

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

MARGARET H. CARR AND FAYE L.
WILLIAMS,

Petitioners,

and

ALACHUA COUNTY, FLORIDA,

Intervenor,

vs.

Case No. 22-3420GM

CITY OF GAINESVILLE, FLORIDA,

Respondent.

_____ /

ORDER GRANTING MOTION TO INTERVENE

This cause having come before the undersigned on Alachua County, Florida's Motion to Intervene filed on November 16, 2022, with its interests aligned with those of Petitioners. Petitioner and Respondent do not object, though Respondent does not consent to additional allegations being raised in the Motion to Intervene. The undersigned, having reviewed the record in this cause, it is,

ORDERED that:

1. Alachua County's Motion to Intervene is granted.
2. The style of this case is amended as reflected above.
3. Intervenor shall be subject to all terms of the Notice of Hearing and Order of Pre-hearing Instructions entered in this case.
4. The rights of the Intervenor are subordinate to the propriety of the main proceeding. *Humana of Fla., Inc. v. Dep't of Health & Rehab. Servs.*, 500 So. 2d 186, 188 (Fla. 1st DCA 1986). Thus, Alachua County must accept the record and pleadings as it finds them and cannot raise new issues, although it may argue the issues raised by Petitioners as they apply to it as a party. *See Env't'l Confed. of Sw. Fla., Inc. v. IMC Phosphates, Inc.*, 857 So. 2d 207, 211 (Fla. 1st DCA 2003); *Nat'l*

Wildlife Fed'n, Inc. v. Glisson, 531 So. 2d 996, 998 (Fla. 1st DCA 1988). Subject thereto, the Motion to Intervene shall stand as Alachua County's pleading.

DONE AND ORDERED this 17th day of November, 2022, in Tallahassee, Leon County, Florida.



E. GARY EARLY
Administrative Law Judge
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