

RAÚL R. LABRADOR  
ATTORNEY GENERAL

JAMES E. M. CRAIG, ISB #6365  
Chief, Civil Litigation and  
Constitutional Defense

DAVID J. MYERS, ISB #6528  
MEGAN ANDERSON, ISB# 10094  
Deputy Attorneys General  
Office of the Attorney General  
P.O. Box 83720  
Boise, ID 83720-0010  
Telephone: (208) 334-2400  
Facsimile: (208) 854-8073  
james.craig@ag.idaho.gov  
david.myers@ag.idaho.gov  
megan.anderson@ag.idaho.gov

*Attorneys for Defendants*

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

ABBY DAVIDS, MD, K.P., N.R., F.F.,  
J.A.O.G., and JOHN DOE,

*Plaintiffs,*

v.

ALEX ADAMS, in his official capacity as  
Director of the Idaho Department of Health  
and Welfare, MIREN UNSWORTH, in her  
official capacity as the Deputy Director of  
IDHW in charge of Health & Human  
Services, ELKE SHAW-TULLOCH, in her  
official capacity as the administrator of  
IDHW's Division of Public Health, ANGIE  
BAILEY, as Director of the Idaho Bureau of  
Rural Health & Primary Care, RAÚL  
LABRADOR, in his official capacity as the  
Attorney General of Idaho,

*Defendants.*

Case No. 1:25-cv-00334-AKB

**MOTION TO DISMISS CLASS  
ACTION COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE  
RELIEF [DKT. 1]**

Defendants hereby move to dismiss this action under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). This motion is supported by the concurrently filed memorandum in support.

DATED: August 29, 2025

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

/s/ David J. Myers

DAVID J. MYERS  
Deputy Attorney General

*Attorney for Defendants*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT on August 29, 2025, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following persons:

Paul Carlos Southwick  
psouthwick@acluidaho.org

Seth D. Levy  
slevy@nixonpeabody.com

Emily Myrei Croston  
ecroston@acluidaho.org

Vincent C. Capati\*  
vcapati@nixonpeabody.com

Joanna Cuevas Ingram\*  
cuevasingram@nilc.org

Jacqueline D. Relatores\*  
jrelatores@nixonpeabody.com

Kevin Siegel\*  
siegel@nilc.org

Brian J. Whittaker\*  
bwhittaker@nixonpeabody.com

Tanya Broder\*  
broder@nilc.org

Nikki Ramierez-Smith  
nsmith@nrsdt.com

Casey Parsons  
cparsons@nrsdt.com

Talia Burnett\*  
tburnett@nrsdt.com

Neal Dougherty\*  
ndougherty@nrsdt.com

*Attorneys for Plaintiffs*

*\*pro hac vice*

/s/ David J. Myers  
DAVID J. MYERS