

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 OF IDAHO'S MOTION FOR LEAVE OF COURT
TO FILE SUPPLEMENTAL OR AUGMENTED BRIEF**

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Respondent State of Idaho requests leave of the Court to be permitted to file a supplemental or augmented brief. *See* Idaho App. R. 34(e).

Good cause supports this request. After the State filed its brief on May 15, the Idaho Transportation Department (ITD) and Department of Administration (Admin) filed its response brief on May 22, the Idaho House filed its response brief on May 29, and Petitioners filed their reply brief on June 5. These briefs raise new issues and arguments, and the State of Idaho has not had the opportunity to address them.

The Court has already granted leave for ITD and Admin to augment their briefing in order to respond to issues raised after their initial brief. Order Granting Alternative Motion to Augment Response Brief (June 3, 2024). The State respectfully requests a similar opportunity. Specifically, the State asks leave to file a supplemental or augmented brief within seven days after the Court grants the State's request. Granting this request would not result in prejudice to any of the other parties to this case, given that oral argument in this matter is not set until August 26, 2024.

DATED: June 7, 2024

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: /s/ Alan Hurst
ALAN M. HURST
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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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Date: June 7, 2024