

STATE OF MAINE  
CUMBERLAND, ss.

SUPERIOR COURT  
DOCKET NO. AP-2026-010

JANE GILBERT, MARK SAYRE, and  
KAITLIN WEBBER,

Petitioners,

v.

SHENNA BELLOWS, in her official  
capacity as Maine Secretary of State,

Respondent,

PROTECT GIRLS SPORTS IN MAINE, a  
registered Ballot Question Committee,

Proposed Intervenor.

MOTION TO INTERVENE  
PURSUANT TO 21-A M.R.S. § 905  
AND M.R.CIV. P 80C

Protect Girls Sports in Maine (“PGS”), a registered Ballot Question Committee, moves this Court, pursuant to 21-A M.R.S. § 905(2), to intervene in the above-captioned matter. The reasons supporting PGS’s motion are more fully set forth below.

**PROCEDURAL POSTURE**

Petitioners challenge the Secretary of State’s determination that a sufficient number of valid signatures were gathered to place a citizen initiative entitled, “An Act to Designate School Sports Participation and Facilities by Sex.” (“the Initiative”), on the ballot for voters’ consideration at the next general election—November 3, 2026.

PGS is a registered Ballot Question Committee (“BQC”) organized for the purpose of promoting the Initiative, including securing sufficient valid signatures to ensure its placement on the general election ballot. Petitioners, Jane Gilbert, Mark Sayre, and Kaitlin Webber challenge the Secretary’s determination. For the reasons set forth below, PGS moves to intervene in this

matter on the grounds that PGS has a demonstrable, distinct interest in the subject matter of the litigation and that interest is not adequately represented by the other parties. 21-A MRS § 905(2).

## **I. BACKGROUND**

The Initiative arose out of efforts by a grassroots group, “Maine Girl Dads”<sup>1</sup> who advocated for the adoption of policies that would protect the participation of Maine girls in sports and sports-related activities based on their sex as determined at birth. When their efforts were unsuccessful, Maine Girl Dads and others sought to institute these policy changes through citizen initiative.

On or about September 19, 2025, the initial language for the Initiative was submitted to the Maine Secretary of State. On October 2, PGS registered as a Ballot Question Committee. On October 9, the Secretary approved PGS as a BQC. After the Secretary approved the wording of the Initiative, PGS assumed the responsibility for organizing the circulation of petitions to gain sufficient valid signatures to place the Initiative on the ballot for the 2026 general election. These organizing efforts included recruiting volunteers, hiring circulators to obtain the requisite number of valid signatures on petitions, and ensuring the timely submission of the petitions to the Secretary. On February 2, 2026, PGS submitted the petitions it had gathered to the Secretary for the Secretary’s review.

The Secretary’s March 17, 2026 determination that the number of valid signatures PGS had submitted was sufficient for the placement of the Initiative on the general election ballot and was a principal PGS objective from its inception.

## **II. ARGUMENT**

Any voter may challenge the Secretary’s decision as to the sufficiency of petitions submitted in support of a citizen initiative. 21-A M.R.S § 905(2). Section 905(2), also provides

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<sup>1</sup> Maine Girls Dads has not registered as a Ballot Question Committee.

that “[u]pon timely application, anyone may intervene in [an appeal of the Secretary of State’s decision regarding a direct initiative] when the applicant claims an interest relating to the subject matter of the petitions, unless the applicant’s interest is adequately represented by existing parties.”

Based on the allegations in the Petitioners’ Complaint, PGS meets this standard. First, PGS’ motion is timely. The Petitioners’ complaint was filed on March 27. Only five calendar days have passed since it was filed.

Second, PGS has a distinctive interest in this litigation. As has been noted, PGS was principally involved in arranging for the gathering of signatures by circulators, some of whom were paid, some of whom were volunteers. PGS also assisted in arranging for circulators’ oaths to be witnessed and documented by notaries public. PGS expended considerable time and resources to ensure that sufficient numbers of valid signatures were gathered.

Many of the alleged deficiencies in the signature-gathering process or the petitions as completed concern matters of which PGS members and supporters have personal knowledge. PGS is, therefore, uniquely well-situated to defend against the Petitioners’ charges. Moreover, speaking more broadly, PGS is the proponent of the ballot initiative and is fully committed to ensuring that Maine voters have the opportunity to consider the Initiative at the November 3, 2026 general election.

In sum, at all relevant times, PGS was involved and participated in the submission of the initial language of the initiative, and all statutorily proscribed processes to ensure the integrity of the Ballot Initiative process. The PGS worked with its organizers and expended significant time and resources to develop the initiative, submit the application, and gather the requisite number of signatures for submission to the Secretary.

Lastly, as is evident from the foregoing summary, PGS's interest in the Initiative is not adequately represented by the existing parties. The Petitioners oppose PGS's interests. Although the Secretary has an interest in defending the certification process of the Ballot Initiative, the Secretary does not have an interest in seeking the voters' approval of the policy change the Initiative seeks to effect.

PGS has been involved from the outset and has an intimate understanding of the substance of the Initiative itself. Courts have recognized these interests as sufficient to entitle the applicant for direct initiative to intervene in challenges to the Secretary of State's decision. *See e.g., McGee v. Sec'y of State*, 2006 ME 50, ¶ 4, 896 A.2d 933, 936. For the foregoing reasons, PGS respectfully requests this Court allow it to intervene in the above captioned action under the standard set forth in 21-A M.R.S. § 905(2).

### III. CONCLUSION

PGS respectfully requests that the Court allow it to intervene in the above captioned action.

The Secretary, through counsel, have advised that the Secretary takes no position on PGS's motion. Counsel for Petitioners will not yet responded to PGS's inquiry on their position and will advise the Court of their position.

Date: April 1, 2026

Respectfully submitted,

  
/s/ Timothy C. Woodcock

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*Attorneys for Protect Girls' Sports in Maine, a  
Registered Ballot Question Committee*

Upon Consideration: GRANTED / DENIED

Date:

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Justice, Superior Court

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1<sup>st</sup> day of April, 2026, I caused the foregoing document to be served upon all counsel of record via electronic mail.

*/s/Timothy C. Woodcock*\_\_\_\_\_

**NOTICE**

**ANY OPPOSITION TO THIS MOTION MUST BE FILED NOT LATER THAN TWENTY-ONE (21) DAYS AFTER THE FILING OF THIS MOTION UNLESS ANOTHER TIME IS PROVIDED BY RULE 7(B)(1) OF THE MAINE RULES OF CIVIL PROCEDURE OR SET BY THE COURT. FAILURE TO FILE TIMELY OPPOSITION WILL BE DEEMED A WAIVER OF ALL OBJECTIONS TO THIS MOTION, WHICH MAY BE GRANTED WITHOUT FURTHER NOTICE OR HEARING.**