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

F.V. and DANI MARTIN,

Plaintiffs,

v.

DAVID JEPPESEN, in his official capacity as
Director of the Idaho Department of Health and
Welfare; ELKE SHAW-TULLOCH, in her official
capacity as Administrator of the Division of Public
Health for the Idaho Department of Health and
Welfare; and JAMES AYDELOTTE, in his
official capacity as State Registrar and Chief of the
Bureau of Vital Records and Health Statistics,

Defendants.

No. 1:17-cv-00170-CWD

**PLAINTIFFS AND DEFENDANTS'
STIPULATION TO EXTEND TIME
FOR ANY BILL OF COSTS AND
MOTION FOR ATTORNEYS' FEES**

On December 9, 2020, Plaintiffs and Defendants stipulated and agreed that no party is required to file a motion for attorneys' fees or bill of costs based on activity after this Court's entry of final judgment any earlier than June 30, 2021. In its December 9, 2020 order, this Court approved that stipulation and noted that the parties could request a further extension of time. Dkt. 77 at 2.

The parties have conferred and respectfully request a three-month extension of time for any motion for attorneys' fees or bill of costs based on activity after this Court's entry of final judgment. Although there is no rule that specifies when such a motion or bill would need to be filed with respect to post-judgment activity, the parties have stipulated regarding the timing of any potential deadline for avoidance of doubt. Undersigned counsel for Plaintiffs also recently transitioned firms, and counsel's continued participation in this matter required additional approval, which was recently obtained. In light of these circumstances, and to provide the parties with time to consider their options including whether motion practice will be necessary, Plaintiffs F.V. and Dani Martin and Defendants David Jeppesen, Elke Shaw-Tulloch, and James Aydelotte hereby stipulate and agree as follows:

Idaho Local Rules of Civil Procedure 54.1 and 54.2 provide that a bill of costs or a motion for attorney fees must be filed and served within fourteen days of "entry of judgment." To the extent that any deadline applies to seeking attorneys' fees and costs based on activity after this Court's entry of final judgment on April 20, 2018, no party is required to file a motion for attorneys' fees or bill of costs any earlier than September 30, 2021, or 60 days after the completion of any litigation relating to HB 509, whichever is later.

The parties are not stipulating as to whether either side is entitled to attorneys' fees and

costs based on events or activities after the Court's entry of final judgment on April 20, 2018.

DATED: June 22, 2021

By: /s/ Colleen Smith

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 22nd day of June, 2021, 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:

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