

J. Kevin West (ISB No. 3337)
KWest@parsonsbehle.com
Dylan A. Eaton (ISB No. 7686)
DEaton@parsonsbehle.com
Bryce Jensen, ISB #10324
bjensen@parsonsbehle.com
Parsons, Behle & Latimer
800 W. Main Street, Suite 1300
Boise, Idaho 83702
Telephone: (208) 562-4900
Facsimile: (208) 562-4901
(Counsel for Defendants Corizon Inc., Scott
Eliaison, Murray Young, and Catherine
Whinnery)

LAWRENCE G. WASDEN
ATTORNEY GENERAL
STATE OF IDAHO

Brady J. Hall (ISB No. 7873)
Special Deputy Attorney General
brady@melawfirm.net
Moore Elia Kraft & Hall, LLP
Post Office Box 6756
Boise, Idaho 83707
Telephone: (208) 336-6900
Facsimile: (208) 336-7031
(Counsel for Defendants Idaho Department of
Correction, Henry Atencio, Jeff Zmuda, Al
Ramirez, Howard Keith Yordy, Richard
Craig, and Rona Siegert)

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

ADREE EDMO,

Plaintiff,

v.

IDAHO DEPARTMENT OF
CORRECTION; HENRY ATENCIO, in his
official capacity; JEFF ZMUDA, in his
official capacity; AL RAMIREZ, in his
official capacity; HOWARD KEITH
YORDY; CORIZON, INC.; SCOTT
ELIASON; MURRAY YOUNG; RICHARD
CRAIG; RONA SIEGERT; CATHERINE
WHINNERY; AND DOES 1-15;

Defendants.

CIVIL ACTION FILE

NO. 1:17-cv-151-BLW

**DEFENDANTS' MOTION TO
EXPEDITE BRIEFING SCHEDULE
RELATED TO DEFENDANTS MOTION
TO STAY ORDER REQUIRING
DEFENDANTS PROVIDE ALL PRE-
SURGICAL TREATMENTS AND
RELATED COROLLARY
APPOINTMENTS OR
CONSULTATIONS NECESSARY FOR
GENDER CONFIRMATION SURGERY
[DKT. 225] PENDING APPEAL**

Defendants, Corizon Inc., Scott Eliason, Murray Young, and Catherine Whinnery, by and through their counsel of record, Parsons Behle & Latimer, and the Idaho Department of Correction, Henry Atencio, Jeff Zmuda, Howard Keith Yordy, Al Ramirez, Richard Craig, and Rona Siegert, by and through their counsel of record, Moore Elia Kraft & Hall, LLP, hereby move this Court, pursuant to Idaho Local Civil Rule 6.1, for an order expediting the briefing schedule related to Defendants' Motion to Stay Order Requiring Defendants Provide All Pre-Surgical Treatments and Related Corollary Appointment or Consultations Necessary for Gender Confirmation Surgery [Dkt. 225] Pending Appeal.

The Court may expedite the briefing schedule in this matter for "cause shown." Local Rule 6.1 (Civil). There is good cause in this case to expedite the briefing schedule. Defendants' Motion to Stay requests that the Court stay its injunction (Dkt. 225) pending appeal. Under the terms of the injunction, Defendants are required to, among other things, provide Plaintiff with hair removal treatments, starting by at least November 8, 2019. (Dkt. 225 at 2-3). This starts a process that will culminate in permanent hair removal in the genital area. Consequently, if the Court does not expedite the briefing schedule, Defendants will be forced to carry out the terms of the injunction in the interim without allow time for this Court and potential appellate courts having time to weigh in on the merits of ordering the permanent procedure. Defendants request that the Court set the briefing schedule so that Plaintiff must respond to the Motion to Stay by November 1, 2019. Defendants further respectfully request the Court issue a decision by Monday, November 4, 2019, so Defendants have time to consider and act on any options they may have at that point. In the alternative, Defendants request that the Court temporarily stay the injunction (Dkt. 225) until briefing can be completed on Defendants' Motion to Stay. If the

Court expedites the briefing schedule on the motion to stay the Court's October 24th Order, Defendants voluntarily waive any right to file a reply memorandum.

DATED this 31st day of October, 2019.

PARSONS BEHLE & LATIMER

By: /s/ Dylan A. Eaton

Dylan A. Eaton
Counsel for Defendants Corizon Inc.,
Scott Eliason, Murray Young, and
Catherine Whinnery

DATED this 31st day of October, 2019.

MOORE ELIA KRAFT & HALL, LLP

By: /s/ Brady J. Hall

Brady J. Hall
Counsel for Defendants Idaho Department of
Correction, Henry Atencio, Jeff Zmuda, Al
Ramirez, Howard Keith Yordy, Richard Craig,
and Rona Siegert

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 31st day of October, 2019, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Craig H. Durham
Deborah A. Ferguson
FERGUSON DURHAM, PLLC
chd@fergusondurham.com
daf@fergusondurham.com
(Counsel for Plaintiff)

Amy Whelan
Julie Wilensky
Alexander Chen
National Center for Lesbian Rights
awhelan@nclrights.org
jwilensky@nclrights.org
ACHen@nclrights.org
(Counsel for Plaintiff)

Brady J. Hall
MOORE ELIA KRAFT & HALL, LLP
brady@melawfirm.net
(Counsel for Defendants Idaho Department
of Correction, Henry Atencio, Jeff Zmuda,
Howard Keith Yordy, Al Ramirez, Richard
Craig, and Rona Siegert)

Dan Stormer
Shaleen Shanbhag
HADSSELL STORMER & RENICK, LLP
lrifkin@hadsellstormer.com
dstormer@hadsellstormer.com
sshanbhag@hadsellstormer.com
(Counsel for Plaintiff)

Lori E. Rifkin
RIFKIN LAW OFFICE
lrifkin@rifkinlawoffice.com
(Counsel for Plaintiff)

By: /s/ Dylan A. Eaton
Dylan A. Eaton