

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ANACOSTIA RIVERKEEPER, INC.,  
et al.,  
  
Plaintiffs,  
  
v.  
  
LISA JACKSON,  
  
Defendant.

## ORDER

The District of Columbia Water and Sewer Authority ("WASA") has filed a motion to intervene as a defendant in this case as a matter of right under Federal Rule of Civil Procedure 24(a) and, in the alternative, for permissive intervention under Rule 24(b). The plaintiffs do not oppose permissive intervention. Accordingly, WASA's motion to intervene as a defendant, treated as a motion for permissive intervention under Rule 24(b), will be granted as unopposed.<sup>1</sup> It is hereby

'The plaintiffs ask that WASA be prohibited "from raising arguments that are irrelevant to the material issues, and from initiating duplicative discovery, evidence, argument, pleadings, filings, and memoranda where [its] legal positions or factual presentation is in accord with those of the EPA." (Pls.' Response at 4.) Their request is premature. The plaintiffs do not identify any argument raised in WASA's proposed answer that they allege to be irrelevant and the parties do not contemplate engaging in discovery. The plaintiffs will be free to challenge unnecessary actions taken by WASA when and if that happens.

-2-

ORDERED that WASA's motion [8] to intervene permissively be, and hereby, is, GRANTED as unopposed.

SIGNED this 28th day of April, 2009.

\_\_\_\_\_/s/\_\_\_\_\_  
RICHARD W. ROBERTS  
United States District Judge