

Nos. 20-35813, 20-35815

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

LINDSAY HECOX; JANE DOE,
with her next friends Jean Doe and John Doe,
Plaintiffs-Appellees

v.

BRADLEY LITTLE,
in his official capacity as Governor of the State of Idaho; *et al.*,
Defendants-Appellants

and

MADISON KENYON; MARY MARSHALL,
Intervenors-Appellants

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

NOTICE OF WITHDRAWAL OF THE
UNITED STATES' BRIEF AS AMICUS CURIAE

BART M. DAVIS
United States Attorney

PETER L. WUCETICH
Assistant United States Attorney
District of Idaho
1290 West Myrtle Street, Suite 500
Boise, ID 83702

EMMA LEHENY
Principal Deputy General Counsel
U.S. Department of Education
Office of the General Counsel
400 Maryland Avenue, S.W.
Washington, D.C. 20202

PAMELA S. KARLAN
Principal Deputy Assistant
Attorney General

BONNIE I. ROBIN-VERGEER
ELIZABETH P. HECKER
Attorneys
U.S. Department of Justice
Civil Rights Division
Appellate Section
Ben Franklin Station
P.O. Box 14403
Washington, D.C. 20044
(202) 616-5550

On November 19, 2020, the United States filed a brief in this case as an amicus curiae supporting appellants and urging reversal. After the change in administration, the government has reconsidered the matter and hereby notifies the Court that it withdraws its amicus brief.

Respectfully submitted,

BART M. DAVIS
United States Attorney

PETER L. WUCETICH
Assistant United States Attorney
District of Idaho
1290 West Myrtle Street, Suite 500
Boise, ID 83702

EMMA LEHENY
Principal Deputy General Counsel
U.S. Department of Education
Office of the General Counsel
400 Maryland Avenue, S.W.
Washington, D.C. 20202

PAMELA S. KARLAN
Principal Deputy Assistant
Attorney General

s/ Elizabeth P. Hecker
BONNIE I. ROBIN-VERGEER
ELIZABETH P. HECKER
Attorneys
U.S. Department of Justice
Civil Rights Division
Appellate Section
Ben Franklin Station
P.O. Box 14403
Washington, D.C. 20044
(202) 616-5550

CERTIFICATE OF COMPLIANCE

I certify, pursuant to Federal Rule of Appellate Procedure 32(g):

1. This notice complies with the type-volume limit of Federal Rule of Appellate Procedure 27(d)(2)(A) because, excluding the parts of the notice exempted by Federal Rule of Appellate Procedure 32(f), the notice contains 46 words.

2. This notice complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type-style requirements of Federal Rule of Appellate Procedure 32(a)(6) because the notice has been prepared in a proportionally spaced typeface using Microsoft Office Word 2019 in Times New Roman, 14-point font.

s/ Elizabeth P. Hecker
ELIZABETH P. HECKER
Attorney

Date: February 24, 2021

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2021, I electronically filed the foregoing NOTICE OF WITHDRAWAL OF THE UNITED STATES' BRIEF AS AMICUS CURIAE with the United States Court of Appeals for the Ninth Circuit by using the CM/ECF system. All participants in this case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

s/ Elizabeth P. Hecker

ELIZABETH P. HECKER

Attorney