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

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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

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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