

JILL S. HOLINKA (ISB #6563)  
HOLINKA LAW, P.C.  
P.O. Box 190164  
Boise, Idaho 83719  
Phone: (208) 572-3355  
[jsh@holinkalaw.com](mailto:jsh@holinkalaw.com)

*Attorneys for Defendants*

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

HEALTH FREEDOM DEFENSE FUND, INC.;  
RUSSELL AND LISA ADAMS, husband and  
wife, on their own behalf and as natural  
guardian for and on behalf of their minor  
children, C.A.A., W.N.A., and T.R.A.; HUGH  
AND RENATA PARIS PEDDY, husband and  
wife, on their own behalf and as natural  
guardians for and on behalf of their minor child,  
A.P.;

Plaintiffs,

vs.

KEITH ROARK, LARA STONE, AMBER  
LARNA, DAN TURNER, and GRETCHEN  
GORHAM, all in their official capacities as  
members of the BOARD OF TRUSTEES OF  
BLAINE COUNTY SCHOOL DISTRICT NO.  
61, as well as in their personal capacities for the  
Section 1983 claims asserted herein,

Defendants.

Case No. 1:21-cv-406-CWD

**DEFENDANTS' MOTION TO  
DISMISS**

COME NOW, the Defendants, by and through their undersigned counsel of record, and, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, respectfully move this court for the dismissal of Plaintiffs' Complaint at the pleading stage because Plaintiffs lack standing to bring this action, and Plaintiffs' Complaint fails to state any claim upon which relief

may be granted by this Court. This Motion is supported by Defendants' Memorandum in Support, filed contemporaneously herewith.

DATED this 23<sup>rd</sup> day of December, 2021.

HOLINKA LAW, P.C.

*/s/ Jill S. Holinka*  
Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 23<sup>rd</sup> day of December, 2021, I filed the foregoing electronically through 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:

Allen Shoff

Davillier Law Group

414 Church St., Ste. 308

Sandpoint, ID 83864-1347

Phone: 208-920-6140

\_\_\_\_\_ by U.S. mail

\_\_\_\_\_ by overnight delivery

\_\_\_\_\_ by facsimile

  x   by CM/ECF/e-mail to:

[ashoff@davillierlawgroup.com](mailto:ashoff@davillierlawgroup.com)