

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

ANIMAL LEGAL DEFENSE FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	Case No. 1:14-cv-00104-BLW
)	
vs.)	AMENDED FINAL JUDGMENT &
)	PERMANENT INJUNCTION
LAWRENCE WASDEN, in his official capacity as)	
Attorney General of Idaho,)	
)	
Defendant.)	
)	

In accordance with this Court’s memorandum decisions and orders and the United States Court of Appeals for the Ninth Circuit’s decisions and orders in this matter, **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** as follows:

- (1) The Court **DECLARES** that Section 18-7042(1)(a) of the Idaho Code is facially unconstitutional under the First Amendment to the United States Constitution to the extent that it prohibits a person who is not employed by an agricultural production facility from entering an agricultural facility by misrepresentation.
- (2) The Court **DECLARES** that Section 18-7042(1)(d) of the Idaho Code is facially unconstitutional under the First Amendment to the United States Constitution.
- (3) The defendant and his officers, agents, employees, attorneys, and all other persons who are in active concert or participation with him are hereby **PERMANENTLY ENJOINED** and prohibited from enforcing, through any action or omission or otherwise, Section 18-7042(1)(a) of the Idaho Code, to the extent that it prohibits

a person who is not employed by an agricultural production facility from entering an agricultural facility by misrepresentation, and Section 18-7042(1)(d) of the Idaho Code.

- (4) The plaintiffs' claims that Section 18-7042(1)(a), to the extent that it prohibits a person who is not employed by an agricultural production facility from entering an agricultural facility by misrepresentation, and Section 18-7042(1)(d) of the Idaho Code violate the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution are **MOOT** in light of the judgment that they violate the First Amendment to the United States Constitution and are dismissed without prejudice.
- (5) The plaintiffs' claims under the Supremacy Clause (Article VI, Section 2, of the United States Constitution) have been withdrawn and are dismissed without prejudice.
- (6) Any and all remaining claims alleging as-applied unconstitutionality with respect to Section 18-7042(1) of the Idaho Code have been withdrawn and are dismissed without prejudice.
- (7) Any and all remaining claims alleging facial unconstitutionality with respect to Section 18-7042(1) of the Idaho Code are dismissed with prejudice.



DATED: December 4, 2018

B. Lynn Winmill

B. Lynn Winmill
Chief Judge
United States District Court