

APPEAL NOS. 23-35440, 23-35450
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

STATE OF IDAHO,

Defendant-Appellant,

v.

MIKE MOYLE, Speaker of the Idaho House of Representatives; CHUCK WINDER,
President Pro Tempore of the Idaho Senate; THE SIXTY-SEVENTH IDAHO
LEGISLATURE,

Movants-Appellants.

On Appeal from the United States District Court
for the District of Idaho
Case No. 1:22-cv-00329-BLW

STIPULATION OF DISMISSAL OF APPEALS

JAMES A. CAMPBELL
JOHN J. BURSCH
ERIN M. HAWLEY
LINCOLN DAVIS WILSON
ALLIANCE DEFENDING FREEDOM
440 First Street, NW, Suite 600
Washington, DC 20001
(202) 393-8690
jcampbell@ADFlegal.org
jbursch@ADFlegal.org
ehawley@ADFlegal.org
lwilson@ADFlegal.org

RAÚL R. LABRADOR
ATTORNEY GENERAL
ALAN M. HURST
SOLICITOR GENERAL
700 W Jefferson St #210
Boise, ID 83720
(208) 332-3548
alan.hurst@ag.idaho.gov

Counsel for Appellant State of Idaho

Under Federal Rule of Appellate Procedure 42(b)(1), Appellants, the State of Idaho and the Idaho Legislature,¹ and Appellee, the United States of America, stipulate to the dismissal of these appeals, Nos. 23-35440 and 23-35450,² with each party to bear their own attorney fees and costs. *See* Fed. R. App. P. 42(b)(1) (“The circuit clerk must dismiss a docketed appeal if the parties file a signed dismissal agreement specifying how costs are to be paid and pay any court fees that are due.”). This Stipulation follows from the parties’ Stipulation of Dismissal that was filed in the district court action. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii).

¹ The Speaker of the Idaho House of Representatives, Mike Moyle; the Idaho Senate President Pro Tempore, Kelly Anthon; and the Sixty-Eighth Idaho Legislature (collectively, the “Idaho Legislature”).

² In No. 23-35440, the State of Idaho is the Appellant, and the United States of America is the Appellee. In No. 23-35450, the Idaho Legislature is the Appellant, and the United States of America is the Appellee. The Court previously consolidated these appeals.

Respectfully submitted,

Dated: March 5, 2025

By:

ERIC D. MCARTHUR

Deputy Assistant Attorney General

MICHAEL S. RAAB

s/ Cynthia A. Barmore

CYNTHIA A. BARMORE

Attorneys, Appellate Staff

Civil Division, Room 7541

U.S. Department of Justice

950 Pennsylvania Avenue NW

Washington, DC 20530

(202) 305-1754

Cynthia.A.Barmore@usdoj.gov

Counsel for Appellee United States of America

By: */s/ Alan M. Hurst*

RAÚL R. LABRADOR

ATTORNEY GENERAL

ALAN M. HURST

SOLICITOR GENERAL

700 W Jefferson St #210

Boise, ID 83720

(208) 332-3548

alan.hurst@ag.idaho.gov

Counsel for Appellant State of Idaho

By: */s/ Taylor A.R. Meehan*

TAYLOR A.R. MEEHAN

CONSOVOY MCCARTHY PLLC

1600 Wilson Blvd., Ste. 700

Arlington, VA 22209

(703)243-9423

taylor@consovoymccarthy.com

Counsel for Appellant Idaho Legislature

CERTIFICATE OF SERVICE

I hereby certify that on March 5, 2025, I electronically filed the foregoing Stipulation of Dismissal of Appeals with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the CM/ECF system, which will accomplish service on counsel for all parties through the Court's electronic filing system.

/s/ Alan M. Hurst

Alan M. Hurst

Attorney for Appellant State of Idaho

March 5, 2025