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Attorneys for Respondents Lawrence Denney  
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**IN THE SUPREME COURT OF THE STATE OF IDAHO**

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

Petitioners,

v.

LAWRENCE DENNEY, Idaho Secretary  
of State, in his official capacity; and STATE  
OF IDAHO,

Respondents,

and

SCOTT BEDKE in his official capacity as  
Speaker of the House of Representatives of

Supreme Court Docket No. 48784-2021

**STIPULATED WITHDRAWAL OF  
PETITIONERS' MOTION FOR AN  
AWARD OF REASONABLE  
ATTORNEYS' FEES AND COSTS**

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

Intervenors-Respondents.

The parties stipulate and agree as follows: the Court awarded attorneys’ fees and costs to Petitioners in its August 23, 2021 decision in this matter. On September 3, 2021, Petitioners filed their Motion for an Award of Reasonable Attorneys’ Fees and Costs (“Motion for Fees and Costs”). The parties then reached an agreement to fully and finally resolve the award of fees and costs in this matter, including Petitioners’ Motion for Fees and Costs. The parties reached an agreement to settle the fees and costs requested in light of the unique circumstances of the case, but with the reservation and understanding that Respondents did not agree that the total amount billed—consisting of hourly rate times hours billed—or the discretionary costs incurred, were necessary or reasonable. The parties’ agreement has now been approved by the Board of Examiners and the Constitutional Defense Council; payment will be made to Petitioners pursuant to the agreement from the Constitutional Defense Fund.

In light of the foregoing, Petitioners hereby withdraw their Motion for Fees and Costs.

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Stipulated and agreed to this 3rd day of November, 2021.

FERGUSON DURHAM, PLLC

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

By:  /s/ Deborah A. Ferguson  
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## CERTIFICATE OF SERVICE

I certify that on this 3rd day of November, 2021, I filed the foregoing document electronically through the iCourt E-File system, which caused the following iCourt-registered counsel to be served by electronic means, as more fully reflected on the Notification of Service.

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