

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT**

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EPILEPSY ASSOCIATION OF  
UTAH, a Utah Non-Profit Corporation;  
CHRISTINE STENQUIST;  
DOUGLAS ARTHUR RICE; TRUCE,  
a Utah Non-Profit Corporation;  
NATHAN KIZERIAN; ANDREW  
TALBOTT, M.D.,

Appellants,

v.

GARY R. HERBERT, Governor of the  
State of Utah, in His Official Capacity;  
JOSEPH K. MINER, M.D., MSPH,  
Executive Director, Utah Department  
of Health, in His Official Capacity,

Appellees.

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Case No. 19-4162

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**JOINT MOTION FOR, AND STIPULATION TO,  
DISMISSAL OF APPEAL**

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By and through their counsel, Appellants and Appellees, having reached a settlement agreement regarding all claims on appeal, hereby jointly move for voluntary dismissal of the appeal in this matter, pursuant to Rule 42(b), Federal Rules of Appellate Procedure, the parties to bear their own costs and attorneys' fees.

Dated this 25th day of June, 2020:

s/ Ross C. Anderson  
Ross C. Anderson  
ANDERSON & MASON  
The Judge Building  
Eight East Broadway, Suite 450  
Salt Lake City, Utah 84111  
Telephone: (801) 349-1690  
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*Attorney for Appellants*

Dated this 25th day of June, 2020:

s/ Stanford E. Purser  
Stanford E. Purser  
Deputy Solicitor General  
OFFICE OF THE UTAH ATTORNEY  
GENERAL  
P.O. Box 140858  
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*Counsel for Appellees Governor Gary  
R. Herbert, and Joseph K. Miner,  
M.D., MSPH*

**CERTIFICATE OF DIGITAL SUBMISSION**

I hereby certify that with respect to the foregoing **JOINT MOTION FOR,  
AND STIPULATION TO, DISMISSAL OF APPEAL:**

- (1) all required privacy redactions have been made per 10th Cir. R. 25.5;
- (2) if required to file additional hard copies, that the CM/ECF submission is an exact copy of those documents; and
- (3) the digital submissions have been scanned for viruses with the most recent version of a commercial virus scanning program, **MALWAREBYTES PREMIUM, VERSION 4.1.0.56, UPDATED JUNE 25, 2020**, and according to the program are free of viruses.

Dated this 25th day of June, 2020:

s/ Ross C. Anderson  
Ross C. Anderson  
ANDERSON & MASON  
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*Attorney for Appellants*

## CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2020, I electronically filed the foregoing **JOINT MOTION FOR, AND STIPULATION TO, DISMISSAL OF APPEAL** using the court's CM/ECF system which will send notification of such filing to the following:

Stanford E. Purser, counsel for Appellees, at [spurser@agutah.gov](mailto:spurser@agutah.gov), and

Tyler R. Green, counsel for Appellees, at [tylergreen@agutah.gov](mailto:tylergreen@agutah.gov).

Dated this 25 day of June, 2020:

s/ Ross C. Anderson  
Ross C. Anderson  
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