

IN THE SUPREME COURT OF THE STATE OF IDAHO

HAWKINS COMPANIES, LLC, an Idaho limited liability company; PACIFIC WEST COMMUNITIES, INC., an Idaho corporation; and FJ MANAGEMENT INC., a Utah corporation,

Petitioners,

v.

STATE OF IDAHO, acting by and through its DEPARTMENT OF ADMINISTRATION, acting as the statutory agent for the STATE OF IDAHO TRANSPORTATION DEPARTMENT; and IDAHO STATE BOARD OF EXAMINERS,

Respondents,

and

MIKE MOYLE, in his official capacity as Speak of the House of Representatives of the State of Idaho; and the IDAHO HOUSE OF REPRESENTATIVES,

Intervenor-Respondents.

Docket No. 51788-2024

**RESPONDENT STATE BOARD OF EXAMINERS'
DISCLAIMER OF INTEREST AND WAIVER OF
FURTHER PARTICIPATION**

(counsel listed on the next page)

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Respondent, the State Board of Examiners, acting only for itself and not on behalf of its co-respondent the State of Idaho, notifies the Court that it takes no position in this matter, disclaims all interest in and retracts all pleadings previously filed on its behalf, and waives any further participation in this matter unless otherwise ordered by this Court. The Board plays no role in deciding whether to sell the property. The Board has already complied with its ministerial duty under the Surplus Statute and has no further role to play regardless of this case's outcome. Accordingly, the Board's involvement is unnecessary for the relief requested by Petitioners. The Board, therefore, believes it is not a proper party to the litigation, would welcome dismissal from the case by the Court if this Court deems it proper, and does not intend to present oral argument or participate further in the proceedings unless ordered by the Court.

DATED: June 7, 2024

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: /s/ Alan Hurst
ALAN M. HURST
Solicitor General
BRIAN V. CHURCH
Lead Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 7, 2024, I filed the foregoing electronically through the iCourt E-File system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notification of Service:

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s/ Alan Hurst

Date: June 7, 2024