

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

**ORDER RE: STIPULATED
BRIEFING SCHEDULE**

INTRODUCTION

This matter is before the Court on a Stipulation (Dkt. 22) filed by the parties. For the reasons explained below, the Court will not approve the stipulation.

DISCUSSION

Plaintiff St. Luke's Health System, Ltd. has filed a motion for preliminary injunction in this matter. Defendant Attorney General Labrador's response to that motion is due today, February 6, 2025, and St. Luke's reply is therefore due on February 20, 2025. The Court is scheduled to hear oral argument on March 5, 2025, which meant the Court was slated to have a complete set of briefs in hand roughly two weeks before the hearing. Yesterday, the parties informed the Court they had stipulated to a new briefing schedule. The upshot of that stipulation is

this: (1) the Court would end up with 100 pages of briefing from the parties (rather than 50); and (2) the Court wouldn't have the final reply brief until March 3, 2025—just two days before the hearing. The stipulation was prompted by the fact that the Attorney General intends to file a motion to dismiss simultaneously with his opposition to the injunction motion. Given that, the parties stipulated to the following briefing schedule:

- (1) By February 6, 2025, the Attorney General would file a consolidated brief (of up to 40 pages) in support of the motion to dismiss and his opposition to the injunction motion.
- (2) By February 24, 2025, St. Luke's would file a consolidated response to the motion to dismiss and reply in support of the injunction motion. That brief would be no more than 30 pages in length.
- (3) Finally, the Attorney General file his reply in support of the motion to dismiss by March 3, 2025. That brief would be no more than 10 pages in length.

The Court sees two problems with this stipulation. First, if the issues are overlapping, the parties should file shorter briefs rather than using up the entire page allowance for the two motions. Second, as mentioned above, the Court would now end up with the final reply brief just two days in advance of the hearing. That is not sufficient time to properly prepare for the hearing. Accordingly, the Court

will decline to approve the stipulation and instead set up a different briefing schedule. The Court contemplated continuing the hearing date and going along with the stipulated briefing schedule. But it decided against that because the next available hearing date is not until mid-April, 2025. The Court would prefer to resolve this matter before then. Finally, the Court will not change the page limitations the parties have agreed upon, but it will *strongly* encourage the parties to file shorter briefs. As noted above, if the issues are overlapping, the parties shouldn't have to use up all the allowed pages. Accordingly,

ORDER

IT IS ORDERED that:

- (1) Attorney General Labrador will be permitted to file a consolidated motion to dismiss and opposition to the preliminary injunction. This consolidated brief must be no more than 40 pages in length and must be filed by **Thursday, February 6, 2025**.
- (2) St. Luke's will be permitted to file a consolidated response to the motion to dismiss and reply in support of its preliminary injunction. This consolidated brief must be no more than 30 pages in length and must be filed by **12:00 p.m. Mountain Time on Thursday, February 20, 2025**.
- (3) Attorney General Labrador will file his reply in support of his motion

to dismiss no later than **Wednesday, February 26, 2025**. This reply brief must be no more than 10 pages in length.



DATED: February 6, 2025

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill
United States District Judge