

Diego Rodriguez  
1317 Edgewater Drive #5077  
Orlando, FL 32804  
(208) 891-7728

**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,  
Defendants.

Case No. CV01-22-06789

**OPPOSITION TO MOTION FOR  
CONTEMPT AGAINST DIEGO  
RODRIGUEZ**

COMES NOW Defendant Diego Rodriguez (who may refer to myself as “I,”  
“defendant,” or “Rodriguez), defendant in the above mentioned case, hereby move this Court to  
dismiss the Motion for Contempt Against Defendant Diego Rodriguez.

**I. INTRODUCTION**

Erik Stidham, counsel for the plaintiffs in this case, seems to be a serial liar, who has perjured himself on multiple occasions in this court case, has had multiple criminal complaints filed against him for INTIMIDATION BY FALSE ASSERTION OF AUTHORITY (§ 18-3005) from multiple parties, and is in the process of being bar grieved for these actions. His lies seem to know no bounds and the motion for contempt he has placed before this court against me are likewise full of lies, deceit, and manipulation and have not been met with any evidence, or they are trumped up false charges which aren't actual violations of any laws, or are accusations designed to violate my own Constitutionally protected rights. To accept Erik's lying motion would be to accept lies without evidence and/or to allow additional violations of my Constitutionally protected rights.

Below are my responses to his false accusations and/or manipulative claims in his Motion for Contempt Against Diego Rodriguez.

#### **I(A). ATTACKS ON THE COURT AND COUNSEL**

It is true that I have posted on my website, FreedomMan.org, criticisms of Erik Stidham and others related to this case. Every single criticism I have made is either factually accurate or it is my opinion of what I believe to be true—and it is supported by factual evidence and information. Regardless, my right to publish and express my opinions, particularly when supported with facts and evidence, is one of our most cherished rights in this country, being expressly protected by the 1<sup>st</sup> Amendment to the Constitution, along with Article 1, Section 9 of the Idaho State Constitution, which states, “*Section 9. FREEDOM OF SPEECH. Every person may freely speak, write and publish on all subjects.*”

Of course, I am not a citizen of Idaho, nor was I citizen of Idaho from the beginning of this lawsuit, but I am a citizen of the great state of Florida, where the Florida State Constitution states quite specifically in Article 1, Section 4 “*Freedom of speech and press.—Every person may speak, write and publish sentiments on all subjects but shall be responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press.*”

As a citizen of Florida, I am protected by both the US Constitution and the Florida State Constitution, both of which FORBID any government authority to violate my right to “*write and publish sentiments on all subjects.*” And while I am not a citizen of Idaho, even the Idaho State Constitution provides for the same right and the judicial power of the state of Idaho may not violate that right.

While I understand Erik Stidham and others may not enjoy having their evil deeds exposed online, they could have avoided such exposure by simply not committing the evil deeds in the first place.

### **I(B). HARASSMENT OF PARTIES**

The claims Erik Stidham makes in this section are both unethical and inappropriate as he is attempting to force action in this case before the trial has even begun. The statements I have made on my website about Plaintiffs Tracy Jungman, Chris Roth, and Dr. Natasha Erickson are all 100% factual and/or I believe them to be 100% factual. And no law or order can be made which can supersede my right to free speech as guaranteed in the US Constitution, the Florida State Constitution, and the Idaho State Constitution.

As far as the “Protective Order” that was issued on this case, the postings on my website cannot be considered violations of the protective order for at least the following 3 reasons: 1)

The content on my website was already published about the plaintiffs BEFORE the protective order was issued. 2) The content is simply factual information along with my opinions regarding those facts and could not be classified as “harassment, threats, or intimidation.” I have not threatened anyone nor intimidated anyone, nor would I do so because it is contrary to my deeply held faith and beliefs. 3) And any loose interpretation of “harassment” to mean that somebody doesn’t like their wicked deeds being exposed online after I have published them, would be a violation of my 1<sup>st</sup> Amendment right to free speech.

### **I(C). INTIMATION OF THIRD PARTY WITNESSES**

Erik Stidham makes some very juvenile and freshman complaints about having “unflattering photoshopped pictures” of a social worker. But this complaint along with the rest of the complaints in this section are likewise moot for the same 3 reasons listed in the previous Section B.

Furthermore, as is consistent with his nature, Erik Stidham LIES THROUGH HIS TEETH by claiming that I am *“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.”* This is simply a lie and Erik Stidham either knows it to be a lie or should have properly done his research before he made such a reckless claim.

First of all, I am not a “leader in the People’s Rights Network” as there is no such thing as “leadership” in the People’s Rights Network. It is simply a network of people who share a communications system to support one another in defense of their own rights. So there is no such thing as “leadership” or any type of real hierarchy as there is no legal entity which exists.

And even if such a hierarchy were loosely considered, those who are responsible for having control over the communication system are called “Area Assistants,” and I am not one of them. To call me a “leader in the PRN” is simply a lie. Period.

But the bigger and more egregious lie is for Erik Stidham to claim that I can “*marshal tens of thousands of PRN members and others to [my] cause...*” and that I can increase the “*force of harassment*” and “*raise the intimidating prospect of violent action taken by one of [my] followers.*” I did not create the People’s Rights Network. I have no “followers” in the network, and I don’t even have the ability or access to communicate with people in the network beyond what any other person has the access to do if they were to sign up today to be a part of the network. And most importantly, Erik Stidham has yet to provide a single shred of evidence that People’s Rights members have ever been violent at any point of time in history. The reason why is simple—**they have never been violent.** The most extreme act that I am aware of that a People’s Rights member has ever done is *honk their horn repeatedly in public.* Other than that, PRN has mostly been involved in peaceful protests, where families stand with signs and ask for justice while they redress their grievances. It is simultaneously offensive and enlightening for Erik Stidham to call peaceful protesting and the exercising of a cherished 1<sup>st</sup> Amendment right as *something that tends towards violence.* It is evident that Erik lies in order to protect himself and his clients, and unless he has proof to support his claims, then he deserves to be censured for lying in officially filed court documents, and I will be sure that he is bar grieved for such an egregious ethics violation.

Likewise, the affidavits filed in support of Erik’s claims are specious, misleading as they are being filed by people who are EARNING THOUSANDS OF DOLLARS, being paid by Erik Stidham’s law firm, and can therefore not be considered to be unbiased.

Most concerning is Spenser Fomby's affidavit, who is being paid thousands of dollars for his "testimony" as an "expert witness," and is therefore using his position in law enforcement, to sell his own credibility to the highest bidder, while making wildly outlandish claims that have no basis in facts or evidence. His claim that "*these personal attacks create a serious life-threatening danger to targets—Mr. Roth, Dr. Erickson, NP Jungman and other potential witnesses*" is the very definition of defamation itself as he is making a known false accusation while simultaneously being paid to do so!

**II(A)(1). THE COURT ENTERED A CLEAR AND UNEQUIVOCAL ORDER PROHIBITING THREATENING, HARASSING, AND INTIMIDATING WITNESS AND POTENTIAL WITNESSES IN THE LAWSUIT.**

The court did issue a protective order to prevent me from "intimidating, threatening, or harassing witnesses or potential witnesses" in this lawsuit. However, as previously noted, I have not intimidated, threatened, or harassed any witness or potential witness in this lawsuit. I live over 2,000 miles away! How can I threaten, intimidate or harass anybody even if I tried? As far as the articles I have posted online—not only is the content *not threatening or intimidating*, but it is all factual information that exposes the wicked deeds of the plaintiffs, but it was all posted BEFORE the protective order was issued.

**II(A)(2). THE COURT AND PLAINTIFFS DULY SERVED THE PROTECTIVE ORDER ON RODRIGUEZ**

Whether the protective order was duly served or not, the fact remains that the articles I've posted about witnesses were articles that were posted BEFORE the Protective Order were issued

and the nature of the content of these articles is, as has already been noted, protected by the U.S. Constitution, the Florida Constitution, and the Idaho Constitution. Any attempt to misconstrue the protective order to force me to remove pages from my website is an attempt to violate my rights of FREEDOM OF SPEECH and is also an attempt to force the Plaintiff's desired end BEFORE the actual court case has taken place or been decided.

## **II(A)(3)(a) RODRIGUEZ HAS TARGETED PLAINTIFFS FOR HARASSMENT AND INTIMIDATION**

No, I have not targeted plaintiffs for "harassment and intimidation," rather, I have written highly factual, evidence based exposés which demonstrate the wicked and heinous activity of the plaintiffs. For example, Nurse Tracy Jungman does "*examine the private parts of children who have been stolen [i.e. kidnapped] by CPS.*" That's a fact. I am allowed to publish these facts no matter how embarrassing or repulsive it might be to Tracy Jungman. Of course, her actual deeds are a thousand times more repulsive than someone like me simply PUBLISHING THEM. But again, for the court to try to sanction me for publishing facts, or opinions based on facts, is a violation of my 1<sup>st</sup> Amendment rights.

When Erik Stidham complains that I wrote an article stating that "*kidnapping is a crime worthy of death,*" the context is from the Bible where God Himself states in the law: Exodus 21:16 "*Anyone who kidnaps someone is to be put to death, whether the victim has been sold or is still in the kidnapper's possession.*" **Is Erik Stidham insinuating that quoting the Bible is now worthy of contempt of court?** Context, as any good judge or attorney should know, is incredibly important, and it is critically relevant in the aforementioned scripture which I have used to highlight God's judgment on the issue of kidnapping. I have never used such scriptures to incite

violence, rather, I am using those scriptures to demonstrate THE SEVERITY of the crime at hand. If I were to say that the Bible says that adultery is a crime worthy of death, which is true, no one would assume that I am encouraging vigilantes to take the lives of adulterers, rather, I am simply highlighting the severity of the crime of adultery. Erik Stidham knows this or recklessly failed to determine this and is simply manipulating the facts in order to try to fit his prescribed narrative. The court should not be so ignorant as to buy into Erik's manipulative tactics.

Erik goes on to state that I use "*false conspiracy theories to radicalize others*" when he has not provided a shred of evidence that I have ever radicalized a single person, and if anything, I have been at the forefront of calling for PEACEFUL ACTION in every protest, meeting, or gathering of individuals in which I have an opportunity to speak or exert my influence. In fact, the Idaho State Police told me themselves that they "*appreciated the protests that Freedom Man put on at the Capitol more than any other protest because they are always orderly, organized, and peaceful.*" I would add that we are always respectful to the police and pray for them publicly even when we are protesting their actions. I am a Christian and I am a peace-seeker. I seek to try to "follow peace with all men" (Hebrews 12:14) but if it is not possible, we must never cease to shine the light on darkness. And every method I have used to shine the light on the darkness has been peaceful. Yes, it is troublesome to those who are being exposed, but it is not nearly as troublesome as the wicked deeds they have committed—particularly their willful participation in government subsidized child trafficking.

Finally, the affidavit of Devin Burghart is so laughable and ridiculous, that it only goes to further demonstrate how unethical Erik Stidham is being in this case. Not only is Devin's organization being paid for his testimony, making him a biased witness whose testimony should not even be allowed in a courtroom, but Devin has shown over the last few years to have an



unnatural hatred for Ammon Bundy. In fact, his hatred and obsession with Ammon Bundy and any of Ammon's associates could probably be clinically diagnosed as him being a "stalker" of Ammon. So submitting an affidavit from Devin Burghart against Ammon Bundy or others considered to be "associates of Ammon Bundy" is like paying Hillary Clinton to write an affidavit against Donald Trump. It is absurd and nobody should ever take it seriously.

**II(A)(3)(b) RODRIGUEZ HAS TARGETED OTHER POTENTIAL WITNESSES—  
INCLUDING THOSE NAMED IN THE PROTECTIVE ORDER—FOR HARASSMENT  
AND INTIMIDATION**

Again, I have not targeted anybody for "harassment and intimidation." *Any and all content I have posted on my website is either completely factual, or it is my opinion about the facts that I have available to me. My right to publish this information is clearly protected by the 1<sup>st</sup> Amendment, even if others do not like having their actions exposed to the public in this manner.*

Erik Stidham's final statement that "*Rodriguez's extremist rhetoric has targeted, doxed, and invited violence consistently throughout this lawsuit...*" is an absolute lie, and he should be chastised by the court for his continual lying. I have never invited violence against ANYBODY at any time. Period. Erik Stidham needs to stop lying.

**II(A)(3)(C) RODRIGUEZ'S FALSE STATEMENTS EFFECT HARASSMENT AND  
INTIMIDATION BY INCITING HIS FOLLOWERS**

Erik Stidham quotes comments left in the comment sections of various articles on my website. I have absolutely no control nor responsibility over people's comments on my website.

Any commenter likewise has a right to their own opinions, and unless someone has committed an actual act of violence, then Erik Stidham is simply whining uselessly and trying to drum up sympathy for his cause. Furthermore, since commenting on the internet is all anonymous, we have no idea who those commenters are, or if they are even real. For all we know, Erik Stidham himself wrote all of those comments in order to use them as fodder for his argument in this court case, essentially using a “false flag” to bolster his cause. Tactics like that would certainly be consistent with his lying and manipulative character.

## **II(B). RODRIGUEZ HAS ESTABLISHED A PATTERN OF VIOLATING COURT ORDERS**

I have not violated court orders, on the contrary, I have either lawfully participated in the case, or I have lawfully refused to follow unlawful orders and have fully explained my reasoning for doing so. For example:

The July 12<sup>th</sup>, 2022 court order was an unlawful order as it was issued before the court had jurisdiction over me or this case. I was not legally served until September 7<sup>th</sup>, 2022, so any order BEFORE that time was simply unlawful, and NO higher court would accept this order as being lawful.

I have not received the October 12<sup>th</sup>, 2022 order that Erik references, nevertheless he claims that it was an order for “Freedom Man Press LLC,” which is an entity that does not exist. I have explained this to the court on multiple occasions and Erik Stidham likewise knows this, so it is baffling to me to see both the Plaintiffs’ counsel and the court continue to reference a non-existent entity in this court case. And if the order was against “Freedom Man Press LLC,” which is an entity that does not exist, then it clearly does not apply to me.

The December 13<sup>th</sup>, 2022 order was an unlawful order because it was, according to Judge Lynn Norton's explanation, based on the July 12<sup>th</sup> order which was unlawful. You cannot lawfully issue an order that is based on a previous UNLAWFUL ORDER.

The February 8<sup>th</sup>, 2023 order to submit to a deposition was likewise not rejected. I complied, but Erik Stidham didn't like the terms of my compliance. However, I DID NOT reject the courts rules or requirements.

**II(C). RODRIGUEZ'S RECORD OF VIOLATIONS SHOWS HE REQUIRES  
STRONG DETERRENCE**

As I have shown, I have no record of violations, on the contrary, Erik Stidham's record of lies, manipulation, deceit, law breaking, and perjury demonstrate he requires strong deterrence either in the form of censure or otherwise, but the court should not put up with his continued unethical behavior.

If Erik Stidham wants me to take down "offensive pages" on my website, he can get a judgment against me by winning the lawsuit—but he may not do so in a manner which would be a violation of the 1<sup>st</sup> Amendment.

If Erik Stidham wants to depose me again, that's fine. I'm ready to be deposed, and he can simply host the deposition via Zoom which is the same manner in which he held our first deposition and the same manner in which the courts have operated for over 2 years during the "pandemic."

Erik Stidham is simply being unreasonable and is trying to lie and manipulate the court in order to gain access to the STRONG ARM FORCE of government to bring true and physical harm to me—in essence, Erik Stidham is trying to weaponize the court system against me and

his lying and manipulative motion for contempt is nothing more than the THREAT OF VIOLENCE against me! This court should not be quick to accept lying and manipulative motions which lack evidence or factual information as a basis for using FORCE to threaten a defendant. If anybody is being “threatened, harassed, or intimidated,” it is me! And Erik Stidham is the violent instigator who is lying and manipulating in order to exact violence against me in the form of contempt charges and warrants of arrest. His actions are repugnant and shocking to the conscience of all citizens of this country—millions of which are aware of this case and are following its proceedings. My publications have simply exposed the deeds of the plaintiffs in this case. I have not threatened anybody in the process and nobody has been subject to the potential loss of life, liberty, or property by what I have published. **Furthermore, I have a Constitutionally protected right to publish as I have.**

Contrariwise, my life, liberty, and property are being threatened by Erik Stidham as he is trying to use the entire force of government as a means to physically harm and punish me by holding me in contempt of court when I have committed no act worthy of such punishment. Erik Stidham is the only one “threatening, intimidating, and harassing” and he should be held in contempt of court for such manipulative, conniving, and unethical behavior.

I have offered a way for Erik to get what he wants peacefully and simply. If he does not want to take it, then it further shows that he simply wants VIOLENCE and is willing to lie, deceive, and manipulate to get his desired end.

**III(A)(1). PLAINTIFFS HAVE APPROPRIATELY INITIATED CONTEMPT AND WILL ESTABLISH ITS ELEMENTS IN A CONTEMPT TRIAL (If any contempt trial is held)**

I have already offered a means for which Erik Stidham and the plaintiffs can get what they want. I will repeat them here:

1. If you want me to remove offensive material from my website, simply win a judgment against me lawfully which demands such removal, and do so in such a manner where my 1<sup>st</sup> Amendment rights are not violated.

2. If you want another deposition, simply send me the Zoom login information and we can hold one at a mutually convenient time.

### **III(A)(1)(a). RODRIGUEZ HAS WILFULLY VIOLATED THE PROTECTIVE ORDER**

I have not violated the protective order. And even if some outrageous and totally specious interpretation of the terms of the protective order are used in order to claim that I have violated the protective order, I certainly have not “willfully” violated it.

Furthermore, the interpretation that Erik Stidham is using in order to manipulate the facts to fit his narrative would mean that the Protective Order violates my Constitutionally right of free speech. As such, it would therefore likewise be an unlawful order. So there are only two options available for the court to consider:

1. I have not violated the Protective Order. Or...
2. I have violated the Protective Order, but the Protective Order is a violation of my 1<sup>st</sup> Amendment rights and is therefore an UNLAWFUL ORDER.

### **III(A)(1)(b). RODRIGUEZ WILLFULLY VIOLATED THE FIRST FEE ORDER AND SECOND FEE ORDER**

I did not “willfully violate the first fee order” as I have already demonstrated that this order is an UNLAWFUL ORDER since it was issued before the court had jurisdiction over me. I am not aware of the second fee order, but if it is a lawful order, then a contempt charge is simply not legally possible because a contempt charge cannot be used for a failure to pay, as this would mean that I could be put in jeopardy of incarceration for failure to pay. This is expressly FORBIDDEN by the Idaho State Constitution which Section 15 which explicitly states: ***IMPRISONMENT FOR DEBT PROHIBITED. There shall be no imprisonment for debt in this state except in cases of fraud.***

### **III(A)(2). RODRIGUEZ MUST BE DETERRED FROM VIOLATING COURT ORDERS**

As a man who believes in the rule of law, I would say that everybody should follow lawful orders. However, I have already explained in detail how I have not violated court orders and how Erik Stidham is attempting to lie, manipulate, and deceive in order to weaponize the court system against me, when there are simple and obvious methods to lawfully get what he wants without resorting to violence and/or the weaponization of the court system.

### **IV. CONCLUSION**

For the reasons stated above, I, Diego Rodriguez, defendant in this case respectfully request that the Court deny the motion for contempt against Diego Rodriguez, and instead direct the plaintiffs to seek peaceful and non-Constitutional-violating methods for getting what he wants from Mr. Rodriguez. Furthermore, Erik Stidham should be censured for his continual lying, manipulation, and unethical behavior.

If the court allows such weaponization to occur, the public will conclude that the legal system is corrupted and ineffectual at preventing bullies and liars like Erik Stidham from using money, influence, lies, deception, and manipulation to harm citizens and to rob them of their Constitutional rights.

Furthermore, as Judge Lynn Norton has already noted in her order dated February 7<sup>th</sup>, 2023, the court has 8 different means by which it can impose sanctions against me, if it can be demonstrated that I have legitimately failed to comply with court orders (which this Opposition to Motion for Contempt clearly argues against). Of all 8 of them, only one carries with it the threat of violence through police arrests, incarceration, and the real threat of the loss of life, limb, and liberty. My family and friends have been physically harmed and abused by law enforcement and much of it has been captured on video. In other words, we have the evidence. We are therefore reasonably jaded and cautious when dealing with law enforcement as they have demonstrated themselves nationwide to be heavy handed and to use excessive force in nearly all matters, up to and including the murder of innocent citizens. When the judge has 8 options available to her to impose sanctions against me, what reason is there to select the only method that includes violence and the threat of physical harm? To use such a method would simply demonstrate extreme bias on behalf of the court against the Defendant. I move to completely dismiss this motion for contempt.

DATED: June 5th, 2023

By: /s/ Diego Rodriguez

Diego Rodriguez

**CERTIFICATE OF SERVICE**

I certify I served a copy to: (name all parties or their attorneys in the case, other than yourself)

Erik F. Stidham (ISB #5483)  
HOLLAND & HART LLP  
800 W. Main Street, Suite 1750  
Boise, ID 83702-5974

By Mail

By fax

By Email/iCourt/eServe

DATED: June 5th, 2023

By: /s/ Diego Rodriguez

Diego Rodriguez