

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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MIKHAIL FRIDMAN, PETR AVEN, and)	
GERMAN KHAN,)	
)	
Plaintiffs,)	Case No.
)	
v.)	0:17-cv-02041 (RJL)
)	
BEAN LLC (a/k/a FUSION GPS) and)	
GLENN SIMPSON,)	
)	
Defendants.)	

**NON-PARTIES CHRISTOPHER STEELE, CHRISTOPHER BURROWS AND ORBIS
BUSINESS INTELLIGENCE LTD.’S MOTION TO INTERVENE
FOR THE LIMITED PURPOSE OF OPPOSING PLAINTIFFS’ MOTION FOR
ISSUANCE OF LETTER OF REQUEST FOR
INTERNATIONAL JUDICIAL ASSISTANCE**

COME NOW Non-Parties Christopher Steele, Christopher Burrows, and Orbis Business Intelligence Ltd. (the “Non-Parties”), by and through their undersigned counsel of record, and, pursuant to Fed. R. Civ. P. 24, move the Court to allow their intervention in this action for the sole purpose of objecting to the Plaintiffs’ Motion for Issuance of Letter of Request for International Judicial Assistance (Dkt. No. 90, Aug. 4, 2020) (“Hague Request”), which seeks to pursue discovery from the Non-Parties and other foreign individuals.

The D.C. Circuit has “identified four prerequisites to intervene as of right: ‘(1) the application to intervene must be timely; (2) the applicant must demonstrate a legally protected interest in the action; (3) the action must threaten to impair that interest; and (4) no party to the action can be an adequate representative of the applicant’s interests.’” *Karsner v. Lothian*, 532 F.3d 876, 885 (D.C. Cir. 2008) (quoting *SEC v. Prudential Sec. Inc.*, 136 F.3d 153, 156 (D.C. Cir.

1998)). Even if the intervention is not a matter of right, the Court has discretion to allow for permissive intervention under Rule 24(b).

Here, the Non-Parties are promptly filing this Motion, one day after receiving Plaintiffs' Hague Request. The Non-Parties are the very target of the Hague Request, which seeks to force the Non-Parties to undergo the time, burden, and expense of the discovery sought by Plaintiffs. The Hague Request threatens to impair their interest by seeking to compel testimony and document production from the Non-Parties, including discovery related to sensitive and confidential information—discovery that the D.C. Superior Court and the D.C. Court of Appeals denied these same Plaintiffs. No other parties to this action can protect their interests, and indeed none have: the Hague Request was filed as “unopposed” by the parties to this case. Therefore, whether by right or by discretion, the Court should give the Non-Parties an opportunity to be heard for this limited purpose.

In order to itemize and support their objections to the Hague Request, the Non-Parties respectfully request the Court to allow them to file a motion to quash or modify the Hague Request within fourteen (14) days of the date of this Court's granting of this Motion to Intervene.

Pursuant to Local Rule 7(m), counsel for the Non-Parties has conferred with Plaintiffs' counsel who stated that Plaintiffs oppose the requested relief.

Respectfully submitted this 5th day of August, 2020.

/s/ Kelley C. Barnaby
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Attorneys for Non-Parties Christopher Steele, Christopher Burrows, and Orbis Business Intelligence Ltd.

CERTIFICATE OF SERVICE

This is to certify that I have this day filed the foregoing MOTION TO INTERVENE with the Court's CM/ECF Service, which will provide electronic notice to counsel of record this 5th day of August, 2020.

/s/ Kelley C. Barnaby
KELLEY C. BARNABY