

STATE OF MAINE

SUPREME JUDICIAL COURT
Sitting as the Law Court
Docket No. Cum-23-83

Wayne R. Jortner et al.

v.

Secretary of State

**ORDER ON MOTION TO INTERVENE
AND ESTABLISHING PROCEDURE FOR
ORAL ARGUMENT**

The Maine Affordable Energy Ballot Question Committee has moved to intervene as a party in this appeal or, in the alternative, to present oral argument as an amicus. The Court has not waited for any response to the motion. The Court also takes this opportunity to establish the procedure for oral argument.

It is ORDERED as follows:

1. The Committee's request to intervene as a party is DENIED.
2. The Committee's request to present oral argument as an amicus is GRANTED subject to the terms set forth below.
3. Any person or organization who files an amicus brief may present argument to the Court pursuant to the terms of this order.
4. The oral argument will proceed in the following order with the following times allocated for the parties and amici presenting argument:

- a. The Secretary of State will argue first and will be allotted 15 minutes less any time, up to 3 minutes, that the Secretary of State reserves for rebuttal.
- b. Any amicus who has filed a brief in support of the Secretary of State may argue next. The amici in support of the Secretary of State will be allotted a total of 10 minutes. The amici who wish to argue may split the allotted time among them as they see fit. If the amici cannot agree on how to split the time, the Court will enter an order determining which amici will be permitted to argue and for how long.
- c. Wayne R. Jortner et al. will argue next and will be allotted 15 minutes;
- d. Any amicus who has filed a brief in support of Wayne R. Jortner et al. may argue next. The amici in support of Jortner et al. will be allotted a total of 10 minutes. The amici who wish to argue may split the allotted time among them as they see fit. If the amici cannot agree on how to split the time, the Court will enter an order determining which amici will be permitted to argue and

for how long.

- e. The Secretary of State will then present rebuttal, if she has reserved any time for it.

- 5. Any amicus who files a brief and wishes to argue must confer with counsel for all other amici supporting the same party or parties to determine how the time allotted for amicus arguments will be split. At least one amicus supporting each side must notify the Clerk of the Law Court, on or before **March 29, 2023, at 3:00 p.m.**, of the terms of the amici's agreement to split the argument time or, if there is no agreement, of the names of the amici and counsel who wish to argue.
- 6. To the extent that the Committee's motion requests any other relief, it is DENIED.

Dated: March 15, 2023

For the Court,

/s/ Andrew M. Horton
Associate Justice