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FILED
JUN 3 2003

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MAY 30 2003
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THE ARC OF WASHINGTON STATE, INC.,
a Washington corporation, on behalf of its
members, *et al*,

Plaintiffs,

v

LYLE QUASIM, in his official capacity as the
Secretary of the Washington Department of
Social and Health Services, *et al*,

Defendants

Case No C99-5577FDB

ORDER DENYING INTERVENTION

CV 99-05577 #00000360

The four plaintiffs from *Boyle v Braddock*, Cause No. C01-5867FDB, recently dismissed on appeal, move for the fourth time to intervene in this cause of action, and the Plaintiffs and Defendants herein oppose intervention. For the following reasons intervention is denied

The *Boyle* plaintiffs have not demonstrated that they have satisfied the four elements for intervention as of right under Rule 24(a)(2). They have no significant protectable interest in the subject matter of the pending litigation, they have their own claims, which are independent, and the *Arc* litigation will not impair the *Boyle* interests. The inadequate representation issue, therefore, becomes moot. Furthermore, there is no reasonable basis to grant permissive intervention.

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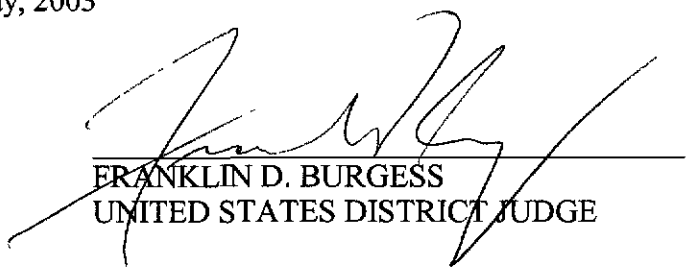
ACCORDINGLY,

IT IS ORDERED

(1) The *Boyle v Braddock* plaintiffs' Motion to Intervene (Doc # 349) is DENIED;

(2) The *Boyle v Braddock* plaintiffs' Motion to Enlarge noting date for Plaintiffs' Motion for Partial Summary Judgment (Doc # 350) is STRICKEN as MOOT.

DATED this 30 day of May, 2003



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

United States District Court
for the
Western District of Washington
June 3, 2003

* * MAILING CERTIFICATE OF CLERK * *

Re. 3:99-cv-05577

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