

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

BONITA SHREVE, *et al.*,

Plaintiffs,

v.

UNITED STATES POSTAL SERVICE, *et al.*,

Defendants.

Hon. Stephanie L. Haines, U.S.D.J.

Civil Action No. 3:25-cv-214

STATES' NOTICE OF INTENT TO MOVE TO INTERVENE AND
MOTION TO MODIFY THE BRIEFING SCHEDULE

Undersigned counsel for the States of Delaware, New Jersey, and New York (“Movant States”) respectfully submit this notice of their intent to move to intervene as defendants under Fed. R. Civ. P. 24 for the purpose of providing arguments in support of the constitutionality of 18 U.S.C. § 1715, the federal statute challenged in this case.

Plaintiffs’ complaint was filed on July 14, 2025, and Plaintiffs moved for summary judgment on December 18, 2025. The Federal Defendants filed a combined opposition and cross-motion for summary judgment on January 16, 2026, advising for the first time in this litigation that the Federal Defendants decline to defend 18 U.S.C. § 1715’s constitutionality. Pursuant to the January 28, 2026 Order

in this matter, Plaintiffs' combined summary judgment reply and opposition to the Federal Defendants' cross-motion is currently due on March 9, 2026, and the Federal Defendants' reply in support of their cross-motion is currently due April 8, 2026.

Movant States intend to move to intervene in this action and simultaneously lodge a proposed motion for summary judgment and opposition to Plaintiffs' motion for summary judgment, addressing only the constitutionality of 18 U.S.C. § 1715. Movant States respectfully request that the Court set a briefing schedule that aligns the anticipated intervention motion with the existing summary judgment briefing schedule in a manner efficient for the parties and the Court.

To that end, Movant States propose the following briefing schedule:

- Movant States shall file their Motion to Intervene and proposed Motion for Summary Judgment and Opposition to the Plaintiffs' Motion for Summary Judgment, by March 2, 2026.
- Plaintiffs and Federal Defendants shall file any Opposition to the Motion to Intervene by March 23, 2026;
- Movant States shall file any Reply in further support of the Motion to Intervene by March 30, 2026.

Scheduling Motion Certificate: Movant States certify pursuant to LCvR 16.1.B.5 and the Court's Interim Standing Order that they have conferred with

counsel for the parties in this matter as to the requested briefing schedule above. Plaintiffs oppose this request, and the Federal Defendants consented to the above briefing schedule for the intervention motion, but note that their position is that the Court should first resolve the motion to intervene before the States are permitted to participate in merits briefing.

Dated: February 5, 2026

Respectfully submitted,

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*Pro Hac Vice application forthcoming

CERTIFICATE OF SERVICE

I hereby certify that, on February 5, 2026, Movant States served the foregoing Notice of Intent to Intervene and Motion to Modify the Briefing Schedule on all counsel in this matter via the Court's electronic filing system.

/s/ Molly Thomas-Jensen
Molly Thomas-Jensen*