

Defense Distributed and the Second Amendment Foundation, Inc. (SAF) move to intervene in this action for the purpose of challenging the regulation already at issue in this case, *Definition of “Frame or Receiver” and Identification of Firearms*, 87 Fed. Reg. 24,652 (Apr. 26, 2022) (hereinafter the new Final Rule), and obtaining relief from the enforcement thereof.

Primarily, Defense Distributed and SAF move to intervene of right under Federal Rule of Civil Procedure 24(a)(2). This is warranted because Defense Distributed and SAF claim interests relating to the action’s property and transactions and are so situated that the action’s disposition may as a practical matter impair or impede Defense Distributed and SAF’s ability to protect Defense Distributed and SAF’s interests.

Alternatively, if the Court does not grant intervention of right, Defense Distributed and SAF move to intervene permissively under Federal Rule of Civil Procedure 24(b). This is warranted because Defense Distributed and SAF’s request for permissive intervention is timely and because Defense Distributed and SAF’s claims share common questions of law and fact with those of the main action.

Defense Distributed and SAF support this motion with an accompanying brief, *see* Local Civil Rule 7.1, and a draft pleading setting out the claim for which intervention is sought, *see* Fed. R. Civ. P. 24(c).

The motion is opposed in part. All Defendants oppose this motion. Plaintiffs Jennifer VanDerStock, Michael Andren, Tactical Machining LLC, and Firearms Policy Coalition, Inc. say that they take no position on this motion. The position of Intervenor Plaintiff Blackhawk Manufacturing Group Inc. is unknown at this time.

Respectfully submitted,

BECK REDDEN LLP

By /s/ Chad Flores

Chad Flores

cflores@beckredde.com

Texas Bar No. 24059759

Nicholas M. Bruno

nbruno@beckredde.com

Texas Bar No. 24097432

Zachary T. Nelson

znelson@beckredde.com

Texas Bar No. 24127240

1221 McKinney St., Suite 4500

Houston, Texas 77010-2010

Telephone: (713) 951-3700

Facsimile: (713) 951-3720

Counsel for Defense Distributed

Certificate of Conference

This motion *is* opposed by Defendants Merrick Garland, United States Department of Justice, Steven Dettelbach, and Bureau of Alcohol, Tobacco, Firearms, and Explosives. Defense Distributed and SAF's counsel (Chad Flores) determined this by conferring with these parties' counsel via emails exchanged on October 19, 2022, and October 24, 2022.

The following parties expressly take no position on the motion's request for relief: Plaintiffs Jennifer VanDerStok, Michael G Andren, Tactical Machining LLC, and Firearms Policy Coalition, Inc. Defense Distributed and SAF's counsel (Chad Flores) determined this by conferring with these parties' counsel via telephone and email on October 20, 2022.

The following party's position is unknown: Blackhawk Manufacturing Group Inc. Defense Distributed and SAF's counsel (Chad Flores) sought to confer with this party by emailing all four counsel of record on October 19, 2022, and again on October 31, 2022, receiving no response.

Respectfully submitted,

BECK REDDEN LLP

By /s/ Chad Flores

Chad Flores

cflores@beckredde.com

Texas Bar No. 24059759

Nicholas M. Bruno

nbruno@beckredde.com

Texas Bar No. 24097432

Zachary T. Nelson

znelson@beckredde.com

Texas Bar No. 24127240

1221 McKinney St., Suite 4500

Houston, Texas 77010-2010

Telephone: (713) 951-3700

Facsimile: (713) 951-3720

Counsel for Defense Distributed

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this submission was served on all counsel of record by the Court's CM/ECF system in accordance with the Federal Rules of Civil Procedure on November 2, 2022.

/s/ Chad Flores

Chad Flores