

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

COMMONWEALTH OF PENNSYLVANIA; and AL  
SCHMIDT, in his official capacity as Secretary of the  
State of Pennsylvania,

*Defendants.*

Case No. 2:25-CV-01481

Hon. Cathy Bissoon

**NOTICE OF MOTION  
OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED  
PEOPLE, THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF  
COLORED PEOPLE PENNSYLVANIA STATE CONFERENCE, AND STACEY  
TAYLOR’S MOTION TO INTERVENE AS DEFENDANTS**

Proposed Intervenors the National Association for the Advancement of Colored People (“NAACP”), the NAACP Pennsylvania State Conference (“State Conference”), and Stacey Taylor (together, “Proposed Intervenors”) hereby move, through undersigned counsel, to intervene as defendants in this matter to defend their and their members’ significant interests, which are otherwise not adequately represented and stand to be impaired by this litigation.

For the reasons discussed in the supporting memorandum filed alongside this Motion, and the Declarations attached thereto, Proposed Intervenors are entitled to intervene in this case as a matter of right under Federal Rule of Civil Procedure 24(a)(2). In the alternative, Proposed Intervenors request permissive intervention pursuant to Rule 24(b). Pursuant to Rule 24(c), a Proposed Answer is also attached to this Motion.<sup>1</sup>

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<sup>1</sup> Proposed Intervenors respectfully request leave to file a Rule 12(b) motion within the time period prescribed by the Federal Rules of Civil Procedure or pursuant to any schedule set by this Court.

**WHEREFORE**, the Proposed Intervenors respectfully request that the Court grant their intervention in the above-captioned matter.

Dated: October 7, 2025

Respectfully submitted,

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**DECLARATION OF ANTHONY P. ASHTON**

Pursuant to 28 U.S.C. § 1746, I, Anthony P. Ashton, hereby declare as follows:

1. I am a U.S. citizen, over the age of 18, am competent to testify, and have personal knowledge of the facts and information set forth in this declaration.

2. I am Senior Associate General Counsel of the National Association for the Advancement of Colored People (“NAACP”), and I have been in the Office of the General Counsel since October 2020. I am a lifetime member of the NAACP.

3. The NAACP is headquartered in Baltimore, Maryland, and operates across the entire country, including Pennsylvania.

4. The NAACP was founded in 1909 by pioneers of racial justice in the United States. The NAACP is the oldest and largest civil rights organization in the United States. Its mission is to achieve equality, political rights, and social inclusion by advancing policies and practices that expand human and civil rights, eliminate discrimination, and accelerate the well-being, education, and economic security of Black people and all persons of color.

5. The NAACP is a non-partisan organization that maintains many units, including state and state-regional conferences that cover every state, plus the District of Columbia. The NAACP has over two thousand local branches, college chapters, prison chapters, and youth councils. In total, the NAACP has approximately 200,000 members including approximately 6,700 in Pennsylvania.

6. As Senior Associate General Counsel for the NAACP, I work to address legal concerns of the National NAACP, the various NAACP units, and individual NAACP members. I am familiar with the various challenges that our members face, including challenges related to voting rights, civil rights, and privacy concerns.

7. The NAACP has a long history of its members and constituents facing legal retaliation for their advocacy around civil rights and voting rights. Accordingly, the NAACP has a proud tradition of fighting for and protecting its members, constituents, and the Black community at large from legal retaliation. In a seminal case on the First Amendment, the NAACP successfully defended against the disclosure of its membership lists to the State of Alabama on the basis of the right to free association. *See NAACP v. Alabama*, 357 U.S. 449 (1958). The NAACP maintains this longstanding tradition of protecting members and supporters from the unlawful disclosure of their personal information in response to government overreach and unlawful invasions of privacy.

8. Among our many initiatives, the NAACP works to mobilize voters through robust non-partisan civic engagement and election-related programming. For example, the NAACP, in conjunction with partners across the country, has launched programs focused on turning out voters through direct voter contact, mass communication, targeted digital mobilization, and SMS texting. In the lead-up to the 2024 elections, the NAACP recruited over 100,000 volunteers across the country to execute these programs. The NAACP has also engaged in voter protection efforts, advocating on behalf of voters across the country to ensure that the law is followed and that the right to vote is respected and protected. These efforts include litigation, a voter protection hub and voter guides, and voter protection command centers staffed by dozens of lawyers and law students. Naturally, voter registration is crucial to all these civic engagement efforts. The NAACP currently is taking steps to educate and register voters for elections, including referenda, taking place in November 2025. The NAACP is currently a party in lawsuits to protect voting rights and is seeking judgments that will impact the 2026 elections. As it does in every election cycle, the NAACP anticipates ramping up its election voter protection efforts as the 2026 elections draw near.

9. The NAACP plays a crucial role for its members and constituents as the Black community's most trusted messenger and the country's largest civil rights organization, especially in a public square rife with political noise and distractions.

10. I understand that the Department of Justice has recently sued Pennsylvania to obtain complete, unredacted voter registration data of all voters in the commonwealth, including their driver's license numbers and partial social security numbers. If the Department of Justice is successful in obtaining this information, it will harm the NAACP's mission and ability to successfully execute its programs by risking the sensitive data of its members and constituents. Such efforts amount to government-sanctioned voter intimidation. This will deter our members from engaging in the political process for fear of government mishandling or weaponization of such data, including through improper removal of voters from the rolls.

11. My concerns are exacerbated by the fact that the current administration has targeted people with whom it disagrees, or whose voices it thinks should be silenced, by using any and all information and resources within its possession against such people. This includes using information held by federal agencies against political opponents, such as the recent public disclosure of a New Jersey gubernatorial candidate's military records, which contained various pieces of sensitive and confidential personal details. Similarly, many of our community members are disturbed by efforts by the so-called Department of Government Efficiency ("DOGE") to obtain social security data of all Americans, despite questionable data management policies by that agency and the perception that, without seeking or obtaining consent from millions of the affected Americans, this confidential information may end up in the hands of private actors.

12. Unfortunately, the NAACP, its members, and its constituents have been singled out and targeted many times over the years by government officials and other individuals who disagree with our mission. Our leaders and politically vocal members, for example, have been targeted with unjust espionage and investigation—and sometimes even physical violence—because of their advocacy efforts. Against this backdrop, the prospect of disclosures of mass amounts of sensitive voter data to the Department of Justice is especially chilling for the NAACP and its members.

13. I am concerned that disclosure of voters' private information on Pennsylvania's voter rolls will deter qualified voters in our communities from participating in the franchise. That is particularly so because the Department of Justice's efforts do not reflect good faith efforts to improve the electoral system or voter rolls. Instead, those efforts appear driven by a desire to perpetuate misinformation and disinformation about non-existent voter fraud and to punish people who oppose the President's agenda. The federal government's demand for Pennsylvania's complete voter registration list is likely to sow distrust of the electoral system, which further frustrates our mission to convince community members to trust and make their voices heard at the ballot box. These concerns are especially notable for voters who are most skeptical of the electoral system and worried about improper government scrutiny, including younger voters, voters who are naturalized citizens, first-generation voters, and voters who were formerly incarcerated.

14. In addition to my concerns about the Department of Justice misusing personal voter data, I am also concerned about whether it will properly maintain and protect such data if it obtains such data. The actions that the Department of Justice has taken to compel the production of sensitive personal information of Pennsylvania voters, as well as voters across the country, do not give me confidence that the Department will respect federal or state privacy laws or be a reliable custodian of the personal information of the communities the NAACP works with in Pennsylvania. As explained, many of our members are disturbed by reports of DOGE negligently storing sensitive Social Security information. As a result, I am extremely concerned about the improper disclosure of the personal information of community members that the NAACP works with and

seeks to enfranchise. The risk of such improper disclosure further discourages the community members we serve from registering to vote.

15. The threat that voters' personal information may be provided to the federal government will frustrate the work of NAACP. A major goal of our civic engagement work is to encourage all eligible Pennsylvania voters to be informed and to exercise their rights as American citizens by participating in the electoral process. That work could become significantly more difficult if our members and constituents believe they could be punished, scrutinized, or investigated simply for registering to vote.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of October, 2025

*Anthony P. Ashton*

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Anthony P. Ashton

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*Defendants,*

Case No. 2:25-CV-01481

**DECLARATION OF STACEY TAYLOR**

Pursuant to 28 U.S.C. § 1746, I, Stacey Taylor, hereby declare as follows:

1. I have personal knowledge of the matters stated herein and would testify to the same if called as a witness in Court.

2. I am a U.S. citizen, over eighteen years of age and am otherwise competent to testify.

3. I am a registered voter in Berks County. I have been a Pennsylvania voter for 23 years, since 2002. I intend to vote in the upcoming November 4, 2025, election and the 2026 federal elections, including the May Primary Election and November General Election. I have voted in state and federal elections as a Pennsylvania voter between 2022 and 2024.

4. I am the President of the National Association for the Advancement of Colored People Pennsylvania State Conference (“State Conference”). I have held this position since July of 2023. As President, I am responsible for overseeing all of the State Conference’s branches, college chapters, and youth councils with the Commonwealth of Pennsylvania. My work includes supporting and assisting in the development of each branch’s programs. Previously I served as the President for the Reading Branch for even years prior to this role.

5. The State Conference is a nonpartisan organization operating in the Commonwealth of Pennsylvania and is affiliated with the National Association for the Advancement of Colored People (“NAACP”) operating across the United States. The State Conference has been in existence

for 91 years and has over 6,700 members in 107 adult, youth, college, and prison units across the state. Many of these members participated in Pennsylvania state and federal elections in 2022 and 2024, and plan to participate in future elections. As a constituent and subordinate unit of the Association, the State Conference works diligently to carry out the mission of the NAACP which is to “achieve equity, political rights, and social inclusion by advancing policies and practices that expand human and civil rights, eliminate discrimination, and accelerate the well-being, education, and economic security of Black people and all persons of color.” Early objectives of the State Conference included providing support to the National Office in its efforts to end injustices and bigotry throughout the nation, as well as securing voting rights for all citizens and putting an end to mob violence and lynching.

6. Among other organizational missions, the State Conference is dedicated to ensuring that all eligible Pennsylvania citizens are given a full and equal opportunity to exercise their fundamental right to vote. In furtherance of these purposes, State Conference engages in broad nonpartisan civic engagement and voter registration efforts, seeking to build confidence in the integrity of the election system and mobilize members and their communities to vote in each election. The State Conference works generally in the areas of voter registration, voter education, get out the vote, and grassroots mobilization around voting rights. Our efforts include voter protection, ensuring that voters are not disenfranchised by violations of law, threats of violence, or partisan gamesmanship. We have been involved in voting rights litigation in the Commonwealth and have sought to prevent efforts to suppress or disenfranchise African American voters.

7. The State Conference works particularly hard to ensure that members and their communities have accurate information about elections and their rights, feel and are safe registering and participating in an election, and have trust in the process of our elections to make their voices heard. Because we provide accurate and reliable information, and understand our members concerns and interests, we are able to maintain and mobilize election engagement and truth in the political process. Our organization is successful at encouraging participation in the political process by individuals who would otherwise avoid it. These are interests central to our mission.

8. Recently, the Department of Justice has sought to obtain complete, unredacted voter registration data of all voters in Pennsylvania. It is seeking this information without offering any evidence of civil neglect or criminal mischief. Instead, baseless claims of widespread noncitizen voting and fraud have been weaponized to undermine the integrity of our state election system. Additionally, the federal government has engaged in efforts to consolidate data across federal and state sources for use in not only purging registered voters from the rolls, but to support civil and criminal investigations. This effort has been undertaken despite the unreliability of the underlying data, the questionable method of merging these differing systems and differently defined categories of information, and without consent of the individuals from whom the sensitive personal



information was obtained. Further, there is evidence that the effort is being conducted in clear violation of state and federal law.

9. I only learned of this nonpublic effort to obtain the private sensitive personal information of voting members due to a lawsuit filed by the Department of Justice on September 25, 2025, after their nonpublic efforts to coerce disclosure were resisted. Until the Department of Justice sued on September 25, 2025, I was not aware that the Commonwealth had shared any voter information, including my voter information, with the federal government.

10. I now understand that the Commonwealth of Pennsylvania may have provided some of this sensitive personal information of members to the Department of Justice, but it is still unclear exactly what was shared. No individuals were notified in advance that their information would be disclosed in this manner. No prior consent was obtained from the voters in question.

11. As a Pennsylvania voter, I understand that my information, including sensitive, personal information, is included in the state's registered voter database and my information may have been shared or may be shared with the Department of Justice. I was not notified in advance by the Secretary of State that information may be shared or will be shared with the Department of Justice or other entities. I have not provided consent to the Secretary of State to share my information, including sensitive personal information, with the Department of Justice or other entities.

12. As a Black voter and civil rights leader, I worry about and fear how my voting history and any personal information I provided in the voter registration process to my local election officials and the Pennsylvania Secretary of State will be shared with and used by the federal government.

13. The State Conference's members include eligible voters of color who are at risk of not being able to vote due to inaccurate records and information stored by federal agencies that may be used to invalidate their voter registration. Members include traditionally marginalized communities, like first-generation voters and voters with criminal histories. Members also include individuals who may have recently changed addresses or have multiple addresses while legally maintaining their registered voter residence, and individuals with jobs that require long hours, young children and a lack of childcare support, and other burdens and obligations that prevent them from conducting an exhaustive survey of, and verifying the accuracy of, all federally held sources of information and records associated with their name. Such a project would be especially difficult for our members to complete at all, let alone in the limited period prior to the upcoming election.

14. The mere threat of disclosure of sensitive personal information, let alone the greater context of misuse and abuse, serves to chill participation of our members and discourage engagement in upcoming elections.

15. This November's election will determine three State Supreme Court seats. Thus, this election is not merely important to determining who will lead our state or local offices for the next few years, but who will define the laws of this state for the next decade.

16. The consolidation of massive amounts of sensitive personal information of members, disclosed for discrete and unrelated purposes in varied but particular contexts, is understandably alarming for members. The data maintenance and security of recent federal effort has been called into question by courts. The mere consolidation of this sensitive information creates a honey pot—a clear bullseye for bad actors who would seek to access and utilize this information to cause our members significant harm. These risks were not contemplated when the information at issue was disclosed by members, who provided consent for the storage and use of this sensitive information only for the purposes then clearly defined.

17. Further, the current administration has already weaponized personal sensitive information against individuals perceived to be political adversaries, dissidents, or non-supporters. For example, I am aware of a recent disclosure of a New Jersey gubernatorial candidate's military records. Similarly, many of our community members are aware of, and disturbed by, efforts by the so-called Department of Government Efficiency ("DOGE") to obtain social security data of all Americans, despite questionable data management policies by that agency.

18. The State Conference members and I do not trust the federal government to handle sensitive information without further sharing personal information and jeopardizing our rights and wellbeing, including the basic right to vote.

19. The disclosure and potential misuse or abuse of sensitive personal information at issue here creates a burden on the right to vote. It also poses a form of intimidation that will discourage participation in the franchise, both from registered voters who voted in elections between 2022 and 2024, registered voters intending to vote in future elections, and individuals who are eligible to vote in future elections but are not yet registered to vote. This intimidation especially targets our members who fear retribution for their political participation or do not wish to invite excessive government scrutiny. It facilitates partisan efforts to target political adversaries, spread misinformation, and sow distrust in our elections. It suggests further efforts to violate state and federal law.

20. If the DOJ obtains the sensitive information of our registered members, STATE CONFERENCE will have to change its messaging to voters of color about how information shared with the government is stored and used. It will also have to divert considerable resources from its ongoing election protection, advocacy, and get out the vote efforts to educate and assist eligible voters with ensuring that their personal information stored by various state and federal agencies is accurate and consistent—lest even a minor discrepancy result in the purge of their voter registration or worse. I anticipate that many people will either opt out of voting or opt out of registering to vote if they know that the Commonwealth shares personal data with the federal

government. This frustrates the work of STATE CONFERENCE to encourage exercise of basic constitutional rights and participation in the electoral process.

21. If this unprecedented consolidation of provenly unreliable data moves forward under the guise of registration roll "maintenance" immediately prior to the upcoming election, many impacted voters of color will likely be impacted. Further, our members have serious and well-grounded concerns, informed by decades of American history, about the unrestricted access and use of their personal information. Members have and will continue to experience fear and intimidation in maintaining their voter registrations and exercising their rights under the current threat of DOJ criminal enforcement arising from as little as a mere data error. These heavy-handed registration "maintenance" and enforcement tactics constitute a significant burden on members right to vote, which we strongly oppose.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6 day of October, 2025

*Stacy Taylor, President*  
*NAAEP PA State Conference*

# **Exhibit A**

**IN THE UNITED STATES DISTRICT COURT  
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UNITED STATES OF AMERICA,

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SCHMIDT, in his official capacity as Secretary of the  
State of Pennsylvania,

*Defendants,*

*and*

NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE;  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE  
PENNSYLVANIA STATE CONFERENCE; and  
STACEY TAYLOR,

*Intervenor-Defendants.*

Case No. 2:25-CV-01481  
Hon. Cathy Bissoon

**[PROPOSED] ANSWER**

[Proposed] Intervenor-Defendants the National Association for the Advancement of Colored People (“NAACP”), the NAACP Pennsylvania State Conference (“State Conference”), and Stacey Taylor (together, “Proposed Intervenor”) answer Plaintiff’s Complaint for Declaratory and Injunctive Relief, Dkt. 1 (“Complaint”), as follows:

**INTRODUCTION**

The Complaint begins with two unnumbered paragraphs to which no response is required. To the extent a response is required, Intervenor incorporates by reference the below paragraphs as their response, deny the allegations, and deny that Plaintiff is entitled to any relief.

1. Paragraph 1 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor deny that Defendants have failed to comply with the statutes referenced and deny that those statutes require Defendants to provide the information described by Plaintiff. Proposed Intervenor admit that 52 U.S.C. § 20501(b)(3)–(4) contains the quoted text, but deny that 52 U.S.C. § 20507(a)(4)(A)–(B) contains the text as quoted by Plaintiff; the statute instead provides, in relevant part, that: “In the administration of voter registration for elections for Federal office, each State shall . . . (4) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of-- (A) the death of the registrant; or (B) a change in the residence of the registrant, in accordance with subsections (b), (c), and (d) . . . .” 52 U.S.C. § 20507(a).

2. Paragraph 2 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admit that the cited statute contains the quoted text. The cited statute otherwise speaks for itself.

3. Paragraph 3 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admit that the United States has filed the instant action but otherwise deny the allegations.

#### **JURISDICTION AND VENUE**

4. Paragraph 4 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed

Intervenors admit that this case is brought by the United States as a Plaintiff and that it alleges purported violations of federal law. Proposed Intervenors otherwise deny the allegations.

5. Paragraph 5 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that Defendants are located in and conduct election administration in the Western District of Pennsylvania.

### **PARTIES**

6. Paragraph 6 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 6.

7. Paragraph 7 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that the Commonwealth of Pennsylvania is a state of the United States of America and is subject to certain provisions of the CRA, NVRA, and HAVA.

8. Paragraph 7 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that Al Schmidt is Pennsylvania's Secretary of State and that he is sued in his official capacity only.

### **STATUTORY BACKGROUND**

#### **A. The Civil Rights Act of 1960**

9. Paragraph 9 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that 52 U.S.C. §§ 20701 *et seq.* empowers the Attorney General to request

certain records in certain circumstances and subject to legal requirements. Proposed Intervenor deny that the Attorney General is empowered to request each of the records that are the subject of this litigation. Intervenor further deny that the Attorney General has a sufficient basis or purpose for the records request at issue in this litigation.

10. Paragraph 10 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor deny the allegations.

11. Paragraph 11 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admit that the cited statute contains the quoted text. The statute otherwise speaks for itself. Proposed Intervenor deny that the statute authorizes the requests that are the subject of this litigation.

**B. The National Voter Registration Act**

12. Paragraph 12 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admit that the cited statute contains the quoted text. The statute otherwise speaks for itself.

13. Paragraph 13 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admit that the cited statute contains the quoted text. The statute otherwise speaks for itself.

14. Paragraph 14 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed



Intervenors admit that the cited statute contains the quoted text. The statute otherwise speaks for itself.

15. Paragraph 15 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that the cited statute and legislative history contain the quoted text. The statute and legislative history otherwise speak for themselves.

16. Paragraph 16 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that the cited statute contains the quoted text. The statute otherwise speaks for itself.

17. Paragraph 17 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that the cited statute contains the quoted text. The statute otherwise speaks for itself.

18. Paragraph 18 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that 52 U.S.C. § 20507(c) sets forth a process by which a state “may meet the requirements of” of 52 U.S.C. § 20507(a). Section 20507(c) speaks for itself as to that process.

19. Paragraph 19 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that the cited statute contains the quoted text. The statute otherwise speaks for itself.

20. Paragraph 20 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admits that the cited statute contains the quoted text. The statute otherwise speaks for itself.

**C. The Help America Vote Act**

21. Paragraph 21 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admits that the cited report contains the quoted text. The report otherwise speaks for itself.

22. Paragraph 22 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admits that the cited report contains the quoted text and that the document speaks for itself.

23. Paragraph 23 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admits that the cited report contains the quoted text and that the document speaks for itself.

24. Paragraph 24 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admits that the cited statute contains the quoted text. The statute otherwise speaks for itself.

25. Paragraph 25 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed

Intervenors admit that the cited statute contains the quoted text. The statute otherwise speaks for itself.

26. Paragraph 26 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that the cited statute describes certain elements of a state's voter registration process. The statute otherwise speaks for itself.

27. Paragraph 27 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that the definition of a "state" outlined in 52 U.S.C. § 21141 includes the Commonwealth of Pennsylvania.

28. Paragraph 28 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that 52 U.S.C. § 21083(a)(4)(A) references the NVRA and that the statute speaks for itself.

29. Paragraph 29 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that the cited statute contains the quoted text. The statute otherwise speaks for itself. Proposed Intervenors deny that HAVA authorizes the relief the Plaintiff seeks and further deny that it precludes enforcement by parties other than the U.S. Attorney General.

30. Paragraph 30 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegation.

### **FACTUAL ALLEGATIONS**

31. Paragraph 31 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Intervenor's admit that the cited website contains the quoted text.

32. Intervenor's admit that the cited website contains the quoted text. Intervenor's lack sufficient information to confirm or deny the accuracy of the EAC report.

33. Paragraph 33 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor's admit that a letter dated June 23, 2025 was sent by the United States, but deny that the letter was sent to "Secretary Schmidt." Proposed Intervenor's admit that the letter sought information. The letter otherwise speaks for itself.

34. Paragraph 34 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor's state that the content of the cited letter speaks for itself.

35. Paragraph 35 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor's lack sufficient knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 35 and therefore deny them.

36. Paragraph 36 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor's admit that a letter dated August 4, 2025 was sent by the United States. Proposed Intervenor's admit that the letter sought information. The letter otherwise speaks for itself.

37. Paragraph 37 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Intervenor state that the content of the cited letter speaks for itself.

38. Paragraph 38 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor lack sufficient knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 35 and therefore deny them.

39. Paragraph 39 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admit that a letter dated August 14, 2025 was sent by the United States. Proposed Intervenor admit that the letter sought information. The letter otherwise speaks for itself.

40. Intervenor admit that the cited letter contains the quoted text. The content of the letter otherwise speaks for itself.

41. Paragraph 41 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor deny that the Civil Rights Division has complied with the Privacy Act.

42. Paragraph 42 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Intervenor admit that the cited letter contains the quoted text, and the content of the letter speaks for itself. Proposed Intervenor otherwise deny the allegations.

43. Paragraph 43 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed

Intervenors lack sufficient knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 43 and therefore deny them.

44. Paragraph 44 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors lack sufficient knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 44 and therefore denies them.

45. Paragraph 45 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors lack sufficient knowledge to form a belief as to the truth or falsity of the allegations in Paragraph 45 and therefore denies them.

#### **CAUSES OF ACTION**

##### **COUNT I: CIVIL RIGHTS ACT OF 1960, 52 U.S.C. § 20701, *et seq.***

46. Proposed Intervenors incorporate by reference each of their preceding admissions, denials, and statements as if fully set forth herein.

47. Paragraph 47 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors deny the allegations in Paragraph 47.

48. Paragraph 48 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Intervenors state that the content of the cited letter speaks for itself.

49. Paragraph 49 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed

Intervenors deny the allegations in Paragraph 49 because they lack sufficient knowledge to form a belief as to the truth or falsity of the allegations.

50. Proposed Intervenors deny the allegations in Paragraph 50.

51. Proposed Intervenors deny the allegations in Paragraph 51.

**COUNT II: NATIONAL VOTER REGISTRATION ACT, 52 U.S.C. § 20507(i)**

52. Proposed Intervenors incorporate by reference each of their preceding admissions, denials, and statements as if fully set forth herein.

53. Paragraph 53 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors state that the content of the cited letters speak for themselves. Proposed Intervenors otherwise deny the remaining allegations in Paragraph 53 because they lack sufficient knowledge to form a belief as to the truth or falsity of the allegations.

54. Paragraph 54 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenors admit that the cited statute contains the quoted text. The statute otherwise speaks for itself. Proposed Intervenors otherwise deny the remaining allegations in Paragraph 54 because they lack sufficient knowledge to form a belief as to the truth or falsity of the allegations.

55. Paragraph 55 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. Proposed Intervenors otherwise deny the remaining allegations in Paragraph 55 because they lack sufficient knowledge to form a belief as to the truth or falsity of the allegations.

56. Proposed Intervenors deny the allegations in Paragraph 56.

**COUNT III: HELP AMERICA VOTE ACT, 52 U.S.C. § 21083**

57. Proposed Intervenor incorporate by reference each of their preceding admissions, denials, and statements as if fully set forth herein.

58. Proposed Intervenor deny the allegations in Paragraph 58.

59. Proposed Intervenor deny the allegations in Paragraph 59.

60. Paragraph 60 contains legal contentions, characterizations, conclusions, and opinions to which no response is required. To the extent a response is required, Proposed Intervenor admit that the cited statute contains the quoted text. The statutes otherwise speak for themselves. Proposed Intervenor otherwise deny the allegations in Paragraph 60.

61. Proposed Intervenor deny the allegations in Paragraph 61.

62. Proposed Intervenor deny the allegations in Paragraph 62.

**PRAYER FOR RELIEF**

Proposed Intervenor deny every allegation in Plaintiff's Complaint for Declaratory and Injunctive Relief that is not expressly admitted herein.

**GENERAL DENIAL**

Proposed Intervenor deny every allegation in Plaintiff's Complaint for Declaratory and Injunctive Relief that is not expressly admitted herein.

**AFFIRMATIVE DEFENSES**

1. Plaintiff has failed to state a claim upon which relief can be granted.
2. Plaintiff's claims are barred in whole or in part on equity, including on the basis of laches and unclean hands.
3. Plaintiff has failed to establish entitlement to injunctive relief.



4. The relief sought by the Plaintiff is inconsistent with the U.S. Constitution and federal law.

5. Plaintiff lacks authority to bring a cause of action.

6. Pennsylvania Law, 4 Pa. Code § 183.14(c), grants Proposed Intervenor the right to keep their highly sensitive personal information confidential, and preservation of those state rights does not conflict with or otherwise violate federal law.

**PROPOSED INTERVENORS' PRAYER FOR RELIEF**

WHEREFORE, having fully answered Plaintiff's Complaint for Declaratory and Injunctive Relief, Proposed Intervenor prays for judgment as follows.

A. That the Court dismiss the Complaint for Declaratory and Injunctive Relief.

B. That judgment be entered in favor of Defendants and Proposed Intervenor and against Plaintiff on Plaintiff's Complaint for Declaratory and Injunctive Relief and that Plaintiff takes nothing thereby;

C That Proposed Intervenor be awarded reasonable attorneys' fees and costs under any applicable statute or equitable doctrine; and

D. For such other and further relief as the Court deems appropriate.

Dated: October 7, 2025

Respectfully submitted,

By: /s/ David Smith  
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*\*Pro hac vice* application forthcoming

*Attorneys for Proposed Intervenors*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

COMMONWEALTH OF PENNSYLVANIA; and AL  
SCHMIDT, in his official capacity as Secretary of the  
State of Pennsylvania,

*Defendants.*

Case No. 2:25-CV-01481

Hon. Cathy Bissoon

**CERTIFICATE OF SERVICE**

Pursuant to Federal Rule of Civil Procedure 5 and LCvR 5.6, a copy of the foregoing Motion to Intervene is being served electronically on all counsel of record via the Court's ECF system.

Dated: October 7, 2025

By: /s/ David Smith  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

COMMONWEALTH OF PENNSYLVANIA; and AL  
SCHMIDT, in his official capacity as Secretary of the  
State of Pennsylvania,

*Defendants.*

Case No. 2:25-CV-01481

Hon. Cathy Bissoon

**[PROPOSED] ORDER GRANTING MOTION TO INTERVENE**

Upon consideration of the Motion to Intervene as Defendants filed by the National Association for the Advancement of Colored People (“NAACP”), the NAACP Pennsylvania State Conference (“State Conference”), and Stacey Taylor (together, “Proposed Intervenors”), alongside the materials filed in support thereof, as well as any opposition thereto, the Court finds good cause, and it is hereby **ORDERED** that the Motion is **GRANTED**.

It is further **ORDERED** that Proposed Intervenors may file a Rule 12(b) motion within the time-period prescribed by the Federal Rules of Civil Procedure or pursuant to any schedule set by this Court.

**IT IS SO ORDERED**, this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Hon. Cathy Bissoon  
U.S. District Court Judge