

LAWRENCE G. WASDEN  
ATTORNEY GENERAL

STEVEN L. OLSEN, ISB #3586  
Chief, Civil Litigation Division

W. SCOTT ZANZIG, ISB #9361  
DAYTON P. REED, ISB #10775  
Deputy Attorneys General  
954 W Jefferson, 2nd Floor  
P. O. Box 83720  
Boise, ID 83720-0010  
Telephone: (208) 334-2400  
Facsimile: (208) 854-8073  
[steven.olsen@ag.idaho.gov](mailto:steven.olsen@ag.idaho.gov)  
[scott.zanzig@ag.idaho.gov](mailto:scott.zanzig@ag.idaho.gov)  
[dayton.reed@ag.idaho.gov](mailto:dayton.reed@ag.idaho.gov)

Attorneys for Governor of the State of Idaho Bradley Little; Sherri Ybarra; the Individual Members of the State Board of Education; Boise State University; Marlene Tromp; and the Individual Members of the Idaho Code Commission

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO**

LINDSAY HECOX, *et al.*,

Plaintiffs,

v.

BRADLEY LITTLE, in his official  
capacity as Governor of the State of Idaho;  
*et al.*,

Defendants.

Case No. 1:20-cv-00184-CWD

**STIPULATED MOTION RE:  
BRIEFING SCHEDULE ON  
MOTIONS**

The parties, by and through their counsel of record, hereby stipulate and agree as follows:

1. Plaintiffs have filed a Motion for a Preliminary Injunction (Dkt. 22). Plaintiffs' motion seeks an order prohibiting Defendants from implementing a newly enacted law, House Bill 500a. Plaintiffs desire to have the motion decided before August 10, 2020. The Court has set a hearing on Plaintiffs' preliminary injunction motion for July 22, 2020.

2. In support of their preliminary injunction motion, with the Court's leave (Dkt. 19) Plaintiffs filed an overlength brief (Dkt. 22-1), and they also filed nine declarations, including five expert declarations (Dkts. 22-2 through 22-10).

3. Due to the issues raised and the volume of materials Plaintiffs have filed, Defendants believe they need an additional two weeks beyond the standard 21 days to respond to Plaintiffs' preliminary injunction motion. In light of this, Plaintiffs believe they need an additional week beyond the standard 14 days to prepare and file their reply brief.

4. In addition to responding to the preliminary injunction, Defendants intend to file a motion to dismiss in response to Plaintiffs' Complaint for Declaratory and Injunctive Relief (Dkt. 1). Defendants' response to the Complaint is currently due June 15, 2020.

5. In order to ensure that the Court has adequate time to consider the issues raised in Plaintiffs' preliminary injunction motion and Defendants' motion to dismiss in connection with the July 22 hearing, the parties have agreed on a briefing schedule for both motions as follows:

- a. Defendants shall file their motion to dismiss on or before June 1, 2020.
- b. Plaintiffs shall file their response to Defendants' motion to dismiss on or before June 22, 2020.
- c. Defendants shall file their reply in support of their motion to dismiss on or before July 6, 2020.
- d. Defendants shall file their response to Plaintiffs' preliminary injunction motion on or before June 4, 2020.
- e. Plaintiffs shall file their reply in support of their preliminary injunction motion on or before June 25, 2020.

6. Pursuant to Local Civil Rule 6.1, the parties request that the Court approve this stipulated briefing schedule.

DATED: May 15, 2020.

DATED: May 15, 2020.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

AMERICAN CIVIL LIBERTIES UNION OF  
IDAHO FOUNDATION

By: /s/ Steven L. Olsen  
STEVEN L. OLSEN  
Deputy Attorney General  
Counsel for Defendants

By: /s/ Ritchie A. Eppink  
RITCHIE A. EPPINK  
Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on May 15, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following persons:

Richard Eppink  
AMERICAN CIVIL LIBERTIES UNION  
OF IDAHO FOUNDATION  
P.O. Box 1897  
Boise, ID 83701  
[REppink@acluidaho.org](mailto:REppink@acluidaho.org)

Elizabeth Prelogar  
COOLEY LLP  
1299 Pennsylvania Ave., NW  
Suite 700  
Washington D.C. 20004-2400  
[eprelogar@cooley.com](mailto:eprelogar@cooley.com)

Gabriel Arkles  
Jame Esseks  
Chase Strangio  
AMERICAN CIVIL LIBERTIES FOUNDATION  
125 Broad St.  
New York, NY 10004  
[garkles@aclu.org](mailto:garkles@aclu.org)  
[jesseks@aclu.org](mailto:jesseks@aclu.org)  
[cstrangio@aclu.org](mailto:cstrangio@aclu.org)

Andrew Barr  
COOLEY LLP  
380 Interlocken Crescent, Ste. 900  
Broomfield, CO 80021-8023  
[abarr@cooley.com](mailto:abarr@cooley.com)

Catherine West  
LEGAL VOICE  
907 Pine Street, Unit 500  
Seattle, WA 98101  
[cwest@legalvoice.org](mailto:cwest@legalvoice.org)

Kathleen Hartnett  
COOLEY LLP  
101 California Street, 5<sup>th</sup> Floor  
San Francisco, CA 94111-5800  
[khartnett@cooley.com](mailto:khartnett@cooley.com)

*/s/ Steven L. Olsen*  
\_\_\_\_\_  
STEVEN L. OLSEN