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*Motion for *pro hac vice* admission forthcoming

Attorneys for Plaintiffs (additional counsel identified on the following page)

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

ABBY DAVIDS, MD, *et al.*,
Plaintiffs,

v.

ALEX ADAMS, in his official capacity as
Director of the Idaho Department of Health and
Welfare, *et al.*,
Defendants.

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

**PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING
ORDER, PRELIMINARY
INJUNCTION, AND PROVISIONAL
CLASS CERTIFICATION**

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Plaintiffs, by and through their undersigned counsel, respectfully move this Court pursuant to Federal Rule of Civil Procedure 65 for a temporary restraining order (“TRO”), preliminary injunction, and provisional class certification to enjoin Defendants—and their officers, agents, employees, attorneys, and any persons who are in active concert or participation with them—from requiring immigration status verification for receipt of Ryan White benefits for Plaintiffs and all of the members of a provisionally certified class.

Idaho House Bill 135 (“H.B. 135”), which is scheduled to take effect on July 1, 2025, imposes immigration status verification requirements for a broad array of public benefits, eliminating longstanding exemptions for critical services. If allowed to take effect, Plaintiffs and all similarly situated individuals in Idaho are at imminent risk of losing access to life-sustaining healthcare services through the federal Ryan White Program.

As set forth in the Memorandum of Points and Authorities and accompanying declarations filed in support of this Motion, as well as the Complaint (Dkt. 1) and Motion for Class Certification (Dkt. 3), Plaintiffs are likely to succeed on the merits of their claims because H.B. 135 is preempted by federal law, including the Personal Responsibility and Work Opportunity Reconciliation Act (“PRWORA”), which establishes a comprehensive federal framework governing noncitizens’ eligibility for public benefits and expressly limits the authority of states to impose additional restrictions. Implementation and enforcement of H.B. 135 will cause immediate and irreparable harm to Plaintiffs and the putative class, including the loss of critical medical care with no adequate remedy at law.

Counsel for Plaintiffs are unaware of the counsel who will represent Defendants. Plaintiffs have initiated personal service of this Motion along with the Complaint, to be completed on July 27, 2025 at the physical addresses for the Defendants.

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Dated: June 26, 2025

Respectfully submitted,

/s/ Emily Myrei Croston

Emily Myrei Croston (ISB No. 12389)

ACLU of Idaho Foundation

CERTIFICATE OF SERVICE

I CERTIFY that on June 26, 2025, I served a copy of the foregoing documents by electronic mail to the following person, who has agreed to accept service on behalf of all defendants:

James Craig, Division Chief
Civil Litigation and Constitutional Defense
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Dated: June 26, 2025

Respectfully submitted,

/s/ Emily Myrei Croston
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