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IN THE SUPREME COURT OF THE STATE OF IDAHO

COMMITTEE TO PROTECT AND
PRESERVE THE IDAHO
CONSTITUTION, INC., MORMON
WOMEN FOR ETHICAL GOVERNMENT,
SCHOOL DISTRICT NO. 281, LATAH
COUNTY, STATE OF IDAHO, IDAHO
EDUCATION ASSOCIATION, INC., JERRY
EVANS, MARTA HERNANDEZ,
STEPHANIE MICKELSEN, ALEXIS
MORGAN, on behalf of herself and her minor
children, KRISTINE ANDERSON, on behalf
of herself and her minor children, individuals
and as private attorneys general on behalf of
the public of the State of Idaho,

Petitioners,

vs.

STATE OF IDAHO, acting by and through the
IDAHO STATE TAX COMMISSION,

Respondent.

Case No. 53264-2025

PETITIONERS' EXPEDITED MOTION
FOR EXTENSION OF TIME

Pursuant to Idaho Appellate Rules 34(d) and 46, Petitioners respectfully request an extension of the deadline to file Petitioners' reply brief in this proceeding from November 17, 2025, to November 25, 2025. Petitioners also request that this motion be expeditiously resolved. Counsel for Respondents State of Idaho and Idaho State Legislature have been contacted about the requested extension and have stated that they do not object to Petitioners proposed deadline of November 25, 2025.

Preparing a reply brief on or before the current November 17, 2025, deadline is not practicable. Since this matter was initiated, the Idaho State Legislature was granted intervenor status. Last night after 5:00 p.m., the State of Idaho filed a fifty (50) page brief, five (5) declarations, and exhibits to one of the declarations totaling five hundred forty-one (541) pages. Likewise, last night the Idaho State Legislature filed a forty-six (46) page brief and one declaration. Petitioners require additional time to effectively evaluate and respond to the voluminous filings.

In addition, the extension sought (until November 25, 2017) is much shorter than the time usually afforded for reply briefs (21 days after the filing of respondent's brief). Moreover, Respondents' briefs were filed after 5:00 p.m local time, allowing one (1) additional day under Idaho Rules for Electronic Filing and Service 17(h). *See Declaration of Marvin K. Smith In Support of Motion for Extension of Time* ¶¶ 5-6. Also, November 11, 2025, is Veteran's Day, a federal holiday as well as an Idaho state holiday.

Petitioners plan to file a consolidated reply brief to Respondents' briefs in support of judicial economy and to streamline presentation of issues. Smith Declaration at ¶ 8. This requested extension will not prejudice any party.

Pursuant to Idaho Appellate Rule 34(d), a declaration of Marvin K. Smith supporting the motion is attached. Based upon the foregoing, Petitioners respectfully ask this Court to expeditiously grant the motion.

DATED THIS 11 day of November, 2025.

HAWLEY TROXELL ENNIS & HAWLEY LLP

By 
Marvin M. Smith, ISB No. 2236
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Attorneys for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11 day of November, 2025, I caused to be served a true copy of the foregoing PETITIONERS' EXPEDITED MOTION FOR EXTENSION OF TIME by the method indicated below, and addressed to each of the following:

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