

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

DANIELLE NICOLE MILLER, et al.,)

Plaintiffs,)

v.)

MICHAEL P. SCHRADER, et al.,)

Defendants.)

CAUSE NO.: 1:08-cv-189

OPINION AND ORDER

This matter is before the Court on the Motion to Intervene, apparently under Federal Rule of Civil Procedure 24(a), by JC Flegal, LLC, Douglas A. Flegal, and Thomas D. Flegal. (Docket # 148.) The Movants claim that they have received a judgment against Plaintiff Kent A. Miller in state court and that their interests will be impaired if they are unable to intervene.

However, a “mere economic interest” does not allow a party to intervene as of right. *Flying J, Inc. v. J.B. van Hollen*, 578 F.3d 569, 572 (7th Cir. 2009) (collecting cases). *See also Thompson v. United States*, --- F.R.D. ---, 2010 WL 2573884, at *2-3 (N.D. Ill. June 25, 2010) (discussing *van Hollen* and denying a creditor’s attempt to intervene and collect judgment).

Accordingly, this motion is set for a hearing on September 22, 2010, at 10:00 a.m. Counsel for the Movants is to be present in person and all other counsel may participate by telephone. The Movants are to file a brief in support of their motion, specifically addressing *van Hollen* and *Thompson*, on or before September 15, 2010.

SO ORDERED.

Enter for September 2, 2010.

S/Roger B. Cosby

Roger B. Cosby,
United States Magistrate Judge