

**THE UNITED STATES VIRGIN ISLANDS  
BOARD OF LAND USE APPEALS**

Virgin Islands Conservation Society, Inc.,	)	
Appellant	)	
	)	Permit No. CZJ-03-14 (W)
v.	)	Permit No. CZJ-03-14 (L)
	)	
St. John Committee of the Virgin Islands	)	BLUA Appeal No. 002/2020
Coastal Zone Management Commission	)	
Appellee	)	
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**Summer's End Group, LLC's Motion to Intervene**

Comes now Summer's End Group, LLC, by and through its counsel, the Law Office of John H. Benham, P.C., and moves the Board of Land Use Appeals ("BLUA") to grant movant intervenor status in these matters. Summer's End Group, LLC is a real party in interest in these matters as it is the project applicant and the recipient of CZM Permit No. CZJ-03-14 (W) and CZJ-03-14 (L).

Pursuant to BLUA regulation 914-17, Petition to Intervene.

Any aggrieved person or applicant may intervene in an appeal by filing a petition with the Board not less than ten (10) days prior to the public hearing.

The Federal Rules of Civil Procedure, Rule 24(a) provides, in relevant part, that intervention should be granted to any party that:

(2) claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect its interest, unless existing parties adequately represent that interest.

Finally, the Virgin Islands Rule of Civil Procedure provide:

**Rule 19. Required Joinder of Parties**

**(a) Persons Required to Be Joined if Feasible.**

(1) Required Party. A person who is subject to service of process and whose joinder will not deprive the court of subject-matter jurisdiction must be joined as a party if:

(A) in that person's absence, the court cannot accord complete relief among existing parties; or

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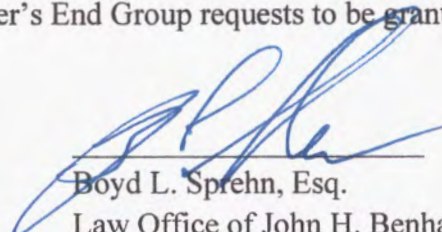
(B) that person claims an interest relating to the subject of the action and is so situated that disposing of the action in the person's absence may:

(i) as a practical matter impair or impede the person's ability to protect the interest; or

(ii) leave an existing party subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations because of the interest.

As the applicant, and the holder of the contested permits, Movant Summer's End Group is an aggrieved party, claims an interest in the property, transaction and permits, may have its ability to protect its interests impaired by an action of this Board, and is amenable to joinder and intervention. For these reasons, Summer's End Group requests to be granted intervenor status in this matter.

Dated: February 14, 2020



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**Certificate of Service**

It is hereby certified that an exact copy of the foregoing Motion to Intervene was served on the following via email and US mail at the below addresses on February 14, 2020:

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