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Attorneys for Respondents Lawrence Denney
and the State of Idaho

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
the State of Idaho; CHUCK WINDER, in

Supreme Court Docket No. 48784-2021

**STIPULATION TO STAY BRIEFING
ON PETITIONERS' MOTION FOR AN
AWARD OF REASONABLE
ATTORNEY FEES AND COSTS**

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

Intervenor-Respondents.

On September 3, 2021, Petitioners filed their Motion for an Award of Reasonable Attorneys' Fees and Costs ("Motion for Fees and Costs"). On September 17, 2021, the Court issued an order approving a stipulation filed by the parties and ordering Respondents and/or the Intervenor-Respondents to file any objections to Petitioners' Motion for Fees and Costs by September 24, 2021. The parties had requested the extension to allow time to explore the possibility of settlement of Petitioners' Motion for Fees and Costs.

The parties have now reached a tentative agreement to resolve Petitioners' Motion for Fees and Costs. However, this agreement is subject to approval by the Board of Examiners and the Constitutional Defense Council, which cannot be obtained in the time before objections are due to be filed to Petitioners' Motion for Fees and Costs. For this reason, the parties request that this Court issue an order staying briefing on Petitioners' Motion for Fees and Costs to allow time for the parties to secure the necessary approvals.

Should the Board of Examiners or the Constitutional Defense Council not approve the settlement, in whole or in part, the parties agree to ask the Court to lift the stay and resolve Petitioners' Motions for Fees and Costs.

To this end, the parties agree and respectfully request entry of an order as follows

1. Briefing on Petitioners' Motion for Fees and Costs is hereby stayed; and

2. Should the Board of Examiners or the Constitutional Defense Council not approve the settlement, in whole or in part, the Court will lift the stay at the request of the parties and set a new deadline of one week from the date the stay is lifted for the filing of any objections to Petitioners' Motion for Fees and Costs.

Stipulated and agreed to this 23rd day of September, 2021.

FERGUSON DURHAM, PLLC

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: /s/ Deborah A. Ferguson
DEBORAH A. FERGUSON

By: /s/ Megan A. Larrondo
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By: /s/ Chris C. McCurdy
CHRIS C. MCCURDY

Attorneys for Intervenor-Respondents

CERTIFICATE OF SERVICE

I certify that on this 23rd day of September, 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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