

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

THE HONORABLE RICK PERRY,

Plaintiff,

Civil No. 3:11-CV-856

vs.

**CHARLES JUDD, KIMBERLY
BOWERS, and DON PALMER, members
of the Virginia State Board of Elections, in
their official capacities, and PAT MULLINS,
in his official capacity as Chairman of the
Republican Party of Virginia,**

Defendants.

**MOTION OF THE HONORABLE NEWT GINGRICH, JON HUNTSMAN, JR., AND
RICK SANTORUM TO INTERVENE AND MOTION FOR EXPEDITED
CONSIDERATION**

Movants Newt Gingrich, Jon Huntsman, Jr., and Rick Santorum (collectively “Proposed Plaintiffs”), pursuant to F.R.C.P. 24(a) and, in the alternative, 24(b), hereby move this Court to allow them to intervene in this action to protect their interests, which would not be fully and adequately represented, and may well be impaired, by the Plaintiff.

In support of this Motion, Proposed Plaintiffs show the Court that: (a) this Motion is timely filed; (b) Proposed Plaintiffs have a substantial and direct interest in the subject matter and outcome of this action; (c) granting the declaratory and injunctive relief requested by the Plaintiff would not fully and adequately represent Proposed Plaintiffs’ interests, and may well impair such interests; and (d) Proposed Plaintiffs’ interests are not adequately represented by the existing parties. Proposed Plaintiffs further demonstrate to the Court that the defense of their

interests necessarily involves questions of law and fact that are common to questions of law and fact involved in the existing action. Proposed Plaintiffs are therefore entitled to intervene as a matter of right, or, alternatively to intervene by permission of this Court. Furthermore, under the circumstances and procedural posture of this case, Proposed Plaintiffs request expedited consideration of this Motion. In addition, Proposed Plaintiffs file this motion in accordance with the Court's December 29, 2011 Order permitting other Republican candidates to intervene as a party plaintiff or defendant no later than January 6, 2012. (See Order issued December 29, 2011, on file with the Court as Document 13.)

In support of this Motion, Proposed Plaintiffs rely upon the Memorandum in support of this Motion filed herewith, which illustrates that Proposed Plaintiffs are necessary intervening parties who would not be fully and adequately represented, and who may indeed be harmed, if the present declaratory and injunctive relief sought by Plaintiff is granted.

WHEREFORE, Proposed Plaintiffs respectfully request that this Motion be expeditiously considered and granted.

This 4th day of January, 2012.

/S/
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