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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 ERIK F. STIDHAM
IN SUPPORT OF PLAINTIFFS'
MOTION FOR AWARD OF
ATTORNEYS' FEES PURSUANT TO
COURT'S APRIL 24, 2023 ORDER ON
MOTION FOR SANCTIONS AND TO
COMPEL AGAINST AMMON BUNDY,
AMMON BUNDY FOR GOVERNOR,
AND PEOPLE'S RIGHTS NETWORK**

Erik F. Stidham declares and states as follows:

DECLARATION OF ERIK F. STIDHAM IN SUPPORT OF PLAINTIFFS' MOTION FOR AWARD OF
ATTORNEYS' FEES PURSUANT TO COURT'S APRIL 24, 2023 ORDER ON MOTION FOR
SANCTIONS AND TO COMPEL AGAINST AMMON BUNDY, AMMON BUNDY FOR GOVERNOR,
AND PEOPLE'S RIGHTS NETWORK - 1

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. I am a partner in the law firm of Holland & Hart LLP (“Holland & Hart”) and am duly licensed to practice law in the State of Idaho. I am attorney of record for Plaintiffs, and I make this declaration based upon my own personal knowledge of the matters stated herein.

3. I am familiar with the firm’s billing and recordkeeping practices, and I have personal knowledge of the facts regarding the legal representation provided to Plaintiffs by Holland & Hart and of the attorneys’ fees incurred by Plaintiffs in connection with their Motion for Sanctions.

4. The agreement for legal services between Plaintiffs and Holland & Hart requires Plaintiffs to pay legal services on an hourly basis as well as to pay litigation costs incurred in this action. This form of fee agreement is a common and appropriate basis for attorneys’ fees.

5. The lawsuit involves complex legal issues, extensive factual issues, political sensitivity, and a complex conspiracy involving multiple parties to commit intentional harm to individuals and to disrupt the operations of a hospital system.

6. For this matter, Holland & Hart has significantly reduced its standard hourly rates, depending on the timekeeper by 10% to 15%.

7. From January 17, 2023 (when Plaintiffs began the preparation for the deposition of Ammon Bundy, Peoples Rights Network, and Ammon Bundy for Governor) through May 1, 2023 (the last date that material work was done to prepare the Motion for Attorneys’ Fees), Plaintiffs incurred reasonable attorneys’ fees they now seek to recover from Defendants Ammon

Bundy, Ammon Bundy for Governor, and People's Rights Network, in connection with the Motion for Sanctions.

8. Attached hereto as **Exhibit A** is a true, complete, and detailed itemization of the fees for which Plaintiffs seek an attorneys' fee award. Exhibit A shows: (a) the date on which the legal services were performed; (b) a description of the services performed and by whom; (c) the amount of time spent performing the services; (d) the amount charged for each time entry, which is arrived at by multiplying the timekeeper's applicable billable hourly rate by the amount of time spent; and (e) the total fees charged from January 17, 2023 through May 1, 2023.

9. The following are the timekeepers who have provided legal services on this case and who are identified on Exhibit A:

a. I am a partner at Holland & Hart's Boise office and have practiced law since 1995. I initially practiced in Southern California for a large international law firm, and upon my return to Boise, I was a partner in another large, regional full-service firm before joining Holland & Hart. I have over three decades of experience litigating complex civil lawsuits including various contract disputes, business tort matters, civil fraud cases, class action cases, and construction, real estate, and shareholder disputes in Idaho and around the country. I regularly serve as lead counsel on complex, commercial disputes. I typically direct litigation teams that include multiple attorneys, and my experience handling litigation like this case allows me to avoid duplicate billing by timekeepers and efficiently delegate work to the appropriate level. I have been recognized since 2012 in Mountain States Super Lawyers for Business Litigation, and in Chambers USA: America's Leading Lawyers for Business for General Commercial Litigation.

I have represented clients in more than 20 states, appearing in both state and federal courts around the country. My rate on this matter has been reduced to \$540.00

b. Due to safety concerns, I am not identifying by name the other Holland & Hart timekeepers who worked on this case. Instead, I am referring to the attorneys by the number of years they have been in practice.

c. Fourteen-Year Attorney is Of Counsel and has practiced law since 2007. Since joining Holland & Hart, Fourteen-Year Attorney has practiced in the area of commercial litigation and has extensive experience with all aspects of litigation, including discovery and trial. During the time period of the Motion for Sanctions briefing, Fourteen-Year Attorney's hourly rate was reduced to \$396.

e. Second-Year Attorney has practiced law since 2021. Since joining Holland & Hart in 2021, Second-Year Attorney has practiced in the area of complex commercial litigation and employment litigation. During the time period of the Motion for Sanctions briefing, Second-Year Attorney's hourly rate on this matter has been reduced to \$297.

f. Second-Year Attorney has practiced law since 2021. Since joining Holland & Hart in 2022, Second-Year Attorney has practiced in the area of complex commercial litigation and employment litigation. During the time period of the Motion for Sanctions briefing, Second-Year Attorney's hourly rate on this matter has been reduced to \$315.

10. Holland & Hart's standard rates for work of this type in this legal market are typically between 10% to 15% higher than the rates being charged in this case. Holland & Hart's standard rates are comparable to those for similar services in the Treasure Valley performed by attorneys of comparable skill and experience.

11. Plaintiffs do not seek all of their fees incurred in preparing and arguing the Motion for Sanctions. To be conservative and to avoid any dispute that the fees sought were essential solely to the motion against Mr. Rodriguez, Plaintiffs voluntarily forgo the recovery of certain fees that had some potential application to other matters or defendants in this litigation.

12. Plaintiffs solely seek the fees incurred by myself and three other attorneys, a fourteen-year attorney who assisted with the research and drafting of the Motion for Sanctions (“Fourteen-Year Attorney”), a second-year attorney who assisted in preparing and drafting this Motion for Attorneys’ Fees (“Second-Year Attorney”), and a second year attorney who assisted with preparing motions for sanctions for failure to comply with discovery obligations (“Second-Year Attorney”). I directed and reviewed the work of all three attorneys. The total amount of attorney’s fees Plaintiffs seek against all of the entities is \$15,276.10.

13. A paralegal also assisted in the preparation of the pleadings. Her fees are sought as well.

a. Paralegal is an experienced legal assistant with nearly 30 years of experience. Paralegal joined Holland & Hart in 2022 and has practiced in the area of complex commercial litigation and employment litigation. During the time period of the Motion for Sanctions briefing, Second-Year Attorney’s hourly rate on this matter has been reduced to \$229.50.

14. The lawyers on the case team did not duplicate work. I delegated and managed the work of the attorneys on this matter to prevent duplicate billing and maximize efficiency by having attorneys of the appropriate level assist with the varied pieces of the legal work.

15. Based on my experience with similar disputes, the hourly rates charged to Plaintiffs and the time spent on Plaintiffs' motion are reasonable and consistent with regular practice in the Treasure Valley.

16. The hourly rates charged for the services provided to Plaintiffs are reasonable for the type of work performed and are comparable to those for similar services in the Treasure Valley and other population centers in Idaho. *See Edmark Auto v. Zurich Am. Ins. Co.*, No. 1:15-cv-00520-BLW, 2021 U.S. Dist. LEXIS 39160, at *10 (D. Idaho Mar. 1, 2021) ("It has [] been this Court's experience that attorneys at regional firms, such as Holland & Hart, charge hourly rates at or near, but not above, the high end of acceptable rates for the Boise area.") (citation omitted); *see also Bank of Am. v. Neef*, No. CV-OC 13-19726 (Idaho Fourth Judicial District, Ada County) (allowing the hourly rates of the attorneys representing the receiver of \$385 for a partner and \$245 for an associate in 2013); *Latta v. Otter*, No. 1:13-cv-00482-CWD, 2014 WL 7245631, at *4 (D. Idaho Dec. 19, 2014) (in a civil litigation case, awarding \$400 per hour to partner in 2014); *Cnty. House, Inc. v. City of Boise, Idaho*, No. 1:05-cv-00283-CWD, 2014 WL 1247758, at *6 (D. Idaho Mar. 25, 2014) (approving partner rate of \$400 per hour in 2014); *Lakeview Cheese Co. v. Nelson-Ricks Creamery Co.*, No. 4:13-cv-00361-BLW, 2015 WL 769960 (D. Idaho Feb. 23, 2015) (permitting the following rates: \$455 for a senior litigation partner; \$310 for a junior litigation partner in 2015).

17. Holland & Hart billed Plaintiffs for these attorneys' fees and costs in accordance with its standard billing policies. The total amount of attorneys' fees is \$15,276.10, total amount of non-attorneys' fees is \$321.30, and the total costs incurred is \$1,405.20. Overall, fees and costs totaled \$17,002.60.

18. The time spent in connection with Plaintiffs' Motion for Sanctions was reasonable and necessary, as evidenced by the pleadings on file with the Court and the success of Holland & Hart's efforts on behalf of Plaintiffs.

19. Plaintiffs actually incurred all of the fees and costs set forth in Exhibit A, and I have personally confirmed that the fees and costs set forth in Exhibit A are accurate and correct.

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

DATED: May 2, 2023.

By: */s/Erik F. Stidham* _____

Erik F. Stidham

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May, 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

- U.S. Mail
- Hand Delivered
- Overnight Mail

Orlando, FL 32804

Diego Rodriguez
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- Overnight Mail
- Email/iCourt/eServe: dr238412@me.com;
freedommanpress@protonmail.com

/s/ Erik F. Stidham

Erik F. Stidham
OF HOLLAND & HART LLP

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Exhibit A

St. Luke's Health System, Ltd, et al. vs. Ammon Bundy, et al.
 Ada County Case No. CV01-22-06789
 St. Luke's Attorney Fees

Date	Timekeeper	Amount Expended	Total Hours Expended	Narrative
Fees as to Ammon Bundy's Failure to Show for Deposition				
1/17/2023	Stidham, Erik F.	\$108.00	0.2	Directed preparation of deposition notice for Mr. Bundy (.1); reviewed deposition notice (.1);
1/25/2023	Stidham, Erik F.	\$810.00	1.5	Outline issues for deposition of Mr. Bundy (.9); identify potential exhibits for deposition of Mr. Bundy (.6);
1/27/2023	Stidham, Erik F.	\$1,026.00	1.9	Prepare for deposition of Mr. Bundy (1.9);
1/30/2023	Stidham, Erik F.	\$972.00	1.8	Prepare for deposition of Mr. Bundy by reviewing documents and videos and outlining questions (1.8);
1/31/2023	Stidham, Erik F.	\$432.00	0.8	Prepare for deposition of Mr. Bundy (.5); appear at deposition of Mr. Bundy and wait as he failed to show up (.3);
	Subtotal with \$468.75 costs	\$5,661.00	6.2	
Fees as to People's Rights Network for Failure to Show for Deposition				
1/17/2023	Stidham, Erik F.	\$108.00	0.2	Directed preparation of deposition notice for PRN(.1); reviewed deposition notice and revise Rule 30(b)(6) topics (.2);
1/17/2023	Fourteen-year Attorney	\$356.40	0.9	Prepared deposition notice and Rule 30(b)(6) topics for PRN (.9);
1/22/2023	Stidham, Erik F.	\$1,944.00	3.6	Outline issues for deposition of PRN (1.3); identify potential exhibits for deposition of PRN (1.1); review PRN website and review articles on PRN for deposition (1.2);
1/27/2023	Stidham, Erik F.	\$270.00	0.5	Prepare for deposition of PRN by outlining questions (.5);
1/30/2023	Stidham, Erik F.	\$486.00	0.9	Prepare for deposition of PRN by reviewing potential exhibits and continuing to outline questions;
2/1/2023	Stidham, Erik F.	\$270.00	0.5	Prepare for deposition of PRN (.2); appear at deposition of PRN and wait as representative failed to show up (.3);
	Subtotal with \$454.55 costs	\$6,229.40	6.6	
Fees as to Ammon Bundy for Governor for Failure to Show for Deposition				
1/17/2023	Stidham, Erik F.	\$120.00	0.2	Directed preparation of deposition notice for Bundy for Governor Campaign (.1); reviewed deposition notice and revise Rule 30(b)(6) topics (.1);
1/17/2023	Fourteen-year Attorney	\$352.00	0.8	Prepared deposition notice and Rule 30(b)(6) topics for Bundy for Governor Campaign (.8);
1/22/2023	Stidham, Erik F.	\$540.00	0.9	Outline issues for deposition of Bundy campaign (.6); identify potential exhibits for deposition of Bundy Campaign (.3);
1/30/2023	Stidham, Erik F.	\$486.00	0.9	Prepare for deposition of Bundy Campaign by reviewing potential exhibits and continuing to outline questions;
2/1/2023	Stidham, Erik F.	\$216.00	0.4	Prepare for deposition of Bundy Campaign in case representative appears;

St. Luke's Health System, Ltd, et al. vs. Ammon Bundy, et al.
 Ada County Case No. CV01-22-06789
 St. Luke's Attorney Fees

Date	Timekeeper	Amount Expended	Total Hours Expended	Narrative
2/7/2023	Stidham, Erik F.	\$162.00	0.3	Appear at deposition of Bundy Campaign and wait as representative failed to show up (.3);
Subtotal with \$482 costs		\$4,643.55	3.5	
Fees as to All Three Bundy Defendants to Be Divided Equally				
1/27/2023	Stidham, Erik F.	\$162.00	0.3	Draft correspondence to Bundy, Ammon Bundy for Governor, and People's Rights Network regarding depositions;
3/1/2023	Second-year Attorney	\$148.50	0.5	Prepare outline of motion to compel and for sanctions as to Ammon Bundy, People's Rights Network, and Ammon Bundy For Governor;
3/4/2023	Second-year Attorney	\$89.10	0.3	Prepare motion for sanctions for failure to comply with discovery obligations by Bundy, People's Rights Network, and Ammon Bundy for Governor ;
3/5/2023	Second-year Attorney	\$1,247.40	4.2	Draft motion for sanctions for failure to comply with discovery obligations by Bundy, People's Rights Network, and Ammon Bundy For Governor (3.6); review and research procedural rules relating to motion to compel (.6);
3/6/2023	Second-year Attorney	\$1,485.00	5	Revise memorandum for sanctions for failure to comply with discovery obligations by Bundy, People's Rights Network, and Ammon Bundy For Governor (4.1); review caselaw regarding futility of meet and confer obligation (.3); draft supporting documents for motion and memorandum for sanctions (.6);
3/7/2023	Paralegal	\$321.30	1.4	Revise Declaration exhibits and finalize citations in memorandum for sanctions for failure to comply with discovery obligations by Bundy, People's Rights Network, and Ammon Bundy for Governor;
3/7/2023	Second-year Attorney	\$1,366.20	4.6	Revise memorandum for sanctions for failure to comply with discovery obligations by Bundy, People's Rights Network, and Ammon Bundy For Governor and supporting documents (4.1); review and revise supporting declaration (.5);
3/20/2023	Stidham, Erik F.	\$594.00	1.1	Prepare for oral argument relating to motion sanctions for failure to comply with discovery obligations by Bundy, People's Rights Network, and Ammon Bundy for Governor;
3/21/2023	Stidham, Erik F.	\$486.00	0.9	Prepare for oral argument (.4); travel to courthouse (.2); participate in hearing and respond to Court's questions relating to motion sanctions for failure to comply with discovery obligations by Bundy, People's Rights Network, and Ammon Bundy For Governor (.3);

St. Luke's Health System, Ltd, et al. vs. Ammon Bundy, et al.
 Ada County Case No. CV01-22-06789
 St. Luke's Attorney Fees

Date	Timekeeper	Amount Expended	Total Hours Expended	Narrative
4/28/2023	Second-year Attorney	\$567.00	1.8	Draft memorandum in support of plaintiff's motion for attorney's fees (.9); draft motion for attorney's fees (.3); draft declaration of Mr. Stidham in support of motion for attorney's fees (.6);
5/1/2023	Second-year Attorney	\$472.50	1.5	Draft memorandum in support of plaintiff's motion for attorney's fees;
	Subtotal	\$6,939.00	21.6	
	TOTAL	\$23,472.95	37.9	

COSTS				
Costs as to Ammon Bundy				
1/31/2023	Tucker & Associates Inv. #201659	\$268.65		Attendance by court reporter at Deposition of Ammon Bundy
1/31/2023	Tucker & Associates Inv. #201687	\$200.00		Attendance of videographer at Deposition of Ammon Bundy
Costs as to People's Rights Network				
2/2/2023	Tucker & Associates Inv. #201672	\$258.50		Attendance by court report at Deposition of People's Rights Network
2/2/2023	Tucker & Associates Inv. #201676	\$223.50		Attendance of videographer at Deposition of People's Rights Network
Costs as to Ammon Bundy for Governor				
2/7/2023	Tucker & Associates Inv. #201684	\$254.55		Attendance by court reporter at Deposition of Ammon Bundy for Governor
2/7/2023	Tucker & Associates Inv. #201688	\$200.00		Attendance of videographer at Deposition of Ammon Bundy for Governor
	TOTAL	\$1,405.20		