

RAÚL R. LABRADOR
ATTORNEY GENERAL

JAMES E. M. CRAIG, ISB #6365
Chief, Civil Litigation and
Constitutional Defense

BRIAN V. CHURCH, ISB #9391
Lead Deputy Attorney General
DAVID J. MYERS, ISB #6528
Deputy Attorney General
Office of the Attorney General
P. O. Box 83720
Boise, ID 83720-0010
Telephone: (208) 334-2400
Facsimile: (208) 854-8073
james.craig@ag.idaho.gov
brian.church@ag.idaho.gov
david.myers@ag.idaho.gov

Attorneys for Defendant

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

ST. LUKE'S HEALTH SYSTEM, LTD.,

Plaintiff,

v.

RAÚL LABRADOR, Attorney General
of the State of Idaho,

Defendant.

Case No. 1:25-cv-00015-BLW

**NOTICE OF SUPPLEMENTAL
AUTHORITY**

With respect to the pending Motion for Preliminary Injunction (Dkt. 2) and Motion to Dismiss (Dkt. 25), Attorney General Labrador hereby gives notice of the supplemental authority attached as Exhibit A, today's unanimous opinion in *Roe v. Critchfield*, No. 23-2807, 2025 WL 865721 (9th Cir. Mar. 20, 2025) (before Judges Wardlaw, Christen, and Bennett).

The opinion reaffirms the Spending Clause principles that the Attorney General asserts in this case. It applies the Spending Clause’s clear-notice rule to hold that the plaintiff “failed to establish that Defendants had adequate notice, when they accepted federal funding, that Title IX prohibits the exclusion of transgender students from restrooms, locker rooms, shower facilities, and overnight lodging corresponding to their gender identity.” *Id.* at *11. It also reaffirms that “legislation enacted pursuant to the spending [clause] is in the nature of a contract” and “recipients . . . must accept federally imposed conditions on funds voluntarily and knowingly.” *Id.*

DATED: March 20, 2025.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: /s/ David J. Myers
DAVID J. MYERS
Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 20, 2025, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following persons:

Wendy J. Olson
wendy.olson@stoel.com

Stephen L. Adams
sadams@gfidaholaw.com

Alaina Harrington
alaina.harrington@stoel.com

Chad Golder
cgolder@aha.org

Lindsay C. Harrison*
lharrison@jenner.com

Attorneys for Proposed Amici American Hospital Association, America's Essential Hospitals, and the American Association of Medical Colleges

Jessica Ring Amunson*
jamunson@jenner.com

Sophia W. Montgomery*
smontgomery@jenner.com

Ruby C. Giaquinto*
rgiaquinto@jenner.com

Attorneys for Plaintiff St. Luke's Health System

**admitted pro hac vice*

/s/ David J. Myers

David J. Myers