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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 and an unincorporated
association,

Defendants.

Case No. CV01-22-06789

**DECLARATION OF ERIK STIDHAM IN
SUPPORT OF PLAINTIFFS' MOTION
FOR SANCTIONS AGAINST
DEFENDANT DIEGO RODRIGUEZ
FOR FAILURE TO COMPLY WITH
COURT ORDERS**

I, Erik F. Stidham, declare and state as follows:

1. I am counsel of record for Plaintiffs in this matter. I am familiar with the facts and proceedings in this matter and have personal knowledge of the matters stated in this Declaration.

2. On October 5, 2022, I took the Court-ordered, limited deposition of Defendant Rodriguez. Although this Court on December 13, 2022, ordered Rodriguez to pay \$5,408.10 in reasonable fees and costs incurred related to that deposition on or before January 12, 2023, Rodriguez has not paid.

3. On February 8, 2023, the Court issued an Order Compelling Defendant Rodriguez to Respond to Discovery (“Discovery Order”). The Discovery Order granted Plaintiffs’ Motion to Compel filed December 6, 2022, compelling Defendant Rodriguez to provide certain and specific supplemental answers and responses to Plaintiffs’ expedited discovery Interrogatories 1-5 and to Plaintiffs’ October 7, 2022, Second Interrogatories and First Requests for Production to Defendant Rodriguez by February 22, 2023 (“Written Discovery”).

4. The Discovery Order also compelled Defendant Rodriguez to sit for his deposition and take particular steps to coordinate and schedule it. Specifically, the Discovery Order required Rodriguez “to inform Plaintiffs’ counsel, Erik Stidham, of two possible start dates for this deposition that are between February 25, 2023 and March 25, 2023 **by 12:00 p.m. on February 15, 2023.**” Discovery Order at 2 (emphasis in original).

5. On Tuesday, February 14, 2023, I received an email from Defendant Rodriguez, a true and correct copy of which is attached hereto as **Exhibit A**.

6. On Friday February 17, 2023, I responded to Defendant Rodriguez's February 14, 2023, email putting Defendant Rodriguez on notice that: (1) he was required to provide two options for two consecutive days of deposition, not just one; and (2) that a deposition in Brazil is not an option because Brazilian authorities do not permit persons, such as American attorneys, to take depositions in Brazil for use in a court in the United States. Attached hereto as **Exhibit B** is a true and correct copy of my February 17, 2023, email to Defendant Rodriguez.

7. Because Rodriguez had failed to provide a viable deposition location or two start dates, Plaintiffs could not prepare a notice of deposition. Accordingly, on February 20, 2023, I filed a Notice of Defendant Rodriguez's Failure to Comply with the Court's February 8, 2023 Order.

8. On Wednesday February 22, 2023, Defendant Rodriguez replied to my February 17, 2023, email. A true and correct copy of Defendant Rodriguez's February 22, 2023, email reply is attached hereto as **Exhibit C**.

9. On or around January 3, 2023, Diego Rodriguez appeared on "Front Porch Live" with "Patriot Rick Green" and stated in the segment that, "Florida, where I now live, is not clean" Video available at <https://rumble.com/v23uyri-front-porch-live-jan-3-2023.html>. Statement made at 8:18-8:23. This video has been filed in the court record previously, as Exhibit 9 to the January 6, 2023 Supplemental Declaration of Erik Stidham in Support of the Motions for Leave to Amend Complaint to Allege Punitive Damages.

10. On or around January 3, 2023, Diego Rodriguez appeared in a video posted at <https://rumble.com/v23xsvk-idaho-dispatch-interviews-diego-rodriguez-january-3-2023.html>.

Among other things, Rodriguez states:

At the end of the entire trial—which, let’s just say we lose—because it’s Ada County, and everyone knows that Ada County is totally corrupt. The justice system there is unjust—there’s no justice. The judges are corrupt. They intimidate jury members. And they—they can pick all the jury members they want. They get thirty jury members and they can be all Brad Little’s best friends and the people that are in his brothel with him, his male brothel, and he could have his cousin and his uncle and his friends and all of—all of, you know, Holland and Hart’s employees and friends and family members—and that’s the jury. And they can tell me that I get to eliminate three of them. That’s how it works. That’s how the system works. So they stack the system against you, and the three that I eliminate, they just replace with three more people who are more insane. So that’s a total fake system and bogus. So they’re going to get whatever outcome they want. And for those—I’ve talked to other people who have been tried in Ada County—they intimidate the jurors who don’t go the way that they want. They intimidate and force them into voting a certain way—the way that they want. (39:00-40:06).

This video has been filed in the court record previously, as Exhibit 8 to the January 6, 2023 Supplemental Declaration of Erik Stidham in Support of the Motions for Leave to Amend Complaint to Allege Punitive Damages.

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

DATED: March 7, 2023.

HOLLAND & HART LLP

By: */s/Erik F. Stidham*

Erik F. Stidham

Jennifer M. Jensen

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of March, 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:

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

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EXHIBIT A

From: Freedom Man Press <freedommanpress@protonmail.com>
Sent: Tuesday, February 14, 2023 10:02 PM
To: Erik Stidham
Subject: Deposition Dates

External Email

Dear Erik He/Him/His Stidham -

I reject the notion of needing 2 days for a deposition to waste time and ask questions that you already know the answer to. It is evident you are simply trying to rack up billable hours in your endless gamesmanship and dishonorable evil actions, sucking St. Luke's dry (and the public from which they take their dollars).

I am not waiving any rights to challenge the order to sit for a two day meaningless deposition, but I nevertheless offer you the following 2 dates where I will attempt to make myself available while I will be working in Curitiba, Paraná, Brazil on March 24th and 25th.

I am sure you will enjoy Brazil and it will give you the chance to fellowship with other He/Him/His friends you can meet there.

Diego Rodriguez
Freedom Man Press

EXHIBIT B

From: Erik Stidham
Sent: Friday, February 17, 2023 2:51 PM
To: 'Freedom Man Press'
Subject: RE: Deposition Dates Moving to compel and seek sanctions

Mr. Rodriguez,

You violated a court order yet again. First, you were required to provide two options for two consecutive days of deposition. You did not provide a single, viable option.

Your email below states you will “attempt to make” yourself available in Brazil. As I am confident you were aware when you sent your email, that Brazil is not an option. See <https://travel.state.gov/content/travel/en/legal/Judicial-Assistance-Country-Information/Brazil.html>

Brazil is a party to the [Hague Convention on the Taking of Evidence Abroad in Civil and Commercial Matters](#) and permits depositions or other evidence gathering only with the participation of its court system. Evidence requests may be submitted directly to the [Brazilian Central Authority](#). The United States is not a party to the evidence provisions of the Inter-American Convention on Letters Rogatory and Additional Protocol. **Brazilian authorities do not permit persons, such as American attorneys, to take depositions for use in a court in the United States before a U.S. consular officer, with the assistance of a Brazilian attorney, or in any other manner. Brazilian law views the taking of depositions for use in foreign courts as an act that may be undertaken in Brazil only by Brazilian judicial authorities. The Government of Brazil asserts that, under Brazilian Constitutional Law, only Brazilian judicial authorities are competent to perform acts of a judicial nature in Brazil. Brazil has advised it would deem taking depositions in Brazil by foreign persons to be a violation of Brazil's judicial sovereignty. Such action potentially could result in the arrest, detention, expulsion, or deportation of the American attorney or other American participants.** The United States recognizes the right of judicial sovereignty of foreign governments based on customary international law and practice. It is the State Department's understanding that the Brazilian prohibition on taking depositions by foreign persons extends to telephone or video teleconference depositions initiated from the United States of a witness in Brazil. The U.S. Embassy or Consulates in Brazil could in no way participate in, or otherwise sanction, such a proceeding. The State Department advises U.S. citizens contemplating participation in such a proceeding, without Brazil's concurrence, obtained through diplomatic channels, to consider carefully the possible legal consequences of doing so.

Moreover, we are confident that you are available for deposition in Florida during the period identified by the Court.

My clients will seek appropriate sanctions, including, but not limited to fees and evidentiary sanctions.

Regards,

Erik Stidham

He / Him / His (What's this?)

Partner, Holland & Hart LLP

efstidham@hollandhart.com | T: | M:

CONFIDENTIALITY NOTICE: This message is confidential and may be privileged. If you believe that this email has been sent to you in error, please reply to the sender that you received the message in error; then please delete this email.

From: Freedom Man Press

Sent: Tuesday, February 14, 2023 10:02 PM

To: Erik Stidham

Subject: Deposition Dates

External Email

Dear Erik He/Him/His Stidham -

I reject the notion of needing 2 days for a deposition to waste time and ask questions that you already know the answer to. It is evident you are simply trying to rack up billable hours in your endless gamesmanship and dishonorable evil actions, sucking St. Luke's dry (and the public from which they take their dollars).

I am not waiving any rights to challenge the order to sit for a two day meaningless deposition, but I nevertheless offer you the following 2 dates where I will attempt to make myself available while I will be working in Curitiba, Paraná, Brazil on March 24th and 25th.

I am sure you will enjoy Brazil and it will give you the chance to fellowship with other He/Him/His friends you can meet there.

Diego Rodriguez
Freedom Man Press

EXHIBIT C

From: Freedom Man Press <freedommanpress@protonmail.com>
Sent: Wednesday, February 22, 2023 9:48 AM
To: Erik Stidham
Subject: RE: Deposition Dates Moving to compel and seek sanctions

External Email

Oh my, Erik He/Him/His Stidham! I guess I didn't realize that I should have provided **TWO** date options and I only provided **ONE**. I'm so sorry that you got your panties all twisted in a knot over that one.

So I have reviewed the order again and see that it plainly reads, *"IT IS HEREBY ALSO ORDERED THAT Diego Rodriguez must sit for an in-person two- day deposition that will be two consecutive days. Diego Rodriguez is required to inform Plaintiffs' counsel, Erik Stidham, of two possible start dates for this deposition that are between February 25, 2023 and March 25, 2023 by 12:00 p.m. on February 15, 2023. Diego Rodriguez must inform Plaintiffs' counsel in what city, state, and country that he will be in on those provided dates. Plaintiffs' counsel will then choose one of those start dates. These communications must be conducted by email so there is a record of the discussion."*

So what we find YET AGAIN, is that Erik He/Him/His Stidham is either an intentional and/or compulsive liar, or is just a psychopath and has no recognition of what is true or false and just spews out lies according to whatever he feels. But fear not, I have a running record and account of all of your obvious and intentional lies. And it will be filed with the appropriate authorities (i.e. the BAR) and justice will eventually be done. Your evil and wicked deeds can't go on forever, Erik He/Him/His Stidham.

You plainly stated below, "You violated a court order yet again" when I certainly did not. I provided you with an option and I let you what city, state, and country I would be in which is exactly what the order demanded. I certainly now recognize that I overlooked the request to provide TWO dates, but I'll provide them to you now. However, your contention about me being in Brazil is not a violation in any way as I am informing you of the City, State, and Country where I will be—which is what the order demanded. There were not any requirements put on the location nor can any court deprive me of my freedom to travel, particularly as someone who is a legal resident outside the United States. If you don't have any He/Him/His friends who will host you there in Brazil, then we can have the deposition over Zoom like we did last time. It's as simple as that.

If the Brazilian authorities arrest you based on what you have written below, well then we should just consider that JUSTICE for all of your lies, corruption, and wickedness. But rest assured, your He/Him/His contemporaries will take good care of you in a Brazilian jail.

So here, you've got your dates. Pick one:

March 22nd & 23rd
March 24th & 25th
Curitiba, Paraná, Brazil

Diego Rodriguez
Freedom Man Press

----- Original Message -----