

IN THE SUPREME COURT OF THE STATE OF IDAHO

In Re: Petition for Writ of Mandamus.

MICHAEL STEPHEN GILMORE, a
Qualified Elector of Ada County,

Petitioner,

v.

LAWERENCE DENNEY, Idaho
Secretary of State, in his official
capacity,

Respondent,

and

SCOTT BEDKE in his official capacity
as Speaker of the House of
Representatives of the State of
Idaho; CHUCK WINDER, in his
official capacity as President Pro
Tempore of the Idaho State Senate;
and the SIXTY-SIXTH IDAHO
LEGISLATURE,

Intervenor-Respondents.

In Re: Petition for Writ of Prohibition.

RECLAIM IDAHO, and the
COMMITTEE TO PROTECT AND
PRESERVE THE IDAHO
CONSTITUTION, INC.,

Petitioner,

v.

LAWERENCE DENNEY, in his official
capacity as the Idaho Secretary of
State; and STATE OF IDAHO,

Respondents,

and

Order Re: Motions to Strike

Docket No. 48760-2021

Docket No. 48784-2021

SCOTT BEDKE in his official capacity
as Speaker of the House of
Representatives of the State of Idaho;
CHUCK WINDER, in his official
capacity as President Pro Tempore of
the Idaho State Senate; SIXTY-SIXTH
IDAHO LEGISLATURE,

Intervenor-Respondents.

1. RESPONDENTS' MOTION TO STRIKE and RESPONDENTS' MEMORANDUM IN SUPPORT OF MOTION TO STRIKE were filed by counsel for Respondents on June 2, 2021.
2. PETITIONERS' MEMORANDUM IN OPPOSITION TO RESPONDENTS' MOTION TO STRIKE was filed by counsel for Petitioners on June 9, 2021.
3. A JOINT MOTION TO STRIKE DECLARATION OF JOE CHAMPION AND SUPPLEMENTAL DECLARATION OF GARY MONCRIEF and MEMORANDUM IN SUPPORT OF JOINT MOTION TO STRIKE DECLARATION OF JOE CHAMPION AND SUPPLEMENTAL DECLARATION OF GARY MONCRIEF were filed by counsel for Respondents and Intervenor-Respondents on June 14, 2021.
4. RESPONDENTS' REPLY TO PETITIONERS' MEMORANDUM IN OPPOSITION TO RESPONDENTS' MOTION TO STRIKE was filed by counsel for Respondents on June 15, 2021.
5. PETITIONERS' OPPOSITION TO RESPONDENTS' MOTION TO STRIKE THE DECLARATIONS OF CHAMPION AND MONCRIEF was filed by counsel for Petitioners on June 16, 2021.
6. REPLY IN SUPPORT OF JOINT MOTION TO STRIKE DECLARATION OF JOE CHAMPION AND SUPPLEMENTAL DECLARATION OF GARY MONCRIEF was filed by counsel for Respondents and Intervenor-Respondents on June 21, 2021.

Therefore, after due consideration,

IT IS ORDERED that RESPONDENTS' MOTION TO STRIKE is GRANTED in part as to the portions of the following Declarations objected to: Linda Larson (paragraph 7), Karen Lansing (paragraph 10), and Jessica Mahuron (paragraphs 8 and 9).

IT IS ALSO ORDERED that the Court RESERVES RULING on the motion to strike portions of the declarations of Ben Ysursa, Luke Mayville, Dr. Gary Moncrief, David Daley, and Robin Nettinga.

IT IS FURTHER ORDERED that the Court will RESERVE RULING on Respondents' and Intervenor-Respondents' JOINT MOTION TO STRIKE DECLARATION OF JOE CHAMPION AND SUPPLEMENTAL DECLARATION OF GARY MONCRIEF.

Prior to oral argument on the underlying petitions, which is scheduled for June 29, 2021, at 10:00 a.m., Respondents shall have five (5) minutes to address the motions to strike, and Petitioner Reclaim Idaho shall have five (5) minutes to respond, after which the Court will take the motions under advisement.

Dated: June 21, 2021.

By Order of the Supreme Court

A handwritten signature in black ink, appearing to read "Sarah Utzinger". The signature is fluid and cursive, with a long, sweeping tail that curves back towards the end of the name.

For: Melanie Gagnepain
Clerk of the Courts