

Defendant, Idaho Governor C.L. “Butch” Otter pursuant to Fed R. Civ P. 56(a) respectfully moves this Court for summary judgment in his favor on all claims asserted in Plaintiffs’ First Amended Complaint (Doc. 42). This motion is supported by Defendant

Governor Otter's contemporaneously filed Memorandum in Support of Motion for Summary Judgment, Statement of Undisputed Material Facts and materials in the accompanying Appendix.

DATED this 18th day of February, 2014.

By /s/ Thomas C. Perry  
THOMAS C. PERRY  
Counsel to the Governor

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 18th day of February, 2014, I electronically filed the foregoing with the Clerk of the Court using 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:

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