

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

JOHN M. KLUGE,)
)
 Plaintiff,)
)
 v.)
)
BROWNSBURG COMMUNITY)
SCHOOL CORPORATION,)
DR. JAMES SNAPP, Superintendent of)
 Brownsburg Community School)
 Corporation, in his official capacity; **PHIL**)
UTTERBACK, President of the)
 Brownsburg Community School Corporation)
 School Board, in his official capacity; **JODI**)
GORDON, Human Resources Director of)
 Brownsburg Community School)
 Corporation, in her official capacity; and)
DR. BRET DAGHE, Principal of)
 Brownsburg Community School Corporation)
 High School, in his official capacity,)
)
 Defendants.)

CASE NO. 1:19-cv-2462-JMS-DLP

MOTION OF INDIANA YOUTH GROUP, INC. TO INTERVENE AS A DEFENDANT

Indiana Youth Group, Inc. (“YIG”) respectfully moves to intervene as a defendant as of right pursuant to Fed. R. Civ. P. 24(a)(2) or, alternatively, for permissive intervention under Fed. R. Civ. P. 24(b)(1). The basis for this motion to intervene is set forth in the accompanying Memorandum of Law and the supporting declarations of Chris Paulsen, Laura Sucec, and Aidyn Sucec (the declarations are attached as Exhibits 1 through 3 to this motion).

YIG submits a Conditional Answer, attached as Exhibit 4, to comply with Fed. R. Civ. P. 24(c), but nevertheless intends separately to seek to dismiss Plaintiff’s amended complaint pursuant to Fed. R. Civ. P. 12(b)(6). YIG therefore respectfully requests that, if its motion to

intervene is granted, the Court permit it to file a motion to dismiss and refrain from entering its proposed Answer on the docket.

Counsel for Plaintiff John Kluge has informed IYG that Plaintiff opposes IYG's request for intervention. Counsel for Defendants Brownsburg Community School Corporation ("BCSC"), Dr. James Snapp, Phil Utterback, Jodi Gordon, and Dr. Brett Daghe has informed IYG that Defendants do not object to IYG's request for intervention as of right or IYG's request for permissive intervention.

August 22, 2019

Respectfully submitted,

/s/ Barbara J. Baird

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♦ *Pro hac vice* motion forthcoming

Counsel for Indiana Youth Group