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15 *Attorneys for Proposed Intervenors*

17 **UNITED STATES DISTRICT COURT**
18 **EASTERN DISTRICT OF CALIFORNIA (FRESNO DIVISION)**

20 JANINE CHANDLER, et al.,

21 Plaintiffs,

22 v.

23 CALIFORNIA DEP'T OF CORRECTIONS
AND REHABILITATION, et al.,

24 Defendants.

Case No. 1:21-cv-01657-JLT-HBK

PROPOSED INTERVENORS'
NOTICE OF MOTION AND MOTION
TO INTERVENE

Hearing Date: June 13, 2022
Time: 9:00am
Judge: Hon. Jennifer L. Thurston
Courtroom: 4, 7th Floor

1 **TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that on June 13, 2022 at 9:00 AM, or as soon
3 thereafter as the matter can be heard by the above-entitled Court located at 2500
4 Tulare Street, Fresno, CA 93721, in Courtroom 4, Proposed Intervenors
5 Transgender Gender-Variant & Intersex Justice Project (“TGI JP”), Kelli
6 Blackwell, Katie Brown, Tremayne Carroll, and Jennifer Rose will and hereby do
7 move the Court to grant Proposed Intervenors the right to intervene as Defendants
8 in this case pursuant to Federal Rule of Civil Procedure 24(a)(2) or, in the
9 alternative, to permit them to intervene pursuant to Federal Rule of Civil Procedure
10 24(b).

11 Proposed Intervenors bring this Motion on the grounds that they have a
12 significant interest in this litigation that is not represented by the current parties.
13 TGI JP drafted, sponsored, and helped pass SB 132. It also represents the interests
14 of transgender, gender-variant, and intersex people incarcerated in CDCR
15 facilities, who directly benefit from SB 132’s protections. Ms. Blackwell, Ms.
16 Brown, Ms. Carroll, and Ms. Rose are transgender women who are incarcerated in
17 CDCR facilities. The Proposed Intervenors therefore have direct interests in
18 defeating Plaintiffs’ challenge to SB 132, and the Court’s resolution of that
19 challenge will directly affect the Proposed Intervenors’ protected rights.

20 This Motion is based upon this Notice of Motion and Motion; the
21 concurrently filed Memorandum of Points and Authorities; the Declarations of
22 TGI JP, Kelli Blackwell, Katie Brown, Tremayne Carroll, Jennifer Rose, and
23 attorney Shawn Meerkamper; the pleadings and other papers on file in this action;
24 all matters of which judicial notice has been or may be taken; and such additional
25 authority, evidence, reply memorandum, and other written and oral argument as
26 may be presented to the Court.

27 This Motion is made following the conference of counsel pursuant to the
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1 Court's standing order. On April 15, 2022, counsel for Proposed Intervenor
2 (Elizabeth Arias and Shawn Meerkamper) met and conferred via telephone call
3 with Plaintiffs' counsel (Lauren Adams and Candice Jackson). Counsel for
4 Plaintiffs stated that they do not intend to oppose this Motion. On April 29, 2022,
5 counsel for Proposed Intervenor-Defendants (Elizabeth Arias and Shawn
6 Meerkamper) met and conferred via video conference with Counsel for Defendants
7 (Preeti Bajwa, Anthony Corso, Misha Igra, and Colin Shaff). Counsel for
8 Defendants declined to express any position on behalf of the Defendants regarding
9 the proposed motion to intervene.

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Dated: May 9, 2022

RESPECTFULLY SUBMITTED,

By: s/ Dimitri D. Portnoi

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