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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

LINDSAY HECOX, and JANE DOE with
her next friends JEAN DOE and JOHN
DOE,

Plaintiffs,

v.

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

Defendants,

and

MADISON KENYON, et al.,

Intervenors.

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

STATUS REPORT

On June 24, 2021, the Ninth Circuit remanded Defendants' and Intervenors' appeal of the preliminary injunction in this case so that this Court could determine whether the case is moot. Since then, the parties have been diligently working to complete a set of stipulated facts to aid the Court in resolving the mootness issue.

On September 14, 2021, Defendants asked Plaintiffs to produce documentation to verify certain representations in the draft stipulated facts. The parties conferred via email about the documentation, as well as about the content of the stipulated facts. On Friday, October 1, 2021, Defendants advised Plaintiffs that they would be close to finalizing the stipulation upon receipt and review of documentation that adequately supports certain representations in the draft stipulated facts and asked that Plaintiffs share the documents they believe support the draft stipulated facts. On Tuesday, October 5, 2021, Plaintiffs advised that the documents were ready for production but that they could not be produced until a protective order was in place.

The parties are currently negotiating the terms of a stipulated protective order and will submit it to the Court today, October 8, 2021. The parties agree to be bound to the terms of the stipulated protective order until the Court issues an order, at which point the Court's order will control the parties' treatment of the documents. Plaintiffs agree to produce the documents to Defendants and Intervenors' counsel as soon as the stipulated protective order is submitted to the Court.

If Plaintiffs produce the requested documentation by October 8, 2021, then the parties propose the following schedule for the Court's consideration:

- October 15, 2021: the parties will file the stipulated facts
- November 5, 2021: the parties will file simultaneous, 20-page opening briefs addressing the Ninth Circuit's June 24, 2021 order

- December 3, 2021: the parties will fill simultaneous, 10-page response briefs addressing the Ninth Circuit's June 24, 2021 order

Dated: October 8, 2021

/s/ Richard Eppink (with permission)

Richard Eppink
Counsel for Plaintiffs

/s/ Cory Carone

Cory Carone
Counsel for Defendants

/s/ Roger Brooks (with permission)

Roger Brooks
Counsel for Intervenors

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 8, 2021, 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:

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