

Nos. 19-35017 and 19-35019

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

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ADREE EDMO (a/k/a MASON EDMO),  
Plaintiff-Appellee,

vs.

IDAHO DEPARTMENT OF CORRECTION, et al.,  
Defendants-Appellants.  
*and*  
CORIZON, INC., et al.,  
Defendants-Appellants.

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On Appeal from Orders of the United States District Court  
For the District of Idaho  
Case No. 1:17-cv-00151-BLW

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**PLAINTIFF-APPELLEE'S MOTION TO TRANSFER CONSIDERATION  
OF ATTORNEYS' FEES ON APPEAL TO THE DISTRICT COURT**

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Attorneys for Plaintiff-Appellee, ADREE EDMO

Plaintiff-Appellee respectfully requests, pursuant to Ninth Circuit Rule 39-1.8, that this Court transfer consideration of attorneys' fees on appeal to the United States District Court for the District of Idaho, the district court from which this appeal was taken.

Ninth Circuit Rule 39-1.8 provides; “[a]ny party who is or may be eligible for attorneys fees on appeal to this Court may, within the time permitted in Circuit Rule 39-1.6, file a motion to transfer consideration of attorneys fees on appeal to the district court...from which the appeal was taken.” If a “timely petition for rehearing has been filed,” Circuit Rule 39-1.6 provides that a request for attorneys fees “shall be filed no later than 14 days after the Court’s disposition of the petition.” Defendants-Appellants filed a petition seeking rehearing en banc, which this Court denied on February 10, 2020. Because a timely petition for attorney fees is due on or before February 24, 2020, this request for transfer is timely.

Counsel for Plaintiff-Appellee contacted counsel for Defendants-Appellants regarding this motion, but they did not provide their position on this request.

If this Court is not inclined to grant this motion, Plaintiff-Appellee respectfully requests that the Court extend her time to file a motion for attorneys' fees and costs incurred on appeal until March 24, 2020.

Accordingly, Plaintiff-Appellee respectfully requests that this Court transfer consideration of attorneys' fees on appeal to the United States District Court for the

District of Idaho, the district court from which the appeal was taken. If this Court declines to grant the request for transfer, Plaintiff-Appellee requests that the Court extend the time to file a motion for attorneys' fees and costs incurred on appeal until March 24, 2020.

DATED: February 13, 2020

Respectfully submitted,  
NATIONAL CENTER FOR  
LESBIAN RIGHTS  
FERGUSON DURHAM  
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By: s/ Amy Whelan  
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