

Nos. 23-35440, 23-35450

IN THE 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, Proposed Intervenor-Defendants,

Movants-Appellants.

On Appeal from the United States District Court
for the District of Idaho

UNITED STATES'S SUPPLEMENTAL EXCERPTS OF RECORD

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UNITED STATES OF AMERICA,

Plaintiff,

v.

THE STATE OF IDAHO,

Defendant,

and

SCOTT BEDKE, in his official capacity as
Speaker of the House of Representatives of
the State of Idaho; CHUCK WINDER, in
his capacity as President Pro Tempore of
the Idaho State Senate; and the SIXTY-
SIXTH IDAHO LEGISLATURE,

Intervenor-Defendants.

Case No. 1:22-cv-329

STATE OF IDAHO'S ANSWER

Defendant State of Idaho hereby answers and responds to the Complaint filed on August 2, 2022 (Dkt. 1), as follows:

STATE OF IDAHO'S ANSWER - 1

SER-3

I. GENERAL RESPONSE

Unless specifically admitted herein, the State denies each and every allegation, claim, and request for relief in the Complaint.

II. SPECIFIC RESPONSES

In response to the specific allegations, claims, and requests for relief contained in the specific paragraphs in the Complaint, the State responds as follows:¹

A. Preliminary Statement

1. Paragraph 1 contains a legal narrative and arguments that do not require a response. To the extent that a response is required, Plaintiff appears to summarize the provisions of Emergency Medical Treatment and Labor Act (EMTALA), 42 U.S.C. § 1395dd, which speak for themselves.

2. Paragraph 2 contains a legal narrative and arguments that do not require a response. Again, the provisions of EMTALA speak for themselves. The State lacks information to admit or deny when or whether a medical provider would conclude that an abortion is necessary stabilizing medical care as defined by EMTALA to treat an emergency medical condition as defined by EMTALA. The State further lacks knowledge as to whether a medical provider would conclude that an abortion could be necessary stabilizing medical care for any of the specific medical conditions identified by Plaintiff in this paragraph.

3. Paragraph 3 contains a legal narrative and arguments that do not require a response. To the extent a response is required, the provisions of Idaho Code § 18-622, including the affirmative defenses, speak for themselves. The State admits only that Idaho Code § 18-622 took effect on August 25, 2022, and that the State was enjoined by the preliminary injunction issued on August 24, 2022, from enforcing Idaho Code § 18-622 in the circumstances outlined in the order, issued as Document No. 95.

¹ The State utilizes the headings from the Complaint for ease of reference; such use does not reflect the State's concurrence in those headings.

4. Paragraph 4 contains a legal narrative and arguments that do not require a response. To the extent a response is required, the provisions of Idaho Code § 18-622, including the affirmative defenses, speak for themselves. The State admits only that Idaho Code § 18-622 can be enforced by criminal prosecution. The State lacks knowledge to admit or deny what decisions medical providers might make in response to Idaho Code § 18-622.

5. Paragraph 5 contains a legal narrative and arguments that do not require a response. To the extent a response is required, the cited provision of EMTALA speaks for itself. The State lacks knowledge as to what decisions medical providers might make in response to Idaho Code § 18-622. The State denies that Idaho Code § 18-622 is in direct conflict with EMTALA. The State further denies that Idaho Code § 18-622 is preempted by EMTALA under the Supremacy Clause of the United States Constitution.

6. In response to Paragraph 6, the State denies that Plaintiff are entitled to the relief sought. The State further denies that Idaho Code § 18-622 is invalid and denies that the statute directly conflicts with and is preempted by EMTALA.

B. Jurisdiction and Venue

7. In response to Paragraph 7, the State denies that this Court has jurisdiction over this matter.

8. In response to Paragraphs 8 and 9, if and only if the Court has subject matter jurisdiction in this case, which the State denies, the State admits that venue would be proper in this district and division. The State denies that it has a legal residence. The State admits that the “seat of government” is “at Boise City, in the county of Ada.” Idaho Code § 67-101. *See also* Idaho Const. art. X, sec. 2.

C. Parties

9. In response to Paragraph 10, the State admits.

10. In response to Paragraph 11, the State admits that it is a State of the United States. As such, it is a distinct legal entity, and therefore the State denies that any of its officers, employees, and agents, are parties to this action.

D. Supremacy of Federal Law

11. In response to paragraph 12, the State admits only that article IV, clause 2 of the United States Constitution speaks for itself. This paragraph contains a legal narrative to which no response is required.

12. In response to paragraph 13, the State admits only that the quoted cases speak for themselves. This paragraph contains a legal narrative to which no response is required.

13. In response to paragraph 14, the State admits only that 42 U.S.C. § 1395, et seq., speaks for itself.

14. In response to paragraph 15, the State admits only that medical providers can voluntarily choose to participate in Medicare. The provisions of 42 U.S.C. § 1395cc speak for themselves.

15. In response to paragraphs 16 and 17, the State admits only that the provisions of 42 U.S.C. § 1395dd speak for themselves.

16. In response to paragraph 18, the State admits only that the provisions of 42 U.S.C. § 1395dd and 42 C.F.R. § 489.24(a) speak for themselves.

17. In response to paragraph 19, the State admits only that the provisions of 42 U.S.C. § 1395dd(e)(1) speak for themselves and that Congress enacted the provisions of EMTALA.

18. In response to paragraph 20, the State admits only that the quoted provisions of 42 U.S.C. § 1395dd and 42 C.F.R. § 489.24 speak for themselves.

19. In response to paragraph 21 and 22, the State admits only that the quoted provisions of 42 U.S.C. § 1395 dd speak for themselves.

20. Paragraph 23 contains a legal narrative and argument to which no response is required. To the extent a response is required, the provisions of EMTALA speak for themselves.

21. In response to paragraph 24, the State lacks knowledge as to what the necessary stabilizing treatment is for the identified pregnancy-related emergency medical conditions, or whether such conditions would be considered emergency medical conditions for a particular pregnant woman. With regard to the identified guidance issued by the Centers for Medicare &

Medicaid Services, the identified guidance speaks for itself. Such guidance was also enjoined by a federal district court in *Texas v. Becerra*, No. 5:22-cv-185-H (N.D. Tex. Aug. 23, 2022), with respect to Texas abortion laws. The State denies that EMTALA requires a hospital to provide an abortion in violation of Idaho Code § 18-622. In response to footnote 1, the State lacks knowledge as to the opinions of the unidentified medical experts. As to whether the termination of an ectopic pregnancy is an abortion under Idaho Code § 18-604(1), the statute speaks for itself.

22. In response to paragraph 25, the State admits only that 42 U.S.C. § 1395dd(f) speaks for itself.

E. Idaho's Abortion Law

23. In response to paragraph 26, the State admits only that Idaho Code § 18-622 was enacted in 2020 and took effect on August 25, 2022, 30 days after the issuance of the judgment in *Dobbs v. Jackson Women's Health Organization*, 142 S. Ct. 2228 (2022). By way of further answer, the State was enjoined by the preliminary injunction issued on August 24, 2022, from enforcing Idaho Code § 18-622 in the circumstances outlined in the order, issued as Document No. 95. Idaho Code § 18-622(1) speaks for itself.

24. In response to paragraphs 27 and 28, the State admits only that Idaho Code § 18-622 speaks for itself.

25. In response to paragraph 29, the State admits only that Idaho Code § 18-604(1) speaks for itself.

26. Paragraph 30 contains legal argument and therefore requires no response. To the extent a response is required, the State admits only that Idaho Code § 18-622 speaks for itself. The State denies that the mere performance of an abortion would necessarily subject a provider to criminal prosecution and require the provider to raise an affirmative defense at trial.

27. Paragraph 31 contains legal argument and therefore requires no response. To the extent a response is required, the State admits only that Idaho Code § 18-622 speaks for itself and that Idaho Code § 18-622's exceptions are phrased as affirmative defenses. The State denies the remainder of the allegations in the paragraph.

28. In response to paragraph 32, the State admits only that Idaho Code § 18-622 speaks for itself. The State denies that Idaho Code § 18-622 necessarily requires all accused physicians to prove anything to a jury.

29. In response to paragraph 33, the State admits only that the affirmative defenses contained in Idaho Code § 18-622 to prosecution and licensing discipline are stated at Idaho Code § 18-622(3). Idaho Code § 18-622(3) speaks for itself.

30. In response to paragraph 34, the State admits only that Idaho Code § 18-622(3) speaks for itself.

F. Idaho's Abortion Law Conflicts With EMTALA

31. In response to paragraph 35, the State admits that, upon information and belief, there are currently 51 hospitals in the State that have voluntarily chosen to enter into Medicare provider agreements. The State further admits that, upon information and belief, 42 of those hospitals have emergency departments as defined by EMTALA.

32. In response to paragraph 36, the State denies.

33. The allegations in paragraph 37 are legal argument and no response is required. To the extent a response is required, the State admits only that Idaho Code § 18-622 and 42 U.S.C. § 1395dd speak for themselves. The State denies the remaining allegations in paragraph 37.

34. The allegations in paragraph 38 are legal argument and no response is required. To the extent a response is required, the State lacks knowledge as to what physicians will do in response to Idaho Code § 18-622. The State answers further that Idaho Code § 18-622, 42 U.S.C. § 1395dd, and the quoted case referenced in this paragraph speak for themselves. The State denies the remaining allegations.

G. Idaho's Abortion Law Causes Injury to Federal Interests

35. In response to paragraph 39, the State admits only that Idaho Code § 18-622 became effective on August 25, 2022, and that the State was enjoined by the preliminary injunction issued on August 24, 2022, from enforcing Idaho Code § 18-622 in the circumstances outlined in the order, issued as Document No. 95.

36. In response to paragraph 40, the State only admits that the Governor of Idaho released the press release available at the web address contained in footnote 2 of the Complaint following the release of the Supreme Court's decision in Dobbs. The press release speaks for itself.

37. In response to paragraph 41, the State admits only that on Friday, July 29, 2022, Brian M. Boynton, Principal Deputy Assistant Attorney General transmitted a letter via email to Governor Brad Little and Attorney General Lawrence Wasden providing notice of the United States' intent to initiate litigation over Idaho Code § 18-622. The letter speaks for itself. The State further admits that the United States filed suit four days later, on Tuesday, August 2, 2022 before the State of Idaho could substantively respond to the letter.

38. In response to paragraph 42, the State admits only that Idaho Code § 18-622 became effective on August 25, 2022, and that the State was enjoined by the preliminary injunction issued on August 24, 2022, from enforcing Idaho Code § 18-622 in the circumstances outlined in the order, issued as Document No. 95. Idaho Code § 18-622 speaks for itself. The State denies the remaining allegations.

39. In response to paragraph 43, the State admits only that the cited case speaks for itself. The State denies the remaining allegations.

40. The allegations in paragraph 44 are legal and factual argument and no response is required. To the extent a response is required, the State denies the allegations.

41. The allegations in paragraph 45 are legal and factual argument and no response is required. To the extent a response is required, the State lacks knowledge as to the posture in which pregnant patients present at hospital emergency departments and the treatment or stabilizing treatment that each patient requires. The State further lacks knowledge as to what decisions physicians may make in response to Idaho Code § 18-622. The State therefore denies both allegations. The State denies the remaining allegations in the paragraph.

42. The allegations in paragraph 46 are legal and factual argument and no response is required. To the extent a response is required, the State admits only that Idaho Code § 18-622

speaks for itself and that the exceptions contained in Idaho Code § 18-622 are phrased as affirmative defenses. The State denies the remaining allegations.

43. With the exception of admitting only that 42 U.S.C. § 1395dd speaks for itself, the State denies the allegations in paragraph 47.

44. With the exception of admitting only that 42 U.S.C. § 1395dd speaks for itself, the State denies the allegations in paragraph 48.

45. In response to paragraph 49, the State lacks knowledge sufficient to admit or deny the monies that HHS paid for emergency department care in Idaho hospitals enrolled in Medicare. The State admits only that 42 U.S.C. § 1395cc speaks for itself. The State denies the remaining allegations in paragraph 49.

46. The State denies the allegations in paragraph 50.

47. With the exception of stating that CMS Form 1561 speaks for itself, the State denies the allegations in paragraph 51. Upon information and belief, the State admits that CMS Form 1561 is available at the web address stated in footnote 3.

48. In response to the allegations in paragraph 52, the State admits only that, upon information and belief, there are currently 51 hospitals in the State that have voluntarily chosen to enter into Medicare provider agreements. The State further admits that, upon information and belief, 42 of those hospitals have emergency departments as defined by EMTALA. The State denies the remaining allegations in this paragraph

49. In response to the allegations in paragraph 53, the State admits that it would not automatically be a party to a federal enforcement action brought against a hospital in Idaho. The State denies the remaining allegations.

50. In response to the allegations in paragraph 54, the State admits only that Idaho Code § 18-622 speaks for itself. The State lacks knowledge to admit or deny what a pregnant person who arrives at an emergency department with an emergency condition would encounter, and therefore denies that allegation. The State denies the remaining allegations.

H. Claim for Relief

51. In response to the allegations in paragraph 55, the State incorporates paragraphs 1 through 50 of its Answer as if fully set forth herein.

52. In response to paragraph 56, the State admits only that article IV, clause 2 of the United States Constitution speaks for itself.

53. In response to paragraph 57, the State admits only that 42 U.S.C. § 1395dd(f) speaks for itself. The State denies that Idaho Code § 18-622 violates the Supremacy Clause and is preempted to the extent contrary to EMTALA. The State denies that Idaho Code § 18-622 is contrary to EMTALA.

54. The State denies the allegations contained in paragraph 58.

55. The State denies the allegations contained in paragraph 59.

I. Prayer for Relief

56. In response to Plaintiff's prayer for relief, the State denies that the Plaintiff is entitled to the relief requested in paragraphs (a) to (f) of the prayer for relief on page 16 of the Complaint.

III. AFFIRMATIVE DEFENSES

FIRST DEFENSE

The Complaint fails to state a claim upon which relief may be granted.

SECOND DEFENSE

The United States does not have standing to assert claims for relief in this matter.

THIRD DEFENSE

The State of Idaho is not a proper defendant to this suit.

FOURTH DEFENSE

EMTALA, as construed by the Plaintiff in this matter, is an unconstitutional enactment by Congress.

FIFTH DEFENSE

EMTALA, as construed by the Plaintiff in this matter, violates the Tenth Amendment of the United States Constitution.

SIXTH DEFENSE

The United States does not have a cause of action on which to proceed and this action cannot be heard in equity because Congress has enacted a comprehensive remedial scheme for violations of EMTALA.

SEVENTH DEFENSE

EMTALA, as construed by the Plaintiff in this matter, violates the anti-commandeering doctrine.

EIGHTH DEFENSE

There is no direct conflict between EMTALA and Idaho Code § 18-622 and therefore Idaho Code § 18-622 does not violate the Supremacy Clause and is not preempted by EMTALA.

NINTH DEFENSE

There can be no direct conflict between EMTALA and Idaho Code § 18-622 because EMTALA's obligations are triggered by the voluntary choices of third parties to participate in Medicare.

TENTH DEFENSE

EMTALA, as construed by the Plaintiff in this matter, is an impermissible coercive spending scheme that exceeds the scope of the Spending Clause of the United States Constitution.

RESPECTFULLY SUBMITTED this 23rd day of September, 2022.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: /s/ Brian V. Church
BRIAN V. CHURCH
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of September, 2022, 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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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

THE STATE OF IDAHO,

Defendant.

Case No. 1:22-cv-00329-BLW

**IDAHO LEGISLATURE’S
[PROPOSED] ANSWER**

This is the Answer of Intervenor-Defendants Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature (collectively the “Legislature”) to the United States’

Complaint. This Answer's numbered paragraphs correspond to the numbered paragraphs of that Complaint.

1. The Legislature cannot answer the first sentence because the referenced "federal law" is not identified, and therefore the Legislature lacks knowledge or information sufficient to form a belief about the truth of the allegation. EMTALA speaks for itself as to its content, and partial quotations therefrom and attempted paraphrases thereof are not a fit subject for admission or denial, and on that basis, the Legislature denies such, and further denies the remaining allegations.
2. The Legislature cannot answer because the referenced "a state" is not identified, and therefore the Legislature lacks knowledge or information sufficient to form a belief about the truth of the allegations.
3. Denies.
4. Idaho Code § 18-622 ("Statute") speaks for itself as to its content, and attempted paraphrases thereof are not a fit subject for admission or denial, and on that basis, the Legislature denies all such paraphrases and further denies the remaining allegations.
5. The Legislature denies that EMTALA properly preempts the Statute and otherwise denies.
6. Admits.
7. Admits.
8. Admits.

9. The Legislature denies that any claim for relief has arisen and therefore denies the remaining allegations.
10. Admits.
11. The Legislature admits that Idaho is a state, cannot understand the Complaint's peculiar and ambiguous use of "includes," and therefore lacks knowledge or information sufficient to form a belief about the truth of the allegations.
12. The Supremacy Clause speaks for itself as to its content, which is therefore not a fit subject for admission or denial.
13. The cited cases speak for themselves as to their content, which is therefore not a fit subject for admission or denial. The Legislature otherwise denies.
14. Admits.
15. Admits.
16. To the extent that this allegation is a paraphrase of EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.
17. To the extent that this allegation contains quotations from or paraphrases of EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.
18. To the extent that this allegation contains quotations from or paraphrases of EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.

19. To the extent that this allegation contains a partial quotation from EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.
20. To the extent that this allegation contains a partial quotation from EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.
21. To the extent that this allegation contains a partial quotation from EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.
22. To the extent that this allegation contains a partial quotation from EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.
23. Because EMTALA “requires” both more and less than is alleged, the Legislature denies.
24. Denies.
25. To the extent that this allegation contains a partial quotation from EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.
26. The Legislature admits that the Statute was enacted in 2020 and will take effect on August 25, 2022, and otherwise denies.
27. To the extent that this allegation contains a partial quotation from the Statute, it is not a fit subject for admission or denial. The Legislature otherwise denies.
28. To the extent that this allegation contains a partial quotation from the Statute, it is not a fit subject for admission or denial. The Legislature otherwise denies.
29. To the extent that this allegation contains a partial quotation from the Statute, it is not a fit subject for admission or denial. The Legislature otherwise denies.

30. Denies.

31. Denies.

32. Denies.

33. Denies.

34. To the extent that this allegation contains a partial quotation from the Statute, it is not a fit subject for admission or denial. The Legislature otherwise denies.

35. The Legislature lacks knowledge or information sufficient to form a belief about the truth of the allegations.

36. Denies.

37. To the extent that this allegation contains a partial quotation from EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.

38. Denies.

39. Admits.

40. The Governor's press release speaks for itself as to its contents and is there not a fit subject of admission or denial. The Legislature otherwise denies.

41. The Legislature lacks knowledge or information sufficient to form a belief about the truth of the allegations.

42. Denies.

43. Denies.

44. Denies.

45. Denies.

46. Denies.

47. Denies.

48. Congressional intent, like the language of a statute itself, is not a fit subject of admission or denial. The Legislature otherwise denies.

49. As to the United States' "interest," payments, conditions, "bargain," the Legislature lacks knowledge or information sufficient to form a belief about the truth of the allegations and otherwise denies.

50. Denies.

51. Denies.

52. As to the number of hospitals, the Legislature lacks knowledge or information sufficient to form a belief about the truth of the allegations and otherwise denies.

53. Denies.

54. Denies.

55. The Legislature incorporates here all prior paragraphs.

56. The Supremacy Clause speaks for itself as to its content, which is therefore not a fit subject for admission or denial.

57. To the extent that this allegation contains a partial quotation from EMTALA, it is not a fit subject for admission or denial. The Legislature otherwise denies.

58. Denies.

59. Denies.

Additional Defenses

- A. The Complaint fails to state a claim upon which relief can be granted.
- B. Because of the level of emergency-room abortions in Idaho, there is no basis for injunctive relief.
- C. Because of the level of emergency-room abortions in Idaho, the Complaint's prayer for a declaratory judgment is nothing other than a request for an advisory opinion; this civil action does not qualify as an Article III case or controversy and, thus, this Court has no jurisdiction over it, except to dismiss it.
- D. The Legislature reserves the right to add additional defenses as time and information warrant. This Answer was drafted under extreme time pressures.

Prayer

The Legislature prays that this Court enter a final judgment (i) dismissing this civil action in its entirety with prejudice; (ii) awarding the Legislature its costs, expenses, and attorney's fees incurred in defending this civil action; and (iii) granting such other and further relief as may be just and proper in all the circumstances.

Dated this ____ day of August, 2022.

MORRIS BOWER & HAWS PLLC

By: _____
Daniel W. Bower

Monte Neil Stewart

Attorneys for Intervenors-Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of August, 2022, I electronically filed the foregoing with the Clerk of the Court via 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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1:22cv329, The United States V. State Of Idaho

US District Court Docket

United States District Court, Idaho

(Boise - Southern)

This case was retrieved on 09/08/2023

Header

Case Number: 1:22cv329

Date Filed: 08/02/2022

Assigned To: Judge B Lynn Winmill

Nature of Suit: Constitutionality (950)

Cause: Constitutionality of State Statute(s)

Lead Docket: None

Other Docket: Ninth Circuit Court of Appeals, 23-35440,
Ninth Circuit Court of Appeals, 23-35450, Ninth Circuit, 23-
35153

Jurisdiction: U.S. Government Plaintiff

Class Code: Open

Statute: 28:2201

Jury Demand: None

Demand Amount: \$0

NOS Description: Constitutionality

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1:22cv329, The United States V. State Of Idaho

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Proceedings

#	Date	Proceeding Text	Source
1	08/02/2022	COMPLAINT against State of Idaho, filed by The United States. (Attachments: # 1 Cover Sheet, # 2 Cover Sheet Counsel attachment, # 3 Summons)(Newman, Lisa) (Attachment 1 cover sheet replaced with PDF that cannot be edited on 8/3/2022) (ac).	
2	08/02/2022	NOTICE of Appearance by Anna Lynn Deffebach on behalf of All Plaintiffs (Deffebach, Anna)	
3	08/02/2022	NOTICE of Appearance by Julie Straus Harris on behalf of The United States (Straus Harris, Julie)	
4	08/03/2022	Summons Issued as to State of Idaho. (Print attached Summons for service.) (ac)	
5	08/04/2022	NOTICE of Appearance by Daniel Schwei on behalf of United States of America (Schwei, Daniel)	

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#	Date	Proceeding Text	Source
6	08/04/2022	SUMMONS Returned Executed by United States of America. State of Idaho served on 8/2/2022, answer due 8/23/2022. (Newman, Lisa)	
7	08/04/2022	NOTICE of Appearance by Christopher A. Eiswerth on behalf of United States of America (Eiswerth, Christopher)	
8	08/04/2022	NOTICE of Appearance by Emily Nestler on behalf of United States of America (Nestler, Emily)	
9	08/04/2022	NOTICE of Appearance by Megan Ann Larrondo on behalf of State of Idaho (Larrondo, Megan)	
10	08/05/2022	NOTICE of Appearance by Brian David Netter on behalf of United States of America (Netter, Brian)	
11	08/05/2022	NOTICE of Availability of Magistrate Judge and Requirement for Consent sent to counsel for State of Idaho, United States of America re 1 Complaint, 9 Notice of Appearance Consent/Objection to Magistrate due by 10/4/2022. (alw)	
12	08/05/2022	NOTICE of Appearance by Steven Lamar Olsen on behalf of State of Idaho (Olsen, Steven)	
13	08/05/2022	DOCKET ENTRY ORDER: In accordance with the agreement reached by the parties and discussed with the Court at an informal status conference, the following briefing schedule is ordered. The United States will file its motion for injunctive relief on Monday, August 8. The State of Idaho will file its response on Tuesday, August 16. The United States will file its reply brief by 12:00 pm MDT on Friday, August 19. The Court will have a hearing on the motion, which will be set by separate notice, on August 22. Signed by Judge B Lynn Winmill. (hgp)	
21	08/05/2022	Docket Text Minute Entry for proceedings held before Judge B Lynn Winmill: A Status Conference was held via Zoom on 8/5/2022. Appearing on behalf of Plaintiff: Lisa Newman, Daniel Schwei, and Brian Netter. Appearing on behalf of Defendant: Megan Larrondo and Steve Olsen. The Court discussed a briefing schedule regarding Plaintiff's motion for injunctive relief (see Dkt. 13). Hearing was held informally and was not recorded. Time: 1:04-1:14p.m. (jlg) (Entered: 08/10/2022)	
14	08/08/2022	ORDER. An amicus curiae supporting the United States of America must file its brief, accompanied by a motion for filing, no later than August 15, 2022. An amicus curiae supporting the State of Idaho must file its brief, accompanied by a motion for filing, no later than 12:00 MDT on August 19, 2022. An amicus curiae that does not support either party must file its brief no later than no later than 12:00 MDT on August 19, 2022. Signed by Judge B Lynn Winmill. (alw)	
15	08/08/2022	Expedited MOTION to Intervene Daniel W. Bower, Monte N Stewart appearing for Intervenor Defendant Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Responses due by 8/29/2022 (Attachments: # 1 Memorandum in Support of Motion to Intervene, # 2 Exhibit 1 Proposed Answer)(Bower, Daniel)	
16	08/08/2022	MOTION to Expedite Idaho Legislatures Motion to Intervene Daniel W. Bower appearing for Intervenor Defendant Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Responses due by 8/29/2022 (Bower, Daniel)	
17	08/08/2022	MOTION for Preliminary Injunction Lisa Newman appearing for Plaintiff United States of America. Responses due by 8/29/2022 (Attachments: # 1 Memorandum in Support, # 2 Proposed Order, # 3 Ex. A, Fleisher Declaration, # 4 Fleisher Appendix, Pt. 1, # 5 Fleisher Appendix, Pt. 2, # 6 Ex. B, Corrigan Declaration, # 7 Ex.	

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#	Date	Proceeding Text	Source
		C, Cooper Declaration, # 8 Ex. D, Seyb Declaration, # 9 Ex. E, Wright Declaration, # 10 Ex. F, Shadle Declaration, # 11 Ex. G, Newman Declaration, # 12 Newman Appendix, Pt. 1, # 13 Newman Appendix, Pt. 2)(Newman, Lisa)	
18	08/09/2022	DOCKET ENTRY ORDER: The parties shall respond to the motion to intervene (Dkt. 15) by Wednesday, August 10, 2022. Signed by Judge B Lynn Winmill. (hgp)	
19	08/09/2022	AMENDED ORDER re 14 Order. Signed by Judge B Lynn Winmill. (alw)	
20	08/10/2022	NOTICE by State of Idaho re 15 Expedited MOTION to Intervene State of Idaho's Non-Opposition (Larrondo, Megan)	
22	08/10/2022	DOCKET ENTRY NOTICE OF HEARING regarding 17 Motion for Preliminary Injunction: A Motion Hearing is set for 8/22/2022 at 9:30 AM in Boise - Courtroom 2 before Judge B Lynn Winmill. (jlg)	
23	08/10/2022	RESPONSE to Motion re 15 Expedited MOTION to Intervene filed by United States of America. Replies due by 8/24/2022.(Deffebach, Anna)	
24	08/11/2022	DOCKET ENTRY ORDER: If the Idaho Legislature wishes to file its optional reply brief in support of its motion to intervene (filed at Dkt. 15), it must do so by 5:00 p.m. Mountain Time today, August 11, 2022. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (mls)	
25	08/11/2022	REPLY to Response to Motion re 15 Expedited MOTION to Intervene filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature.Motion Ripe Deadline set for 8/12/2022.(Bower, Daniel)	
26	08/12/2022	NOTICE of Appearance by Brian V Church on behalf of State of Idaho (Church, Brian)	
27	08/13/2022	MEMORANDUM DECISION AND ORDER granting in part and denying in part 15 Motion to Intervene. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (mls)	
28	08/15/2022	DOCKET ENTRY ORDER: The Court amends its oral order, made during the informal status conference today, as follows: The Legislature's deadline for submitting affidavits in supports of its response shall be due by 12:00 p.m., Mountain Time, on Wednesday, August 17, 2022. The Legislature's deadline to submit its brief opposing the United States Motion for Preliminary Injunction shall remain the same: that brief is due on August 16, 2022. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (mls)	
29	08/15/2022	AMENDED DOCKET ENTRY NOTICE OF HEARING regarding 17 Motion for Preliminary Injunction: The Motion Hearing set for 8/22/2022 is rescheduled to begin at 9:00 AM in Boise - Courtroom 2 before Judge B Lynn Winmill. (jlg)	
30	08/15/2022	Minute Entry for proceedings held before Judge B Lynn Winmill: Video Status Conference was held on 8/15/2022. (Court Reporter Tammy Hohenleithner.) (jlg)	
31	08/15/2022	NOTICE of Appearance by Joan Elizabeth Callahan on behalf of State of Idaho (Callahan, Joan)	
32	08/15/2022	MOTION FOR PRO HAC VICE APPEARANCE by Laura Etlinger. (Filing fee \$ 250 receipt number AIDDC-2435922.)Laura Etlinger appearing for Amicus Parties New York, State of, California, State	

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#	Date	Proceeding Text	Source
		of, Connecticut, State of, Colorado, State of, Delaware, State of, Hawaii, State of, Illinois, State of, Maine, State of, Maryland, State of, Massachusetts, State of, Michigan, State of, Minnesota, State of, Nevada, State of, New Jersey, State of, New Mexico, State of, North Carolina, State of, Oregon, State of, Pennsylvania, State of, Rhode Island, State of, Washington, State of, Washington DC. Responses due by 9/6/2022 (Etlinger, Laura)	
33	08/15/2022	MOTION FOR PRO HAC VICE APPEARANCE by Jay Alan Sekulow. (Filing fee \$ 250 receipt number AIDDC-2436019.)Jay Alan Sekulow appearing for Amicus American Center for Law & Justice. Responses due by 9/6/2022 (Sekulow, Jay)	
34	08/15/2022	MOTION FOR PRO HAC VICE APPEARANCE by Jordan A. Sekulow. (Filing fee \$ 250 receipt number AIDDC-2436031.)Jordan A. Sekulow appearing for Amicus American Center for Law & Justice. Responses due by 9/6/2022 (Sekulow, Jordan)	
35	08/15/2022	MOTION FOR PRO HAC VICE APPEARANCE by Stuart J. Roth. (Filing fee \$ 250 receipt number AIDDC-2436050.)Stuart Roth appearing for Amicus American Center for Law & Justice. Responses due by 9/6/2022 (Roth, Stuart)	
36	08/15/2022	MEMORANDUM/BRIEF filed by United States of America Regarding Live Testimony at August 22 Preliminary Injunction Hearing. (Schwei, Daniel)	
37	08/15/2022	MOTION FOR PRO HAC VICE APPEARANCE by Olivia F. Summers. (Filing fee \$ 250 receipt number AIDDC-2436080.)Olivia F. Summers appearing for Amicus American Center for Law & Justice. Responses due by 9/6/2022 (Summers, Olivia)	
38	08/15/2022	DOCKET ENTRY ORDER approving 32 Motion for Pro Hac Vice Appearance of attorney Laura Etlinger for California, State of,Laura Etlinger for Colorado, State of,Laura Etlinger for Connecticut, State of,Laura Etlinger for Delaware, State of,Laura Etlinger for Hawaii, State of,Laura Etlinger for Illinois, State of,Laura Etlinger for Maine, State of,Laura Etlinger for Maryland, State of,Laura Etlinger for Massachusetts, State of,Laura Etlinger for Michigan, State of,Laura Etlinger for Minnesota, State of,Laura Etlinger for Nevada, State of,Laura Etlinger for New Jersey, State of,Laura Etlinger for New Mexico, State of,Laura Etlinger for New York, State of,Laura Etlinger for North Carolina, State of,Laura Etlinger for Oregon, State of,Laura Etlinger for Pennsylvania, State of,Laura Etlinger for Rhode Island, State of,Laura Etlinger for Washington DC,Laura Etlinger for Washington, State of Per Local Rule 83.4(e), out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (alw)	
39	08/15/2022	MOTION for Leave to File Brief as Amici Curiae Wendy Olson appearing for Amicus The American Hospital Association and The Association of American Medical Colleges. Responses due by 9/6/2022 (Attachments: # 1 Exhibit Ex. A to Motion for Leave to File Brief of Amici Curiae)(Olson, Wendy) Modified on 8/16/2022 to change party filed name (alw).	
40	08/15/2022	MOTION FOR PRO HAC VICE APPEARANCE by Amanda K. Rice. (Filing fee \$ 250 receipt number AIDDC-2436111.)Wendy Olson appearing for Amicus The American Hospital Association and The Association of American Medical Colleges. Responses due by 9/6/2022 (Olson, Wendy) Modified on 8/16/2022 to change filing party name (alw).	
41	08/15/2022	DOCKET ENTRY ORDER approving 33 34 35 36 Motion for Pro	

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#	Date	Proceeding Text	Source
		Hac Vice Appearance of attorney Jay Alan Sekulow, Jordan A. Sekulow, Stuart Roth, Olivia F. Summers for American Center for Law & Justice Per Local Rule 83.4(e), out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (alw)	
42	08/15/2022	MOTION FOR PRO HAC VICE APPEARANCE by Jacob M. Roth. (Filing fee \$ 250 receipt number AIDDC-2436117.)Wendy Olson appearing for Amicus The American Hospital Association and The Association of American Medical Colleges. Responses due by 9/6/2022 (Olson, Wendy) Modified on 8/16/2022 to change filing party name (alw).	
43	08/15/2022	MOTION FOR PRO HAC VICE APPEARANCE by Charlotte H. Taylor. (Filing fee \$ 250 receipt number AIDDC-2436127.)Wendy Olson appearing for Amicus The American Hospital Association and The Association of American Medical Colleges. Responses due by 9/6/2022 (Olson, Wendy) Modified on 8/16/2022 to change filing party name (alw).	
44	08/15/2022	MEMORANDUM/BRIEF filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature Regarding Live Testimony at August 22 Preliminary Injunction Hearing. (Bower, Daniel)	
45	08/15/2022	MOTION to File Amicus Brief Laura Etlinger appearing for Amicus Parties California, State of, Colorado, State of, Connecticut, State of, Delaware, State of, Hawaii, State of, Illinois, State of, Maine, State of, Maryland, State of, Massachusetts, State of, Michigan, State of, Minnesota, State of, Nevada, State of, New Jersey, State of, New Mexico, State of, New York, State of, North Carolina, State of, Oregon, State of, Pennsylvania, State of, Rhode Island, State of, Washington DC, Washington, State of. Responses due by 9/6/2022 (Attachments: # 1 Memorandum in Support proposed amicus brief)(Etlinger, Laura)	
46	08/15/2022	MEMORANDUM/BRIEF filed by State of Idaho re: letter brief requested by Dkt. 30. (Church, Brian)	
47	08/15/2022	MOTION FOR ADMISSION PRO HAC VICE AND MOTION FOR WAIVER OF FEE by Shannon Rose Selden. Shannon Rose Selden appearing for Amicus Parties American College of Emergency Physicians, Idaho Chapter of the American College of Emergency Physicians, American College of Obstetricians and Gynecologists, Society for Maternal-Fetal Medicine, National Medical Association, National Hispanic Medical Association, American Academy of Pediatrics, American Academy of Family Physicians, American Public Health Association, American Medical Association,. Responses due by 9/6/2022 (Selden, Shannon)	
48	08/15/2022	MOTION FOR ADMISSION PRO HAC VICE AND MOTION FOR WAIVER OF FEE by Leah Martin. Leah S. Martin appearing for Amicus Parties American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Responses due by 9/6/2022 (Martin, Leah)	
49	08/15/2022	MOTION FOR ADMISSION PRO HAC VICE AND MOTION FOR WAIVER OF FEE by Adam Aukland-Peck. Adam B. Aukland-Peck appearing for Amicus Parties American Academy of Family	

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#	Date	Proceeding Text	Source
		Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Responses due by 9/6/2022 (Aukland-Peck, Adam)	
50	08/15/2022	MOTION to File Amicus Brief (UNOPPOSED) Shannon Rose Selden appearing for Amicus Parties American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Responses due by 9/6/2022 (Attachments: # 1 Exhibit Brief of Amici Curiae in Support of Plaintiffs Motion for a Preliminary Injunction)(Selden, Shannon)	
51	08/16/2022	ERRATA by Amicus Parties California, State of, Colorado, State of, Connecticut, State of, Delaware, State of, Hawaii, State of, Illinois, State of, Maine, State of, Maryland, State of, Massachusetts, State of, Michigan, State of, Minnesota, State of, Nevada, State of, New Jersey, State of, New Mexico, State of, New York, State of, North Carolina, State of, Oregon, State of, Pennsylvania, State of, Rhode Island, State of, Washington DC, Washington, State of re 45 MOTION to File Amicus Brief . (Attachments: # 1 Memorandum in Support corrected signature blocks on amicus brief and motion)(Etlinger, Laura)	
52	08/16/2022	DOCKET ENTRY ORDER approving 40 42 43 Motion for Pro Hac Vice Appearance of attorney Amanda K Rice,Jacob M Roth,Charlotte H Taylor for The American Hospital Association,Amanda K Rice,Jacob M Roth,Charlotte H Taylor for The Association of American Medical Colleges Per Local Rule 83.4(e), out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (alw)	
	08/16/2022	CORRECTIVE ENTRY - The entry docket number 47 48 49 MOTION FOR ADMISSION PRO HAC VICE AND MOTION FOR WAIVER OF FEE by Shannon Rose Selden. filed by American Public Health Association, American College of Obstetricians and Gynecologists, Society for Maternal-Fetal Medicine, American Academy of Family Physicians, National Hispanic Medical Association, American College of Emergency Physicians, Idaho Chapter of the American College of Emergency Physicians, National Medical Association, American Medical Association,, American Academy of Pediatrics was filed incorrectly in this case. The filing parties shall re-submit their motions for pro hac and pay the filing fee.(alw)	
53	08/16/2022	MOTION FOR PRO HAC VICE APPEARANCE by Shannon Rose Selden. (Filing fee \$ 250 receipt number AIDDC-2436424.)Shannon Rose Selden appearing for Amicus Parties American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Responses due by 9/6/2022 (Selden, Shannon)	

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54	08/16/2022	MOTION FOR PRO HAC VICE APPEARANCE by Leah Martin. (Filing fee \$ 250 receipt number AIDDC-2436438.)Leah S. Martin appearing for Amicus Parties American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Responses due by 9/6/2022 (Martin, Leah)	
55	08/16/2022	MOTION FOR PRO HAC VICE APPEARANCE by Adam Aukland-Peck. (Filing fee \$ 250 receipt number AIDDC-2436445.)Adam B. Aukland-Peck appearing for Amicus Parties American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Responses due by 9/6/2022 (Aukland-Peck, Adam)	
56	08/16/2022	DOCKET ENTRY ORDER: 39 The American Hospital Association and The Association of American Medical Colleges' Motion for Leave to File Brief as Amici Curiae is GRANTED. Amici are directed to formally file their [39-1] Proposed Brief. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
57	08/16/2022	DOCKET ENTRY ORDER: 45 The States of California, New York, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, and Washington, and Washington, D.C.'s Motion to file Amicus Brief is GRANTED. Amici States are directed to formally file their Proposed Brief [45-1]. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
58	08/16/2022	DOCKET ENTRY ORDER: 50 American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine's Motion to file Amicus Brief is GRANTED. Amici are directed to formally file their [50-1] Proposed Brief. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
59	08/16/2022	RESPONSE to Motion re 17 MOTION for Preliminary Injunction filed by California, State of, Colorado, State of, Connecticut, State of, Delaware, State of, Hawaii, State of, Illinois, State of, Maine, State of, Maryland, State of, Massachusetts, State of, Michigan, State of, Minnesota, State of, Nevada, State of, New Jersey, State of, New Mexico, State of, New York, State of, North Carolina, State of, Oregon, State of, Pennsylvania, State of, Rhode Island, State of, Washington DC, Washington, State of. Replies due by 8/30/2022.(Etlinger, Laura)	

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60	08/16/2022	DOCKET ENTRY ORDER approving 53 54 55 Motion for Pro Hac Vice Appearance of attorney Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for American Academy of Family Physicians, Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for American Academy of Pediatrics, Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for American College of Emergency Physicians, Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for American College of Obstetricians and Gynecologists, Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for American Medical Association,, Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for American Public Health Association, Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for Idaho Chapter of the American College of Emergency Physicians, Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for National Hispanic Medical Association, Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for National Medical Association, Shannon Rose Selden, Leah S. Martin, Adam B. Aukland-Peck for Society for Maternal-Fetal Medicine Per Local Rule 83.4(e), out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (alw)	
61	08/16/2022	MOTION FOR PRO HAC VICE APPEARANCE by Laura B. Hernandez. (Filing fee \$ 250 receipt number AIDDC-2436596.) Laura Hernandez appearing for Amicus American Center for Law & Justice. Responses due by 9/6/2022 (Hernandez, Laura)	
62	08/16/2022	RESPONSE to Motion re 17 MOTION for Preliminary Injunction filed by American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Replies due by 8/30/2022.(Selden, Shannon)	
63	08/16/2022	RESPONSE re 17 MOTION for Preliminary Injunction filed by The American Hospital Association, The Association of American Medical Colleges /Amicus Brief re Docket 39. (Olson, Wendy)	
64	08/16/2022	DOCKET ENTRY ORDER approving 61 Motion for Pro Hac Vice Appearance of attorney Laura Hernandez for American Center for Law & Justice Per Local Rule 83.4(e), out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (alw)	
65	08/16/2022	MEMORANDUM in Opposition re 17 MOTION for Preliminary Injunction filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Replies due by 8/30/2022.(Bower, Daniel)	
66	08/16/2022	RESPONSE to Motion re 17 MOTION for Preliminary Injunction filed by State of Idaho. Replies due by 8/30/2022. (Attachments: # 1 Declaration of Kraig White MD, # 2 Declaration of Randy Rodriguez)(Church, Brian)	
67	08/17/2022	MOTION FOR PRO HAC VICE APPEARANCE by Jeffrey B. Dubner. (Filing fee \$ 250 receipt number AIDDC-2437111.) Jeffrey B. Dubner appearing for Amicus Parties American Academy of Family Physicians, American Academy of	

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		Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Responses due by 9/7/2022 (Dubner, Jeffrey)	
68	08/17/2022	MOTION FOR PRO HAC VICE APPEARANCE by John T. Lewis. (Filing fee \$ 250 receipt number AIDDC-2437139.)John Lewis appearing for Amicus Parties American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Responses due by 9/7/2022 (Lewis, John)	
69	08/17/2022	MOTION for Leave to File LEGAL ARGUMENTS Daniel W. Bower appearing for Intervenor Defendant Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Responses due by 9/7/2022 (Attachments: # 1 Exhibit Legislatures unique legal arguments)(Bower, Daniel)	
70	08/17/2022	DOCKET ENTRY ORDER approving 67 68 Motion for Pro Hac Vice Appearance of attorney John Lewis,Jeffrey B. Dubner for American Academy of Family Physicians,John Lewis,Jeffrey B. Dubner for American Academy of Pediatrics,John Lewis,Jeffrey B. Dubner for American College of Emergency Physicians,John Lewis,Jeffrey B. Dubner for American College of Obstetricians and Gynecologists,John Lewis,Jeffrey B. Dubner for American Medical Association,,John Lewis,Jeffrey B. Dubner for American Public Health Association,John Lewis,Jeffrey B. Dubner for Idaho Chapter of the American College of Emergency Physicians,John Lewis,Jeffrey B. Dubner for National Hispanic Medical Association,John Lewis,Jeffrey B. Dubner for National Medical Association,John Lewis,Jeffrey B. Dubner for Society for Maternal-Fetal Medicine Per Local Rule 83.4(e), out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (alw)	
71	08/17/2022	AFFIDAVIT in Opposition re 17 MOTION for Preliminary Injunction filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Replies due by 8/31/2022. (Attachments: # 1 Affidavit Reynolds Declaration, # 2 Affidavit Harder Declaration, # 3 Exhibit Idaho Report of Induced Termination of Pregnancy, # 4 Exhibit Idaho Abortion Reporting Response, # 5 Affidavit French Declaration, # 6 Affidavit Loebs Declaration)(Bower, Daniel)	
72	08/17/2022	NOTICE of Appearance by Alan Wayne Foutz on behalf of State of Idaho (Foutz, Alan)	
73	08/17/2022	MEMORANDUM DECISION AND ORDER. Legislatures request for an evidentiary hearingis DENIED. Signed by Judge B Lynn Winmill. (alw)	
74	08/17/2022	MOTION to File Amicus Brief Olivia F. Summers appearing for Amicus American Center for Law & Justice. Responses due by 9/7/2022 (Attachments: # 1 Memorandum in Support, # 2 Proposed Order)(Summers, Olivia)	
75	08/17/2022	DOCKET ENTRY ORDER: Before the Court is the Idaho	

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		Legislature's Motion for Leave to File Legal Arguments 69 . Having considered the Legislature's Motion, the Court declines at this juncture to modify the conditions it imposed in its earlier Order 27 allowing the Legislature to permissively intervene. Allowing the Legislature to file an additional brief past the deadline of the expedited briefing schedule would unduly prejudice the United States, which must file its reply brief by 12:00 pm MST, on August 19, 2022. In addition, the Legislatures total briefing would exceed not only the 15-page limit imposed by the Court but would also exceed the 20-page limit imposed by the Local Rules to which both the United States and the State of Idaho have adhered. IT IS THEREFORE ORDERED that the Legislature's Motion for Leave to File Legal Arguments 69 is DENIED. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
76	08/17/2022	DOCKET ENTRY ORDER: The American Center for Law & Justice's 74 Motion for Leave to file Amicus Brief in Support of Defendant's Response to Plaintiff's Motion for Preliminary Injunction is GRANTED. The ACLJ is directed to formally file its [74-1] Proposed Brief. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
77	08/17/2022	MOTION for Extension of Time to File Answer or Otherwise Respond (unopposed) Brian V Church appearing for Defendant State of Idaho. Responses due by 9/7/2022 (Attachments: # 1 Memorandum in Support)(Church, Brian)	
78	08/17/2022	DOCKET ENTRY ORDER GRANTING Motion for Extension of Time to Answer or Otherwise Respond (Dkt. 77). The State of Idaho shall answer or other respond by September 23, 2022. Signed by Judge B Lynn Winmill. (hgp)	
79	08/18/2022	Minute Entry for proceedings held before Judge B Lynn Winmill: An informal Video Status Conference was held on 8/18/2022. (Court Reporter/ESR Not recorded.) Hearing Not Recorded. (jlg)	
80	08/18/2022	MEMORANDUM/BRIEF re 76 Order on Motion to File Amicus Brief, 74 MOTION to File Amicus Brief filed by American Center for Law & Justice Amicus Brief in Support of Defendant's Response. (Summers, Olivia)	
81	08/18/2022	MOTION FOR PRO HAC VICE APPEARANCE by Thomas M. Fisher. (Filing fee \$ 250 receipt number AIDDC-2437960.)Thomas Molnar Fisher appearing for Amicus State of Indiana. Responses due by 9/8/2022 (Fisher, Thomas)	
82	08/19/2022	MOTION FOR PRO HAC VICE APPEARANCE by Maher Mahmood. (Filing fee \$ 250 receipt number AIDDC-2438637.)Maher Mahmood appearing for Amicus Parties American Academy of Family Physicians, American Academy of Pediatrics, American College of Emergency Physicians, American College of Obstetricians and Gynecologists, American Medical Association,, American Public Health Association, Idaho Chapter of the American College of Emergency Physicians, National Hispanic Medical Association, National Medical Association, Society for Maternal-Fetal Medicine. Responses due by 9/9/2022 (Mahmood, Maher)	
83	08/19/2022	DOCKET ENTRY ORDER approving 81 Motion for Pro Hac Vice Appearance of attorney Thomas Molnar Fisher for State of Indiana Per Local Rule 83.4(e), out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (alw)	

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84	08/19/2022	DOCKET ENTRY ORDER approving 82 Motion for Pro Hac Vice Appearance of attorney Maher Mahmood for American Academy of Family Physicians, Maher Mahmood for American Academy of Pediatrics, Maher Mahmood for American College of Emergency Physicians, Maher Mahmood for American College of Obstetricians and Gynecologists, Maher Mahmood for American Medical Association, Maher Mahmood for American Public Health Association, Maher Mahmood for Idaho Chapter of the American College of Emergency Physicians, Maher Mahmood for National Hispanic Medical Association, Maher Mahmood for National Medical Association, Maher Mahmood for Society for Maternal-Fetal Medicine Per Local Rule 83.4(e), out-of-state counsel shall immediately register for ECF. (Notice sent to CM/ECF Registration Clerk) (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (alw)	
85	08/19/2022	AMENDED DOCUMENT by State of Indiana. Application for Admission Pro Hac Vice on behalf of States of Indiana, Alabama, Arkansas, Kentucky, Louisiana, Mississippi, Montana, Nebraska, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wyoming. (Fisher, Thomas)	
86	08/19/2022	REPLY to Response to Motion re 17 MOTION for Preliminary Injunction filed by United States of America. Motion Ripe Deadline set for 8/22/2022. (Attachments: # 1 Exhibit List, # 2 Ex. H, Supplemental Fleisher Declaration, # 3 Ex. I, Supplemental Corrigan Declaration, # 4 Ex. J, Huntsberger Declaration, # 5 Ex. K, Supplemental Cooper Declaration, # 6 Ex. L)(Newman, Lisa)	
87	08/19/2022	MOTION for Leave to File Brief of Indiana and 16 Other States as Amici Curiae in Support of Defendant Thomas Molnar Fisher appearing for Amicus State of Indiana. Responses due by 9/9/2022 (Attachments: # 1 Exhibit Text of Proposed Order, # 2 Memorandum in Support)(Fisher, Thomas)	
88	08/19/2022	DOCKET ENTRY NOTICE OF HEARING regarding 17 MOTION for Preliminary Injunction: A Motion Hearing is set for 8/22/2022 at 9:00 AM in Boise - Courtroom 2 before Judge B Lynn Winmill. Members of the public may attend the hearing remotely. Remote access will be audio only - there will not be video. To access an audio feed from the hearing, members of the public may call this number: 208-684-0990. Then, when they are prompted for the conference ID, they should enter 238 965 497#. (jlg)	
89	08/19/2022	DOCKET ENTRY ORDER: 87 Unopposed Motion for Leave to File Brief of Indiana and 16 Other States as Amici Curiae in Support of Defendant is GRANTED. Amici are directed to file their [87-2] Proposed Brief. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
90	08/19/2022	MEMORANDUM/BRIEF re 89 Order on Motion for Leave to File, filed by State of Alabama, State of Arkansas, State of Indiana, State of Kentucky, State of Louisiana, State of Mississippi, State of Montana, State of North Dakota, State of Oklahoma, State of South Carolina, State of South Dakota, State of Tennessee, State of Texas, State of Utah, State of West Virginia, State of Wyoming, State of Nebraska. (Fisher, Thomas) Modified on 8/25/2022 to add party (alw).	
91	08/19/2022	NOTICE by State of Idaho Notice of Appearance Special Deputy Attorney General Clay R. Smith (Church, Brian)	
92	08/22/2022	Minute Entry for proceedings held before Judge B Lynn Winmill: A Motion Hearing was held on 8/22/2022 re 17 MOTION for Preliminary Injunction filed by United States of America. A written	

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		decision is forthcoming. (Court Reporter Tammy Hohenleitner.) (jlg)	
93	08/22/2022	RESPONSE filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature Objection to Proposed Order [Dkt. 17-2]. (Attachments: # 1 Exhibit 1 Proposed Fall-Back Order - redline, # 2 Exhibit 2 Proposed Fall-Back Order - clean, # 3 Exhibit 3 EMTALA)(Bower, Daniel)	
94	08/24/2022	NOTICE by State of Idaho of Supplemental Authority (Attachments: # 1 Exhibit Exhibit A - U.S. District Court for Northern District of Texas Decision)(Church, Brian)	
95	08/24/2022	MEMORANDUM DECISION AND ORDER. IT IS ORDERED that: Plaintiff's motion for a preliminary injunction (Dkt. 17) is GRANTED. This preliminary injunction is effective immediately and shall remain in full force and effect through the date on which judgment is entered in this case. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (km)	
96	08/25/2022	Notice of Filing of Official Transcript of Proceedings held on 8/22/22 before Judge B. Lynn Winmill. Court Reporter Tamara Hohenleitner, Email tammy_hohenleitner@id.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. This transcript is not available to the general public and as such is sealed until release of transcript restriction re 92 Motion Hearing. Redaction Request due 9/15/2022. Redacted Transcript Deadline set for 9/26/2022. Release of Transcript Restriction set for 11/23/2022. (th)	
97	09/07/2022	MOTION for Reconsideration re 95 Order on Motion for Preliminary Injunction, Daniel W. Bower appearing for Intervenor Defendant Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Responses due by 9/28/2022 (Attachments: # 1 Memorandum in Support)(Bower, Daniel)	
98	09/15/2022	NOTICE by United States of America of Factual Clarification (Attachments: # 1 Affidavit of Dr. Fleisher (Second Supplemental))(Schwei, Daniel)	
99	09/15/2022	MOTION for Extension of Time to File Response/Reply as to 97 MOTION for Reconsideration re 95 Order on Motion for Preliminary Injunction, Christopher A. Eiswerth appearing for Plaintiff United States of America. Responses due by 10/6/2022 (Attachments: # 1 Exhibit A -- Correspondence)(Eiswerth, Christopher)	
100	09/16/2022	RESPONSE to Motion re 99 MOTION for Extension of Time to File Response/Reply as to 97 MOTION for Reconsideration re 95 Order on Motion for Preliminary Injunction, Partial Non-Opposition filed by State of Idaho. Replies due by 9/30/2022.(Church, Brian)	
101	09/21/2022	MOTION for Reconsideration Brian V Church appearing for Defendant State of Idaho. Responses due by 10/12/2022 (Attachments: # 1 Memorandum in Support of State of Idaho's Motion to Reconsider)(Church, Brian)	
102	09/22/2022	ORDER. Upon consideration of the United States Motion to Extend Briefing Schedule Regarding Motions for Reconsideration, and finding good cause, IT IS ORDERED that the United States motion is GRANTED. Signed by Judge B Lynn Winmill. (alw)	
103	09/23/2022	ANSWER to 1 Complaint, by State of Idaho.(Church, Brian)	

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104	09/28/2022	RESPONSE to Motion re 97 MOTION for Reconsideration re 95 Order on Motion for Preliminary Injunction, (Non-Opposition) filed by State of Idaho. Replies due by 10/12/2022.(Church, Brian)	
105	10/04/2022	MOTION to Intervene Daniel W. Bower appearing for Intervenor Defendant Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Responses due by 10/25/2022 (Attachments: # 1 Memorandum in Support of Renewed Motion to Intervene)(Bower, Daniel)	
	10/05/2022	The 60 day deadline has expired. Case will remain with a District Judge. No more notice of availability or assignment will be sent out. Consent deadline(s) termed. (alw)	
106	10/12/2022	MEMORANDUM in Opposition re 101 MOTION for Reconsideration , 97 MOTION for Reconsideration re 95 Order on Motion for Preliminary Injunction, filed by United States of America. Replies due by 10/26/2022.(Eiswerth, Christopher)	
107	10/19/2022	Joint MOTION modification of briefing schedule of Idaho Legislatures Renewed Motion to Intervene re 105 MOTION to Intervene Daniel W. Bower appearing for Intervenor Defendant Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Responses due by 11/9/2022 (Attachments: # 1 Exhibit)(Bower, Daniel)	
108	10/20/2022	DOCKET ENTRY ORDER granting 107 Motion. Good cause appearing, the briefing schedule on the Legislature's Renewed Motion to Intervene (Dkt. 105) is modified as follows: Responses shall be filed by October 20, 2022. The optional reply brief shall be filed by October 27, 2022. Signed by Judge B. Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (mls))	
109	10/20/2022	MEMORANDUM in Opposition re 105 MOTION to Intervene filed by United States of America. Replies due by 11/3/2022.(Deffebach, Anna)	
110	10/20/2022	RESPONSE to Motion re 105 MOTION to Intervene filed by State of Idaho. Replies due by 11/3/2022.(Olsen, Steven)	
111	10/26/2022	REPLY to Response to Motion re 97 MOTION for Reconsideration re 95 Order on Motion for Preliminary Injunction, filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature.Motion Ripe Deadline set for 10/27/2022.(Bower, Daniel)	
112	10/26/2022	REPLY to Response to Motion re 101 MOTION for Reconsideration filed by State of Idaho.Motion Ripe Deadline set for 10/27/2022.(Church, Brian)	
113	10/27/2022	REPLY to Response to Motion re 105 MOTION to Intervene filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature.Motion Ripe Deadline set for 10/28/2022.(Bower, Daniel)	
114	10/28/2022	NOTICE by State of Idaho of Withdrawal of Counsel (Larrondo, Megan)	
115	11/17/2022	NOTICE by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature re 97 MOTION for Reconsideration re 95 Order on Motion for Preliminary Injunction, , 105 MOTION to Intervene (Bower, Daniel)	
116	12/13/2022	NOTICE by State of Idaho of Withdrawal of Counsel (Reed, Dayton)	

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117	12/14/2022	NOTICE by State of Idaho of Withdrawal of Counsel (Batey, Ingrid)	
118	12/30/2022	NOTICE by State of Idaho of withdrawal of Special Deputy Attorney General Clay R. Smith (Church, Brian)	
119	01/13/2023	MOTION Permission to File Supplemental Briefing and Notice of Supplemental Authority Brian V Church appearing for Defendant State of Idaho. Responses due by 2/3/2023 (Attachments: # 1 Memorandum in Support of Request for Permission to File Supplemental Briefing, # 2 Planned Parenthood Decision)(Church, Brian)	
120	01/13/2023	MOTION to Stay Issuance of a Decision Brian V Church appearing for Defendant State of Idaho. Responses due by 2/3/2023 (Attachments: # 1 Memorandum in Support of Motion to Stay Issuance of a Decision)(Church, Brian)	
121	01/13/2023	JOINDER by Intervenor Defendant Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature joining 119 MOTION Permission to File Supplemental Briefing and Notice of Supplemental Authority, 120 MOTION to Stay Issuance of a Decision . (Attachments: # 1 Exhibit 1 Planned Parenthood Decision)(Bower, Daniel)	
	01/13/2023	NOTICE TO COURT that counsel Dayton Reed wishes to no longer be noticed electronically on this case as of the date of this notice. (Reed, Dayton)	
122	01/24/2023	DOCKET ENTRY ORDER granting 119 State of Idaho's Motion for Permission to File Supplemental Briefing on the State's pending motion for reconsideration 101 . The State of Idaho may file a supplement brief in support of its motion for reconsideration not to exceed 10 pages no later than February 6, 2023. As the Idaho Legislature has joined in the motion, it may also file a separate brief in support of its motion for reconsideration not to exceed 10 pages by February 6, 2023. In response, the United States of America may file two briefs responding to each supplemental brief filed by the State and the Legislature not to exceed ten pages each, or one omnibus response brief not to exceed 20 pages by February 21, 2023. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
123	01/24/2023	DOCKET ENTRY ORDER: IT IS ORDERED that 120 the State of Idaho's Motion to Stay Issuance of a Decision is GRANTED. The Court will not issue a decision on the pending motions to reconsider until the supplemental briefing has been completed on February 21, 2023, and the Court has had adequate time to consider the additional argument. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
124	01/24/2023	NOTICE by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature of Automatic Substitution of Certain Intervenor-Defendants (Bower, Daniel)	
125	02/03/2023	MEMORANDUM DECISION AND ORDER. Idaho Legislatures Renewed Motion to Intervene (Dkt. 105) is DENIED. Signed by Judge B Lynn Winmill. (alw)	
126	02/06/2023	MEMORANDUM in Support re 97 MOTION for Reconsideration re 95 Order on Motion for Preliminary Injunction, filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho	

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#	Date	Proceeding Text	Source
		Legislature. (Attachments: # 1 Exhibit 1)(Bower, Daniel)	
127	02/06/2023	SUPPLEMENT by Defendant State of Idaho Supplemental Brief Supporting State of Idaho's Motion for Reconsideration. (Olsen, Steven)	
128	02/06/2023	MOTION to Take Judicial Notice Steven Lamar Olsen appearing for Defendant State of Idaho. Responses due by 2/27/2023 (Attachments: # 1 Exhibit 1)(Olsen, Steven)	
129	02/21/2023	NOTICE of Appearance by Lincoln Davis Wilson on behalf of State of Idaho (Wilson, Lincoln)	
130	02/21/2023	SUPPLEMENT by Plaintiff United States of America re 101 MOTION for Reconsideration , 97 MOTION for Reconsideration re 95 Order on Motion for Preliminary Injunction, United States' Supplemental Brief in Opposition to the Motions for Reconsideration. (Deffebach, Anna)	
131	03/02/2023	NOTICE OF APPEAL as to 125 Memorandum Decision, Terminate Motions by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Filing Fee Paid. \$ 505, receipt number AIDDC-2530532. (Notice sent to Court Reporter & 9th Cir) (Bower, Daniel)	
132	03/03/2023	USCA Case Number 23-35153 for 131 Notice of Appeal, filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. (alw)	
133	03/03/2023	USCA Scheduling Order 23-35153 as to 131 Notice of Appeal, filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. (Notice sent by e-mail to Court Reporter) (alw)	
134	05/04/2023	DOCKET ENTRY ORDER granting 128 the State of Idaho's Request to Take Judicial Notice, under Federal Rule of Evidence 201, that the Idaho Supreme Courts Planned Parenthood decision released January 5, 2023, Dkt. 119-2, is now final. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
135	05/04/2023	MEMORANDUM DECISION AND ORDER. IT IS ORDERED that: (1) the Idaho Legislatures Motion for Reconsideration of Order Granting Preliminary Injunction (Dkt. 97) is DENIED; and (2) the State of Idahos Motion to Reconsider Preliminary Injunction (Dkt. 101) is DENIED. Signed by Judge B Lynn Winmill. (caused to be mailed to non Registered Participants at the addresses listed on the Notice of Electronic Filing (NEF) by (jsv)	
136	06/28/2023	NOTICE OF APPEAL (USCA 23-35440) as to 95 Order on Motion for Preliminary Injunction, 135 Order on Motion for Reconsideration,,, by State of Idaho. Filing Fee Due. \$ 505, receipt number AIDDC-2590508. (Notice sent to Court Reporter & 9th Cir) (Wilson, Lincoln) Modified on 6/29/2023 to add 9CCA case number (hs).	
137	06/28/2023	USCA Case Number 23-35440 for 136 Notice of Appeal, filed by State of Idaho. (hs) (Entered: 06/29/2023)	
138	07/03/2023	NOTICE OF APPEAL (23-35450) by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Filing Fee Due. \$ 505, receipt number AIDDC-2592636. (Notice sent to Court Reporter & 9th Cir) (Bower, Daniel) Modified on 7/5/2023 to add 9CCA Case Number (km).	
139	07/03/2023	TRANSCRIPT REQUEST by State of Idaho for proceedings held	

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#	Date	Proceeding Text	Source
		on 8/22/2022 before Judge Winmill, (Notice sent by e-mail to Court Reporter) (Church, Brian)	
140	07/03/2023	MOTION to Stay Preliminary Injunction Pending Appeal Daniel W. Bower appearing for Intervenor Defendant Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. Responses due by 7/24/2023 (Attachments: # 1 Memorandum in Support Legislature's Memo ISO Stay)(Bower, Daniel)	
141	07/03/2023	USCA Case Number 23-35450 for 138 Notice of Appeal, filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature. (km) (Additional attachment(s) added on 7/5/2023: # 1 Notice to Review Party and Counsel Listing, # 2 Mediation Letter) (km). (Entered: 07/05/2023)	
142	07/05/2023	TRANSCRIPT REQUEST by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature for proceedings held on 08/22/2022 before Judge Winmill, (Notice sent by e-mail to Court Reporter) (Bower, Daniel)	
143	07/06/2023	NOTICE by State of Idaho of Withdrawal of Counsel (Callahan, Joan)	
144	07/24/2023	MEMORANDUM in Opposition re 140 MOTION to Stay Preliminary Injunction Pending Appeal filed by United States of America. Replies due by 8/7/2023. (Attachments: # 1 Exhibit Exhibit A)(Deffebach, Anna)	
145	08/04/2023	REPLY to Response to Motion re 140 MOTION to Stay Preliminary Injunction Pending Appeal filed by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature.Motion Ripe Deadline set for 8/7/2023.(Bower, Daniel)	
146	08/21/2023	NOTICE by Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature of Withdrawal of Counsel: Monte Neil Stewart (Bower, Daniel)	

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