

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

NATH C. DOUGHTIE,

Plaintiff,

v.

Case No. 1:23-cv-210-AW-MJF

CITY OF GAINESVILLE,

Defendant,

and

**ASHLEY MOODY, in her
official capacity as Florida
Attorney General,**

Intervenor-Defendant.

ORDER GRANTING MOTION TO INTERVENE

Plaintiff Nath Doughtie, a Gainesville resident and utility customer, challenges H.B. 1645 (the “Act”), which created the Gainesville Regional Utility Authority (the “Authority”). Doughtie contends the Act violates the First and Fourteenth Amendments, and he sued Florida’s Governor, Secretary of State, and Attorney General, along with the City of Gainesville. He voluntarily dismissed his claims against the Governor, Secretary, and Attorney General. ECF Nos. 17, 22. The only remaining defendant is the City.

The Attorney General now moves for permissive intervention. ECF No. 27. The motion indicates Doughtie is unopposed, but it does not mention whether the

City is. In any event, no party has filed a timely response opposing the motion, so it is now deemed unopposed. *See* N.D. Fla. Loc. R. 7.1(E).

Although the motion is unopposed, I have independently considered it on the merits. The court has broad discretion on whether to allow permissive intervention. *Chiles v. Thornburgh*, 865 F.2d 1197, 1213 (11th Cir. 1989) (citing *Sellers v. United States*, 709 F.2d 1469, 1471 (11th Cir. 1983)). The motion was filed early in the case, and there is no indication that its timing would prejudice any party. *See Comm’r, Ala. Dep’t of Corr. v. Advance Loc. Media, LLC*, 918 F.3d 1161, 1171 (11th Cir. 2019). Moreover, the Attorney General intends to defend the Act’s constitutionally, meaning the defenses will share questions of law and fact with the main action. *See* Fed. R. Civ. P. 24(b)(1).

The motion for permissive intervention (ECF No. 27) is GRANTED.¹ The Attorney General is added as a Defendant. Consistent with her request, the court relieves the Attorney General of any obligation to respond to the complaint until the court determines it has subject-matter jurisdiction.

SO ORDERED on February 22, 2024.

s/ Allen Winsor

United States District Judge

¹ The Attorney General also argues for intervention as a matter of right. I need not reach that issue because I conclude permissive intervention is appropriate.