

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

SA'DA and TYJUAN JOHNSON, minors, by)
their parent and next friend FELICIA JOHNSON,)
et al.,)

Plaintiffs,)

vs.)

Case No. 00-1349

BOARD OF EDUCATION OF CHAMPAIGN)
COMMUNITY UNIT SCHOOL)
DISTRICT #4,)

Chief Judge McDade

Defendant.)

**THE NEWS-GAZETTE INC.'S
APPLICATION TO INTERVENE**

The News-Gazette, Inc., through its attorneys, Webber & Thies, P.C., and pursuant to Federal Rule of Civil Procedure 24(b)(2), moves this Court for permission to intervene in the above-captioned lawsuit and in support thereof, states as follows:

1. Federal Rule of Civil Procedure 24(b)(2) permits intervention in an action when an applicant's claim or defense and the main action have a question of law or fact in common.
2. In the instant action, the Court has granted media access to the courtroom for the purpose of filming the public hearing proceedings taking place on September 15, 2009. In the exercise of its discretion, however, the Court has decreed that representatives of The News-Gazette, Inc. shall be prohibited from filming the said public hearing, while television stations have explicitly been granted permission to film those proceedings.
3. The News-Gazette, Inc. seeks to intervene in this action to advocate for uniform public access to the proceedings in this litigation, to the extent that such access has been granted by the court to one form of media but not to all forms.

4. The defendant in this matter is the Champaign Community School District No. 4 Board of Education. As such, the proceedings are of public interest.

5. Having determined that media shall be allowed to film the said public hearing, the interest of the public requires that The News-Gazette, Inc. be included among those members of the media allowed such access.

6. A copy of the pleading The News-Gazette, Inc. intends to file if permitted to intervene – its Motion to Allow the Photographing and Videotaping of Court Proceedings by The News-Gazette, Inc. – is attached hereto as Exhibit A.

7. This Motion is further supported by the memorandum filed simultaneously herewith.

WHEREFORE, The News-Gazette, Inc. respectfully requests that its Application to Intervene be granted and that its Motion to Allow the Photographing and Videotaping of Court Proceedings by The News-Gazette, Inc. be filed instanter.

Respectfully submitted,

THE NEWS-GAZETTE, INC.

BY: WEBBER & THIES, P.C.

BY: s/ David C. Thies

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