

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

JOHN DOE and JANE DOE, as the)
Natural Parents and Next Friends of Their)
Minor Child, JAMES DOE,)
)
Plaintiffs,)

vs.)

THE WILSON COUNTY SCHOOL)
SYSTEM; DR. JIM DUNCAN, Individually)
and as Director of Wilson County Schools;)
WENDELL MARLOWE, Principal of the)
Lakeview Elementary School; YVONNE)
SMITH, Assistant Principal of Lakeview)
Elementary School; and JANET)
ADAMSON, Teacher at Lakeview)
Elementary School,)
)
Defendants,)

DOUG GOLD, CHRISTY GOLD, JAMES)
WALKER and JENNIFER WALKER,)
)
Intervenors-Defendants)
)

CIVIL ACTION NO. 3:06-cv-00924

DISTRICT JUDDGE ROBERT ECHOLS

MAGITRATE JUDGE JOHN S. BRYANT

DOUG GOLD, CHRISTY GOLD, JAMES WALKER AND
JENNIFER WALKER'S MOTION TO INTERVENE

TO THE HONORABLE JUDGE:

COME NOW, proposed Intervenors-Defendants Doug Gold, Christy Gold, James Walker and Jennifer Walker, and hereby move this Court for an Order:

1. Granting mandatory intervention pursuant to Federal Rule of Civil Procedure 24(a)(2); or,
2. In the alternative, granting permissive intervention pursuant to Federal Rule of Civil Procedure 24(b).

In support of this Motion, Applicants rely on the accompanying Memorandum in Support of the Motion to Intervene. Proposed Intervenor-Defendants also rely on their Proposed Answer (attached hereto as Exhibit “1”), the affidavits of Jennifer Walker (attached hereto as Exhibit “2”) and Christy Gold (attached hereto as Exhibit “3”), and all other pleadings and matters of record in this cause.

Applicants move to intervene as party-defendants because Plaintiffs in this action are seeking to eliminate Applicants’ ability to speak and acknowledge their religion at Lakeview Elementary school. Also, with this legal action, Plaintiffs seek to bring about governmental hostility toward Applicants’ religion. If Plaintiffs succeed in this cause, Applicants will be deprived of the fundamental and constitutional right to express their religious beliefs in public. Applicants will also be subjected to government hostility against their religion.

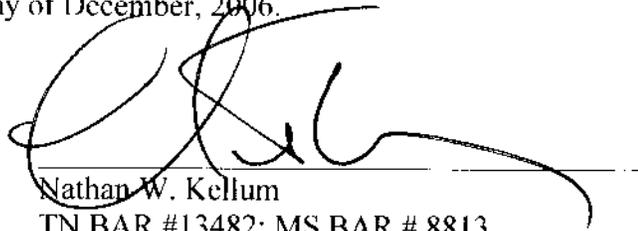
Applicants should be granted intervention as of right under Federal Rule of Civil Procedure 24(a)(2) on the following grounds:

1. Applicants motion for intervention is timely, being filed less than three months after the Complaint was filed;
2. Applicants have a unique interest in protecting their religious expression, which is related to the subject of this action and, to prevent hostility toward their religion, which is also related to the subject of this action;
3. Applicants are so situated that the disposition of the action will, as a practical matter, impair and impede their ability to protect their interests; and
4. Applicants’ interest will not be adequately represented by existing parties to the suit.

Applicants should alternatively be granted permissive intervention under Federal Rule of Civil Procedure 24(a)(2) because Applicants' interest in protecting their religious interests and the Plaintiffs' request to have that conduct enjoined involve common questions of law and fact.

WHEREFORE, Applicants respectfully request that this Court grant their Motion to Intervene.

Respectfully submitted this 19th day of December, 2006.

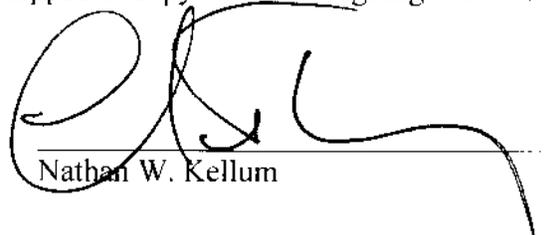


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Certificate of Service

On the 19th day of December, 2006, I shipped a copy of the foregoing via overnight delivery to all counsel of record in this cause.



Nathan W. Kellum