

1 Procedure. To be admitted into the lawsuit, the intervenor must have an interest in the subject
2 matter of the original suit. Rule 24 permits two types of intervention: intervention as of right and
3 permissive intervention. Fed. R. Civ. P. 24(a), (b). Barrett cites both avenues as bases for its
4 intervention. The substantive result would be the same under either.

5 The court starts with the more lenient requirements under Rule 24(b) for
6 permissive intervention. Rule 24(b) provides, in relevant part, “[u]pon timely application, anyone
7 may be permitted to intervene in an action . . . when an applicant’s claim or defense and the main
8 action have a question of law or fact in common” Fed. R. Civ. P. 24(b). The court’s
9 discretion to grant or deny Rule 24(b) permissive intervention is broad. *See Spangler v.*
10 *Pasadena City Bd. of Ed.*, 552 F.2d 1326, 1329 (9th Cir. 1977) (citation omitted).

11 Here, Barrett satisfies the requirements for permissive intervention. First, the
12 motion is timely. Trial is not slated to begin until December 18, 2017, and the intervention will
13 not cause any delay or prejudice. There also exist common questions of fact or law between the
14 intervenor’s claim and the original plaintiffs’ claims. *Freedom from Religion Found., Inc. v.*
15 *Geithner*, 644 F.3d. 836, 843 (9th Cir. 2011) (citation omitted). “A common question of law or
16 fact routinely exists if the intervenor has a claim against the defendant that is identical to a claim
17 asserted by the existing plaintiff.” *See* 3B J. Moore, *Moore's Federal Practice* ¶ 24.11 (3d ed.
18 2012). Barrett is not adding different claims; it merely seeks to intervene based on its financial
19 interest in the outcome of plaintiffs’ existing claims. *See* ECF No. 18 at 10-13 (complaint-in-
20 intervention for subrogation damages). Indeed, Barrett has been paying Mr. Corrigan workers’
21 compensation benefits based on the very injuries giving rise to plaintiffs’ claims. The
22 intervention thus comprises common questions of fact and law.

23 In sum, Barrett meets the requirements for permissive intervention. The court
24 need not analyze the more stringent requirements for intervention as of right under Rule 24 (a).

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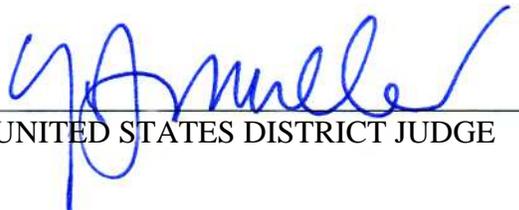
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The court GRANTS Barrett's motion to intervene, and directs Barrett to file its complaint in intervention with seven (7) days.

IT IS SO ORDERED.

This order resolves ECF No. 18.

DATED: August 10, 2017.


UNITED STATES DISTRICT JUDGE