

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CITIZENS FOR TRUMP,)
NORTHEAST OHIO COALITION)
FOR THE HOMELESS, and)
ORGANIZE OHIO,)
)
Plaintiffs,)
)
v.)
)
CITY OF CLEVELAND, and)
MAYOR FRANK G. JACKSON,)
in his official capacity,)
)
Defendants.)
)

Civil Action No. 1:16-CV-01465-JG
Judge Gwin

**PLAINTIFFS’ OPPOSITION TO THE COMMITTEE ON ARRANGMENTS’
MOTION TO INTERVENE**

Plaintiffs respectfully ask this Court to deny the RNC Committee on Arrangements’ (“COA’s”) Motion to Intervene as a party in this case. The COA should not be permitted to intervene as of right pursuant to Fed. R. Civ. Pro. 24(a) for the basic reason that it lacks any “substantial *legal* interest in the subject matter of the case,” (emphasis added) which is, as COA concedes, one of the essential qualifications for intervention as of right.

The City’s Memorandum in Support of its Motion to Dismiss and in Opposition to Plaintiffs’ Motion for Preliminary Injunction and Temporary Restraining Order makes clear, on page 4, that “The City is responsible for security [outside of the Restricted Zones, which are the high security inner zones established by the Secret Service, and not at issue in this case.]” Thus the City concedes responsibility for security within its large Event Zone. The City explains that its security planning was done with “other federal, state, and local law enforcement agencies,

including the Secret Service.” *Id.* This confirms that, as one would expect, COA did not design this Zone or security within it. And it is obvious that COA did not enact the Zone or enact the resolution governing it; nor will COA police the zone. Nor is COA, a private entity, bound by the Constitutional considerations that are the issues in this case. COA has no legal interest in this case.

Even though COA does not meet the requirements to intervene as a party, inasmuch as COA has already written and submitted a Memorandum addressing Plaintiffs’ Motion for Preliminary Injunction and Temporary Restraining Order, Plaintiffs are not opposed to COA’s submission of the Memorandum or its participation in oral argument as an amicus in this case.

Respectfully submitted,

/s/Freda J. Levenson

Freda J. Levenson (0045916)

Trial Attorney for Plaintiffs

Elizabeth Bonham (0093733)

Joseph Mead (0091903)

ACLU of Ohio Foundation, Inc.

4506 Chester Ave.

Cleveland, OH 44103

T: (216) 472-2220

F: (216) 472-2210

E: flevenson@acluohio.org

Certificate of Service

The undersigned certifies that a true copy of the foregoing was filed and served on Defendants using this Court's Electronic Filing System on this 21st day of June, 2012.

/s/Freda J. Levenson
Freda J. Levenson
Counsel for Plaintiffs