

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

**NEW HAMPSHIRE LOTTERY
COMMISSION,**

**NEOPOLLARD INTERACTIVE, LLC, and
|
POLLARD BANKNOTE LIMITED,**

Plaintiffs,

and

**iDEVELOPMENT AND ECONOMIC
ASSOCIATION,**

Proposed-Intervenor

v.

WILLIAM BARR, in his official capacity as
Acting Attorney General of the United States of
America,

**UNITED STATES DEPARTMENT OF
JUSTICE, and**

UNITED STATES OF AMERICA

Defendants.

Civil Action No. 19-cv-00163-PB

Expedited Treatment Requested

**PROPOSED-INTERVENOR iDEVELOPMENT AND ECONOMIC
ASSOCIATION'S EMERGENCY MOTION TO INTERVENE**

Pursuant to Federal Rule of Civil Procedure 24, Proposed-Intervenor iDevelopment and Economic Association (“**iDEA**”) moves to file this Emergency Motion to Intervene (“**Motion**”) so that iDEA can adequately represent its interests and the interests of its member organizations in the above-captioned matter. iDEA seeks to intervene as of right under Fed. R. Civ. P. 24(a), or, in the alternative, permissively under Fed. R. Civ. P. 24(b) in order to seek declaratory and

injunctive relief declaring that the Wire Act, 18 U.S.C. § 1084, does not prohibit the use of a wire communication facility to transmit in interstate commerce bets, wagers, receipts, money, credits, or any other information related to any type of gaming other than gaming on sporting events and contests. As discussed in the accompanying Memorandum of Law in Support of iDEA's Emergency Motion to Intervene ("**Memorandum**"), iDEA satisfies all of the requirements for intervention of right, as well as the requirements for permissive intervention. As such, iDEA respectfully requests that its Motion be granted.

In support of its Motion, iDEA files herewith:

- a. Memorandum of Law in Support of iDEA's Emergency Motion to Intervene;
- b. Proposed Complaint setting forth iDEA's claim, as required by Fed. R. Civ. P. 24(c); and

iDEA contacted counsel for Plaintiffs New Hampshire Lottery Commission ("**NHLC**"), Neopollard Interactive, LLC ("**Neopollard**"), Pollard Banknote Limited ("**Pollard**") and Defendants William Barr, the Department of Justice, and the United States of America (collectively, "**Defendants**") to seek their position on iDEA's Motion. NHLC consented to iDEA's Motion on the condition that iDEA would be agreeable to maintaining the case on the same briefing and oral argument schedule as the underlying parties. iDEA has agreed to this request. Neopollard and Pollard consented to iDEA's Motion. Defendants would not take a formal position on iDEA's Motion until they had an opportunity to review its filing.

For the foregoing reasons and for those discussed in the accompanying Memorandum, iDEA respectfully requests that the Court grant its Motion and enter an Order granting it intervention under Fed. R. Civ. P. 24 and docketing Exhibit A, attached hereto, as iDEA's Complaint in Intervention.

Dated: February 25, 2019

Respectfully Submitted,

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Certificate of Service

I hereby certify that a copy of Proposed-Intervenor iDevelopment and Economic Association's Emergency Motion to Intervene, together with iDevelopment and Economic Association's Proposed Complaint in Intervention, was served via the Case Management/Electronic Case Files (CM/ECF) system on February 25, 2019 upon all counsel of record, including:

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