

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL BANERIAN, <i>et al.</i> ,	)	
Plaintiffs,	)	
	)	No. 1:22-cv-54
V.	)	
	)	Three-Judge Court
JOCELYN BENSON, in her official	)	
capacity as the Secretary of State	)	
of Michigan, <i>et al.</i> ,	)	
Defendants.	)	
_____	)	

**ORDER**

Seventeen Michigan voters, appearing collectively (“the movant voters”), and a Michigan non-profit corporation, Voters Not Politicians, have separately moved to intervene in this lawsuit. The movant voters and the nonprofit corporation alike are eligible for permissive intervention: their motions are timely, and the proposed intervenors have “a claim or defense that shares with the main action a common question of law or fact.” Fed. R. Civ. P. 24(b)(1). The decision whether to allow intervention thus turns largely on whether intervention would delay the proceedings or cause “prejudice to the original parties[.]” *United States v. Michigan*, 424 F.3d 438, 445 (6th Cir. 2005).

The plaintiffs oppose intervention on several grounds. First, they say that the movant voters lack any interest in this litigation “other than an abstract concern with voting in congressional districts that they believe to be fair and constitutional.” (Internal quotation marks omitted.) But the same is true of the plaintiffs themselves. *See* Complaint ¶¶19-28. Second, the plaintiffs speculate that the intervenors’ arguments would duplicate those of the named defendants in this case. But that would be our problem more than the plaintiffs’; and meanwhile the

intervenors might just as easily help to clarify the issues before the court. The plaintiffs finally emphasize the expedited nature of this litigation, and argue that intervention would slow down the work of the parties and the court. That too is speculation, and ill-founded speculation at that: the same briefing schedule will bind named parties and intervenors alike. The plaintiffs should remember that case management is our task, not theirs.

Accordingly,

**IT IS HEREBY ORDERED** that the motions to intervene (ECF Nos. 16, 22) are **GRANTED**.

**IT IS SO ORDERED.**

Date: February 11, 2022

/s/ Raymond M. Kethledge  
Raymond M. Kethledge  
United States Circuit Judge

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge

/s/ Janet T. Neff  
Janet T. Neff  
United States District Judge