

Alternatively, if the Court does not determine that New Hampshire may intervene as of right, New Hampshire moves for permissive intervention pursuant to Fed. R. Civ. P. 24(b).

Finally, pursuant to Local Rul 7.1(a), counsel for New Hampshire has conferred with counsel for Plaintiff and Defendants in this action. Plaintiff's counsel assents to this motion, while counsel for the Federal Defendants states that they take no position on New Hampshire's motion.

WHEREFORE, New Hampshire prays that this Court enter an order granting this motion and allowing New Hampshire to intervene in the case either as of right, or by permission.

Dated: September 10, 2013

Respectfully submitted,

STATE OF NEW HAMSPHIRE

JOSEPH A FOSTER

Attorney General

/s/ Peter C.L. Roth
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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of September 2013, I served the above Motion via the Court's ECF system upon those parties receiving ECF service.

Dated: September 10, 2013

/s/ Peter C.L. Roth
Peter C.L. Roth

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