Fontes*, [152 F.4th 1097, 1111](#)
21 [\(9th Cir. 2025\)](#).

22 Proposed Intervenor-Defendants have strong organizational interests that are
23 closely related to this litigation. First, the organizations engage in robust non-partisan
24 civic engagement and get-out-the vote programming. *See* Ex. A, Declaration of Juan
25 Proaño ¶¶ 9-11 (Proaño Decl.); Ex. B, Declaration of Tyler Sterling ¶ 8 (Sterling Decl.).
26 Second, the organizations have voter education programs to ensure that their members
27 can access reliable information and exercise their right to vote. Proaño Decl. ¶¶ 10-11;

1 Sterling Decl. ¶ 8. Third, the organizations seek to protect their members’ right to vote,
2 especially because both organizations have members who face obstacles and challenges
3 in exercising that right. Proaño Decl. ¶ 20-25; Sterling Decl. ¶¶ 6-8, 15. For example,
4 both organizations’ members heavily use and rely upon mail ballots to participate in
5 California elections. Proaño Decl. ¶¶ 12-13; Sterling Decl. ¶ 15. These interests bear a
6 close relationship to the litigation because this matter directly implicates the type of get-
7 out-the-vote programming the organizations will need to run for Los Angeles County,
8 the voter education information they will need to provide their potentially affected
9 members in Los Angeles County, and the voter protection programming they will need
10 to run for Los Angeles County. Proaño Decl. ¶¶ 10-12, 18-20; Sterling Decl. ¶¶ 11-12.

11 Additionally, Proposed Intervenor-Defendants’ members have protectable
12 interests related to this litigation because they are registered California voters in Los
13 Angeles County and their right to vote is at stake. Proaño Decl. ¶¶ 7, 12, 21-22, 24;
14 Sterling Decl. ¶¶ 4-5, 12, 14-15. These members registered to vote in accordance with
15 California law, made the required certifications of citizenship under penalty of perjury,
16 and received mail-in ballots, all in accordance with state and federal law. Since there is
17 no way for a voter to know if they are on the Federal Government’s “list,” this litigation
18 leaves every member uncertain as to the fate of their mail ballots. It also threatens to
19 prevent some of these members from having their ballots counted alongside other
20 eligible voters and subjecting them to unlawful proof of citizenship requirements. And
21 this list will undoubtedly intimidate voters from submitting their ballots at all for fear
22 that their ballots could possibly be segregated. Courts routinely find that these kinds of
23 interests are legally protectable and support intervention. *See, e.g., Issa v. Newsom*, No.
24 20-CV-01044-MCE-CKD, [2020 WL 3074351](#), at *3 (E.D. Cal. June 10, 2020); *1789*
25 *Found. Inc. v. Fontes*, No. CV-24-02987-PHX-SPL, [2025 WL 834919](#), at *3 (D. Ariz.
26 Mar. 17, 2025).

C. This litigation will impact LULAC's and NAACP's interests.

This litigation directly impacts Proposed Intervenor-Defendants’ organizational interests and the interests of their members. *See supra* Section I.B. Once a court finds that an intervenor has a significantly protectable interest, the court should have “little difficulty concluding that the disposition of the case may, as a practical matter, affect it.” *Citizens for Balanced Use v. Mont. Wilderness Ass’n*, [647 F.3d 893, 898](#) (9th Cir. [2011](#)) (citation omitted).

Proposed Intervenor-Defendants and their individual members’ interests will also be impaired if some are unlawfully removed from the voter list, their ballots are segregated and not counted, or they are subjected to additional proof-of-citizenship requirements. Even for members who are not on the Federal Government’s “list,” Proposed Intervenor-Defendants and their members’ interests are already impaired because their members reasonably fear rejection of their ballots and may feel compelled to forgo their mail ballot option in favor of in-person voting because of the uncertainty the Federal Government has created. The Federal Government seeks to control which voters may remain on California’s voter rolls, which ballots get counted, and which steps voters must take to prove their citizenship. Such drastic alterations to California election procedures—sought at the eleventh hour—would have immense effects on Proposed Intervenor-Defendants’ election-related work and their members’ ability to vote. In particular, the Federal Government’s requested relief would subject mail ballots to radically different treatment than in-person ballots, which would require Proposed Intervenor-Defendants to alter their voter education and engagement work and may dissuade their members and constituents from using mail voting. LULAC and its members are particularly likely to be affected because many of its members are naturalized citizens, the people most often misidentified as noncitizens because outdated government databases frequently have errant indicators of noncitizenship. Proaño Decl. ¶¶ 13, 21-24.

D. The current parties do not adequately represent LULAC's and NAACP's interests.

Neither LULAC's nor NAACP's interests are adequately represented by the existing parties. To support intervention as of right, it is enough that the "representation of [their] interest[s] 'may be' inadequate." *Trbovich v. United Mine Workers of Am.*, 404 U.S. 528, 538 n.10 (1972) (emphasis added) (citation omitted). This is a "minimal" burden. *Id.*; *see also Sagebrush Rebellion Inc. v. Watt*, 713 F.2d 525, 528 (9th Cir. 1983). In assessing the adequacy of representation, courts consider "(1) whether the interest of a present party is such that it will undoubtedly make all of a proposed intervenor's arguments; (2) whether the present party is capable and willing to make such arguments; and (3) whether a proposed intervenor would offer any necessary elements to the proceeding that other parties would neglect." *Citizens for Balanced Use*, 647 F.3d at 898 (citation omitted). The "most important factor in assessing the adequacy of representation is how the [intervenor's] interest compares with the interests of existing parties." *Citizens for Balanced Use*, 647 F.3d at 898 (citation modified). Indeed, the Ninth Circuit frequently reverses denials of intervention where district courts strictly applied the adequacy of representation standard despite differing interests. *See id.* at 901 (reversing denial of intervention because the court could not "conclude that the [government party] will undoubtedly make all of [intervenors'] arguments"); *see also Sw. Ctr. for Biological Diversity*, 268 F.3d at 819, 823, 824 (reversing denial of intervention because "[t]he interests of government and the private sector may diverge" and, therefore, there was "sufficient doubt about the adequacy of representation") (citation omitted). LULAC and NAACP can easily satisfy the adequacy standard because they have distinct interests that diverge from—and, at times,

1 even conflict with—the interests of Defendants, who cannot as a result be expected to
2 make all of Intervenor-Defendants’ arguments.

3 First, LULAC and NAACP are organizations that represent and have thousands
4 of members who are themselves California mail-ballot voters in Los Angeles County,
5 whose ballots could be segregated and not counted because of the Federal
6 Government’s demands. There is a robust line of cases where district courts in this
7 Circuit have found that the interest in protecting individual voters’ rights is uniquely
8 held by private parties and not adequately represented by government defendants—even
9 where they may share the same objective. *See, e.g., Donald J. Trump for President, Inc.*
10 *v. Cegavske*, No. 2:20-CV-1445, [2020 WL 5229116](#), at *1 (D. Nev. Aug. 21, 2020)
11 (granting intervention under Rule 24(a) because government defendant did not
12 adequately represent private organization’s interests); *Paher v. Cegavske*, No. 3:20-CV-
13 00243-MMDWGC, [2020 WL 2042365](#), at *3 (D. Nev. Apr. 28, 2020) (granting
14 intervention under Rule 24(a) even where intervenors shared the “goal of protecting the
15 all-mail election provisions” at issue). Thus, even though Intervenor-Defendants are
16 “on the same side” as Defendants in terms of the public interest, *Issa*, [2020 WL](#)
17 [3074351](#), at *3, the government’s public interest is not “identical to the individual
18 parochial interest” of LULAC and NAACP, *Citizens for Balanced Use*, [647 F.3d at 899](#)
19 (citation omitted). For that reason, the rebuttable presumption that existing parties will
20 adequately represent the interests of intervenors does not apply because Intervenor-
21 Defendants’ interests are not “*identical* to those of an existing party,” even though the
22 ultimate goal may be the same. *Berger*, [597 U.S. at 196](#) (emphasis added). The Ninth
23 Circuit has repeatedly held that intervention is appropriate when the intervenor and the
24 government “have distinct interests and objectives,” even if their ultimate goal in the
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1 litigation is the same. *Citizens for Balanced Use*, 647 F.3d at 899; *see also Sw. Ctr. for*
2 *Biological Diversity*, 268 F.3d at 819.

3 Second, Defendants are election administrators with their own objectives and
4 obligations that cause their interests to diverge from those of Proposed Intervenor-
5 Defendants, who are solely focused on their members' voting rights. *See Berger*, 597
6 U.S. at 195. For example, Defendants are obligated to undertake reasonable efforts to
7 remove ineligible voters from their voter registration rolls. *See 52 U.S.C. § 21083*.
8 Defendants must also balance separate interests, including state and municipal
9 budgetary concerns, administrative constraints, litigation costs, criminal liability
10 exposure, and public opinion. And Defendants may not be able to articulate specific
11 harms to voters or offer zealous protection of Californians' right to vote in the same
12 way that LULAC and NAACP could. Conversely, LULAC and NAACP have no
13 potentially competing objectives, as they are only interested in protecting California
14 voters' and their members' ability to engage in meaningful political participation,
15 including casting a ballot and having that ballot counted alongside the ballots of other
16 eligible California voters. *See supra* Section I.B.

17 Finally, Defendants are uniquely susceptible to threats of federal coercion that do
18 not implicate LULAC or NAACP. The Federal Government's lawsuit raises the
19 possibility that it may later pursue criminal investigation and prosecution if Defendants
20 do not comply with their demands. The Complaint expressly alleges that persons may
21 be found "in violation of federal law for aiding and abetting, or otherwise facilitating,
22 the federal crime of noncitizen voting." Compl. ¶ 19, ECF No. 1. The Complaint further
23 alleges that "California's actions thus knowingly facilitate unlawful voting." *Id.* ¶ 59.
24 The Complaint immediately follows that allegation with a claim that they actively
25 investigate and prosecute crimes related to illegal voting. *Id.* ¶ 60. These thinly veiled
26 threats of criminal prosecution against Defendants echo more express public claims by
27 DHS Secretary Mullin that criminal prosecutions would be directed to election officials

1 who did not cooperate with DHS's directives to scrub voter rolls.⁵ Secretary Mullin also
2 threatened to withhold federal funding from states that did not cooperate with DHS.⁶
3 Defendants are uniquely exposed to the coercive pressures of potential criminal liability
4 and deprivation of federal funds. By contrast, LULAC's and NAACP's interests,
5 arguments, and litigating positions are not subject to those pressures and can fully and
6 zealously defend the rights of their members and constituents.

7 **II. In the alternative, LULAC and NAACP should be permitted to intervene**
8 **under Rule 24(b).**

9 Even if the Court determines that LULAC and NAACP do not have a right to
10 intervene under Rule 24(a), it should permit intervention under Rule 24(b) for three
11 reasons: (1) LULAC and NAACP raise defenses that share common questions of law
12 and fact with this matter; (2) LULAC and NAACP will help fully develop the facts of
13 the case; and (3) their intervention will not unduly delay or prejudice the litigation.

14 The defenses LULAC and NAACP intend to raise present common questions of
15 law and fact because they directly engage with and contest the Federal Government's
16 ability to state a claim and prove any lawful entitlement to the relief sought. *See* Ex. D,
17 Proposed Answer. For example, LULAC and NAACP fundamentally dispute the
18 Federal Government's legal theories and intend to show that its single claim and relief
19 sought are inconsistent with the U.S. Constitution and federal law. *Id.* at 11-12. Further,
20 LULAC and NAACP are uniquely positioned to appraise the Court about critical factual
21 and legal questions. LULAC and NAACP have decades of experience working to
22 safeguard democracy, advocate for voters, and protect their rights to participate in the
23 electoral process. Further, LULAC and NAACP are more directly engaged with
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25 ⁵ Steven Portnoy *et al.*, *Mullin threatens to withhold aid from states that don't comply*
26 *with DHS election directives*, ABC News (July 17, 2026), <https://perma.cc/AL3Y-QX9H>.
27 ⁶ *Id.*

individual voters than Defendants, which puts them in a better position to provide the Court with factual information concerning how the Federal Government's claims and requested relief will affect voters. Finally, LULAC and NAACP are involved in related litigation over the Federal Government's (mis)use of federal databases for list maintenance and are well-appraised of relevant legal issues and the status of related proceedings. *See generally NAACP v. Trump*, No. 26-cv-01151 (D.D.C. 2026); *LULAC v. Nelson*, No. 26-cv-00729 (W.D. Tex. 2026). Rule 24(b) counsels in favor of permissive intervention in circumstances where "the applicants may be helpful in fully developing the case[.]" *Dagget v. Comm'n on Governmental Ethics & Election Pracs.*, 172 F.3d 104, 113 (1st Cir. 1999). Given that "Rule 24(b) should be construed liberally," the Court should permit Proposed Intervenor-Defendants' voice to be heard in this matter. *Animal Prot. Inst. v. Martin*, 241 F.R.D. 66, 68 (D. Me. 2007) (citation omitted). LULAC and NAACP will neither delay nor prejudice the litigation and will abide by the schedule set by the Court.

CONCLUSION

For the reasons stated, this Court should grant LULAC's and NAACP's motion to intervene as a matter of right under Federal Rule of Civil Procedure 24(a) or, in the alternative, should grant permissive intervention under Rule 24(b).

Dated: October 16, 2026

Respectfully submitted,

/s/ Aseem Mulji

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**Pro hac vice application
forthcoming*

***Admission application forthcoming*

*Counsel for Proposed Intervenor-Defendants League of United Latin American
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Branch*

CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record, for Proposed Intervenor-Defendants League of United Latin American Citizens; NAACP; NAACP California/Hawaii State Conference; and NAACP Los Angeles Branch certifies that this brief contains 4,603 words, which complies with the word limit of Local Rule 11-6.1.

Dated: October 16, 2026

/s/ Aseem Mulji
Aseem Mulji

EXHIBIT A

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF CALIFORNIA; SHIRLEY
WEBER, in her official capacity as the
Secretary of State of California; and
DEAN LOGAN, in his official capacity as
Los Angeles County Registrar-Recorder,
Defendants.

Case No. 2:26-cv-12025

**DECLARATION OF JUAN
PROAÑO IN SUPPORT OF
LEAGUE OF UNITED LATIN
AMERICAN CITIZENS; NAACP;
NAACP CALIFORNIA/HAWAII
STATE CONFERENCE; AND
NAACP LOS ANGELES BRANCH'S
MOTION TO INTERVENE AS
DEFENDANTS**

1 I, Juan Proaño, pursuant to 28 U.S.C. § 1746, declare that the following
2 statements are true and correct to the best of my knowledge and belief:

3 1. I am over 18 years of age and competent to give this declaration. This
4 declaration is based on my personal knowledge, belief, and information.

5 2. I am the Chief Executive Officer of League of United Latin American
6 Citizens (LULAC), a position I have held since November 2023. In my role as Chief
7 Executive Officer, I oversee the day-to-day operations at LULAC and work to amplify
8 the organization's advocacy initiatives and action-oriented programs.

9 3. LULAC is the largest and oldest Latino civil rights organization in the
10 United States. Since its founding in 1929, LULAC's mission has been to improve the
11 lives of Latino families throughout the United States. Among many things, that mission
12 means we work hard to protect the civil rights, including the voting rights, of the Latino
13 community.

14 4. We also do this work through our local councils across the United States.
15 LULAC is a nationwide, non-profit, non-partisan, membership-based organization with
16 more than 400 councils and over 500,000 members. Through community-based
17 programs led by our local councils, LULAC works to advance the voting rights,
18 economic conditions, educational attainment, and health outcomes of the Hispanic
19 community. LULAC programs include voter registration drives, as well as education
20 and health promotion events.

21 5. LULAC and its councils have been parties in voting rights litigation in
22 defense of the Latino community. *See, e.g., League of United Latin Am. Citizens v.*
23 *Perry*, 548 U.S. 399 (2006); *LULAC Kan. v. Cox*, No. 2:18-cv-2572 (D. Kan. 2018);
24 *LULAC Ariz. v. Reagan*, 2:17-cv-04102-DGC (D. Ariz. 2018).

25 6. LULAC has 28 local councils in California. Altogether, LULAC has more
26 than 40,000 members in California, making it one of the states with the most LULAC
27 members in the nation. These members are in cities and towns across the state.

28 7. LULAC has over 5,700 members in Los Angeles County and at least five

1 councils there: Young Professionals, Long Beach, Antelope Valley, UCLA, and USC.
2 Many of these councils focus on expanding educational opportunities for the Latino
3 community.

4 8. LULAC's California membership is deeply civically and politically
5 engaged. At least 80 percent of our California members are registered to vote. And at
6 least 80 percent of LULAC's members who are registered to vote did so in 2020 and at
7 least 75 percent voted in 2022.

8 9. At California LULAC's annual state conference, LULAC promotes voting
9 and has engaged in a voter registration campaign. LULAC testifies on state legislation
10 and holds educational events on many issues including voting-related issues. All this
11 work is aimed at empowering the Latino community at the local, state, and national
12 level and making sure the voices of Latino voters are heard by their elected
13 representatives.

14 10. LULAC holds get-out-the-vote programs before elections to encourage its
15 members to vote. For example, LULAC's councils register prospective voters and hold
16 voter registration drives at schools, churches, and other community events. Through
17 these programs, LULAC councils educate their members and other community
18 members about voter registration, in-person voting options, vote-by-mail applications,
19 and vote-by-mail deadlines.

20 11. California LULAC and local LULAC councils distribute information on
21 how to register to vote, check voter registration status, vote by mail-in ballot, and find
22 polling locations for voters who do not know where they should vote. LULAC holds
23 get-out-the-vote programs before elections to encourage its members to vote. LULAC
24 also helps voters check their registration status by talking to community members,
25 hosting events, and sharing videos and social media posts that link to California's voter
26 status tool.

27 12. Our councils in Los Angeles County and other councils across the state
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1 have helped voters register to vote and are now in the midst of encouraging members to
2 vote by mail or at a polling location ahead of the November 3, 2026 election.

3 13. LULAC has many members in California and Los Angeles County
4 specifically who are naturalized U.S. citizens. These members have files with U.S.
5 Citizenship and Immigration Services due to their naturalization process. Many
6 LULAC members in Los Angeles County also vote by mail, particularly because
7 California is a primarily vote-by-mail state and sends mail ballots to all eligible
8 registered voters.

9 14. As I understand, only 19 days before Election Day and 10 days after
10 counties began mailing mail-ballots to all registered voters, the federal government sued
11 California and Los Angeles County seeking to prevent ballots from being tabulated for
12 approximately 20,000 registered voters in Los Angeles County and to impose
13 additional, unidentified, citizenship verification requirements on those voters. It is
14 possible that some LULAC members and other constituents LULAC has helped to
15 register to vote or encouraged to get out the vote appear on the federal government's
16 list.

17 15. This is the first time I have ever seen the federal government attempt to
18 interfere in a state's voting process so close to Election Day and change the way the
19 state carries out its laws related to mail-in ballots and counting those ballots.

20 16. LULAC plays an important role for its members and constituents in the
21 Latino community and is regarded as a trusted messenger. And this suit undermines
22 LULAC's reputation because members who registered to vote with LULAC or who
23 plan to vote by mail now question LULAC's message to them.

24 17. LULAC is concerned that with this case, lawful citizen voters, including
25 some of its members, will be erroneously removed from the rolls through no fault of
26 their own, especially since the federal government gave California and Los Angeles
27 County only 48 hours to determine citizenship.

1 18. Not only does this suit harm LULAC's reputation as a trusted community
2 organization, but it also harms the mission of the organization, particularly if a court
3 agrees to what the federal government is asking California and Los Angeles County to
4 do. LULAC's civic engagement efforts have already been impacted because this suit
5 has planted the seed of distrust in the voting process among LULAC's members in
6 California. And this suit undermines LULAC's core mission, which has been to educate
7 and encourage its members and constituents to register to vote and vote in the upcoming
8 election.

9 19. If the federal government's attempt is successful, LULAC will have to rush
10 to change its existing activities and voter education efforts to inform LULAC members
11 in Los Angeles that their ballots may not be tabulated or that they may need to change
12 their voting plan if they want to ensure that their ballots are not set aside. Given the
13 proximity to Election Day, LULAC is concerned that it will be unable to reach everyone
14 affected and it will have to work overtime to help affected constituents.

15 20. LULAC will also need to change its voter protection efforts by assisting
16 impacted members and helping them comply with whatever new federal proof of
17 citizenship requirements are imposed on them. Undertaking this kind of enormous effort
18 less than 20 days before Election Day and more than a week after the County mailed its
19 ballots will drain the resources and staff time of LULAC's leadership. If leadership is
20 unable to update its educational materials, then LULAC will be unable to reach its
21 members and constituents in Los Angeles County who are likely to be impacted by this
22 suit. That will severely undermine all the work LULAC has put into civic engagement
23 efforts leading up to this election.

24 21. This lawsuit also harms LULAC's members in Los Angeles because it
25 creates a substantial risk that they will be wrongfully disenfranchised or that they will
26 face voter registration requirements not imposed on most voters in California.

27 22. With its largely Latino constituency in Los Angeles County, many of
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1 whom are naturalized citizens, LULAC's members have been singled out and targeted,
2 particularly as the federal government has carried out immigration enforcement efforts
3 against community members who the government believes to be noncitizens. Mixed-
4 status families have been torn apart, so members are fearful that the federal government
5 will find reasons to target or prosecute them for lawfully casting a ballot. These actions
6 have already had a chilling effect. Now, with the federal government's new suit, that
7 chilling effect is compounded and LULAC's members in Los Angeles County are
8 reticent to exercise their right to vote.

9 23. I am aware that already this year a U.S. citizen and LULAC member was
10 wrongfully purged from the rolls in another context. Domingo Garcia, who served as
11 LULAC's National President until 2024, was flagged in Texas as a deceased voter and
12 removed from the rolls. This example illustrates how data matching systems can
13 produce false positives, including against living, eligible LULAC members. This
14 example is relevant because the list of 20,000 individuals identified by the federal
15 government as "noncitizens" likely includes errors. This means that the ballots of
16 lawfully registered voters may not be counted, and they will be disenfranchised as a
17 result.

18 24. I am concerned that segregating citizens' votes and refusing to count their
19 valid ballots just because they appear on the federal government's list burdens the
20 voting rights of LULAC members who are otherwise eligible to vote. This process
21 would also create fear in qualified voters in our communities and affect voting in future
22 elections, extending the suit's chilling impact far beyond this upcoming election.

23 25. A major goal of our civic engagement work is to encourage all eligible
24 California voters to be informed and to exercise their rights as American citizens by
25 participating in the electoral process. That work could become significantly more
26 difficult if our members and constituents believe their ballots will not be counted or
27 their citizenship will be subjected to additional, unwarranted scrutiny simply for
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1 attempting to vote.

2
3 I declare under penalty of perjury under the laws of the United States that the
4 foregoing is true and correct to the best of my knowledge.

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9 Juan Proaño

10 Executed this 16th day of October, 2026
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EXHIBIT B

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF CALIFORNIA; SHIRLEY
WEBER, in her official capacity as the
Secretary of State of California; and
DEAN LOGAN, in his official capacity as
Los Angeles County Registrar-Recorder,
Defendants.

Case No. 2:26-cv-12025

**DECLARATION OF TYLER
STERLING IN SUPPORT OF
LEAGUE OF UNITED LATIN
AMERICAN CITIZENS; NAACP;
NAACP CALIFORNIA/HAWAII
STATE CONFERENCE; AND
NAACP LOS ANGELES BRANCH'S
MOTION TO INTERVENE AS
DEFENDANTS**

1 I, Tyler Sterling, hereby declare as follows:

2 1. I am a U.S. citizen, over the age of 18, competent to testify, and have
3 personal knowledge of the facts and information set forth in this declaration.

4 2. I am National Director of Campaigns for the National Association for the
5 Advancement of Colored People (“NAACP”), and I have served in that position since
6 September 2021.

7 3. The NAACP is headquartered in Baltimore, Maryland, and operates across
8 the entire country, including in California.

9 4. The NAACP has approximately 200,000 formal members nationwide. The
10 NAACP is a non-partisan organization that maintains many units, including state and
11 state-regional conferences that cover every state plus the District of Columbia. One such
12 state-regional conference is the NAACP California Hawaii State Conference. There are
13 approximately 12,000 active NAACP members in California.

14 5. The NAACP also has over two thousand local branches, college chapters,
15 prison chapters, and youth councils. One such local branch is the NAACP Los Angeles
16 Branch, which has more than 1,000 members.

17 6. The NAACP was founded in 1909 by pioneers of racial justice in the
18 United States and it is the nation’s oldest civil rights organization. Today, the NAACP’s
19 mission is to achieve equity, political rights, and social inclusion by advancing policies
20 and practices that expand human and civil rights, eliminate discrimination, and
21 accelerate the well-being, education, and economic security of Black people and all
22 persons of color.

23 7. The NAACP has a long history of members and constituents facing legal
24 retaliation for their advocacy around civil rights and voting rights. Accordingly, the
25 NAACP has a proud tradition of fighting for and protecting its members, constituents,
26 and the Black community at large from legal retaliation. In a seminal case on the First
27 Amendment, the NAACP successfully defended against the disclosure of its
28 membership lists to the State of Alabama on the basis of the right to free association.

1 *See NAACP v. Alabama*, 357 U.S. 449 (1958). The NAACP maintains this longstanding
2 tradition of protecting members and supporters from the unlawful disclosure of their
3 personal information in response to government overreach and unlawful invasions of
4 privacy.

5 8. Among its many initiatives, the NAACP works to mobilize voters through
6 robust non-partisan civic engagement and get-out-the-vote programming. For example,
7 NAACP, in conjunction with partners across the country, has launched programs
8 focused on turning out voters through direct voter contact, mass communication,
9 targeted digital mobilization, and SMS texting. In the lead up to the 2024 elections, the
10 NAACP recruited over 100,000 volunteers across the country to execute these
11 programs. The NAACP has also engaged in voter protection efforts, advocating on
12 behalf of voters across the country to ensure that the law is followed and that the right
13 to vote is respected and protected. These efforts include litigation, a voter protection
14 hub and voter guides, and voter protection command centers staffed by dozens of
15 lawyers and law students. Naturally, voter registration is crucial to all of these civic
16 engagement efforts. The NAACP is currently taking steps to educate and register voters
17 for elections, including referenda, taking place in November 2026. The NAACP is
18 currently a party in lawsuits to protect voting rights and is seeking judgments that will
19 impact the 2026 elections. As it does in every election cycle, the NAACP has ramped
20 up its election and voter protection efforts as the 2026 elections draw near.

21 9. The NAACP plays a crucial role for its members and constituents as the
22 Black community's most trusted messenger and the country's largest civil rights
23 organization, especially in a public square rife with political noise and distractions.

24 10. I understand that 19 days before Election Day, the federal government has
25 sued California and Los Angeles County seeking to prevent ballots from being counted
26 for approximately 20,000 registered voters in Los Angeles County and to impose
27 additional, but unidentified, citizenship verification requirements on those voters.

1 11. If this attempt is successful, it will harm the missions of the NAACP, the
2 NAACP California/Hawaii State Conference, and the NAACP Los Angeles Branch.
3 Organizationally, the NAACP will have to rush to revamp its voter education efforts to
4 inform NAACP members in Los Angeles about the impacts of this lawsuit, and
5 mobilization efforts will be impacted because this suit will sow distrust in the voting
6 process. The NAACP also will have to ramp up voter protection efforts by assisting
7 impacted members to ensure that they are able to comply with whatever new proof-of-
8 citizenship requirements are imposed on them.

9 12. This lawsuit also harms our members because it creates a substantial risk
10 that they will be wrongfully disenfranchised or that they will face voter registration
11 requirements not imposed on most California voters.

12 13. The NAACP, its state and local units, and its members have been singled
13 out and targeted many times over the years by government officials and other
14 individuals who disagree with our mission. NAACP leaders and politically vocal
15 members, for example, have been targeted with unjust espionage and investigation—
16 and sometimes even physical violence—because of their advocacy efforts. Against this
17 backdrop, the prospect of wrongful removal from the voter rolls by the federal
18 government is especially chilling for the NAACP and its members.

19 14. I am concerned that segregating and failing to tabulate the ballots of
20 registered voters and subjecting some voters to proof-of-residency requirements that
21 most California voters need not meet will deter qualified voters in our communities
22 from participating in the franchise. That is particularly so because the federal
23 government's efforts do not reflect good faith efforts to improve the electoral system or
24 voter rolls. Instead, those efforts appear driven by a desire to spread misinformation and
25 disinformation about non-existent voter fraud and to punish people and jurisdictions
26 viewed as opposing the current administration's agenda.

15. The federal government's efforts to block some voters from having their ballots counted is likely to sow distrust of the electoral system, further frustrating our mission, which requires community members to make their voices heard at the ballot box. These concerns are especially notable for voters who are skeptical of the electoral system and worried about improper government scrutiny, including younger voters, naturalized and first-generation citizen voters, and voters who were formerly incarcerated. Our membership in California includes all of these groups of persons. Our membership in California also includes voters who are disproportionately reliant on vote-by-mail, such as voters who are elderly or disabled.

16. A major goal of our civic engagement work is to encourage all eligible California voters to be informed and to exercise their rights as American citizens by participating in the electoral process. That work could become significantly more difficult if our members and constituents believe their ballots will not be counted or their citizenship will be subjected to additional, unwarranted scrutiny simply for attempting to vote.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 16, 2026

Tyler Stutz

Tyler Sterling
National Director of Campaigns, NAACP

EXHIBIT C

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF CALIFORNIA; SHIRLEY
WEBER, in her official capacity as the
Secretary of State of California; and
DEAN LOGAN, in his official capacity as
Los Angeles County Registrar-Recorder,
Defendants.

Case No. 2:26-cv-12025

**DECLARATION OF ANNA
BALDWIN PURSUANT TO LOCAL
RULE 7-3**

1 I, Anna Baldwin, hereby declare as follows:

2 1. I am a U.S. citizen, over the age of 18, competent to testify, and have
3 personal knowledge of the facts and information set forth in this declaration.

4 2. I am a Director, Voting Rights Litigation at Campaign Legal Center and
5 one of the attorneys for Proposed Intervenor-Defendants the League of United Latin
6 American Citizens (LULAC), National Association for the Advancement of Colored
7 People, NAACP California/Hawaii State Conference, and NAACP Los Angeles Branch
8 (NAACP) (collectively, Proposed Intervenor-Defendants) in this action. My application
9 to appear *pro hac vice* is forthcoming.

10 3. Prior to filing their Motion to Intervene, Proposed Intervenor-Defendants
11 made good faith efforts to confer with counsel for the Plaintiff as required by Local
12 Rule 7-3. In addition, Proposed Intervenor-Defendants made good faith efforts to confer
13 with counsel for the Defendants.

14 4. As a result of Plaintiff's representation that it would be seeking
15 "Emergency Relief," ECF No. 1-3, Proposed Intervenor-Defendants sought to confer
16 on an expeditious basis to protect their interests.

17 5. On October 15, 2026, at 10:39 AM Pacific, I e-mailed attorneys Julie
18 Hamill and Andrew Darlington, counsel for the Plaintiff, requesting a Zoom conferral
19 on Proposed Intervenor-Defendants' Motion to Intervene before 2:00 PM. In response
20 to my email, Attorney Darlington indicated that Plaintiff opposed our request as
21 premature and that Plaintiff would only confer after Defendants were served and the
22 case was assigned. Attorney Darlington indicated that, should Proposed Intervenor-
23 Defendants move prior to those events, Plaintiff requested that our papers include the
24 following language: "The United States opposes this request. It is premature.
25 Defendants should be properly served, and a judge should be assigned to the case."

26 6. I indicated our disagreement with the Plaintiff's position, and reiterated
27 our request for a conferral, in two additional e-mails. In response, Attorney Hamill
28 indicated that Plaintiff was available to confer on Tuesday, October 20, 2026, between

1 1:00 and 3:00 PM Pacific. I once again reiterated my request to confer during the
2 afternoon or evening of October 15 but received no further response.

3 7. On October 15, 2026, I conferred via e-mail and telephone with Attorneys
4 Anne Bellows and Michael Cohen, counsel for Defendants the State of California and
5 Secretary Weber, who indicated that California and Secretary Weber take no position
6 on Proposed Intervenor-Defendants' Motion to Intervene.

7 8. On October 15, 2026, I e-mailed Eva Chu and Adam Baumgarten, counsel
8 for Defendant Los Angeles County Registrar-Recorder/County Clerk Dean C. Logan,
9 requesting their availability for a brief Zoom conferral on Proposed Intervenor-
10 Defendants' Motion to Intervene. Attorney Chu indicated that counsel for Defendant
11 Logan was not available on October 15. In response, I requested that Defendant Logan
12 provide his position on the Motion by e-mail, and counsel responded that for Defendant
13 Logan takes no position on Proposed Intervenor-Defendants' Motion to Intervene.

14
15 I declare under penalty of perjury that the foregoing is true and correct.
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20 Executed on: October 16, 2026

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23 Anna Baldwin
24 Director, Voting Rights Litigation
25 Campaign Legal Center
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EXHIBIT D

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26 *Additional counsel on next page*
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6 **ADVANCEMENT OF COLORED PEOPLE**

4805 Mt. Hope Drive

7 Baltimore, MD 21215

(410) 580-5777

8
9 *Counsel for Proposed Intervenor-Defendants*

League of United Latin American Citizens;

10 *NAACP; NAACP*

11 *California/Hawaii State Conference;*

12 *NAACP Los Angeles Branch*

13 **Pro hac vice application forthcoming*

14 ***Admission application forthcoming*

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,
Plaintiff,

v.

STATE OF CALIFORNIA; SHIRLEY
WEBER, in her official capacity as the
Secretary of State of California; and
DEAN LOGAN, in his official capacity as
Los Angeles County Registrar-Recorder,
Defendants.

Case No. 2:26-cv-12025

**LEAGUE OF UNITED LATIN
AMERICAN CITIZENS; NAACP;
NAACP CALIFORNIA/HAWAII
STATE CONFERENCE; AND
NAACP LOS ANGELES BRANCH'S
PROPOSED ANSWER**

Proposed Intervenor-Defendants League of United Latin American Citizen
(LULAC) and National Association for the Advancement of Colored People, NAACP
California/Hawaii State Conference, and NAACP Los Angeles Branch (together,
NAACP) (collectively, Proposed Intervenor-Defendants) answers Plaintiff's Complaint
([ECF No. 1](#)) as follows:

INTRODUCTION¹

1. Paragraph 1 contains legal conclusions and characterizations to which no
response is required. To the extent a response is required, Proposed Intervenor-
Defendants allege that the statutes speak for themselves.

2. Proposed Intervenor-Defendants lack sufficient information to admit or
deny the allegations in Paragraph 2.

3. Based on information publicly available, Proposed Intervenor-Defendants
admit that Plaintiff's Exhibit A is a copy of communication from a Department in the
federal government to the California Secretary of State, and that Exhibit B is the
response from the California Secretary of State. Proposed Intervenor-Defendants allege

¹ Headings from the Complaint are reproduced here for clarity. This is not intended to
admit any allegation contained in the Complaint. To the extent any heading or
subheading in the Complaint constitutes an allegation, that allegation is denied.

1 that the documents speak for themselves and deny the remaining allegations in
2 Paragraph 3.

3 4. Based on information available, Proposed Intervenor-Defendants admit
4 that Exhibit C is a letter from Acting Deputy Attorney General R. Trent McCotter to
5 California Secretary of State Shirley N. Weber, Ph.D., and Exhibit D is a letter from
6 Acting Deputy Attorney General R. Trent McCotter to Los Angeles County Recorder-
7 Registrar/County Clerk Dean C. Logan. Proposed Intervenor-Defendants allege that the
8 documents speak for themselves and deny the remaining allegations in Paragraph 4.

9 5. Paragraph 5 contains legal conclusions to which no response is required.
10 To the extent a response is required, Proposed Intervenor-Defendants admit that the
11 language quoted in the parenthetical appears in *Norwood v. Harrison*, 413 U.S. 455,
12 465 (1973), though it is quoted without acknowledgement of alterations to the text and
13 is a quotation from a different case. Proposed Intervenor-Defendants deny the
14 remaining allegations.

15 6. Paragraph 6 contains legal conclusions to which no response is required.
16 To the extent a response is required, Proposed Intervenor-Defendants deny Plaintiff is
17 entitled to relief and deny the remaining allegations in Paragraph 6.

18 **JURISDICTION AND VENUE**

19 7. Paragraph 7 contains legal conclusions to which no response is required.
20 To the extent a response is required, Proposed Intervenor-Defendants deny the
21 allegations.

22 8. Paragraph 8 contains legal conclusions to which no response is required.
23 To the extent a response is required, Proposed Intervenor-Defendants deny the
24 allegations.

25 9. Paragraph 9 contains legal conclusions to which no response is required.
26 To the extent a response is required, Proposed Intervenor-Defendants deny the
27 allegations.

1 10. Paragraph 10 contains legal conclusions to which no response is required.
2 To the extent a response is required, Proposed Intervenor-Defendants deny the
3 allegations.

4 11. Paragraph 11 contains legal conclusions to which no response is required.
5 To the extent a response is required, based on information available, Proposed
6 Intervenor-Defendants admit the allegations in Paragraph 11.

7 12. Paragraph 12 contains legal conclusions to which no response is required.
8 To the extent a response is required, based on information available, Proposed
9 Intervenor-Defendants admit the allegations in Paragraph 12.

10 **PARTIES**

11 13. Proposed Intervenor-Defendants admit that Plaintiff is the United States of
12 America. The remaining allegations in Paragraph 13 contain legal conclusions to which
13 no response is required. To the extent a response is required, Proposed Intervenor-
14 Defendants deny the allegations.

15 14. Proposed Intervenor-Defendants admit that the State of California is a
16 Defendant and a State of the United States.

17 15. Proposed Intervenor-Defendants admit that Defendant Secretary of State
18 Shirley N. Weber is the California Secretary of State and sued in her official capacity
19 only. Proposed Intervenor-Defendants admit that the quoted language in Paragraph 15
20 is correct partial quotations from the California Secretary of State's website and that
21 Defendant Weber is California's chief elections officer. Proposed Intervenor-
22 Defendants allege that the documents speak for themselves.

23 16. Proposed Intervenor-Defendants admit that Defendant County of Los
24 Angeles Registrar-Recorder/County Clerk Dean C. Logan is the County of Los Angeles
25 Registrar-Recorder/County Clerk and is sued in his official capacity only. Proposed
26 Intervenor-Defendants admit that the cited website states in part that Defendant Logan
27 is responsible for registering voters, maintaining voter files, and administering federal
28

elections. Proposed Intervenor-Defendants allege that the documents speak for themselves.

LEGAL BACKGROUND

I. Federal Law Prohibits Noncitizens from Voting in Federal Elections

17. Paragraph 17 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit that the quoted language in Paragraph 17 is correctly partially quoted from [18 U.S.C. § 611\(a\)](#).

18. Paragraph 18 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit that the quoted language in Paragraph 18 is correctly partially quoted from [18 U.S.C. § 611\(a\)](#).

19. Paragraph 19 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit that [18 U.S.C. § 611\(b\)](#) provides for fines and imprisonment for violation of the section of the law but deny the remaining allegations.

20. Paragraph 20 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit the quoted language in Paragraph 20 correctly partially quotes Black's Law Dictionary and *United States v. Knight*, [490 F.3d 1268, 1271](#) (11th Cir. 2007), but otherwise deny the allegations in Paragraph 20.

II. California's Vote-by-Mail Regime

A. California's Vote-by-Mail Ballots

21. Proposed Intervenor-Defendants admit that the cited case references California permitting mail voting in 1922 but lack sufficient information to admit or deny the remaining allegations.

22. Paragraph 22 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants allege that the statutes speak for themselves.

23. Paragraph 23 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit that the quoted language is correctly partially quoted in the cited statute and otherwise allege that the statute speaks for itself.

24. Paragraph 24 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit that the quoted language is correctly partially quoted in the cited statute and otherwise allege that the statute speaks for itself.

25. Paragraph 25 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants allege that the statute speaks for itself and deny the remaining allegations.

B. Election Officials Count a Vote-by-Mail Ballot if They Verify the Signature

26. Paragraph 26 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit that the quoted language is correctly partially quoted in the cited statute and otherwise allege that the statute speaks for itself.

27. Paragraph 27 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit that the quoted language is correctly partially quoted in the cited statutes and otherwise allege that the statutes speak for themselves.

28. Paragraph 28 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit that the quoted language is correctly partially quoted in the cited statute and otherwise allege that the statute speaks for itself.

29. Paragraph 29 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-

Defendants admit that the quoted language is correctly partially quoted in the cited statute and otherwise allege that the statutes speak for themselves.

FACTUAL ALLEGATIONS

30. Paragraph 30 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants allege that the statutes speak for themselves and otherwise lack sufficient information to admit or deny the allegations in Paragraph 30.

31. Paragraph 31 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants allege that the statutes speak for themselves and otherwise lack sufficient information to admit or deny the allegations in Paragraph 31.

32. Proposed Intervenor-Defendants lack sufficient information to admit or deny the allegations in Paragraph 32.

I. Federal Agencies' Process to Identify Likely Noncitizens on Voter Rolls in Federal Elections

A. USCIS' Processes to Determine Likely Noncitizens on Voter Rolls

33. Paragraph 33 includes legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants lack sufficient information to admit or deny the allegations in Paragraph 33.

34. Proposed Intervenor-Defendants lack sufficient information to admit or deny the allegations in Paragraph 34. To the extent Paragraph 34 asserts that the process outlined reliably identifies noncitizens or that its self-characterized "high confidence" matches are reliable, denied.

35. Proposed Intervenor-Defendants lack sufficient information to admit or deny the allegations in Paragraph 35. As to the Plaintiff's characterization of matches using unidentified "third-party software" as "high confidence," denied.

1 36. Proposed Intervenor-Defendants lack sufficient information to admit or
2 deny the allegations in Paragraph 36. As to the Plaintiff’s assertion of its identification
3 of “high-confidence matches from the voter rolls with a verified alien number,” denied.

4 37. Proposed Intervenor-Defendants lack sufficient information to admit or
5 deny the allegations in Paragraph 37. As to the characterization of second-level review
6 as “an additional safeguard,” denied.

7 38. Proposed Intervenor-Defendants lack sufficient information to admit or
8 deny the allegations in Paragraph 38. As to the characterization of a “list of likely
9 noncitizens on voter rolls,” denied.

10 **B. HSI’s Processes to Determine Likely Noncitizens on Voter Rolls**

11 39. Proposed Intervenor-Defendants lack sufficient information to admit or
12 deny the allegations in Paragraph 39. As to the characterization of “voter names . . . that
13 USCIS has a ‘high confidence’ are likely noncitizens who are registered to vote,”
14 denied.

15 40. Proposed Intervenor-Defendants lack sufficient information to admit or
16 deny the allegations in Paragraph 40. Paragraph 40 also includes legal conclusions to
17 which no response is required. To the extent a response is required, Proposed
18 Intervenor-Defendants allege that the statutes speak for themselves.

19 41. Proposed Intervenor-Defendants lack sufficient information to admit or
20 deny the allegations in Paragraph 41.

21 42. Proposed Intervenor-Defendants lack sufficient information to admit or
22 deny the allegations in Paragraph 42. As to the characterization of a “high-confidence
23 list” and HSI tools that “shore up any data deficiencies that could exist,” denied.

24 43. Proposed Intervenor-Defendants lack sufficient information to admit or
25 deny the allegations in Paragraph 43.

II. Federal Agencies Identified Likely Noncitizens Registered to Vote in California, and the United States Notified Defendants of these Voters

44. Paragraph 44 includes legal conclusions to which no response is required. To the extent that a response is required, Proposed Intervenor-Defendants admit that, based on publicly available information, California mailed ballots on October 1, 2026, to all registered voters.

45. Proposed Intervenor-Defendants lack sufficient information to admit or deny the allegations in Paragraph 45.

46. Proposed Intervenor-Defendants deny that California sent vote-by-mail ballots to 20,000 noncitizens and deny that HSI “reasonably believes” 20,000 noncitizens are registered to vote in California. Proposed Intervenor-Defendants lack sufficient information to admit or deny the remaining allegations.

47. Proposed Intervenor-Defendants lack sufficient information to admit or deny the allegations in Paragraph 47, but do admit, based on publicly available information, that Exhibit C reflects a letter from Acting Deputy Attorney General R. Trent McCotter to California Secretary of State Shirley N. Weber, Ph.D., and that Exhibit D reflects a letter from Acting Deputy Attorney General R. Trent McCotter to Los Angeles County Registrar-Recorder/County Clerk Dean C. Logan. The documents speak for themselves.

48. Proposed Intervenor-Defendants deny the allegations in paragraph 48.

49. Proposed Intervenor-Defendants deny the allegations in paragraph 49.

CLAIM FOR RELIEF

**Violation of the Supremacy Clause as Applied to California's Actions of
Knowingly Sending Vote-By-Mail Ballots to Likely Noncitizens and Ultimately
Counting Those Ballots in Violation of 18 U.S.C. § 611**

50. Proposed Intervenor-Defendants incorporates by reference each of their preceding admissions, denials, and statements as if fully set forth herein.

51. Paragraph 51 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admits that the quoted text correctly quotes from Article VI of the U.S. Constitution, though it does not include the full text.

52. Paragraph 52 contains legal conclusions and characterizations to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants admit that the quoted text correctly quotes from Article I of the U.S. Constitution, though it does not include the full text.

53. Paragraph 53 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the allegations in Paragraph 53.

54. Paragraph 54 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the allegations in Paragraph 54.

55. Paragraph 55 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the allegations in Paragraph 55.

56. Paragraph 56 contains legal conclusions to which no response is required. To the extent a response is required, Proposed Intervenor-Defendants deny the allegations in Paragraph 56.

57. Proposed Intervenor-Defendants deny the allegations in paragraph 57.

1 58. Proposed Intervenor-Defendants deny the allegations in paragraph 58.

2 59. Paragraph 59 contains legal conclusions to which no response is required.
3 Proposed Intervenor-Defendants deny the remaining allegations in paragraph 59.

4 60. Proposed Intervenor-Defendants lack sufficient information to admit or
5 deny the allegations in the first sentence. Proposed Intervenor-Defendants deny the
6 remaining allegations in paragraph 60.

7 61. Proposed Intervenor-Defendants deny the allegations in paragraph 61.

8 **GENERAL DENIAL**

9 Proposed Intervenor-Defendants deny every allegation in Plaintiff's Complaint
10 for Declaratory and Injunctive Relief that is not expressly admitted herein. Proposed
11 Intervenor-Defendants deny that Plaintiff is entitled to any relief.

12 **AFFIRMATIVE DEFENSES**

13 Without admitting any of the allegations of the Complaint and without assuming
14 any burden not imposed by law, Proposed Intervenor-Defendants assert the following
15 affirmative defenses:

- 16 1. Plaintiff has failed to allege subject matter jurisdiction.
- 17 2. Plaintiff has failed to state a claim upon which relief can be granted.
- 18 3. Plaintiff has failed to allege an entitlement to injunctive relief.
- 19 4. Plaintiff's requested relief is inconsistent with the U.S. Constitution and
20 federal law.
- 21 5. Plaintiff lacks authority to bring this cause of action.
- 22 6. Plaintiff's claim is barred by the *Purcell* principle. *Purcell v. Gonzalez*,
23 [549 U.S. 1](#) (2006).
- 24 7. Plaintiff's claim is barred pursuant to the doctrine of *laches*.

25 Proposed Intervenor-Defendants reserve the right to add additional Affirmative
26 Defenses to Plaintiff's Complaint as the existence of such defenses is discovered
27 through the course of discovery or otherwise.

PRAYER FOR RELIEF

WHEREFORE, having fully answered Plaintiff's Complaint for Declaratory and Injunctive Relief, Proposed Intervenor-Defendants pray for judgment as follows:

- A. That the Court dismiss the Complaint for Declaratory and Injunctive Relief with prejudice;
- B. That judgment be entered in favor of Proposed Intervenor-Defendants and against Plaintiff on Plaintiff's Complaint for Declaratory and Injunctive Relief and that Plaintiff takes nothing thereby;
- C. That Proposed Intervenor-Defendants be awarded reasonable attorneys' fees and costs under any applicable statute or equitable doctrine; and
- D. For such other and further relief as the Court deems appropriate.

Dated: October 16, 2026

Respectfully submitted,

/s/ Aseem Mulji

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***Admission application forthcoming*

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