

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CALIFORNIA ASSOCIATION OF
PRIVATE POSTSECONDARY
SCHOOLS,

Plaintiff,

v.

BETSY DEVOS, *et al.*,

Defendants,

and

STATE OF WASHINGTON

Office of the Washington Attorney

General

1125 Washington St. SE

P.O. Box 40100

Olympia, WA 98504,

[Proposed] Defendant-Intervenor.

Civil Action No. 17-999 (RDM)

**MOTION OF THE STATE OF WASHINGTON FOR LEAVE TO INTERVENE AND
JOINER IN THE MOTION TO INTERVENE OF THE STATE MOVANTS**

Pursuant to Rule 24(a) of the Federal Rules of Civil Procedure, the State of Washington (“Washington”) moves to intervene in this action and joins in the Motion to Intervene filed by the Commonwealth of Massachusetts; the States of California, Illinois, Iowa, New York, and Oregon; the Commonwealth of Pennsylvania; the Attorney General of Maryland; and the District of Columbia (the “State Movants”).¹ Washington moves to intervene as of right as a defendant in the litigation on all claims contained and as to all relief requested in the Complaint.

¹ In numerous cases, entities with the same interests as prospective intervenors who already filed a Motion to Intervene have sought to join the earlier filed motion, tying their fate to the outcome of the earlier motion. *See, e.g., United States v. Microsoft Corp.*, No. CIV.A.98-1232 (CKK), 2002 WL 319784, at *2 n.1 (D.D.C. Jan. 28, 2002); *see also Chavez v. PVH Corp.*, No. 13-CV-01797 LHK, 2014 WL 6617142, at *6 n.6 (N.D. Cal. Nov. 20, 2014); *California v. Randtron*, 69 F. Supp. 2d 1264, 1274 n.1 (E.D. Cal. 1999).

Alternatively, Washington joins in the State Movants' Motion for Permissive Intervention pursuant to Rule 24(b) of the Federal Rules of Civil Procedure.

In support of this Motion, Washington adopts the Memorandum in Support of the State Movants' Motion to Intervene. Pursuant to D.D.C. Local Rule 7(m), undersigned counsel has conferred with counsel for all parties. Counsel for Washington represents that Plaintiff opposes Washington's motion to intervene. The U.S. Department of Education defendants intend to state their position in the response to the State Movants' Motion to Intervene to be filed on July 10, 2017.

FILED this 29th day of June, 2017.

THE STATE OF WASHINGTON

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/s/ Jeffrey T. Sprung

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CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2017, a copy of the foregoing pleading was filed electronically via the Court's ECF system which sent notification of such filing to counsel of record.

/s/ Jeffrey T. Sprung

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