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Counsel for Plaintiffs

**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

**DECLARATION OF TRACY W.
JUNGMAN, NP IN SUPPORT OF
MOTIONS FOR LEAVE TO AMEND
COMPLAINT TO ALLEGE PUNITIVE
DAMAGES**

REDACTED

I, Tracy W. Jungman, NP, declare and state as follows:

1. I make this declaration based on my personal knowledge.
2. I am a nurse practitioner specializing in pediatrics at St. Luke’s CARES in Boise,

Idaho (“CARES”). My job is to evaluate and treat children that may be victims of abuse,

neglect, or other forms of child maltreatment. I have worked at CARES for about five years. During that time, I have provided assistance to more than 1,700 patients. I am an employee of St. Luke's Regional Medical Center, Ltd. ("St. Luke's") and am not an agent or employee of the Idaho Department of Health and Welfare ("DHW") or any other governmental entity.

3. I have been a registered nurse since 2002 and obtained my Master of Science in Nursing, becoming a certified nurse practitioner in 2017. From 2002 to the present my practice has been in pediatrics. I have obtained ongoing additional education in pediatric medicine, focusing on survivors of child abuse. In the course of my regular job duties, I am often called upon to testify in court in child abuse cases because of my expertise in recognizing and treating victims of child abuse and neglect.

4. On March 11, 2022, I was contacted by a DHW safety assessor. The safety assessor informed me that DHW received a Priority I referral regarding a ten-month-old infant (the "Infant") and asked that I consult on the referral. DHW contacted me for consultation; I did not initiate contact with DHW.

5. I reviewed all available medical records and information. This included medical records from the Infant's admission to St. Luke's from March 1, 2022, to March 4, 2022, the Priority I referral, and additional information provided to me by the DHW safety assessor.

6. Based on the medical records that were provided to me and the additional information regarding the Infant's [REDACTED], the parents' failure to attend the previously scheduled medical appointment, and the parents' refusal to answer or return phone calls, I was very concerned for the health of the Infant. I informed DHW that I would stay in the office until 4:00 p.m. that afternoon in order to accommodate an evaluation (typically patients are not scheduled after 3:00 p.m.), but the parents and the Infant did not show up. I then advised DHW

and the Meridian Police that the Infant should be [REDACTED]. I did not diagnose the Infant, I did not play any role in DHW's decision to contact the Meridian Police, I did not play any role in the manner or method by which the Infant was taken into custody, and I did not make any decisions regarding the Infant's custody or care at any time.

7. On the morning of March 12, 2022, I was informed that the Infant had been located and brought to St. Luke's Boise. I offered to complete the requested CARES consult because I was already familiar with the Infant's medical records and information. I examined the Infant, [REDACTED]

[REDACTED]. I was particularly concerned because the Infant [REDACTED]

[REDACTED]. Furthermore, [REDACTED]. I was concerned because [REDACTED]

[REDACTED]. Various body organs, including the brain, require adequate nutrition in order to function properly and develop. It was imperative that the Infant [REDACTED].

8. I continued to assist with the medical care and treatment of the Infant for the next several days. On March 13, 2022, the Infant [REDACTED]

9. The St. Luke's team caring for the Infant updated the Infant's parents regularly. I participated in one such call with the parents on March 12, 2022 and another call on March 13,

2022. During these calls, the parents refused to provide basic medical history about the Infant (for instance, information about whether the Infant had had routine newborn screening (PKU) completed and results of prior allergy testing), even though that information would aid in the Infant's care and treatment. During the phone call on March 12, when I declined to provide my name, the Infant's mother Marissa stated "nothing will happen to you unless you do something to my baby" and "I won't tell anyone your name unless something happens to my baby."

10. During the days the Infant was at St. Luke's, there were crowds of protesters outside the hospital, shouting profanity and holding firearms and signs. I could see and hear them while I was at the hospital to care for the Infant. Each day, I had to take an alternate entrance into the building to avoid the protesters' harassment and intimidation. I understood from online video postings that the protesters had been called to St. Luke's by Ammon Bundy.

11. On March 15, 2022, the crowd of armed protesters swelled in number and became louder and more threatening. Due to the security risk, St. Luke's hospital went into lockdown. I was at my office that day, which is located approximately one mile from the hospital. CARES administration was informed that morning that there was likely to be protests at our clinic within 48 hours. The CARES office also received a phone call that day from an unknown caller inquiring whether or not the Infant was in our clinic. Worried for the safety of the staff there and the threat of the protesters committing acts of violence against them because of the lies Ammon Bundy was telling his followers about the Infant being kidnapped and about St. Luke's employees being "wicked," the decision was made to cancel the afternoon appointments and close the clinic. Additionally, the appointments for March 16 were cancelled and staff remained home in an abundance of caution.

12. Every step of the way, I provided competent and caring medical treatment to the Infant. Even when my own safety and well-being were threatened, I continued to do my job because that was required of me, and the Infant needed medical intervention. Attached hereto as **Exhibit A** is a true and correct copy of the Infant's medical records with St. Luke's.

13. I understand that the website www.freedomman.org accused me of kidnapping the Infant. This is false. I know that the police had lawful authority to bring the Infant to St. Luke's.

14. I understand that the website www.freedomman.org accused me of medical malpractice for diagnosing the Infant. This is false. I did not diagnose the Infant until evaluating him independently, which occurred on March 12.

15. I understand that the website www.freedomman.org implied that I inappropriately look at and ask "innocent little children that have just been ripped from their families" about their privates. This is false. As part of my job, I evaluate and treat children that may be victims of abuse. Although this may include examining a child's genitals, it is always done with the explicit consent of the child (if old enough) and guardian and is completed for medical purposes. Guardians are typically present during this examination and any conversations regarding genital health.

16. I understand that the website www.freedomman.org states that I forced the Infant's [REDACTED] "through his nose into his gut" after he "accidentally pulled [it] out" without sanitizing it, washing my hands, or using gloves. This misrepresents the facts. On March 18, 2022, I was contacted by DHW after they were notified by the Infant's parents that the [REDACTED]. I then offered to arrange [REDACTED]. [REDACTED]. I also [REDACTED].

[REDACTED]. The parents then requested [REDACTED].
[REDACTED]. I agreed to do so in order to help the family and Infant,
and to [REDACTED], even though this was not necessarily my
responsibility. As security continued to be a concern, arrangements were made to meet at a
neutral (non-medical) location. Upon arriving, [REDACTED]

[REDACTED]. Parents are often taught to re-insert feeding tubes in the home, assuming they are
comfortable doing so, using the same procedure.

17. The false public accusations of kidnapping and trafficking of children by Ammon Bundy and on the www.freedomman.org website caused and continue to cause me interpersonal harm. These defamatory actions, coupled with the incitements to harass me and my family and implied threats of violence from Defendants' followers, have had a traumatic effect.

18. Defendants' complete and utter disregard for others, their irrational behavior, their extremism, their intentional and repeated interruption at a medical institution, and their willingness to harass and defame others to push their agendas is what I fear most.

19. I have experienced flashbacks accompanied by physical symptoms, reoccurring memories and nightmares, difficulty sleeping, distressing thoughts, and physical signs of distress such as racing heart, tightness of chest, and difficulty breathing.

20. Ever since the Boise Police Department informed me that I had been doxed by Defendants, I have had ongoing feelings of anxiety. The doxing has disrupted my work.

21. In September, I watched a video online of Ammon Bundy talking about this lawsuit and in particular the St. Luke's protest/lockdown in which he stated that he "was holding a tremendous amount of patriots back from coming from all over the country that were basically

wanting to come clean house.” The idea that he had, and continues to have, the ability to so easily and swiftly incite violence against myself and others is truly horrifying. I furthermore have significant concerns regarding the overall effect that this case will have on child safety in the state of Idaho.

22. I have experienced avoidance symptoms such as staying away from places and activities owing to concern for my safety, the safety of my coworkers, and the safety of my family and friends. These symptoms have caused me to make changes in my routines and activities. For example, for a time I avoided going to the grocery store or having my minor children spend the night in my home. I avoid posting on social media, I avoid wearing my St. Luke’s badge outside of the CARES clinic, and I avoid telling people my last name or my place of work.

23. I have experienced arousal and reactivity symptoms, including being more easily startled, feeling tense, and difficulty sleeping. I feel obsessed with the safety of those in my home. These symptoms have occurred in ordinary circumstances, like when I come home from work and see my garage door open, or when I sign my name on a bill at a restaurant. In fact, I am constantly worried that my doors are unlocked, that my garage is open, or that my windows are unsecured. This has led me to invest in a home security system—something I never considered buying before. Attached hereto as **Exhibit B** is the receipt for the home security cameras, which cost \$296.78 plus a recurring monthly fee of \$9.99.

24. I have experienced cognition and mood symptoms owing to the trauma such as negative thoughts about my circumstances. I feel guilty for exposing my family and friends to scrutiny and possibly harm. I constantly worry that children needing care will not be brought in for necessary medical care because of the untrue and heinous accusations made by the

Defendants. Because of the lies and threats from the Defendants, I have suffered from anxiety and take an antidepressant medication regularly to ameliorate it.

25. This mental distress has disrupted my daily life and made it more difficult for me to do my job as a nurse practitioner. I have also suffered harm to my reputation.

26. Moreover, the impact is repeated each time Defendants make another defamatory statement about me and grows each day that Defendants persist in keeping the defamatory postings up on the websites they control.

I declare under penalty of perjury of the laws of the State of Idaho that the foregoing is true and correct.

Executed this 8th day of November, 2022.

/s/ Tracy W. Jungman
Tracy W. Jungman, NP

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of December, 2022, 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:

Ammon Bundy for Governor
P.O. Box 370
Emmett, ID 83617

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:

Ammon Bundy for Governor
c/o Ammon Bundy
4615 Harvest Ln.
Emmett, ID 83617-3601

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:

Ammon Bundy
4615 Harvest Ln.
Emmett, ID 83617-3601

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:

People's Rights Network
c/o Ammon Bundy
4615 Harvest Ln.
Emmett, ID 83617-3601

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:

People's Rights Network
c/o Ammon Bundy
P.O. Box 370
Emmett, ID 83617

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:

Freedom Man Press LLC
c/o Diego Rodriguez
1317 Edgewater Dr. #5077
Orlando, FL 32804

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:

Freedom Man Press LLC
c/o Diego Rodriguez
9169 W. State St., Ste. 3177
Boise, ID 83714

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:

Freedom Man PAC
c/o Diego Rodriguez
1317 Edgewater Dr., #5077
Orlando, FL 32804

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:

Diego Rodriguez
1317 Edgewater Dr., #5077
Orlando, FL 32804

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:
freedommanpress@protonmail.com

/s/ Erik F. Stidham

Erik F. Stidham
OF HOLLAND & HART LLP

19794213_v1

FILED UNDER SEAL
JUNGMAN DECLARATION
EXHIBIT A

EXHIBIT B

Final Details for Order

Redacted

[Print this page for your records.](#)

Order Placed: May 12, 2022

Amazon.com order number: Redacted

Order Total: \$105.99

Shipped on May 13, 2022

Items Ordered

Price

1 of: *Arlo Essential Spotlight Camera - 1 Pack - Wireless Security, 1080p Video, Color Night Vision, 2 Way Audio, Wire-Free, Direct to WiFi No Hub Needed, Works with Alexa, White - VMC2030*

\$99.99

Sold by: Amazon.com Services LLC

Condition: New

Shipping Address:

Tracy Jungman
Redacted

Shipping Speed:

FREE Prime Delivery

Payment information

Payment Method:

Visa | Last digits: Redacted

Item(s) Subtotal: \$99.99

Shipping & Handling: \$0.00

Total before tax: \$99.99

Estimated tax to be collected: \$6.00

Grand Total: \$105.99

Credit Card transactions

Visa Redacted May 13, 2022: \$105.99

To view the status of your order, return to [Order Summary](#).

Final Details for Order

Redacted

[Print this page for your records.](#)

Order Placed: March 18, 2022

Amazon.com order number:

Redacted

Order Total: \$190.79

Shipped on March 19, 2022

Items Ordered

Price

1 of: *Arlo Pro 4 Spotlight Camera - 1 Pack - Wireless Security, 2K Video & HDR, Color Night Vision, 2 Way Audio, Wire-Free, Direct to WiFi No Hub Needed, White - VMC4050P* \$179.99

Sold by: Amazon.com Services LLC

Condition: New

Shipping Address:

Tracy Jungman
Redacted

Shipping Speed:

FREE Prime Delivery

Payment information

Payment Method:

Visa | Last digits: Redacted

Item(s) Subtotal: \$179.99
Shipping & Handling: \$0.00

Billing address

Tracy Jungman
Redacted

Total before tax: \$179.99
Estimated tax to be collected: \$10.80

Grand Total: \$190.79

Credit Card transactions

Visa Redacted March 19, 2022: \$190.79

To view the status of your order, return to [Order Summary](#).