

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

ELIZABETH HEALEY, *et al.*,)
)
Plaintiffs,)
)
v.)
)
STATE OF MISSOURI, *et al.*,)
)
Defendants.)

Case No. 2516-CV31273

VERIFIED MOTION TO INTERVENE OF MISSOURI REPUBLICAN STATE COMMITTEE

The Missouri Republican State Committee respectfully moves this Court for leave to intervene as an intervenor/defendant in the above-captioned action, pursuant to Missouri Rule of Civil Procedure 52.12. In support of this Motion, Movant states as follows:

1. Movant Missouri Republican State Committee is the duly established state committee for the Missouri Republican Party pursuant to Section 115.603, RSMo.
2. Movant has been selected and serves in the role of representing and acting for the Missouri Republican Party in the interim between party conventions pursuant to Section 115.605, RSMo.
3. The Missouri Republican Party is composed of numerous organizations and committees that work toward the common goal of electing Republicans in all corners of our state.
4. The Missouri Republican Party maintains “a congressional district committee for each congressional district in the state.” Section 115.603, RSMo.

5. Movant—on behalf of itself, its committees, its voters, and its candidates—has an interest in ensuring Republican candidates win elections to offices across the state, including in the United States House of Representatives.

6. Movant has expended substantial resources to support the election of Republican candidates to the United States House of Representatives, and to educate and turn out Republican voters, in the past several election cycles and will do so again in the 2026 elections and beyond.

7. Pursuant to Rule 52.12(a)(2), an applicant has a right to intervene: when 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 may as a practical matter impair or impede the applicant's ability to protect the interest unless the applicant's interest is adequately represented by existing parties. *See also* Section 507.090, RSMo.

8. The Missouri Supreme Court has set forth the elements of Rule 52.12(a), intervention as of right, as follows:

[A]n applicant seeking intervention must file a timely motion and ‘show three elements: (1) an interest relating to the property or transaction which is the subject of the action; (2) that the applicant’s ability to protect the interest is impaired or impeded; and (3) that the existing parties are inadequately representing the applicant’s interest.’

State ex rel. Nixon v. American Tobacco Co., 34 S.W.3d 122, 127 (Mo. banc 2000) (quoting *Timmermann v. Timmermann*, 891 S.W.2d 540, 542 (Mo. App. 1995)).

9. Rule 52.12 “should be liberally construed to permit broad intervention.” *Allred v. Carnahan*, 372 S.W.3d 477, 482-83 (Mo. App. 2012).

10. Since the Petition was only filed on September 12, 2025, and this case remains in its infancy, this motion to intervene is timely.

11. Movant has substantial interests in the subject of this case sufficient to warrant intervention as of right. As the Missouri Supreme Court stated:

‘Interest’ generally means a concern which is more than a mere curiosity, or academic or sentimental desire. One interested in the action is one who is interested in the outcome and result thereof because he has a legal right which will be directly affected thereby or legal liability which will be directly and largely diminished by the judgment or decree in such action.

In the Matter of Trapp, 593 S.W.2d 193, 204 (Mo. banc 1980).

12. Movant, as a political party committee, has substantial interests in the election of Republican candidates to the United States House of Representatives, educating and turning out voters to support Republican candidates for those offices, and the expenditure of its own resources to carry out those activities.

13. Accordingly, Movant has substantial interests in House Bill 1, which sets the boundaries of Missouri’s congressional districts in which Republican candidates will seek election and Republican voters will cast their ballots, and whose constitutionality is at issue in this case.

14. Movant therefore has substantial interests in the outcome and result of this litigation as a statutorily created political party which will be directly affected by the judgment or decree. Its support of Republican candidates, voter education and turnout activities, and expenditure of resources all will be affected by the outcome of this litigation.

15. Because the primary election is to be held on August 3, 2026 and the general election is November 5, 2026, Movant needs certainty of the congressional districts to recruit, support and fund candidates for those elections.

16. For all practical purposes, Movant would be unable, impaired, or impeded in protecting its interests unless permitted to intervene.

17. *Allred* holds that “once a proposed intervenor establishes an interest in the underlying litigation and that such an interest may be impaired or impeded if intervention is not permitted, the third element is satisfied upon a ‘minimal showing’ that there is a divergence of interest between the proposed intervenor and the party.” 372 S.W.3d at 486.

18. Movant amply makes that showing here.

19. Movant’s interest is different than other Defendants’ interests, in that the Secretary of State’s interest is in preserving his office’s authority and complying with state law and his duties thereunder, whereas, Movant’s interests are in electing Republican candidates; winning elections; educating, supporting, and turning out Republican voters; and expending its resources to those ends.

20. In the alternative, and without waiving any of the arguments proposed above regarding the intervention as of right, Movant should be granted permissive intervention under Rule 52.12(b), which authorizes the Court to permissively allow intervention where the motion is timely and the applicant’s proposed claim and/or defenses have a question of law or fact in common with the existing litigation.

21. This motion is timely, and Movant’s defense of House Bill 1 shares common questions of law or fact with the existing litigation.

22. Movant’s intervention will not delay or impede the adjudication of this case.

23. Pursuant to Rule 52.12(c), attached to this Motion to Intervene is a proposed Answer of Movant.

24. Counsel for Movant has contacted Counsel for Plaintiffs and has contacted Counsel for Defendants. Counsel for Plaintiff opposes Movant’s intervention. Counsel for Defendants consents to the granting of Movant’s Motion to Intervene.

WHEREFORE, Movant Missouri Republican State Committee respectfully requests this Court grant its Motion to Intervene and for such other relief as this Court deems appropriate.

Respectfully submitted,

ELLINGER BELL LLC

By: /s/ Marc H. Ellinger

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*Attorneys for Intervenor
Missouri Republican State Committee*

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served via the Court's electronic filing system on November 17, 2025 on all parties of record.

/s/ Marc H. Ellinger

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VERIFICATION

State of Missouri)

County of Greene)

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I, Miles Ross, the Executive Director of the Republican Party, hereby appear under oath and verify that I have personal knowledge of the facts in the above Verified Motion to Intervene of the Missouri Republican Statement Committee and that they are true and accurate.

[Signature]
Miles Ross

On this 31 day of October, Miles Ross appeared before me and, after being duly sworn, executed this Verification before me.

[Signature]
Notary Public

My Commission Expires: Feb 18 2027

