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

ST. LUKE'S HEALTH SYSTEM, LTD; ST.
LUKE'S REGIONAL MEDICAL CENTER,
LTD; CHRIS ROTH, an individual;
NATASHA D. ERICKSON, MD, an
individual; and TRACY W. JUNGMAN, NP,
an individual,

Plaintiffs,

vs.

AMMON BUNDY, an individual; AMMON
BUNDY FOR GOVERNOR, a political
organization; DIEGO RODRIGUEZ, an
individual; FREEDOM MAN PRESS LLC, a
limited liability company; FREEDOM MAN
PAC, a registered political action committee;
and PEOPLE'S RIGHTS NETWORK, a
political organization and an unincorporated
association,

Defendants.

Case No. CV01-22-06789

**MEMORANDUM IN SUPPORT OF
MOTION FOR CONTEMPT AGAINST
DIEGO RODRIGUEZ**

Plaintiffs St. Luke’s Health System, Ltd., St. Luke’s Regional Medical Center, Ltd., Chris Roth, Natasha D. Erickson, M.D., and Tracy W. Jungman, NP (collectively, “St. Luke’s Parties” or “Plaintiffs”), by and through their attorneys of record, Holland & Hart LLP, hereby submit this Memorandum in Support of Motion for Contempt against Diego Rodriguez (“Rodriguez”).

I. INTRODUCTION

Mocking this Court and its Protective Order dated January 19, 2023, Rodriguez has never stopped using his website to defame, harass, and intimidate witnesses. In fact, on what seems like a daily basis, Rodriguez publishes a fresh dose of harassment on his website or makes harassing statements on some extremist webcast. Rodriguez attacks the Court and counsel, harasses parties, and acts to intimidate witnesses.

Just a few of the many examples of Rodriguez’s attempts to harass and intimidate are described below:

A. ATTACKS ON THE COURT AND COUNSEL

In a profoundly sophomoric but truly harassing manner, Rodriguez recently published a mocking post which states that the Court is corrupt and St. Luke’s counsel is a “dirty” “He/Him/His,” including a photoshopped image of Plaintiffs’ counsel, the Court, and Sheriff Wunder in bed together. Affidavit of Jennifer Jensen in Support of Motion for Contempt Against Rodriguez (“Jensen Aff.”), Ex. J at 13; *see also* <https://freedomman.org/2023/facts-about-ammons-contempt-of-court-charge/>; <https://freedomman.org/2023/judge-lynn-norton-and-erik-stidham-just-gag-ordered-me/>. Rodriguez’s mockery and name-calling harasses St. Luke’s counsel (expressly protected) and harasses the Court, reasonably causing witnesses to believe, if Rodriguez can attack the Court with impunity, he can harass me with impunity.

B. HARASSMENT OF PARTIES

Rodriguez misrepresents Plaintiff Tracy Jungman as a “child trafficker” who is “responsible” for the Infant’s “kidnapping.” *Id.*, Ex. H at 130 (posting distorted photos of Jungman on a skull background and titling the page “Child Trafficker Profile: Nurse Tracy Jungman). Rodriguez falsely accuses Plaintiff Chris Roth of “making money off of child trafficking[.]” *Id.*, Ex. H at 11. And Rodriguez falsely states that Plaintiff Dr. Erickson referred the Infant to CPS, “use[s] threat of CPS to control her patients,” and is a kidnapper. *Id.*, Ex. H at 133, Ex. J at 4.

C. INTIMIDATION OF THIRD-PARTY WITNESSES

Rodriguez defames a social worker witness (specifically identified in the Protective Order) calling her “evil” and a “kidnapper,” posts unflattering photoshopped pictures of target, and posts pictures of her family. *Id.*, Ex. H at 201-12.

Rodriguez refers to a police officer (specifically identified in the Protective Order) as a “filthy pervert.” *Id.*, Ex. H at 148.

Even if Rodriguez was just a troubled person harassing witnesses online from some undisclosed basement in Florida, his acts would constitute violations of the Protective Order. But unfortunately, Rodriguez is more than just that, he is a leader in the People’s Rights Network (“PRN”) who can marshal tens of thousands of PRN members and others to his cause, exponentially increasing the force of his harassment and raising the intimidating prospect of violent action being taken by one of his followers. Rodriguez’s knowing and dangerous violations of the Protective Order need to be stopped and punished. As experts have stated, extremists like “Rodriguez follow the same playbook as Antifa.” Affidavit of Spencer Fomby in Support of Motion for Contempt Against Rodriguez (“Fomby Aff.”), ¶ 6. “Rodriguez will

continue to use intentional disinformation and misinformation and doxing unless there are real consequences for his behavior. These personal attacks create a serious life-threatening danger to targets—Mr. Roth, Dr. Erickson, NP Jungman and other potential witnesses.” *Id.*, ¶ 11.

Further, Rodriguez’s contempt of this Court is not limited to harassment and intimidation in violation of the Protective Order. Rodriguez has violated at least five of the Court’s orders relating to discovery and payment of sanctions. In violating the discovery orders, Rodriguez has dodged depositions, hidden documents, concealed witnesses with relevant information, and, most likely, has spoliated evidence. Only months away from a trial that Plaintiffs do not want to be delayed, Rodriguez has unfairly benefitted himself. The Court should act, through monetary and evidentiary sanctions, to punish Rodriguez and to prevent him from gaining an unjust advantage. By refusing to pay any of the monetary sanctions imposed on him to date, Rodriguez mocks the Plaintiffs and the legal system. The sanctions to date have been ineffectual in deterring or punishing Rodriguez. The Court must do more.

II. BACKGROUND

A. RODRIGUEZ HAS VIOLATED THE PROTECTIVE ORDER AT EVERY TURN.

1. The Court Entered a Clear and Unequivocal Order Prohibiting Threatening, Harassing, and Intimidating Witnesses and Potential Witnesses in this Lawsuit.

On January 19, 2023, the Court entered a Protective Order prohibiting Rodriguez from intimidating, threatening, or harassing witnesses or potential witnesses in this lawsuit (“Protective Order”). Affidavit of Jennifer Jensen (“Jensen Aff.”), ¶ 7, Ex. F.

2. The Court and Plaintiffs Duly Served the Protective Order on Rodriguez.

The Court sent Rodriguez the Protective Order on January 19, 2023. *See id.* In addition, Plaintiffs sent Rodriguez the Protective Order, along with a cease-and-desist letter, on

January 27, 2023 (“Cease-and-Desist Letter”). *Id.*, ¶ 8, Ex. G. The Cease-and-Desist Letter directed Rodriguez to stop “the harassment, intimidation, and threats.” *Id.* It also identified specific webpages that violated the Protective Order, which Plaintiffs demanded Rodriguez remove by January 30, 2023 (“Cease-and-Desist Webpages”). *Id.*, Ex. G. Rodriguez did not remove them. *Id.*, ¶ 11.

3. Rodriguez Violated and Continues to Violate the Protective Order.

a. Rodriguez has targeted Plaintiffs for harassment and intimidation.

The Cease-and-Desist Webpages include doxing of Plaintiffs on Rodriguez’s freedomman.org website.¹ *Id.*, Ex. H. They also include false and incendiary statements about Plaintiffs’ supposed involvement in heinous criminal activity. For example, Rodriguez misrepresents Tracy Jungman as a “child trafficker” who is “responsible” for the Infant’s “kidnapping.” *Id.*, Ex. H at 147-48. He also insinuates that Tracy Jungman sexually abuses children. *Id.*, Ex. J at 4 (questioning “[w]hat a typical physical examination by Nurse Tracy Jungman looks like (when she examines the private parts of children who have been stolen by CPS)”). Rodriguez falsely accuses Chris Roth of “making money off of child trafficking[.]” *Id.*, Ex. H at 11. And he falsely states that Dr. Erickson referred the Infant to CPS, “use[s] threats of CPS to control” patients, and is a kidnapper. *Id.*, Ex. H at 133, Ex. J at 4.

Even after the Court entered the Protective Order and Plaintiffs sent the Cease-and-Desist Letter, Rodriguez has continued to post new harassing, threatening, and intimidating content

¹ Rodriguez has admitted that “FreedomMan.org is my personal blog.” Answer to Fourth Amended Complaint, ¶ 18. He has also testified that he is “the only person who has ever had access and control” of freedomman.org. *See* Jensen Aff., Ex. A at 17:6-12. Accordingly, Rodriguez is responsible for the countless harassing, threatening, and intimidating statements that he’s posted, and that remain posted, on the freedomman.org website.

(“Further Violations”). *See* Jensen Aff., Ex. J. For instance, recently, Rodriguez wrote that St. Luke’s participated in kidnapping the Infant and that “kidnapping is a crime worthy of death”—insinuating that Plaintiffs should be put to death. *Id.*, Ex. J at 1. Rodriguez’s website is riddled with these serious and threatening posts. *See* Jensen Aff. Ex. U.

Rodriguez, like other extremists, spins and markets false conspiracy theories in order to radicalize followers to threaten and take action against those he targets—in this instance, Plaintiffs. *See* Fomby Aff., ¶¶ 6-11. He accomplishes this by publishing and maintaining these conspiracies on his freedomman.org website as well as by participating in interviews, the links to which he also publishes on his website. Jensen Aff., Ex. K.

Rodriguez’s tactic of using false conspiracy theories to radicalize others is especially troubling because of his leadership role within the People’s Rights Network (“PRN”). *See* Affidavit of Devin Burghart in Support of Motion for Contempt Against Rodriguez (“Burghart Aff.”), ¶ 6. PRN condones violence against its enemies. *Id.*, ¶ 8; *see also* Jensen Aff., Exs. N, O, Q, R, S. Rodriguez knows that his targets are aware of the threat posed by PRN and uses that to maximize his intimidation.

As of the date of this filing, Rodriguez has not removed any of the Cease-and-Desist Webpages or the Further Violations. Jensen Aff., ¶¶ 11, 16.

b. Rodriguez has targeted other potential witnesses—including those specifically named in the Protective Order—for harassment and intimidation.

Rodriguez has also continued harassing and intimidating potential witnesses who are not Plaintiffs. There are far more instances than can be described in this brief, but some recent examples follow. For instance, on April 4, 2023, Rodriguez posted a blog on the freedomman.org website harassing a judge who is explicitly listed in the Protective Order. *See*

id., Ex. J at 1 (stating that Judge Laurie Fortier is “one of the primary judges responsible for taking children away from innocent parents”). In the same post, Rodriguez calls the director of the Department of Health and Welfare a pedophile—or “pedobear.” *Id.*

On February 22, 2023, Rodriguez sent Plaintiffs’ lead counsel, who is specifically listed in the Protective Order, a homophobic rant telling him that his “evil and wicked deeds can’t go on forever” and that his “He/Him/His contemporaries will take good care of [him] in a Brazilian jail.” *Id.*, Ex. L. These comments came after Rodriguez attempted to have Plaintiffs’ counsel travel to Brazil—a place where depositions are illegal—to depose Rodriguez, likely because Rodriguez knew that conducting a deposition in Brazil is illegal. *See id.*

Last week, Rodriguez posted a webpage calling Plaintiffs’ counsel “dirty,” “perverted and wicked,” and “a filthy, vile, and morally corrupted evil soul,” including photoshopped images of Plaintiffs’ counsel, this Court, and the Gem County Sheriff in bed together. *Id.*, Ex. J at 13.

Rodriguez continues to post and maintain defamatory content targeting witnesses with the Idaho Department of Health and Welfare who are expressly listed in the Protective Order. *See, e.g.*, Affidavit of Kristen Nate in Support of Motion for Contempt Against Diego Rodriguez (“Nate Aff.”), ¶¶ 3-9 (Nate harassed by false statements that she is “a vindictive, angry, Christian hating, political leftist, who loves power and seeks every opportunity to destroy godly families”); Affidavit of Kelly Shoplock in Support of Motion for Contempt Against Diego Rodriguez (“Shoplock Aff.”), ¶¶ 3-11; Jensen Aff., Ex. H at 201-06 (Shoplock called “an evil cog in Idaho’s child trafficking machine,” compared to a “rapist,” alongside photos of her and further identifying information, including about her husband); *see also* Affidavit of David Jeppesen in Support of Motion for Contempt Against Rodriguez (“Jeppesen Aff.”), ¶¶ 3-5.

Rodriguez’s extremist rhetoric has targeted, doxed, and invited violence consistently throughout this lawsuit, with no regard for the Court’s Protective Order.

c. Rodriguez’s False Statements Effect Harassment and Intimidation by Inciting His Followers.

Some of Rodriguez’s followers appear poised to be radicalized to use force and unlawful means to retaliate against Rodriguez’s targets. For example, one commentor on the Freedom Man website wrote about Plaintiffs, “These pieces of shit need to rot and burn forever! I hope Diego and Ammon have what it takes to go the distance with these pedophiles!” *Id.*, Ex. H at 13. Another commentor wrote about one of the officers explicitly mentioned in the Protective Order, “How can we find out more about this [officer]. Like EVERYTHING about him. . . . **We need to find him.** I’m so sick of mofos like him. . . . Please publish the names of all the cops that night. They are all accomplices to this pervert as far as I’m concerned!” *Id.*, Ex. H at 44 (emphasis added). That same commentor went even further in response to post about Ms. Jungman, stating “This pisses me off so bad. **Its time to start doing what Jefferson said about the tree of liberty and the blood of tyrants.**” *Id.*, Ex. H at 142 (emphasis added).² Rodriguez’s rhetoric encourages violence.

In addition to the threat posed to Plaintiffs by Rodriguez’s “Freedom Man” followers, Rodriguez’s false statements also invite physical threat from People’s Rights Network (“PRN”)

² The “Tree of Liberty” quote that the commentor refers to states:

And what country can preserve it’s [sic] liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance? Let them take arms. The remedy is to set them right as to facts, pardon and pacify them. What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants.

<https://founders.archives.gov/documents/Jefferson/01-12-02-0348>.

members. Rodriguez is a leader in PRN. Burghart Aff., ¶ 6. And many of his articles and statements are reposted on the PRN website. *See* Jensen Aff., Ex. N at 14-16 (Bundy posting links to the Freedom Man website in his “Warning Letter” on PRN’s website); *see also* https://www.peoplesrights.org/news_view/?come-no-more-upon-me-a-warning-letter-from-ammon-bundy&id=f6984a7c-eafc-4082-a3b4-e99dfe129733. Accordingly, Rodriguez’s statements have the ability to reach the entire PRN network. Because PRN claims that it has over 60,000 members³ and because research shows that 10-30% of extremist organization members go on to become violent extremists, the fact that Rodriguez has the ability to reach the PRN network amplifies the threat his statements pose to Plaintiffs. *See* Jensen Aff., Ex. P at 27-28.

The threat posed by Rodriguez’s harassment grows greater as time passes. Rodriguez, in coordination with Bundy, has been spinning a narrative in the media about how this lawsuit evidences his supposed suffering as the victim of organizations and individuals he accuses of corruption—including Plaintiffs—who must be stopped by whatever means including, apparently, by death. *See, e.g.,* Jensen Aff., Ex. J at 8 (stating that the Court’s actions “only feed the narrative that courts are corrupt and that justice is no longer available in America”), Ex. H at 349 (accusing CPS of kidnapping and saying that “Kidnapping alone is worthy of death, but kidnapping for profit, meaning money is exchanged for the transfer of the child from one party to the next, takes the crime to another level.”). Plaintiffs believe that the Protective Order was entered to put an end to this type of harassment and threat.

³ <https://www.statesmanjournal.com/story/news/2021/10/25/ammon-bundy-irehr-report-far-right-group-peoples-rights-undercounted-members-anti-government/8543574002/>.

B. RODRIGUEZ HAS ESTABLISHED A PATTERN OF VIOLATING THE COURT’S ORDERS.

Since the outset of this litigation, Rodriguez has repeatedly violated this Court’s orders relating to discovery and the payment of sanctions:

- On July 12, 2022, the Court ordered Rodriguez to respond to certain interrogatories. Jensen Aff., ¶ 2. Rodriguez didn’t comply. *Id.*
- On October 12, 2022, the Court ordered Freedom Man Press LLC (“FMP”), an organization that Rodriguez asserts doesn’t exist and that is “just [him],” *see* Jensen Aff., Ex. A at 19:20–26:17, Ex. T at ¶ 18, to remove statements on freedomman.org “stating or alleging that Natasha Erickson is responsible for kidnapping or child trafficking” (“Preliminary Injunction Order”). *Id.*, Ex. B at 2. FMP, and by extension Rodriguez, didn’t comply. As of the date of this filing, statements alleging that Dr. Erickson is responsible for kidnapping remain on the Freedom Man website. *See, e.g.*, Jensen Aff., Ex. I.
- On December 13, 2022, the Court ordered Rodriguez to pay to Plaintiffs \$5,408.10 for fees and costs relating to Rodriguez’s failure to comply with Court-ordered discovery (“First Fee Order”). *Id.*, ¶ 4, Ex. C. Payment was to be made within 30 days of the order. *See id.* To date, more than four months since the First Fee Order was entered, Rodriguez hasn’t paid Plaintiffs a dime. *Id.*, ¶ 4.
- On February 8, 2023, the Court issued two orders which required Rodriguez to, among other things, respond to Plaintiffs’ outstanding discovery requests by February 22, 2023, and submit to a two-day deposition (“Discovery Orders”). *Id.*, Ex. D. Rodriguez didn’t comply. *Id.*, ¶ 5.

- Finally, on March 22, 2023, the Court ordered Rodriguez to pay to Plaintiffs \$5,449.95 for fees and costs relating to Rodriguez’s continued failure to comply with Court-ordered discovery (“Second Fee Order”). *Id.*, ¶ 6, Ex. E at 4. Payment was to be made within 14 days of the service of the order on Rodriguez. *See id.* To date, Rodriguez hasn’t made any payment to Plaintiffs. *Id.*, ¶ 6.

C. RODRIGUEZ’S RECORD OF VIOLATIONS SHOWS HE REQUIRES STRONG DETERRENCE.

Rodriguez has violated every order issued by this Court which called for him to take some action or make some payment. He is currently violating five orders of this Court: (1) the Preliminary Injunction Order; (2) the First Fee Order; (3) the Protective Order; (4) the Discovery Orders; and (5) the Second Fee Order. Each violation justifies contempt sanctions. But because Rodriguez was not personally named in the Preliminary Injunction and because this Court has sanctioned Rodriguez again for his violations of the Discovery Orders, Plaintiffs’ Motion seeks contempt sanctions only on the First Fee Order, Second Fee Order, and—most importantly—the Protective Order.

Rodriguez’s egregious violations of the Protective Order caused and continue to cause harm and threaten Plaintiffs and other potential witnesses. *See* Affidavit of Chris Roth in Support of Motion for Contempt Against Rodriguez, ¶¶ 4-8; Affidavit of Natasha Erickson in Support of Motion for Contempt Against Rodriguez, ¶¶ 9-31; Affidavit of Tracy Jungman in Support of Motion for Contempt Against Rodriguez, ¶¶ 4-14; Jeppesen Aff., ¶¶ 3-5, Nate Aff., ¶¶ 3-11, Shoplock Aff., ¶¶ 3-11. For the sake of their safety and the rule of law, the Protective Order must be enforced. *See* Fomby Aff., ¶ 11; Burghart Aff., ¶ 10. At least three individuals who were closely involved in the events surrounding the Department of Health and Welfare’s intervention on behalf of the Infant have expressed reluctance to serve as witnesses, stating that they fear

being targeted and harassed by Rodriguez and the other Defendants. Jensen Aff., ¶ 25. The Protective Order must be enforced, or Rodriguez will gain an unfair advantage in the lawsuit by chilling and preventing truthful testimony against him.

III. ARGUMENT

A. THIS COURT SHOULD HOLD RODRIGUEZ IN CONTEMPT.

Plaintiffs seek an order from this Court holding Rodriguez in contempt pursuant to I.C. § 7-601 *et seq.* and I.R.C.P. 75(c).

1. Plaintiffs Have Appropriately Initiated Contempt and Will Establish Its Elements in a Contempt Trial (If Any Contempt Trial Is Held).

The district court has inherent power to enforce its orders and “discretion to determine what sanctions to impose for contempt.” *Chavez v. Canyon Cnty.*, 152 Idaho 297, 304, 271 P.3d 695, 702 (2012); *see also Steiner v. Gilbert*, 144 Idaho 240, 247, 159 P.3d 877, 884 (2007) (holding that I.C. § 7-610 does not preclude alternative civil sanctions under the common law or I.C. § 1-1603).

This motion pursues both civil and criminal contempt. Because Plaintiffs seek a remedy to compel compliance with the Court’s order (removing content from websites that violate the protective order), their motion raises civil contempt, for which the burden of proof is preponderance of the evidence. *See In re Williams*, 120 Idaho 473, 480, 817 P.2d 139, 146 (1991) (“When sanctions are imposed to punish the contemnor for past acts, the contempt is criminal; when sanctions are imposed for compensatory or coercive reasons, the contempt is civil in nature.”); *Chavez*, 152 Idaho at 304, 271 P.3d at 702 (stating that preponderance of the evidence is the burden of proof when imposing a civil sanction for contempt). And because Plaintiffs additionally seek a punitive remedy (fines), their motion implicates criminal contempt, with the burden of proof beyond reasonable doubt. *See Steiner*, 144 Idaho at 246, 159 P.3d at

883 (citing *Int'l Union, United Mine Workers of Am. v. Bagwell*, 512 U.S. 821, 827 (1994)).

Sanctions may be imposed per count of contempt. *See C&M Inv. Grp.*, 164 Idaho at 307, 429 P.3d at 195 (affirming sanctions for criminal contempt—five days' imprisonment per count).

In order to hold a party in contempt, the movant must establish that the alleged contemnor: (1) violated a “clear and unequivocal” order of the court; and (2) willfully. *State v. Rice*, 145 Idaho 554, 556, 181 P.3d 480, 482 (2008). For purposes of contempt proceedings, willfulness means “an indifferent disregard of duty” or “a remissness and failure in performance of a duty[.]” *In re Weick*, 142 Idaho 275, 281, 127 P.3d 178, 184 (2005); *see also Wechsler v. Wechsler*, 162 Idaho 900, 917, 407 P.3d 214, 231 (2017) (holding willfulness demonstrated when contemnor refused receiver entry to his home after being ordered to turn over certain documents and items to receiver).

a. Rodriguez has willfully violated the Protective Order.

The Jensen Affidavit and its Exhibits set forth Rodriguez's numerous violations of the Protective Order. The Protective Order is clear and unequivocal. *See Jensen Aff., Ex. F; State v. Richards*, 127 Idaho 31, 36, 896 P.2d 357, 362 (Ct. App. 1995) (interpreting I.C. § 18-6710 related to intimidating a witness, holding that the term “harass” is unambiguous, and explaining that there is little risk of chilling effect on bona fide exercise of free speech).

Under the Protective Order, Rodriguez was prohibited from harassing, threatening, or intimidating witnesses and potential witnesses. *See Jensen Aff., Ex. F.* The statements identified in Exhibits H and J violate the Protective Order by targeting Plaintiffs and other potential witnesses, falsely accusing them of being key players in a conspiracy to commit heinous crimes against children and inviting others to retaliate against them.

b. Rodriguez willfully violated the First Fee Order and Second Fee Order.

As set forth above, Rodriguez has been sanctioned by this Court multiple times but has refused to pay the amounts he owes under the First Fee Order and Second Fee Order. The repeated nature of his violations demonstrates the willfulness of his failure to pay. It seems he refuses to pay because he believes he is above the law.

2. Rodriguez Must Be Deterred from Violating Court Orders.

A finding of contempt (monetary and/or any other means the Court deems appropriate to ensure compliance) is needed here because Rodriguez has shown a complete disregard of previous Court orders and utter disrespect for the rule of law. Absent a finding of contempt, Rodriguez will undoubtedly continue to defy the Court and harass, intimidate, and threaten Plaintiffs. If there are no consequences to Rodriguez, he may very well cause physical harm to come to Plaintiffs or other potential witnesses. And even without a tragic outcome, his conduct has chilled individuals from participating as witnesses in this lawsuit.

B. PLAINTIFFS REQUEST ATTORNEYS' FEES AND COSTS INCURRED RELATED TO THEIR MOTION FOR CONTEMPT.

Plaintiffs request their attorneys' fees and costs incurred in prosecuting this entire contempt proceeding. *See* I.R.C.P. 75(m) ("In any contempt proceeding, the court may award the prevailing party costs and reasonable attorneys' fees under Idaho Code Section 7-610, regardless of whether the court imposes a civil sanction, a criminal sanction, or no sanction.").

IV. CONCLUSION

For the reasons stated above, Plaintiffs respectfully request that the Court grant their Motion for Contempt. Unless and until the Court is willing to act, Rodriguez will continue

to mock the proceedings and harass and intimidate witnesses and the Plaintiffs will be denied justice. And absent action, the public will conclude that the legal system is too weak and ineffectual to check the actions of bullies like Rodriguez who profit on false conspiracies and defiance of the rule of law.

DATED: May 2, 2023.

HOLLAND & HART LLP

By: /s/Erik F. Stidham

Erik F. Stidham

Jennifer M. Jensen

Zachery J. McCraney

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May, 2023, I caused to be filed and served, via iCourt, a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

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