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*Attorneys for Interested Parties*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,

Plaintiff,

v.

BRYAN C. KOHBERGER,

Defendant.

Case No. CR01-24-31665

**MOTION TO BE HEARD AS  
INTERESTED PARTIES**

AMERICAN BROADCASTING  
COMPANIES, INC., d/b/a ABC NEWS; THE  
ASSOCIATED PRESS; RADIO  
TELEVISION DIGITAL NEWS  
ASSOCIATION; TEGNA INC./KREM  
(SPOKANE), KTVB (BOISE) AND KING  
(SEATTLE); KXLY-TV/4 NEWS NOW AND  
KAPP/KVEW-TV—MORGAN MURPHY  
MEDIA; SCRIPPS MEDIA, INC., d/b/a KIVI-  
TV, A DELAWARE CORPORATION; THE  
SPOKESMAN-REVIEW/COWLES  
COMPANY; LAWNEWZ, INC.; WP  
COMPANY LLC, DBA THE WASHINGTON  
POST; SOCIETY OF PROFESSIONAL  
JOURNALISTS; THE SEATTLE TIMES;  
RADIO TELEVISION DIGITAL NEWS

ASSOCIATION; and THE NEW YORK  
TIMES COMPANY,

Interested Parties.

On January 15, 2024, this Court issued a Notice of Hearing and Order Regarding January 21, 2025 Hearing. In that Order, the Court set a “closed/sealed” hearing to (1) hear the Defense Motion to Unseal materials related to its request to suppress evidence stemming from the use of IGG DNA, and (2) consider what portions, if any, and under what circumstances, should the various motions set to be heard on January 23<sup>rd</sup> and January 24<sup>th</sup> be open to the public. While the Court’s Order setting the Tuesday hearing unambiguously closed the hearing to the public (and thus, the press), it did not make any specific findings as to the probability that the Defendant’s right to a fair trial would be prejudiced, nor was any member of the public or press provided an opportunity to raise objections to the closure.

For the reasons set forth in the accompanying memorandum, American Broadcasting Companies, Inc. d/b/a ABC News, The Associated Press, Radio Television Digital News Association, TEGNA Inc./KREM (Spokane), KTVB (Boise) and KING (Seattle); KXLY-TV/4 NEWS NOW and KAPP/KVEW-TV – Morgan Murphy Media; Scripps Media, Inc., d/b/a KIVI-TV, The Spokesman-Review/Cowles Company, LawNewz, Inc., WP Company d/b/a The Washington Post, the Society of Professional Journalists, The Seattle Times, Radio Television Digital News Association, and The New York Times (“Interested Parties”) respectfully move this Court for leave to present argument at or immediately before the January 21, 2025 hearing. *See The Associated Press v. Second Jud. Dist.*, 172 Idaho 113, 121, 529 P.3d 1259, 1267 (2023) (“both state and federal courts often permit the media to intervene in criminal cases on a limited basis—or at least file a motion as interested parties—in the defense of public access and free speech, including in Idaho.”). In the alternative, the Interested Parties request an opportunity to

be heard prior to the Court closing of any portions of the January 23 or 24, 2025 hearings to the public.

DATED: January 21, 2025

STOEL RIVES LLP

/s/ Wendy J. Olson

Wendy J. Olson  
Anders Pedersen

*Attorneys for Interested Parties*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 21<sup>st</sup> day of January 2025, I served a true and correct copy of the within and foregoing **MOTION TO BE HEARD AS INTERESTED PARTIES** upon the following named parties by the method indicated below, and addressed to the following:

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/s/ Wendy J. Olson  
Wendy J. Olson