

**IN THE COURT OF COMMON PLEAS  
FOR FRANKLIN COUNTY, OHIO**

**OHIOANS FOR RAISING THE WAGE**

545 E. Town Street  
Columbus, OH 43215,

**ANTHONY A. CALDWELL**

5112 Maple Valley Drive  
Columbus, OH 43228,

**JAMES E. HAYES**

1495 Bycroft Road  
Columbus, OH 43206,

**DAVID G. LATANICK**

374 Wilber Avenue  
Columbus, OH 43215,

and

**PIERRETTE M. TALLEY**

935 Parkside Boulevard  
Toledo, OH 43067,

**Plaintiffs,**

**OHIOANS FOR SECURE AND FAIR  
ELECTIONS**

545 E. Town Street  
Columbus, OH 43215,

**DARLENE ENGLISH**

15332 Lake Shore Boulevard  
Cleveland, Ohio 44110,

**LAURA A. GOLD**

4433 Groveland Road  
University Heights, Ohio 44118,

**HASAN KWAME JEFFRIES**

196 Balsam Drive  
Pickerington, Ohio 43147,

Case No. 20 CV 002381

Judge David C. Young

**ISABEL C. ROBERTSON**  
1965 Mornington Lane, Apt. 8  
Cleveland Heights, Ohio 44106,

**EBONY SPEAKES-HALL**  
6617 English Oaks  
Middletown, Ohio 45044,

**PAUL MOKE**  
6848 West State Route 73  
Wilmington, OH 45177,

**ANDRE WASHINGTON**  
7 Village Gate Boulevard  
Delaware, OH 43015,

**SCOTT A. CAMPBELL**  
2266 Chatfield Drive  
Cleveland Heights, OH 44106

and

**SUSAN G. ZIEGLER**  
647 Brownstone Circle  
Avon Lake, Ohio 44012

**Intervening Plaintiffs,**

v.

**FRANK LAROSE**, in his official capacity as  
Ohio Secretary of State  
22 North Fourth Street, 16th Fl.  
Columbus, Ohio 43215

**Defendant.**

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**MOTION TO INTERVENE**

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Intervenors Ohioans for Secure and Fair Elections, Darlene L. English, Laura A. Gold,  
Hasan Kwame Jeffries, Isabel C. Robertson, Ebony Speakes-Hall, Paul Moke, Andre

Washington, Scott Campbell, and Susan Ziegler (“Intervenors”) move to intervene in this action as of right as plaintiffs under Ohio Rule of Civil Procedure 24(A)(2), or in the alternative permissively under Rule 24(B)(2).

Intervenors are the proponents of an amendment to the Ohio Constitution, as well as intended petition circulators and signatories in support of that amendment. Like Plaintiffs, Intervenors seek to place their proposed amendment on the November 3, 2020 general election ballot, but are facing insurmountable challenges to their efforts as a result of the coronavirus pandemic and the resulting emergency situation. Any relief that Plaintiffs are able to obtain will necessarily impact Intervenors. Intervenors have an interest to ensure that ordered relief does not undercut their rights by setting a standard to which Plaintiffs could meet and Intervenors could not. Accordingly, Intervenors are entitled to appear in this action to ensure adequate representation of their own interests. The only alternative, an independently filed lawsuit, would be a highly inefficient use of judicial resources.

A Memorandum in Support and Proposed Order are enclosed.

Respectfully submitted,

/s/ Freda J. Levenson

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## MEMORANDUM IN SUPPORT

### I. INTRODUCTION

Ohio is in the midst of a massive, terrifying public health crisis. The spread of COVID-19, a severe respiratory disease caused by a novel coronavirus, has left the state reeling, and will continue to do so for the next several months at least. Public venues and accommodations across the state are shut down, events have been cancelled, businesses are shut down, and universities are closed. Ohioans, like all Americans, have been advised to stay at home and avoid face-to-face human contact. Most are now sheltering in place. Even with such extreme caution, the Ohio Department of Health projects that by mid-May, *10,000 new cases per day* will be continuing to pummel the state's healthcare system. Between 40% and 70% of Ohioans are ultimately expected to contract COVID-19.

This public health catastrophe has had a devastating effect on Ohioans' ability to circulate petitions to place amendments to the Ohio Constitution on the November 3, 2020 general election ballot. It is flatly impossible, under these circumstances, to successfully gather 442,958 valid signatures from across the state—each gathered in individual encounters between circulator and petition signatory, handwritten in ink, and personally witnessed by the circulator—and to submit them to the Ohio Secretary of State by July 1. Yet under Ohio law, that is exactly what is required for any amendment to get on the ballot.

The original plaintiffs in this action, Ohioans for Raising the Wage and its committee members, are seeking a means to advance their proposed amendment—and thus vindicate their fundamental rights of speech, association, assembly, and ballot access—in this daunting situation. Intervenors, including Ohioans for Secure and Fair Elections, share that same core goal, and seek similar relief to allow their own proposed constitutional amendment to proceed,

pursuant to their rights under the First and Fourteenth Amendments of the U.S. Constitution and Article I and II of the Ohio Constitution.

The original Plaintiffs have asked this Court to revise or suspend a series of formal requirements in Ohio’s constitutional and statutory signature-gathering laws—such as the required number of signatures, the forms of those signatures, and the deadlines for submitting them. Because Intervenors are similarly situated—though not exactly the same, as Intervenors have not yet begun gathering signatures and Plaintiffs have begun to collect them—any relief that Plaintiffs obtain is likely to impact Intervenors’ rights as well. Intervenors have a powerful interest in joining this action as a result. Under Ohio Rule of Civil Procedure 24 and to preserve judicial economy, this Court should allow Intervenors to join this action rather than being forced to file a separate one.

## II. STATEMENT OF FACTS

Intervenor Ohioans for Secure and Fair Elections (“OSFE”) is a ballot issue committee putting forth the Secure and Fair Elections Amendment (the “Proposed Amendment”) to the Ohio Constitution. The Proposed Amendment is designed to protect Ohioans’ right to vote, expand opportunities to exercise that right, and ensure that voting in Ohio remains secure. *See* Ex. A (Affidavit of Antonia Dippold-Webb) at ¶ 2. Intervenors Darlene L. English, Laura A. Gold, Hasan Kwame Jeffries, Isabel C. Robertson, and Ebony Speakes-Hall are the committee members of OSFE. Intervenors Paul Moke and Andre Washington wish to serve as volunteer petition circulators for the Proposed Amendment, while Intervenors Scott Campbell and Susan Ziegler wish to sign petitions.

Like the original Plaintiffs, OSFE has gathered the requisite number of signatures to submit their proposed amendment to the Ohio Attorney General for approval and review by the

Ohio Ballot Board. Ex. A at ¶¶ 4-5. But unlike Plaintiffs, OSFE received an adverse decision from the Ballot Board, setting off expedited litigation before the Supreme Court of Ohio on the issue of whether the Proposed Amendment constitutes a single subject. That case was fully briefed on March 19, and awaits a decision. *See State ex rel. Ohioans for Secure and Fair Elections v. Ohio Ballot Board*, Supreme Court Case No. 2020-0327.<sup>1</sup>

As a result of the Ballot Board's decision and the ensuing litigation, OSFE has not yet begun gathering signatures. Ex. A at ¶¶ 4-6. Although in a slightly different position from the original Plaintiffs, who allege that they have gathered approximately 74,000 signatures. *See* Plaintiffs' Complaint, filed March 30, 2020, OSFE is also well along in its campaign, and is at the brink of its signature collection effort. It has spent over half a million dollars to get to this point. *See* Ex. A at ¶¶ 4-5, 19. Absent the coronavirus pandemic, OSFE and its petition circulators would begin gathering signatures very shortly. Ex. A at ¶ 8. Instead, they face the same insurmountable barrier as Plaintiffs: the disastrous pandemic and the widespread social distancing measures taken in response. *See id.*

Ohio has already absorbed tragic losses from the pandemic, with 1,933 confirmed cases and as many as hundreds of thousands more suspected, and a confirmed death toll of 39.<sup>2</sup> For the

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<sup>1</sup> Should OSFE prevail in that matter, the Proposed Amendment will continue in its current form. If not, the Proposed Amendment will be fractured into four pieces. This would be a serious blow to the cause of expanding and securing voting rights, as obtaining the required number of signatures for all four subparts independently would be prohibitively difficult even under normal circumstances. In that event, OSFE would select one of the sub-divided pieces to continue as the new Proposed Amendment. *See* Ex. A at ¶ 6 (OSFE is poised to begin as soon as a ruling issues).

<sup>2</sup> *See* Ohio Department of Health, <https://coronavirus.ohio.gov/wps/portal/gov/covid-19/> (accessed Mar. 31, 2020) (tracking number of cases); Peter Sullivan, *Ohio health official estimates 100,000 people in state have coronavirus*, The Hill (Mar. 12, 2020), available at <https://thehill.com/policy/healthcare/487329-ohio-health-official-estimates-100000-people-in-state-have-coronavirus> (accessed Mar. 26, 2020) (Director of Ohio Department of Health estimate that over 100,000 Ohioans had COVID-19 by March 12).

past several weeks, escalating warnings have issued—from the Centers for Disease Control and Prevention (CDC), the World Health Organization (WHO), the President of the United States, the Governor of Ohio, the Director of the Ohio Department of Health (ODH), and news sources from the local to international levels—advising people to avoid large gatherings, stay away from public events, and practice “social distancing” by maintaining a space of at least six feet from anyone. Universities, libraries, event spaces, and government offices began to close weeks ago. Major events were cancelled across the state. Restaurants and bars quickly shifted to carry-out services, and many businesses shifted to remote operation or simply closed. *See generally* Complaint in Intervention, filed concurrently herewith, at ¶¶ 30-45 (collecting news sources). Ohio Department of Health Director Amy Acton issued a “stay at home” order, exempting only essential services.<sup>3</sup> Ohioans—including Intervenors—have largely been staying at home, and avoiding face-to-face contact with others as much as possible.

Circulating petitions at large public events and in places of public accommodation is not merely important to a signature-gathering campaign, it is utterly indispensable. Ex. A at ¶¶ 14-17. Even further, the widespread practice of social distancing—though surely a wise means of controlling the spread of the coronavirus—heavily dissuades people from engaging in the routine face-to-face contact involved in signature-gathering. *Id.* at ¶¶ 13, 17.

And these circumstances will not be changing for months. On March 27, Director Acton and Governor Mike DeWine warned that the virus was not projected to reach its peak until mid-

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<sup>3</sup> See Bethany Bruner, *Coronavirus: What will enforcement of stay-at-home order look like?*, Columbus Dispatch (Mar. 23, 2020), available at <https://www.dispatch.com/news/20200323/coronavirus-what-will-enforcement-of-stay-at-home-order-look-like> (accessed Mar. 26, 2020).



May, at which point the state will be experiencing as many as 10,000 *new cases per day*.<sup>4</sup> On March 29, President Trump announced that federal social distancing guidelines would be extended through at least April 30.<sup>5</sup>

Signature-gathering under Ohio law is a costly, time-consuming, and labor-intensive process even when it is *not* occurring in a pandemic. *See* Ex. A. at ¶ 7. A number of restrictions, however, are simply incompatible with the present circumstances:

- Obtaining at least **442,958 valid signatures**,<sup>6</sup> which is 10% of the statewide vote for governor in the last gubernatorial election, *see* Ohio Const. Art. II § 1a; R.C. 3519.14;<sup>7</sup>
- In at least half of Ohio’s 88 counties, obtaining signatures from at least 5% of the gubernatorial vote from that county, *see* Ohio Const. Art. II § 1g; R.C. 3519.14;
- Affixing all signatures in ink, *see* Ohio Const. Art. II § 1g; R.C. 3501.38(B);
- Ensuring that “no person shall write any name other than the person’s own,” and no signatures are by proxy, *see* R.C. 3501.38; Ohio Const. Art. II § 1g;
- Witnessing the affixing of every signature, and providing an attestation thereto, *see* Ohio Const. Art. II § 1g.

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<sup>4</sup> Randy Ludlow, *Coronavirus: Ohio cases surpass 1,100; death toll up to 19 as projection for daily new cases hits 10,000*, Columbus Dispatch (Mar. 27, 2020), available at <https://www.dispatch.com/news/20200327/coronavirus-ohio-cases-surpass-1100-death-toll-up-to-19-as-projection-for-daily-new-cases-hits-10000> (accessed Mar. 28, 2020).

<sup>5</sup> Bobby Allyn, *Trump Extends Social Distancing Guidelines for 30 More Days*, NPR (Mar. 29, 2020), available at <https://www.npr.org/2020/03/29/821976925/coronavirus-cases-soar-across-the-u-s-and-officials-say-worse-is-yet-to-come> (accessed Mar. 29, 2020).

<sup>6</sup> Because signatures are frequently found to be invalid, it is standard industry practice to gather 150% of the requirement out of caution—here, approximately **675,000 signatures**.

<sup>7</sup> *See* Office of the Ohio Attorney General, *Initiative and Referendum Signature Requirements*, <https://www.ohioattorneygeneral.gov/Legal/Ballot-Initiatives/Initiative-and-Referendum-Signature-Requirements> (accessed Mar. 26, 2020).

These signatures must be submitted to the Secretary of State’s office in electronic form, with accompanying summaries and indices, not later than 125 days prior to the election, or July 1, 2020. *See* Ohio Const. Art. II § 1a; R.C. 3519.16(B).

Intervenors struggle with the same core issue as do Plaintiffs: these legal strictures do not contemplate this unprecedented pandemic and were not designed to deal with it. Ohio’s ballot access scheme is totally incompatible with today’s extreme, novel reality. The reality in Ohio today makes it impossible for the Proposed Amendment to make its way to the November 3, 2020 general election ballot. *See* Ex. A at ¶ 8.

In an attempt to resolve this matter without the necessity of litigation, Intervenors contacted Defendant by email on March 26, 2020, requesting that Defendant modify and/or decline to enforce Ohio’s formal signature requirement. In response on March 27, counsel for Defendant asserted that Defendant “is not free” to do so “even in the current crisis.” Nonetheless, Defendant agreed that this crisis calls for extraordinary election measures:

The current COVID-19 pandemic has upended nearly everything in our lives here in Ohio and in the lives of millions of Americans in many other states across the nation. As I know you are well aware, the pandemic even impacted our primary election. I can appreciate that the current situation has impacted your organization’s signature gathering for the proposed amendments.

*See* Ex. B (March 27, 2020 letter from Defendant’s office to OSFE’s campaign manager).

Plaintiffs have asked this Court to craft a solution that preserves the state’s interests while respecting the constitutional rights of Ohioans to political association and ballot access. *See generally* Plaintiffs’ Complaint. Any solution that emerges will almost certainly necessarily impact Intervenors, either by including them or excluding them—by setting the signature threshold at a level that may be achievable for Plaintiffs but not Intervenors, for example.

### **III. LAW AND ARGUMENT**

As the Supreme Court of Ohio has held repeatedly, Ohio Rule of Civil Procedure 24 is to

be liberally construed in favor of intervention. *E.g.*, *State ex rel. Merrill v. Ohio Dep't of Natural Resources*, 130 Ohio St.3d 30, 2011-Ohio-4612, ¶ 41; *State ex rel. Watkins v. Eighth Dist. Court of Appeals*, 82 Ohio St.3d 532, 534 (1998); *State ex rel. Polo v. Cuyahoga Cty. Bd. of Elections*, 74 Ohio St.3d 143, 144 (1995). Intervenor's motion—filed one day after Plaintiffs' Complaint—is inarguably timely, and they are entitled to intervene as of right under Rule 24(A). In the alternative, this Court should grant permissive intervention under Rule 24(B).

**A. This Intervention Is Timely, and Special Circumstances Weigh In Its Favor**

Any intervention, whether permissive or as of right, must be timely. That is a matter within the sound discretion of the Court, guided by a five-factor inquiry:

(1) the point to which the suit had progressed; (2) the purpose for which intervention is sought; (3) the length of time preceding the application during which the proposed intervenor knew or reasonably should have known of his interest in the case; (4) the prejudice to the original parties due to the proposed intervenor's failure after he knew or reasonably should have known of his interest in the case to apply promptly for intervention; and (5) the existence of unusual circumstances militating against or in favor of intervention.

*State ex rel. First New Shiloh Baptist Church v. Meagher*, 82 Ohio St.3d 501, 503 (1998). Each of these factors weighs in favor of intervention here. As to the first and third factors, this lawsuit was initiated only about 24 hours ago. No answer or responsive briefing has been filed. Motions to intervene are routinely granted in far less timely circumstances. *See, e.g.*, *Grogan v. T.W. Grogan Co.*, 143 Ohio App. 3d 548, 561 (8th Dist. 2001) (motion to intervene filed thirteen days after complaint was timely, where no delay would result); *Crittenden Court Apt. Assoc. v. Jacobson/Reliance*, 8th Dist. Nos. 85395, 85452, 2005-Ohio-1993, ¶ 7 (motion to intervene 30 days before trial was not untimely). Intervenor's, like Plaintiffs, have known only for a short time—since the coronavirus pandemic has escalated exponentially to such dramatic heights—that they may need to seek relief in order to gather signatures for the Proposed Amendment effectively.

The second and fourth *Meagher* factors are also met. Intervenors seek very similar relief to what Plaintiffs seek: a holding by this Court that a number of formal requirements set by Article II, Sections 1a and 1g of the Ohio Constitution, and several related statutes, are invalid as applied to their constitutional amendment petition signature campaigns under these extraordinary circumstances. Intervenors and Plaintiffs, however, are each proposing their own constitutional amendments; though not adverse, the two campaigns ultimately seek different goals, and have made different degrees of progress. Nothing about the remedies sought by Intervenors will prejudice Plaintiffs—though notably, the reverse is not necessarily true. For example, a holding that a petition need only gather 70,000 signatures would serve Plaintiffs’ needs, but would not resolve Intervenors’. A holding that the signature requirement is invalidated, meanwhile, would serve both Intervenors’ and Plaintiffs’ ends.

As to the fifth *Meagher* factor, the extraordinary circumstances at hand cannot be discounted. Ohio is in the midst of a frantic response and adjustment to the coronavirus pandemic, one that has already had considerable impact in the realm of elections. In recent weeks, state officials have taken such extreme measures as suspending a primary election, announcing its rescheduling, and engaging in litigation disputing the schedule. *See generally* Rick Rouan, *Misstatements from LaRose’s office sparked election eve chaos in Ohio*, Columbus Dispatch (Mar. 19, 2020), available at <https://www.dispatch.com/news/20200319/misstatements-from-larosersquos-office-sparked-election-eve-chaos-in-ohio> (accessed Mar. 25, 2020); *State ex rel. Ohio Democratic Party v. LaRose*, Supreme Court Case No. 2020-0388 (action in mandamus challenging the Secretary of State’s effort to reschedule the election).

By the very nature of this action—as well as its context, in the coronavirus crisis—this Court is being asked to craft a remedy that reconciles fundamental rights of association, speech,

and ballot access with a statutory scheme that simply was not designed to enable petitioning during a pandemic. Such extraordinary circumstances necessitate prompt and decisive action by the courts if Ohioans’ fundamental rights of political expression and ballot access are to be preserved. *See, e.g., Fla. Democratic Party v. Scott*, 215 F. Supp. 3d 1250, 1257 (N.D. Fla. 2016) (extending voter registration deadlines after a hurricane made registration in the statutory timeframe impossible); *Georgia Coal. for the Peoples’ Agenda, Inc. v. Deal*, 214 F. Supp. 3d 1344, 1345 (S.D. Ga. 2016) (similar); *State v. Marcotte*, 148 Me. 45, 53–54, 89 A.2d 308, (1952) (upholding a delayed election after a violent storm). As the parties and this Court work to craft an appropriate remedy, Intervenors must be able to ensure that they, as well as Plaintiffs, see their rights preserved in an evenhanded fashion. The Court, meanwhile, has every interest in not adjudicating these same complex, extraordinary matters twice.

### **B. Intervenors Are Entitled to Intervention As of Right**

Upon timely application, any party may intervene as of right where, in relevant part:

(2) ... the applicant claims an interest relating to the property or transaction that is the subject of the action and the applicant is so situated that the disposition of the action may as a practical matter impair or impede the applicant’s ability to protect that interest, unless the applicant’s interest is adequately represented by existing parties.

Civ. R. 24(A). A party whose constitutional rights are directly impacted by the dispute at hand

has a cognizable “interest relating to the property or transaction[.]” *See State ex rel. N.G. v.*

*Cuyahoga Cty. Court of Common Pleas, Juvenile Div.*, 147 Ohio St. 3d 432, 2016-Ohio-1519, ¶

22. That is the case with Intervenors here—indeed, their interests substantially parallel

Plaintiffs’. Plaintiffs have sought suspension or relaxing of a number of requirements in Ohio

law, and Intervenors seek much the same—along with the assurance that any adjustments to the

formal requirements of an Ohio petition are sufficient to preserve Intervenors’ Proposed

Amendment as well as Plaintiffs’ ballot issue. *See Complaint at 13 (Prayer for Relief);*

Complaint in Intervention at 24 (Prayer for Relief).

The disposition of this action may very well “impair or impede [Intervenors’] ability to protect” their interests, should they be excluded from it. For example, should Plaintiffs and Defendant agree, and the Court order, that the number of required signatures should be reduced from the current 442,958 down to a fixed number—one that Plaintiffs have already surpassed but that Intervenors have not—then Intervenors’ interests will be undermined. Requiring Intervenors to then file and argue, and this Court to adjudicate, a separate lawsuit to craft a wholly new set of campaign-specific relief measures would be a waste of judicial resources, and contrary to the policy behind Rule 24(A)’s liberal construction. *See In re Guardianship of Sweeney*, 8th Dist. No. 103285, 2016-Ohio-3260, ¶ 22 (liberal interpretation of Rule 24(A) serves the objective of “judicial economy, by avoiding a multiplicity of actions); *Bennett v. Butler*, 6th Dist. No. L-99-1151, 2000 WL 864246, at \*4 (Jun. 30, 2000) (“it would not promote judicial economy to require [litigants] to pursue separate causes of action”).

For the same reasons, Intervenors’ interests here are not adequately represented by Plaintiffs. Intervenors’ burden to establish that this is the case is “a minimal one,” under an inquiry that focuses on whether Intervenors’ and Plaintiffs’ interests are precisely congruent. *See Fairview Gen. Hosp. v. Fletcher*, 69 Ohio App. 3d 827, 835 (10th Dist. 1990). Intervenors’ requested relief is similar to Plaintiffs’ in nature, but not necessarily in degree, because of Plaintiffs’ head start in signature-gathering. *See supra*. Moreover, Intervenors’ claims are grounded in both federal and state law, where Plaintiffs’ are state-law claims only.

### **C. In the Alternative, the Court Should Grant Permissive Intervention**

In the alternative, it is within the sound discretion of this Court to grant permissive intervention where an applicant’s claim and the original action “have a question of law or fact in

common.” Civ. R. 24(B)(2). The Court is to consider any undue delay or prejudice to the adjudication of the rights of the original parties. *See* Civ. R. 24(B)(2). But again, this rule is to be construed very liberally in favor of intervention, *Merrill*, 2011-Ohio-4612, at ¶ 41. Even where inconvenience to the existing parties is a possibility, it can be an abuse of discretion to deny intervention where it is otherwise appropriate. *See Ohio Cmty. Sch. Consultants v. Lincoln Preparatory Academy*, 10th Dist. No. 19AP-301, 2020-Ohio-890, ¶¶ 29-31.

Core questions of both law and fact are obviously shared here, to the point that it would flout principles of judicial economy for Intervenors’ action to be brought and adjudicated separately. *See Sweeney*, 2016-Ohio-3260, ¶ 22; *Bennett*, 2000 WL 864246, at \*4. Plaintiffs and Intervenors both fall within a small class of proponents of Ohio constitutional amendments for the November 3, 2020 general election. Both are heavily impacted by the coronavirus epidemic and the state’s responsive measures, and find themselves unable to further their respective petition campaigns. Both have advanced theories that Ohio’s constitutional and statutory scheme for petition signature-gathering simply was not designed to function in a crisis like the coronavirus pandemic while preserving Ohioans’ fundamental rights of speech, association, and ballot access—whether under state law or federal. *See* Plaintiffs’ Complaint ¶¶ 45-62 (state law claims); Complaint in Intervention ¶¶ 71-92 (state and federal constitutional claims). And both seek similar relief from this Court, as noted above.

There is no reason to suspect that intervention will unduly delay or prejudice Plaintiffs’ rights. This case is at a nascent stage, with Plaintiffs’ complaint having been filed only a day ago, and no responsive pleadings yet filed. Intervenors share the same interest in expedited relief as do Plaintiffs, and have no incentive to cause delay.

#### IV. CONCLUSION

For the foregoing reasons, Intervenor Ohioans for Secure and Fair Elections, Darlene L. English, Laura A. Gold, Hasan Kwame Jeffries, Isabel C. Robertson, Ebony Speakes-Hall, Paul Moke, Andre Washington, Scott Campbell, and Susan Ziegler respectfully request that they be allowed to intervene as plaintiffs-in-intervention in this action.

Respectfully submitted,

/s/ Freda J. Levenson

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 31, 2020, I electronically filed the foregoing with the Clerk of Court for the Franklin County Court of Common Pleas using the ECF system which will send notification of such filing to all counsel of record.

/s/ Freda J. Levenson

Freda J. Levenson