

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

SEP 1 2022

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

LINDSAY HECOX; JANE DOE, with her  
next friends Jean Doe and John Doe,

Plaintiffs-Appellees,

v.

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

Defendants-Appellants,

and

MADISON KENYON; MARY  
MARSHALL,

Intervenors.

No. 20-35813

D.C. No. 1:20-cv-00184-DCN  
District of Idaho,  
Boise

ORDER

LINDSAY HECOX; JANE DOE, with her  
next friends Jean Doe and John Doe,

Plaintiffs-Appellees,

v.

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

Defendants,

and

MADISON KENYON; MARY

No. 20-35815

D.C. No. 1:20-cv-00184-DCN

MARSHALL,

Intervenors-Appellants.

Before: KLEINFELD, WARDLAW, and GOULD, Circuit Judges.

Intervenors-Appellants' unopposed motion for a seven-day extension of time to file supplemental briefing (Dkt. 155) on the issue of mootness is **GRANTED**.

The parties are also directed to file supplemental briefing on the issue of standing, as "Article III demands that an actual controversy persist throughout all stages of litigation." *West Virginia v. Env't Prot. Agency*, 142 S. Ct. 2587, 2606 (2022) (quoting *Hollingsworth v. Perry*, 570 U.S. 693, 705 (2013)). Parties should address: (1) Hecox's injury-in-fact, if she cannot meet NCAA eligibility requirements and did not try out for or make the Boise State University women's cross-country team, *see* Intervenors-Appellants Mot. for a Seven-Day Extension of Time at 2; and (2) the "causal connection between [her] injury" and the Idaho Fairness in Women's Sports Act. *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560 (1992).

The briefing schedule shall proceed as follows:

- (1) By September 9, 2022, Intervenors-Appellants shall submit supplemental briefing addressing both standing and mootness of no more than 25 pages in length.
- (2) By September 23, 2022, Plaintiffs-Appellees shall submit a reply brief

of no more than 25 pages in length.

**IT IS SO ORDERED.**