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FEB 11 2015

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DEPUTY

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Attorneys for Defendant Idaho Department of Administration

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

SYRINGA NETWORKS, LLC, an Idaho )  
limited liability company, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
IDAHO DEPARTMENT OF )  
ADMINISTRATION; ENA SERVICES, LLC, )  
a Division of EDUCATION NETWORKS OF )  
AMERICA, INC., a Delaware corporation; )  
QWEST COMMUNICATIONS COMPANY, )  
LCC, a Delaware limited liability, )  
 )  
Defendants. )  
 )

Case No. CV OC 0923757

NOTICE OF APPEAL

Filing Fee: Waived pursuant to I.C. § 67-2301

TO: CLERK OF THE COURT  
PARTIES TO THE CASE AND THEIR COUNSEL OF RECORD

NOTICE IS HEREBY GIVEN:

COPY

1. The above-named Appellant, Idaho Department of Administration (hereinafter “Appellant”), appeals against the above-named Respondent, Syringa Networks, LLC to the Idaho Supreme Court from the final Judgment entered by the district court in the above-entitled action, District Judge Patrick H. Owen, on February 11, 2015, including the Court’s Memorandum Decision and Order re Motion to Reconsideration entered February 11, 2015, and the Court’s Memorandum Decision and Order re Pending Dispositive Motions entered on November 10, 2014.

2. That the Appellant has the right to appeal to the Idaho Supreme Court, and the judgment described in paragraph 1 above is appealable under and pursuant to Idaho Appellate Rule 11(a)(1).

3. The issues on appeal include:

(a) Whether the District Court had jurisdiction over the matter where Defendants ENA and Qwest were not joined as necessary parties to Count Three of Syringa’s Complaint pre-appeal.

(b) Whether the District Court had jurisdiction over the matter following the Appellant’s rescission of Amendments No. 1 to the Original Statewide Blanket Purchase Orders (“SBPO”) because the issue asserted in Count Three was moot and not ripe.

(c) Whether the District Court erred in deciding that the Idaho Supreme Court’s holding on the first appeal on the limited issue that Syringa had standing to pursue its claim under Count Three of the Complaint also became the law of the case with respect to the substance of Syringa’s claim in Count Three.

(d) Whether the District Court erred in deciding that the original SBPOs were void, even though the Idaho Supreme Court and the District Court previously concluded that Syringa had conceded that the original SBPOs were lawful, and the District Court even subsequently holding that Syringa was judicially estopped from challenging the original SBPOs.

(e) Whether the District Court erred in deciding that the severability clause in the State of Idaho Standard Contract Terms and Conditions did not sever the invalid Amendments to the original SBPOs.

(f) Whether the District Court erred in deciding that the original SBPOs were void, because they were an (otherwise lawful) “initial step in a flawed process.”

(g) Whether the District Court erred in adding ENA as a party defendant to the second amended post-appeal complaint and voided a contract to which ENA is a party with Appellant even though all claims against it had been dismissed with prejudice, which were affirmed by the Idaho Supreme Court on appeal, and the award of costs and fees to ENA was satisfied by Plaintiff Syringa Networks, LLC.

4. (a) Is a reporter’s transcript requested? Yes.

(b) The Appellant requests the preparation of the following portions of the reporter’s transcript:

(1) The reporter’s standard transcript as defined in Idaho Appellate Rule 25(a), which recorded the pending dispositive motions hearing on October 10, 2014.

5. The Appellant requests the following documents to be included in the clerk's record in addition to those automatically included under Idaho Appellate Rule 28:

(a) All documents filed with the Court applicable to the October 10, 2014 hearing on pending dispositive motions,

(b) All documents filed with the Court applicable to Appellant's, ENA's and Qwest's motions for reconsideration.

6. I certify:

(a) That a copy of this notice of appeal has been served on the reporter;

(b) That the clerk of the district court will be paid the estimated fee for preparation of the reporter's transcript within the time required by rule after notice to Appellant of the amount of the estimated fee;

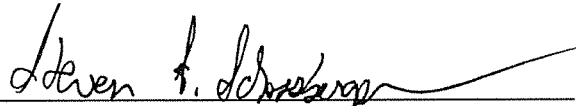
(c) That the estimated fee for preparation of the clerk's record will be paid within the time required by rule after notice to Appellant of the amount of the estimated fee;

(d) That the appellate filing fee has been paid; and

(e) That service has been made upon all parties required to be served pursuant to Idaho Appellate Rule 20.

DATED THIS 11 day of February, 2015.

HAWLEY TROXELL ENNIS & HAWLEY LLP

By   
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Attorneys for Defendant Idaho Department of  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11 day of February, 2015, I caused to be served a true copy of the foregoing NOTICE OF APPEAL by the method indicated below, and addressed to each of the following:

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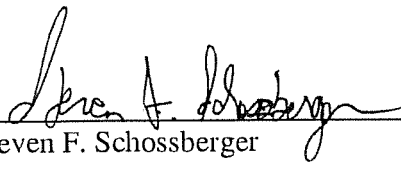
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