

Daniel W. Bower, ISB #7204  
MORRIS BOWER & HAWS PLLC  
1305 12th Ave. Rd.  
Nampa, Idaho 83686  
Telephone: (208) 345-3333  
Facsimile: (208) 345-4461  
dbower@morrisbowerhaws.com

Monte Neil Stewart, ISB #8129  
11000 Cherwell Court  
Las Vegas, Nevada 89144  
monteneilstewart@gmail.com

*Attorneys for Intervenor-Defendants*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO**

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

THE STATE OF IDAHO,

Defendant,

and

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

Intervenor-Defendants.

Case No. 1:22-cv-00329-BLW

**IDAHO LEGISLATURE'S  
OBJECTION TO THE  
GOVERNMENT'S PROPOSED  
ORDER**

As referenced in today's hearing, the Speaker of the Idaho House of Representatives Scott Bedke, Idaho Senate President Pro Tempore Chuck Winder, and the Sixty-Sixth Idaho Legislature (collectively the "Legislature"), without making any concession or waiving any argument (see below), has identified the over-reach of the United States' Proposed Order, Dkt. 17-2, and corrected it with "red-line" edits that limit the injunctive relief to the scope of EMTALA when properly read and applied in light of the Government's own theory. Hence, this filing, including its exhibits, constitutes the Legislature's Objection to the United States' Proposed Order.

Attached Exhibit 1 reflects those "red-line" edits (albeit in blue).

Attached Exhibit 2 is the same as Exhibit 1 after all edits have been accepted and are no longer shown in blue.

Attached Exhibit 3 contains relevant portions of EMTALA.

By making this filing, the Legislature does not make any concession contrary to or waive any argument in support of its position that this Court cannot, under the governing legal and equitable principles and in light of the admissible, credible evidence before the Court, enter any injunction at all.

Dated this 22nd day of August, 2022.

MORRIS BOWER & HAWS PLLC

By: /s/ Daniel W. Bower

Daniel W. Bower

/s/ Monte Neil Stewart

Monte Neil Stewart

*Attorneys for Intervenor-Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22nd day of August, 2022, I electronically filed the foregoing with the Clerk of the Court via the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

Brian David Netter  
DOJ-Civ  
Civil Division  
950 Pennsylvania Avenue NW  
Washington, DC 20530  
Email: brian.netter@usdoj.gov

*Attorneys for Plaintiff*

Julie Straus Harris  
DOJ-Civ  
Civil Division, Federal Programs Branch  
1100 L Street NW  
Washington, DC 20530  
Email: julie.strausharris@usdoj.gov

*Attorneys for Plaintiff*

Anna Lynn Deffebach  
DOJ-Civ  
Civil Division- Federal Programs Branch  
1100 L ST NW  
Ste Lst 12104  
Washington, DC 20005  
Email: anna.l.deffebach@usdoj.gov

*Attorneys for Plaintiff*

Emily Nestler  
DOJ-Civ  
1100 L Street  
Washington, DC 20005  
Email: emily.b.nestler@usdoj.gov

*Attorneys for Plaintiff*

Daniel Schwei  
DOJ-Civ  
Federal Programs Branch  
1100 L St NW, Ste 11532  
Washington, DC 20530  
Email: daniel.s.schwei@usdoj.gov

*Attorneys for Plaintiff*

Lisa Newman  
United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L St. NW  
Washington, DC 20005  
Email: lisa.n.newman@usdoj.gov

*Attorneys for Plaintiff*

Christopher A. Eiswerth  
DOJ-Civ  
Federal Programs Branch  
1100 L Street, NW  
Ste 12310  
Washington, DC 20005  
Email: christopher.a.eiswerth@usdoj.gov

*Attorneys for Plaintiff*

Brian V Church  
Dayton Patrick Reed  
Ingrid C Batey  
Megan Ann Larrondo  
Steven Lamar Olsen  
Office of the Attorney General  
954 W. Jefferson St., 2nd Floor  
P.O. Box 83720  
Boise, ID 83702-0010  
Email: brian.church@ag.idaho.gov  
dayton.reed@ag.idaho.gov  
ingrid.batey@ag.idaho.gov  
megan.larrondo@ag.idaho.gov  
steven.olsen@ag.idaho.gov

*Attorneys for Defendant*

Wendy J. Olson  
STOEL RIVES LLP  
101 S. Capitol Boulevard, Suite 1900  
Boise, ID 83702-7705  
Email: wendy.olson@stoel.com

*Amicus The American Hospital Association  
and The Association of American Medical  
Colleges*

Joan Elizabeth Callahan  
NAYLOR & HALES, P.C.  
950 W. Bannock Street  
Boise, ID 83702  
Email: jec@naylorhales.com

*Attorneys for Defendant*

Jacob M. Roth (*pro hac vice*)  
Charlotte H. Taylor (*pro hac vice*)  
JONES DAY  
51 Louisiana Avenue, N.W.  
Washington, D.C. 20001-2113  
Email: ctaylor@jonesday.com  
yroth@jonesday.com

Amanda K. Rice (*pro hac vice*)  
JONES DAY  
150 West Jefferson, Suite 2100  
Detroit, MI 48226-4438  
Email: arice@jonesday.com

*Amicus The American Hospital Association  
and The Association of American Medical  
Colleges*

Laura Etlinger (*pro hac vice*)  
NYS Office of The Attorney General Division  
of Appeals and Opinions  
The Capitol  
Albany, NY 12224  
Email: laura.etlinger@ag.ny.gov

*Amicus States of New York, California,  
Connecticut, Colorado, Delaware, Hawaii,  
Illinois, Maine, Maryland, Massachusetts,  
Michigan, Minnesota, Nevada, New Jersey,  
New Mexico, North Carolina, Oregon,  
Pennsylvania, Rhode Island, Washington,  
Washington D.C.*

Jay Alan Sekulow (*pro hac vice*)  
Jordan A. Sekulow (*pro hac vice*)  
Stuart Roth (*pro hac vice*)  
AMERICAN CENTER FOR LAW & JUSTICE  
201 Maryland Ave. NE  
Washington, DC 20002  
Email: sekulow@aclj.org  
jordansekulow@aclj.org  
stuartroth1@gmail.com

Laura Hernandez (*pro hac vice*)  
Olivia F. Summers (*pro hac vice*)  
AMERICAN CENTER FOR LAW & JUSTICE  
1000 Regent University Dr.  
Virginia Beach, VA 23464  
Email: lhernandez@aclj.org  
osummers@aclj.org

*Amicus American Center for Law & Justice*

*Amicus American Center for Law & Justice*

Shannon Rose Selden (*pro hac vice*)  
Leah S. Martin (*pro hac vice*)  
Adam B. Aukland-Peck (*pro hac vice*)  
DEBEVOISE & PLIMPTON LLP  
919 Third Ave.  
New York, NY 10022  
Email: srselden@debevoise.com  
lmartin@debevoise.com  
aauklandpeck@debevoise.com

Jeffrey B. Dubner (*PHV forthcoming*)  
Skye L. Perryman (*PHV forthcoming*)  
John T. Lewis (*PHV forthcoming*)  
Maher Mahmood (*PHV forthcoming*)  
DEMOCRACY FORWARD FOUNDATION  
655 15th St. NW, Ste 800  
Washington, D.C. 20005  
Email: jdubner@democracyforward.org  
sperryman@democracyforward.org  
jlewis@democracyforward.org  
mmahmood@democracyforward.org

*Amicus American College of Emergency Room Physicians, Idaho Chapter of the American College of Emergency Physicians, American College of Obstetricians and Gynecologists, Society for Maternal-Fetal Medicine, National Medical Association, National Hispanic Medical Association, American Academy of Pediatrics, American Academy of Family Physicians, American Public Health Association, American Medical Association*

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*/s/ Daniel W. Bower*

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Daniel W. Bower