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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

MONTANA MEDICAL  
ASSOCIATION, FIVE VALLEYS  
UROLOGY, PLLC, PROVIDENCE  
HEALTH & SERVICES – MT,  
WESTERN MONTANA CLINIC, PC,  
PAT APPLEBY, MARK  
CARPENTER, LOIS FITZPATRICK,  
JOEL PEDEN, DIANA JO PAGE,  
WALLACE L. PAGE, and  
CHEYENNE SMITH,

Plaintiffs,

*and*

MONTANA NURSES  
ASSOCIATION,

Plaintiff-Intervenor,

v.

AUSTIN KNUDSEN, Montana  
Attorney General, and LAURIE ESAU,  
Montana Commissioner of Labor and  
Industry,

Defendants.

Cause No. 9:21-cv-108

Hon. Donald W. Molloy

**MOTION TO INTERVENE**

The Montana Nurses Association (“MNA” or “the Nurses”) hereby seeks the Court’s leave to intervene as a Plaintiff in the above-captioned case.

For the reasons detailed in the concurrently filed brief, the Court should grant MNA’s motion under Fed. R. Civ. P. 24(a) because MNA has an “interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the [MNA’s] ability to protect its interest,” and “existing parties [do not] adequately represent that interest.” *Id.* In the alternative, and for the reasons detailed in the concurrently filed brief, the Court should permit intervention under Fed. R. Civ. P. 24(b) because MNA “has a claim or defense that shares with the main action a common question of law or fact.” *Id.*

Counsel for Plaintiffs and Defendants have been contacted regarding this motion. Plaintiffs do not object. Defendants object.

DATED this 29th day of October, 2021.

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Raph Graybill

Attorney for Plaintiff-Intervenor

**CERTIFICATE OF SERVICE**

I hereby certify that on October 29, 2021, I mailed the foregoing motion by certified mail to the following:

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