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

LINDSAY HECOX, et al.,

Plaintiffs,

v.

BRADLEY LITTLE, et al.,

Defendants.

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

**OPPOSITION TO MOTION FOR
LEAVE TO FILE CONDITIONAL
RESPONSE, FILED 6/4/20 (Dkt. 42)**

Plaintiffs will file their opposition to the Motion to Intervene (Dkt. 30) this coming Tuesday, June 9, 2020, per the Court's docket entry order setting deadlines on that motion (Dkt. 39). For the reasons Plaintiffs will set out in that opposition, the Court should deny intervention and, therefore, deny leave to file the proposed conditional brief.

But the Court should also deny leave to file a conditional brief because it would substantially disrupt the agreed upon and Court-ordered preliminary injunction briefing schedule. Plaintiffs filed their motion for a preliminary injunction (Dkt. 22) well over a month ago, at the end of April. The parties agreed on a briefing schedule for that motion that allowed until yesterday for response. (Dkt. 27.) The Court adopted and ordered that schedule (Dkt. 28), and set a hearing on the motion for July 22, 2020 (Dkt. 29). Yet despite filing a Motion to Intervene (Dkt. 30) after those deadlines were set, the proposed intervenors waited until the day that a response to the preliminary injunction motion was due to ask for leave to file a conditional opposition (Dkt. 42). Any late-filed response at this point, conditional or otherwise, will unfairly burden the Court and the parties as they address the already pending motions and briefing and prepare for the July hearing.

For this reason, as well, the Court should DENY the motion for leave.

Dated: June 5, 2020

Respectfully submitted,

/s/ Richard Eppink
Richard Eppink

Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 5th day of June, 2020, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means:

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DATED this 5th day of June, 2020

/s/ Richard Eppink
