

DANIEL V. STEENSON

[Idaho State Bar No. 4332]

DAVID P. CLAIBORNE

[Idaho State Bar No. 6579]

SAWTOOTH LAW OFFICES, PLLC

Golden Eagle Building

1101 W. River St., Ste. 110

P. O. Box 7985

Boise, Idaho 83707

Telephone: (208) 629-7447

Facsimile: (208) 629-7559

E-mail: dan@sawtoothlaw.com, david@sawtoothlaw.com

Attorneys for Applicant for Intervention

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO (SOUTHERN DIVISION)

**ANIMAL LEGAL DEFENSE FUND, et al.**

Plaintiffs,

vs.

**C.L. BUTCH OTTER**, in his official  
capacity as Governor of Idaho; and  
**LAWRENCE WASDEN**, in his official  
capacity as Attorney General of Idaho;

Defendants;

and

**THE IDAHO DAIRYMEN'S  
ASSOCIATION, INC.**, an Idaho nonprofit  
corporation;

Applicant for Intervention.

Case No. 1:14-cv-104-BLW

**MOTION TO INTERVENE AS PARTY-  
DEFENDANT**

**COMES NOW** the Applicant for Intervention, The Idaho Dairymen's Association, Inc., an Idaho nonprofit corporation, by and through its attorneys of record, Sawtooth Law Offices, PLLC, and, **PURSUANT TO** Rule 24(a) and 24(b) of the FEDERAL RULES OF CIVIL PROCEDURE, **HEREBY MOVES THE COURT** for entry of an Order permitting the Applicant for Intervention to intervene in the above-titled action as a party-defendant.

Good cause and proper grounds exist for entry of the relief requested by this Motion by reason of the facts, circumstances and legal principles set forth in the *Affidavit of Applicant for Intervention in Support of Motion to Intervene as Party-Defendant* and the *Memorandum in Support of Motion to Intervene as Party-Defendant*, which are filed herewith. Further, notice is hereby provided that if this Motion is granted, the Applicant in Intervention intends to adopt as its initial pleading the *Motion to Dismiss*, Dkt. No. 12, filed by the existing Defendants to this action on April 3, 2014.

The undersigned certifies that this Motion, and supporting documents, is being served upon the existing parties to this action, at the time of filing, pursuant to Rule 5 of the FEDERAL RULES OF CIVIL PROCEDURE.

Oral argument on this Motion is not requested.

**DATED** this 18<sup>th</sup> day of April, 2014.

SAWTOOTH LAW OFFICES, PLLC

by: \_\_\_\_\_/s/\_\_\_\_\_  
Daniel V. Steenson  
David P. Claiborne

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on the following on this 18<sup>th</sup> day of April, 2014 by the following method:

**JUSTIN MARCEAU**  
**ATTORNEY AT LAW**  
2255 E. Evans. Ave.  
Denver, CO 80210  
Telephone: (303) 871-6449  
Facsimile: n/a  
[E-Mail: jmarceau@law.du.edu](mailto:jmarceau@law.du.edu)  
*Attorneys for Plaintiffs*

U.S. First Class Mail, Postage Prepaid  
 U.S. Certified Mail, Postage Prepaid  
 Federal Express  
 Hand Delivery  
 Facsimile  
 Electronic Mail or CM/ECF

**MARIA E. ANDRADE**  
**ANDRADE LEGAL, INC.**  
PO Box 2109  
Boise, ID 83701  
Telephone: (208)342-5100  
Facsimile: (208) 342-5101  
[E-Mail: mandrade@andradelegal.com](mailto:mandrade@andradelegal.com)  
*Attorneys for Plaintiffs*

U.S. First Class Mail, Postage Prepaid  
 U.S. Certified Mail, Postage Prepaid  
 Federal Express  
 Hand Delivery  
 Facsimile  
 Electronic Mail or CM/ECF

**MATTHEW G. LIEBMAN**  
**ANIMAL LEGAL DEFENSE FUND**  
170 E. Cotati Avenue  
Cotati, CA 94931  
Telephone: (707) 795-2533 ext. 1028  
Facsimile: n/a  
E-Mail: [mliebman@aldf.org](mailto:mliebman@aldf.org)  
*Attorneys for Plaintiffs*

U.S. First Class Mail, Postage Prepaid  
 U.S. Certified Mail, Postage Prepaid  
 Federal Express  
 Hand Delivery  
 Facsimile  
 Electronic Mail or CM/ECF

**MATTHEW DANIEL STRUGAR**  
**ATTORNEY AT LAW**  
2154 W. Sunset Blvd.  
Los Angeles, CA 90026  
Telephone: (323) 210-2263  
Facsimile: n/a  
[E-Mail: matthew-s@petaf.org](mailto:matthew-s@petaf.org)  
*Attorneys for Plaintiffs*

U.S. First Class Mail, Postage Prepaid  
 U.S. Certified Mail, Postage Prepaid  
 Federal Express  
 Hand Delivery  
 Facsimile  
 Electronic Mail or CM/ECF

**RICHARD ALAN EPPINK**  
**AMERICAN CIVIL LIBERTIES UNION**  
**OF IDAHO FOUNDATION**  
PO Box 1897  
Boise, ID 83701  
Telephone: (208) 344-9750 ext. 1202  
Facsimile: (208) 344-7201  
E-Mail: [reppink@acluidaho.org](mailto:reppink@acluidaho.org)  
*Attorneys for Plaintiffs*

U.S. First Class Mail, Postage Prepaid  
 U.S. Certified Mail, Postage Prepaid  
 Federal Express  
 Hand Delivery  
 Facsimile  
 Electronic Mail or CM/ECF

**PAIGE M. TOMASELLI**  
**CENTER OF FOOD SAFETY**  
303 Sacramento Street, 2<sup>nd</sup> Floor  
San Francisco, CA 94111  
Telephone: (415) 826-2770  
Facsimile: n/a  
[E-Mail: ptomaselli@centerforfoodsafety.org](mailto:ptomaselli@centerforfoodsafety.org)  
*Attorneys for Plaintiffs*

U.S. First Class Mail, Postage Prepaid  
 U.S. Certified Mail, Postage Prepaid  
 Federal Express  
 Hand Delivery  
 Facsimile  
 Electronic Mail or CM/ECF

**THOMAS C. PERRY**  
**CALLY A. YOUNGER**  
**COUNSEL TO THE GOVERNOR**  
**OFFICE OF THE GOVERNOR**  
State Capitol  
PO Box 83720  
Boise, ID 83720  
Telephone: (208) 334-2100  
Facsimile: (208) 334-3454  
E-Mail: [tom.perry@gov.idaho.gov](mailto:tom.perry@gov.idaho.gov)  
[cally.younger@gov.idaho.gov](mailto:cally.younger@gov.idaho.gov)  
*Attorneys for Defendant - Otter*

U.S. First Class Mail, Postage Prepaid  
 U.S. Certified Mail, Postage Prepaid  
 Federal Express  
 Hand Delivery  
 Facsimile  
 Electronic Mail or CM/ECF

**CLAY R. SMITH**  
**CARL J. WITHROE**  
**IDAHO ATTORNEY GENERAL**  
PO Box 83720  
Boise, ID 83720-0010  
Telephone: (208) 334-4118  
Facsimile: (208) 854-8073  
E-Mail: [clay.smith@ag.idaho.gov](mailto:clay.smith@ag.idaho.gov)  
[carl.withroe@ag.idaho.gov](mailto:carl.withroe@ag.idaho.gov)  
*Attorneys for Defendant - Wasden*

- U.S. First Class Mail, Postage Prepaid
- U.S. Certified Mail, Postage Prepaid
- Federal Express
- Hand Delivery
- Facsimile
- Electronic Mail or CM/ECF

\_\_\_\_\_/s/\_\_\_\_\_  
Daniel V. Steenson  
David P. Claiborne