

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

	)	
S.W., by his parents and next friends,	)	
SETH WOLFE and AMANDA WOLFE	)	
	)	
and	)	
	)	
J.S., by his parents and next friends,	)	
JEFFERY SMITH and RENAE SMITH,	)	No. 1:25cv1536 (LMB/WEF)
	)	
Plaintiffs	)	
	)	
AND	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Plaintiff-Intervenor	)	
	)	
v.	)	
	)	
LOUDOUN COUNTY SCHOOL BOARD	)	
	)	
Defendant.	)	
	)	

**UNITED STATES' MOTION TO INTERVENE**

COMES NOW Plaintiff-Intervenor the United States of America (“United States”) and through its undersigned counsel, to file its Motion to Intervene (“Motion”) in the above-captioned matter.

As more fully set forth in its accompanying Memorandum of Law in Support of the Motion, Loudoun County School Board (“School Board”) intentionally discriminated on the basis of religion in violation of the Equal Protection Clause of the Fourteenth Amendment. Given that

Plaintiffs assert an Equal Protection Claim, the United States has a statutory right to intervene in this case under Federal Rule of Civil Procedure 24(a)(1) and Section 902 of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000h-2. Alternatively, the United States meets the requirements for permissive intervention under Rule 24(b). Because Plaintiffs and the United States both allege an Equal Protection claim regarding religious discrimination, the United States' claim shares common questions of law and fact with Plaintiffs' claims. In addition, the United States' Motion is timely, as it is filed before briefing has been completed on Defendant's pending motion to dismiss, which was filed on November 26, 2025. With the litigation at its very early stages, the United States' participation would neither unduly delay the proceedings nor prejudice the existing parties' rights.

For these reasons, the Court should grant the United States' Motion to Intervene.

DATED: December 8, 2025

LINDSEY HALLIGAN  
United States Attorney and  
Special Attorney  
Eastern District of Virginia

Respectfully submitted,

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/s/ Brian L. Repper

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ATTORNEYS FOR PLAINTIFF  
UNITED STATES OF AMERICA

**CERTIFICATE OF SERVICE**

I hereby certify that on December 8, 2025, I filed the foregoing through the Court's CM/ECF electronic filing system, which will transmit a Notice of Electric Filing (NEF) to all counsel of record in the case.

/s/ Brian L. Repper  
BRIAN L. REPPER  
Attorney for the United States