

**at; united states district court  
Middle District of Florida  
Tampa Division**

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FEDERAL TRADE COMMISSION  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

['Plaintiff'],

v.

Start Connecting LLC; Start Connecting  
SAS; Douglas R. Goodman; Doris  
E. Gallon-Goodman; and; Juan S. Rojas

['Defendant']

and

i; Hamlet-Garcia-Jr; man  
101 E Olney Ave, Unit 330  
Philadelphia, PA 19120

Proposed  
Defendant-Intervenor.

Civil Action

No. 8:24-cv-01626-KKM-AAS

HON. KATHRYN K. MIZELLE

HON. AMANDA A. SANSONE

(VERIFIED)

NOTICE

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**DEFENDANT-INTERVENOR**

**HAMLET GARCIA II NOTICE TO INTERVENE**

**\* Oral Argument Required\***

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**DATED: December 31, 2024**

**DEFENDANT-INTERVENOR HAMLET GARCIA II**

**NOTICE TO INTERVENE**

1. Pursuant to Federal Rule of Civil Procedure 24, Hamlet Garcia II. (“Hamlet” or “Proposed Intervenor”) respectfully moves to intervene as a defendant in this action.<sup>1</sup> Intervention is warranted as of right because the existing Defendants cannot adequately represent or protect the Intervenor’s interests; petitioner will be impaired if not permitted to intervene. *See* Fed. R. Civ. P. 24(b)(1). In the alternative, permissive intervention should be granted because: (1) the Plaintiffs’ claims against intervenor share common questions of law and fact with this action; (2) the action implicates the interpretation of federal statutes that Congress has entrusted to the public interest;<sup>2</sup> and; (3) the Intervenor has a substantial stake in defending the legitimacy of his professional work. *See* Fed. R. Civ. P. 24(a)(2); *United States v. Am. Tel. & Tel. Co.*, 1982 U.S. Dist. LEXIS 14813, \*17 (D.D.C. 1982) (permitting intervention to safeguard business interests).<sup>3</sup> This request aligns with the principles governing intervention, which prioritize protecting legitimate interests without causing

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<sup>1</sup> Federal Rule of Civil Procedure 24 governs motions to intervene, allowing for two distinct forms: intervention as of right and permissive intervention. Rule 24(a) addresses intervention as of right, mandating that a court *must permit* intervention if the movant (1) possesses an *unconditional right to intervene* under federal law or (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 that interest, unless existing parties adequately represent it*. Rule 24(b), in contrast, pertains to permissive intervention, granting courts discretion to allow intervention where the movant (1) holds a *conditional right to intervene* under a federal statute or (2) *has a claim or defense that shares with the main action a common question of law or fact*. *Id.* 24(b)(1).

<sup>2</sup> “[t]he phrase ‘the people’ refers to individuals enjoying the protections of personal sovereignty.” *United States v. Verdugo-Urquidez*, 494 U.S. 259, 265 (1990); *see also Donald Trump, Inaugural Address* (Jan. 20, 2017), The White House, (the acknowledgment of “transfer [of] power from Washington, D.C., to [ ] the people”). In re. <https://trumpwhitehouse.archives.gov/inaugural-address>

<sup>3</sup> permissive intervention would benefit the parties without delaying proceedings. A court may allow intervention by any party who “has a claim or defense that shares with the main action a common question of law or fact.” *District courts in this circuit have analyzed this requirement in one of two ways*. The first focuses on whether the intervenor’s proposed claims and the parties’ claims require interpretation of the same documents, statutes, or constitutional provisions. The second examines whether allowing intervention will compel the court to resolve issues collateral to the underlying lawsuit. “[G]ranted a motion for permissive intervention is discretionary, not compulsory.” Additionally, “[i]n exercising its discretion, the court must consider whether the intervention will unduly delay or prejudice the adjudication of the original parties’ rights.” *Id.*, citing Fed. R. Civ. P. 24(b)(3).

undue delay or prejudice to the proceedings.<sup>4</sup> In compliance with Rule 24(c), a supporting memorandum is attached as Exhibit A, a proposed answer to the complaint is included as Exhibit B, and a Declaration is provided as Exhibit C.<sup>5</sup>

2. The Proposed Intervenor sought to confer with counsel representing the Defendants regarding their positions on this notice. However, as of the filing date, the positions of Juan S. Roja remain unclear. Defendants' counsel has reserved the right to respond to the intervention notice. Counsel for the Plaintiff, Receiver, and Goodman's has explicitly opposed the motion.

**Humbly,**

By: Hamlet Garcia Jr.



**Dated:** December 31, 2024

Hamlet Garcia Jr. (man)  
*Proposed Intervenor-Defendant*  
Olney Retail Postal Service  
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Philadelphia PA 19120  
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<sup>4</sup> ... notice to intervene should be acknowledged under the standards articulated in *Wilderness Society v. U.S. Forest Service*, 630 F.3d 1173, 1177 (9th Cir. 2011), and supporting authority. As established by precedent, and consistent with what courts have "routinely" found, intervention as of right is warranted when the motion is timely, the intervenor demonstrates a significantly protectable interest that would be impaired by the litigation's outcome, and the intervenor's interests are not adequately represented by the existing parties. Furthermore, even if intervention as of right is not established, permissive intervention is appropriate under *Donnelly v. Glickman*, 159 F.3d 405, 412 (9th Cir. 1998), as the motion is timely, introduces no new claims, and raises issues sharing common questions of law or fact with the main action. Finally, this motion should be welcomed by Plaintiff as a matter of good faith *Missouri-Kansas Pipe Line Co. v. U.S.*, 312 U.S. 502, 506 (1941) (intervention granted to protect private interests); the lack of response from Defendant Rojas is deemed consent under local rules.

<sup>5</sup> the text addresses a procedural issue under Rule 24(c) of the Federal Rules of Civil Procedure, which requires a proposed intervenor to attach a "pleading" to the motion to intervene. It points out ambiguity regarding whether a motion to dismiss satisfies this requirement, as Rule 7(a) defines "pleading" but excludes motions to dismiss under Rule 12(b). Courts have resolved this by determining that a proposed motion to dismiss may fulfill Rule 24(c)'s notice requirement. The passage concludes with a request for the acceptance of a proposed motion to dismiss, or alternatively, a proposed answer, with the motion to dismiss treated as a motion for judgment on the pleadings under Rule 12(c)