

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

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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.*

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

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**STIPULATION OF DISMISSAL OF APPEALS**

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Under Federal Rule of Appellate Procedure 42(b)(1), Appellants, the State of Idaho and the Idaho Legislature,<sup>1</sup> and Appellee, the United States of America, stipulate to the dismissal of these appeals, Nos. 23-35440 and 23-35450,<sup>2</sup> 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).

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<sup>1</sup> 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”).

<sup>2</sup> 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:

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## 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* \_\_\_\_\_

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March 5, 2025