Erik F. Stidham (ISB #5483) Jennifer M. Jensen (ISB #9275) Zachery J. McCraney (ISB #11552) HOLLAND & HART LLP 800 W. Main Street, Suite 1750 Boise, ID 83702-5974

Telephone: 208.342.5000 Facsimile: 208.343.8869

E-mail: efstidham@hollandhart.com

jmjensen@hollandhart.com zjmccraney@hollandhart.com

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

AFFIDAVIT OF DEVIN BURGHART IN SUPPORT OF PLAINTIFFS' MOTION FOR CONTEMPT AGAINST DEFENDANT DIEGO RODRIGUEZ FOR VIOLATIONS OF PROTECTIVE ORDER

AFFIDAVIT OF DEVIN BURGHART IN SUPPORT OF PLAINTIFFS' MOTION FOR CONTEMPT AGAINST DEFENDANT DIEGO RODRIGUEZ FOR VIOLATIONS OF PROTECTIVE ORDER - 1

STATE OF WASHINGTON ) :ss.
County of King )

- I, Devin Burghart, being first duly sworn upon oath, depose and state as follows:
- 1. I make this declaration based on my personal knowledge.
- 2. I am the president and executive director of the Institute for Research & Education on Human Rights ("IREHR"). Founded in 1983, IREHR is dedicated to using investigative research and strategic organizing to stand against bigotry and defend democracy and human rights. Before becoming executive director, I served as IREHR's research director from 2008-2018.
- 3. I have devoted the last three decades to defending democracy and human rights, gaining extensive expertise in the course of my work on far-right political and social movements. I have researched and observed People's Rights Network ("PRN") since 2020, when the group was formed. IREHR has monitored closely the actions of PRN that form the subject matter of this lawsuit.
- I make this declaration based on my personal knowledge, experience, training, and expertise.
- 5. PRN is a nationwide network that Ammon Bundy asserts has over 60,000 members. PRN's growth has been spurred by a fusion of Bundy's core of the far-right paramilitary supporters built up over years of armed standoffs with a mass base of new activists radicalized in protest over COVID-19 health directives.

- 6. Diego Rodriguez is a recognized leader within PRN, who works closely with Bundy, recruits others to PRN membership, and publicizes and markets conspiracy theories through his website freedomman.org.
- 7. Bundy and Rodriguez have mobilized PRN to harass St. Luke's, Chris Roth, Dr. Natasha Erickson, NP Tracy Jungman, and others relating to the Idaho Department of Health & Welfare's intervention regarding an Infant in March of 2022. The harassment has been ongoing since the intervention and persists to this day.
- 8. Rodriguez, via his own direct harassment and from his platform as a leader of PRN, poses a real and present danger to the community and to St. Luke's, Chris Roth, Dr. Natasha Erickson, and NP Tracy Jungman. While PRN speaks in terms of "defending rights," it defines "defense" and "rights" in such a way that they really are just advocating the use of violence to reach their objective of imposing their desired type of Christian Nationalist government on others. PRN's leadership and membership includes paramilitary and militia-type group members. PRN was established—and operates—as an "Uber-like" militia response system. PRN's messaging is intended to incite fear and promote violence. PRN uses harassment, intimidation, threats of violence, and doxing to silence those it opposes and push its agenda. PRN is willing and able to use violence to accomplish its objectives.
- 9. The statements from Rodriguez, included in the exhibits to the Affidavit of Jennifer Jensen, are examples of his intentional use of false narratives to intimidate and threaten St. Luke's, Chris Roth, Dr. Natasha Erickson, NP Jungman, and other individuals involved in the medical treatment of the Infant while the Infant was in CPS custody. Rodriguez uses the false narratives to target Plaintiffs and identify them as enemies, the "wicked." As Rodriguez

perpetuates this rhetoric to his base, which includes PRN members, he increases the likelihood that a follower will be radicalized to take violent action.

10. It is my opinion that Rodriguez will be emboldened to even worse conduct and further threaten the safety of Plaintiffs and their families (and others)—if he is not held accountable for their actions and forced to stop harassing, intimidating, threatening, and doxing Plaintiffs. If Rodriguez is allowed to continue to disregard the legal system and laws, to flout orders of the Court, and target the Plaintiffs and witnesses in this lawsuit, without meaningful consequences, the potential consequences for Plaintiffs and others are significant.

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

Executed this \_\_\_\_ day of May, 2023.

Devin Burghart

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_\_ day of May, 2023.



(Signature of notarial officer

## CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May, 2023, I caused to be filed via iCourt and served 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		
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	<b>∑</b>	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:

AFFIDAVIT OF DEVIN BURGHART IN SUPPORT OF PLAINTIFFS' MOTION FOR CONTEMPT AGAINST DEFENDANT DIEGO RODRIGUEZ FOR VIOLATIONS OF PROTECTIVE ORDER - 5

Diego Rodriguez	☐ U.S. Mail
1317 Edgewater Dr., #5077	☐ Hand Delivered
Orlando, FL 32804	☐ Overnight Mail
ŕ	☑ Email/iCourt/eServe:
	freedommanpress a protenmalitacia
	/s/ Erik F. Stidham
	Erik F. Stidham
	OF HOLLAND & HADTIER

21389529\_v1

AFFIDAVIT OF DEVIN BURGHART IN SUPPORT OF PLAINTIFFS' MOTION FOR CONTEMPT AGAINST DEFENDANT DIEGO RODRIGUEZ FOR VIOLATIONS OF PROTECTIVE ORDER - 6