

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FREEDOM FROM RELIGION
FOUNDATION, INC., et al.,

Plaintiffs,

v.

Civil Action No. 4:17-cv-881

JUDGE WAYNE MACK,

Defendant.

**TEXAS COMMISSION ON LAW ENFORCEMENT'S
MOTION TO INTERVENE**

The Texas Commission on Law Enforcement (“TCOLE”), by and through the Attorney General of Texas, and pursuant to Federal Rule of Civil Procedure 24, moves to intervene as a defendant in the above caption action. In support of this Motion, TCOLE relies on the following contemporaneously filed documents:

1. Memorandum in Support of TCOLE’s Motion to Intervene;
2. Declaration of Commissioner Joel W. Richardson, attached hereto as Exhibit 1;
3. [Proposed] Order Granting TCOLE’s Motion to Intervene;
4. [Proposed] Intervenor-Defendant TCOLE’s Motion to Dismiss;
5. [Proposed] Memorandum of Law in Support of Intervenor-Defendant Texas Commission on Law Enforcement’s Motion to Dismiss; and
6. [Proposed] Order Granting TCOLE’s Motion to Dismiss.

Pursuant to LR 7.1(D), counsel for TCOLE conferred with counsel for Plaintiffs on May 15, 2017 and counsel for Defendant on May 12, 2017. Defendant consents to

TCOLE's intervention, but Plaintiffs oppose the motion.

For the reasons stated in this Motion and accompanying documents, TCOLE respectfully requests that the Court grant its Motion to Intervene.

Respectfully submitted this 17th day of May, 2017.

KEN PAXTON
Attorney General of Texas

JEFFREY C. MATEER
First Assistant Attorney General

BRANTLEY D. STARR
Deputy First Assistant Attorney General

MICHAEL C. TOTH
Special Counsel to the First Assistant
Attorney General

ANDREW D. LEONIE
Associate Deputy Attorney General

AUSTIN R. NIMOCKS
Associate Deputy Attorney General

/s/ David J. Hacker

DAVID J. HACKER
Senior Counsel
Attorney-in-Charge
Texas Bar No. 24103323
S.D. Tex. Bar No. 3065085
david.hacker@oag.texas.gov

JOEL STONEDALE
Counsel

Office of Special Litigation
ATTORNEY GENERAL OF TEXAS
P.O. Box 12548, Mail Code 009
Austin, Texas 78711-2548
(512) 936-1414

*ATTORNEYS FOR PUTATIVE
INTERVENOR-DEFENDANT
TEXAS COMMISSION ON LAW
ENFORCEMENT*

CERTIFICATE OF CONFERENCE

Counsel for Putative Intervenor-Defendant Texas Commission on Law Enforcement sought conference via e-mail and telephone on May 12 and 15, 2017 with counsel for both Plaintiffs and Defendant. Defendant consents to this motion, but Plaintiffs oppose the motion.

/s/ David J. Hacker
David J. Hacker

CERTIFICATE OF SERVICE

I, David J. Hacker, hereby certify that on this the 17th day of May, 2017, a true and correct copy of the foregoing document was transmitted using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

/s/ David J. Hacker
David J. Hacker