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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 MICHAEL WHEATON, MD IN SUPPORT OF PLAINTIFFS' MOTION FOR SANCTIONS AGAINST DEFENDANTS AMMON BUNDY, AMMON BUNDY FOR GOVERNOR, DIEGO RODRIGUEZ, FREEDOM MAN PRESS, FREEDOM MAN PAC, AND THE PEOPLE'S RIGHTS NETWORK FOR ONGOING REFUSAL TO COMPLY WITH COURT ORDERS AND **DISCOVERY OBLIGATIONS**

I, Michael Wheaton, M.D., declare and state as follows:

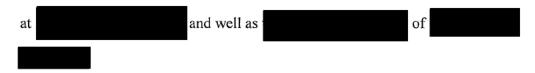
1. I make this declaration based on my personal knowledge.

- 2. I am a am a medical doctor licensed to practice medicine in the states of Idaho and Oregon.
 - 3. I am board-certified in General Pediatrics from the American Board of Pediatrics.
- I specialize in the monitoring of growth and development, diagnosing and treating illnesses, acute and chronic medical conditions, injuries and providing well childcare from newborns to adolescents.
- 5. I have been retained in this matter by Plaintiffs to provide my expert opinion on the diagnosis and care St. Luke's Hospital provided to the Infant.
- 6. I have reviewed the medical records for the Infant from his admissions at St. Luke's hospital, the first admission being from March 1 to March 4, 2022, and the second admission from March 12 to March 15, 2022.
- 7. Based on this review, I was asked to and did form opinions, based on my experience and expertise, about the condition of the infant, the diagnoses by St. Luke's and its providers, and the care provided by St. Luke's and its providers, those opinions are as follows:
 - a. Upon presentation on March 1, 2022, the infant had significant findings of

 The documentations and evaluations performed by

 Dr. Erickson and the emergency room physician were within the standards of care
 in assessing an infant with
 - b. The Infant was properly admitted for further care, which appropriately consisted of
 - c. The medical records show the infant during the March 1 to March 4 admission, which in my opinion indicates the Infant's was due to not getting enough

d.	. In my opinion, the medical records of the March 1 to March 4 admission support	
	the findings of made by Dr. Erickson. In my	
	opinion the evaluations performed by St. Luke's between March 1 and March 4	
	were necessary and appropriate to begin to determine the reason for the Infant's	
e.	In my opinion, the fact that the Infant	
	sufficient indicates that the Infant was not receiving enough	
f.	The discharge instructions regarding the frequency of	
	explained to the parents were to ensure the Infant was receiving at	
	were appropriate.	
g.	In my opinion, under the circumstances, it was important to have a fairly	
	immediate follow-up appointment to ensure the Infant continued to recover from	
	the at home	
h.	The March 12, 2023 hospitalization and follow up testing were appropriate	
	because the medical records show providers found the Infant had	
	since both his primary care provider visit on March 7, 2022, and his	
	discharge on March 4, 2022.	
i.	During the Mach 12 to March 15 admission, the Infant was	
	to meet his • The medical records show the Infant	
	as expected.	
j.	In my opinion, the medical records show the primary diagnoses of	
	and were accurate. The Infant met criteria for with	



- k. The condition of the Infant on March 15, 2022 was
- In my opinion the care St. Luke's provided the Infant from March 1, 2022, through March 15, 2022, was within the expected standards of care for evaluation of infants.
- m. In my opinion, the parents of the Infant became elusive with St. Luke's health care providers from the time of first contact, on March 1, 2022, which was initiated by the parents, through the date of discharge on March 15, 2022.
- n. It is my opinion that the parents were responsible for the

 Infant after the initial hospitalization. Specifically, the parents were medically
 neglectful with following the
- o. In my opinion the Infant did require hospitalization due to the significance of the between the March 4, 2023 discharge and at the emergency room at St. Luke's in Meridian.
- p. In my opinion, the medical records show the Infant was not receiving enough at home during that time. This is shown by his between the March 4, 2022 discharge and March 11, 2022. Of any amount was a significant health risk for the Infant given the diagnoses of
- These opinions are based on my review of the records made available to me as of the date of this declaration.

9. I am providing this declaration because I understand that Defendants are making false allegations regarding the Infant's health and the care provided by St. Luke's.

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

Executed this 10th day of May, 2023.

MICHAEL WHEATON, M.D.

CERTIFICATE OF SERVICE

I hereby certify that on this 10th 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:
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	/s/ Erik F. Stidham
	Erik F. Stidham
	OF HOLLAND & HART LIP

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