

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT  
SUFFOLK COUNTY  
NO. SJ-2026-0071

_____	)
DIANA DIZOGLIO, State Auditor,	)
	)
Plaintiff,	)
	)
v.	)
	)
RONALD MARIANO, Speaker of the	)
House, KAREN E. SPILKA, Senate	)
President, and TIMOTHY CARROLL,	)
House Clerk, MICHAEL D. HURLEY,	)
Senate Clerk,	)
	)
Defendants.	)
_____	)

**ATTORNEY GENERAL’S MOTION TO INTERVENE**

In accordance with Mass. R. Civ. P. 24, Attorney General Andrea Joy Campbell (the “Attorney General”) moves to intervene in this matter as a party defendant. No party opposes this motion.

As set forth more fully below, the Attorney General claims an interest related to the subject matter of this action, inasmuch as she is the Commonwealth’s chief law officer and the instant dispute is among state entities. Intervention here is appropriate and warranted by the applicable rules of procedure.

**Background**

The Proposed Intervenor is the Attorney General of the Commonwealth, designated by statute to “appear for the commonwealth and for state departments, officers and commissions in all suits and other civil proceedings in which the commonwealth is a party or interested, or in which the official acts and doings of said departments, officers and commissions are called in question, in all the courts of the commonwealth.” G.L. c. 12, § 3. That statute further requires

that “[a]ll suits and proceedings shall be prosecuted or defended by [her] or under [her] direction.” *Id.*

This case was filed by one state official – State Auditor Diana DiZoglio – against four other state officials – the Speaker of the House, President of the Senate, and the clerks of the House and Senate – seeking a determination as to the authority of the State Auditor with respect to the Legislature. It is indisputably a suit in which “the official acts or doings of [Commonwealth] departments [and] officers...are called into question.” *Id.*

**I. The Attorney General should be allowed to intervene as a matter of right under Mass. R. Civ. P. 24(a).**

Intervention of right is authorized under Rule 24(a) upon a “timely application ... when the applicant claims an interest relating to the property or transaction which is the subject of the action and [s]he is so situated that the disposition of the action may as a practical matter impair or impede his ability to protect that interest, unless the applicant’s interest is adequately represented by existing parties.” Mass. R. Civ. P. 24(a). The Attorney General meets this test.

First, this motion is timely. The Complaint was entered on the docket on February 10, 2026, and the Attorney General is filing her motion to intervene eight days later. As no responsive pleading has been filed or other action taken by the Single Justice, participation by the Proposed Intervenor will not lead to any delay in presenting the case to the Court.

Second, the Attorney General, as the Commonwealth’s chief law officer, has a direct and unique interest in a proceeding that will address the right and ability of one state entity to sue another, and the respective authority of the State Auditor and Legislature. As the steward of a consistent legal policy for the Commonwealth, the Attorney General is differently situated from the parties and anticipates raising additional arguments from the those the parties likely will raise in this case.

**II. The Attorney General should be permitted to intervene under Mass. R. Civ. P. 24(b).**

The Attorney General also should be permitted to intervene under Rule 24(b), which provides: “Upon timely application anyone may be permitted to intervene in an action ... when an applicant’s claim or defense and the main action have a question of law or fact in common.” Mass. R. Civ. P. 24(b). “In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.” *Id.*

These requirements are easily satisfied here. As described above, the motion is timely. Second, the Attorney General has an interest in ensuring a consistent legal policy for the Commonwealth and in weighing in on the respective powers and obligations of state officials. Finally, given the timing of this motion to intervene, there will be no delay or prejudice to the adjudication of Petitioner’s claims.

**CONCLUSION**

For the foregoing reasons, Attorney General respectfully requests that the Court grant her unopposed motion to intervene as a party defendant.

Respectfully submitted,

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

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Dated: February 19, 2026

**CERTIFICATE OF SERVICE**

I, Anne Sterman, hereby certify that, on February 19, 2026, a true and accurate copy of the foregoing was filed through the eFileMA system and will be sent by email to:

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/s/ Anne Sterman  
Anne Sterman  
Assistant Attorney General