

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

St Lukes Health System LTD, St Lukes
Regional Medical Center LTD, Chris
Roth, Natasha Erickson, MD, Tracy
Jungman
Plaintiff,

vs.

Ammon Bundy, Ammon Bundy for
Governor, Diego Rodriguez, Freedom
Man PAC, Peoples Rights Network,
Freedom Man Press LLC
Defendant.

Case No. CV01-22-06789

Notice and Order on Receipt of Written Ex
Parte or Prohibited Communications

On September 29, 2022 the Court received a written ex parte or prohibited written communication bearing upon the substance of this case from the Defendant Diego Rodriguez. The communication is ex parte because a copy was not provided to all parties. The written communication is attached to this Notice.¹ The Judge has not acted upon the substance of the communication unless otherwise indicated below.

To the extent this letter requests legal advice, the Court and the court staff are unable to provide legal advice to a litigant. A document titled General Outline of Trial Procedures for a Pro Se Party was filed on September 28, 2022 and served on Defendant Rodriguez at the address he included on the heading of the Answer that he filed. That document explains rules, websites, and court assistance offices where Mr. Rodriguez can obtain answers to some of his procedural questions but court assistance offices are unable to provide legal advice to a self-represented litigant.

The Court considers some of the ex parte letter authorized as a scheduling or administrative matters which do not address substantive matters or issues on the merits The Court reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication.² Therefore, the Court responds as follows:

The Idaho Supreme Court Rules for Digital Filing and Service can be found at <https://isc.idaho.gov/irefs>. Rule for Digital Filing and Service 4(b) states:

(b) Self-represented parties using file and serve. Self-represented parties who are individuals and not attorneys may elect to electronically file documents through File and Serve but are not required to do so. Those who elect not to utilize electronic filing, and who require paper / mail service from the court must

¹ Idaho Code of Judicial Conduct 3(B)(7)(h)

² Idaho Code of Judicial Conduct 3(B)(7)(a)

identify the physical address for service in the certificate of service and pay designated mail service fees to the court clerk at the time of filing. With the exception of an initial electronic filing of a petition for a civil protection order made by a victim advocate on behalf of a self-represented party through File and Serve, a self-represented party who elects to electronically file and serve documents through the electronic filing system must continue to do so for the life of the case unless a court has granted a motion to withdraw from electronic filing and service. Once a self-represented party withdraws from electronic filing and service he or she may not return to this practice for the life of the case.

The in-court clerk added your e-mail at freedommanpress@protonmail.com to the "Party" information for Diego Rodriguez in the i-Court digital record of this case. Since that e-mail was not included on the case heading of the Answer filed, please file a document with this case number clarifying whether you want to be served digitally (by e-mail) at freedommanpress@protonmail.com or if you want to be served conventionally (by U.S. mail) at 1317 Edgewater Drive #5077, Orlando FL 32804 by all parties and the Court during this litigation.

Judge Norton's scheduling and status conferences are conducted by WebEx videoconference and you will receive an e-mailed videoconference link from the in-court clerk a few days before any videoconference scheduling or status conference. Please read the entire e-mail since it provides instructions on how to access the videoconference by computer or telephone.

All other hearings at the District Court level at the Ada County Courthouse are conducted in person unless a party has filed a timely motion to appear by videoconference and the Court has actually signed an order permitted a videoconference hearing. So, if you submit a motion to appear by videoconference, please also file a proposed order. Also, please file any motion for a videoconference hearing well in advance of the hearing since the in-court clerk schedules hearings differently and at different times depending upon whether they are in-person or by videoconference. Idaho Rule of Civil Procedure 7.2 currently gives some discretion to the Court whether to grant a videoconference appearance or hearing on some types of motions.

Finally, please include the case file number on any correspondence or filings to help the court staff locate your information.

If the opposing party has an objection to the request or action by the court, they may respond. The response shall be filed in writing and served on the opposing party.

IT IS SO ORDERED.

Dated: 9/29/2022 12:08:19 PM



Judge Lynn G. Norton

CERTIFICATE OF SERVICE

I certify that on this day I served a copy of the attached to:

Diego Rodriguez
1317 Edgewater DR #5077
Orlando, FL 32804

at freedommanpress@protonmail.com

- By E-mail By mail
- By fax (number)
- By overnight delivery / FedEx
- By personal delivery

Erik F Stidham

By E-mail

Dated: 9/29/2022 1:05:53 PM

Phil McGrane
Clerk of the Court

By: *Janine Hansen*
Deputy Clerk



September 8th, 2022

Dear Judge Norton –

I am writing this letter to seek clarification on the lawsuit process in regards to the lawsuit against me. I no longer live in Idaho, and am working outside of the country, and I therefore am very much out of the loop. I was initially informed of the lawsuit from news articles that were forwarded to me by friends. And I am still being informed that way.

My family has moved to Florida and I have received mail at my Edgewater address but I have no idea what to make of it all since it is so voluminous, repetitive (there seem to be multiple copies of the same documents), and written in confusing legal language.

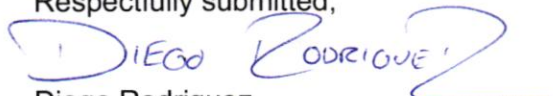
I am more than happy to participate in this case, even at a distance, as we know that Ada county is equipped to handle distance cases via Zoom, since this method was forced on Idaho citizens during the "pandemic." Therefore, in spite of the fact that I will be out of the country for the better part of the following 6 months to a year, I still intend to fully participate in this lawsuit via Zoom.

For sake of clarification, can you help me understand the following:

1. According to Idaho state statute § 5-508 and § 5-509 I can be served via publication in a newspaper for 4 consecutive weeks. The final date of publication was August 17th. The paperwork sent to me noted that I had to respond within 21 days from that last publication, which would be September 7th. I responded on September 6th, so I met the deadline. What is the next step in the process of moving the lawsuit forward?
2. My initial response (ANSWER) was rejected for not including all of the defendants on the ANSWER, but I am only responding for myself. Ammon Bundy, while a good friend of mine, is not me and I am not him. It doesn't make sense that two separate individuals would have to defend themselves together in the same lawsuit. What Ammon chooses to do is his business. I will defend my case on my own and I fully expect for Ada County to honor my Constitutional rights in the process. As far as "Freedom Man Press, LLC" is concerned, such an organization does not exist. The blog, FreedomMan.org is run by me. For all intents and purposes, I am "Freedom Man Press," though there is no LLC as this is not a corporation. It is just me.

I can easily be contacted quickly via email at freedommanpress@protonmail.com. That is the easiest and quickest method to ensure I receive communication. You can certainly send mail to my address in Florida, but I will not receive the contents of communication to that address until I return home to Florida from my work so any correspondence sent there will never be received on time. So email or text messages to my phone number at (208) 891-7728 are better methods of communication.

Respectfully submitted,


Diego Rodriguez