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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

**ORDER GRANTING PLAINTIFFS'  
MOTION FOR RECONSIDERATION  
OF THE JUNE 13, 2023 ORDER  
GRANTING THE AMENDED  
MOTION FOR SANCTIONS  
AGAINST ALL DEFENDANTS**

Plaintiffs moved for reconsideration in part of the Court's June 13, 2023 Order Granting the Amended Motion for Sanctions Against All Defendants on the issues of: (1) the Court's ruling that it would not consider opposing argument from Defendants at the default damages hearing/trial;<sup>1</sup> and (2) the Court's statement that no requests for admission had been served in this case.

Good cause appearing therefor, the Court grants Plaintiffs' Motion for Reconsideration of the June 13, 2023 Order Granting the Amended Motion for Sanctions Against All Defendants.

The Court hereby orders:

- All Defendants may appear in person at the trial. A Defendant who appears in person at trial must attend all trial days, beginning on the first day. If a Defendant does not appear on the first trial day, that Defendant will have waived his/its right to participate in the trial and will not be permitted to appear on later trial days. If a Defendant appears on the first day but fails to appear on any of the following trial days, that Defendant will have waived his/its right to participate in the trial and will not be permitted to appear on later trial days;
- All Defendants will be permitted to participate in jury selection, subject to the limitations and restrictions;

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<sup>1</sup> To the extent the ruling that the Court will not consider any argument from Defendants at trial is found in any other prior order of this Court (6-13-23 Order Striking Answers and Order for Default of Diego Rodriguez at 1; 6-13-23 Order for Sanctions on Motions for Sanctions RE: Depositions at 12-14, 17), the ruling that the Court will not consider any argument from Defendants at trial is superseded by this Order.

- All Defendants will be permitted to present an opening statement and closing argument, subject to the limitations and restrictions;
- All Defendants will be permitted to cross-examine witnesses, subject to the limitations and restrictions; and
- Plaintiffs will be permitted to file Requests for Admission, to be deemed admitted, pursuant to Idaho Rule of Civil Procedure 36(d).

The other rulings and analysis in the June 13, 2023 Order Granting Plaintiffs' Amended Motion for Sanctions Against All Defendants remain unchanged. These rulings on sanctions and default are set forth below.

As to Defendant Diego Rodriguez:

- Diego Rodriguez's Answer, filed September 6, 2022, and his Answer to the Fourth Amended Complaint and Demand for Jury Trial, filed March 15, 2023, will be stricken from the record;
- An Order of Default is entered;
- This Court will deem admitted any factual allegations pled by Plaintiffs in the Fourth Amended Complaint;
- A determination of damages will be based on supporting evidence submitted by the Plaintiffs at the default damages trial since the claims are not for a sum certain; and
- This Court will not consider evidence from Diego Rodriguez during the default damages trial. Diego Rodriguez is prohibited from producing or introducing any evidence at trial.

As to Defendants Ammon Bundy, People's Rights Network, Ammon Bundy for Governor, Freedom Man Press, LLC, and Freedom Man PAC:

- This Court will deem admitted any factual allegations pled by Plaintiffs in the Fourth Amended Complaint;
- This Court will make a determination of damages that will be based on supporting evidence submitted by the Plaintiffs at the default damages trial since the claims are not for a sum certain, and after that determination will enter a default judgment; and
- This Court will not consider any requested but undisclosed evidence from Defendants during the trial. Defendants are prohibited from producing or introducing any undisclosed evidence at the trial.

Any opening statement, closing argument, or cross-examination by Defendants must conform to the sanctions imposed. Accordingly, any opening statement, closing argument, or cross-examination by Defendants: (1) shall not reference, assume, or seek to introduce evidence that Defendants are prohibited from entering into evidence; (2) shall not assume falsity or deem false the factual allegations of the Fourth Amended Complaint or otherwise challenge or dispute the factual allegations of the Fourth Amended Complaint; and (3) shall not seek to support any affirmative defense.

Cross-examination shall be limited to the scope of direct examination.

Pursuant to Idaho Rule of Civil Procedure 55(b), because all Defendants are in default, the scope of the trial will be limited to the amount of damages, including punitive damages.

Trial will proceed before a jury, beginning on July 10, 2023. All parties and counsel who choose to appear must appear in person.

The trial days are as follows, with the potential for the trial extending into the week of July 24, 2023 if needed:

- July 10, 2023 (8:30 a.m. to 12:00 p.m.)
- July 11, 2023 (8:30 a.m. to 3:30 p.m.)
- July 13, 2023 (8:30 a.m. to 3:30 p.m.)
- July 14, 2023 (8:30 a.m. to 5:00 p.m.)
- July 17, 2023 (8:30 a.m. to 12:00 p.m.)
- July 18, 2023 (8:30 a.m. to 5:00 p.m.)
- July 20, 2023 (8:30 a.m. to 3:30 p.m.)
- July 21, 2023 (8:30 a.m. to 5:00 p.m.)

IT IS SO ORDERED.

DATED: \_\_\_\_\_

By: \_\_\_\_\_  
The Hon. Nancy Baskin

## CERTIFICATE OF SERVICE

I hereby certify that 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  
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:

Ammon Bundy  
Ammon Bundy for Governor  
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:

Freedom Man PAC  
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:

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

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- Overnight Mail
- Email/iCourt/eServe:  
[freedommanpress@protonmail.com](mailto:freedommanpress@protonmail.com)

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Alexandra S. Grande  
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asgrande@hollandhart.com  
zjmcraney@hollandhart.com  
aehenderson@hollandhart.com

DATED: \_\_\_\_\_

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Clerk of the Court