

Erik F. Stidham (ISB #5483)
Jennifer M. Jensen (ISB #9275)
Alexandra S. Grande (ISB #9566)
Zachery J. McCraney (ISB #11552)
Anne E. Henderson (ISB #10412)
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
asgrande@hollandhart.com
zjmccraney@hollandhart.com
aehenderson@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 and an unincorporated
association,

Defendants.

Case No. CV01-22-06789

**PLAINTIFFS' PROPOSED STATEMENT
OF THE CASE**

A. PLAINTIFFS' PROPOSED STATEMENT OF THE CASE

The Plaintiffs in this case are St. Luke's Health System, Ltd.; St. Luke's Regional Medical Center, Ltd.; Chris Roth; Natasha Erickson; and Tracy Jungman (collectively the "St. Luke's Parties"). The Defendants are Ammon Bundy, Diego Rodriguez, People's Rights Network ("PRN"), Ammon Bundy for Governor ("Bundy Campaign"), Freedom Man Press LLC, and Freedom Man PAC.

The Defendants engaged in a grift, recklessly exploiting the dire medical condition of the ten-month-old child Cyrus Anderson (the "Infant") to gain money and publicity for themselves. Seeking to benefit financially, to enhance their standing among their followers, and to grow the membership of and revenues from PRN, Mr. Bundy (a former candidate for Governor and founder and leader of PRN) and Mr. Rodriguez (an aspiring political and religious figure, acolyte of Mr. Bundy, and consultant and spokesperson for the Bundy Campaign) acted in concert with the other Defendants to launch a knowingly dishonest smear campaign that claimed Idaho State employees, the judiciary, the police, primary care providers, and the St. Luke's Parties engaged in widespread kidnapping, trafficking, sexual abuse, and killing of Idaho children.

In furtherance of their smear campaign, Defendants used slick marketing and disinformation to launch a coordinated attack of defamation and organized business disruption against the St. Luke's Parties. Defendants incited and agitated their followers with false conspiracy theories of the kidnapping, trafficking, sexual abuse, and killing of children purposefully creating the risk that their followers would threaten or actually commit acts of violence against the St. Luke's Parties. Defendants made no effort to conceal their improper objectives. Indeed, they publicly declared that they wanted to subject the St. Luke's Parties to unrelenting public shaming that would cause reputational damage and humiliation of such

intensity that St. Luke's would be run out of business and Mr. Roth, CEO of St. Luke's, Dr. Erickson, a St. Luke's pediatric physician, and NP Jungman, a St. Luke's nurse practitioner, would lose their careers and be shunned by their friends, colleagues, neighbors, spouses, and children.

As a premise for their wrongful actions, Defendants mischaracterized the Idaho Department of Health and Welfare's ("DHW") decision to intervene to ensure the health and safety of the Infant. Mr. Bundy, Mr. Rodriguez, and the other Defendants falsely claimed that DHW's intervention was wholly without basis and was an example of the widespread government conspiracy of kidnapping, trafficking, sexual abuse, and killing of children for financial gain.

Defendants falsely stated that the St. Luke's Parties were participants in this nefarious organized ring and had participated in the kidnapping and mistreatment of the Infant. Among other things, Defendants falsely stated that: (1) the St. Luke's Parties initiated and caused the State's intervention relating to the Infant; (2) the Infant had no need for medical care from the St. Luke's Parties; (3) the St. Luke's Parties provided unnecessary and improper medical treatment to drive up medical bills for the Infant's parents; (4) the St. Luke's Parties harmed the Infant; and (5) that St. Luke's was conspiring with Idaho Governor Brad Little (Mr. Bundy's political opponent) in targeting the Infant. The Defendants made these false statements and others relating to the St. Luke's Parties while knowing the statements to be without factual basis or recklessly disregarding the truth.

Mr. Bundy and Mr. Rodriguez coordinated the wrongful attacks to further a number of improper objectives, including: (1) to harm the St. Luke's Parties; (2) to subvert the authority and rulings of the judiciary through harassment; (3) to mislead and manipulate their followers;

(4) to enhance their political reputations and personal brands; (5) to grow membership in Defendant PRN; (6) to drive traffic to Defendants' websites; (7) to benefit themselves financially through financial contributions, donations, and fees paid to the Bundy Campaign, Mr. Rodriguez's political action committee (Defendant Freedom Man PAC), Defendant PRN, a supposed charity benefitting Mr. Rodriguez's family, Mr. Bundy's entities Dono Custos, Inc. and Abish-husbandi, Inc. and Mr. Rodriguez's entities Freedom Tabernacle Incorporated, Power Marketing Agency, LLC, and Power Marketing Consultants LLC.

The St. Luke's Parties initiated this lawsuit on May 11, 2022. The St. Luke's Parties state that they have brought this lawsuit to protect patients and staff from further harm, defamation, harassment, and threats of violence and to ensure that political bullying and Defendants' grift do not prevent St. Luke's from furthering its mission to improve the health of people in the communities it serves.

With the exception of Mr. Rodriguez, no Defendant has appeared in this lawsuit to defend against the St. Luke's Parties' claims. And while Mr. Rodriguez appeared and made a number of filings, he refused to comply with his discovery obligations to produce relevant documents, answer interrogatories, and sit for deposition. The Court repeatedly imposed financial sanctions on Mr. Rodriguez which he refused to pay. After Mr. Rodriguez continued to refuse to comply with Court Orders, the Court sanctioned him by entering default against him. And under Idaho Rule of Civil Procedure 55, because the other Defendants did not appear in the lawsuit and defend against the St. Luke's Parties' claims, the Court also entered default against each of them. The Defendants had proper service and notice, as this Court has already ruled when it entered default against them. Although he has not defended in this lawsuit, Mr. Bundy has repeatedly acknowledged the lawsuit in statements online.

When default is entered against a defendant, all factual allegation in a plaintiff's complaint are established as true. The default procedure exists to mitigate the unfair advantage that defendant improperly creates for himself by refusing to comply with procedures, refusing to comply with orders of the Court, refusing to turn over documents to Plaintiffs, and refusing to show up for depositions. Default mitigates the disadvantage and harm suffered by a plaintiff who has the burden of proof to prove its claims but cannot obtain evidence from the defendant in discovery because the defendant will not appear in the lawsuit or because the defendant has appeared in the case but violates Court orders and discovery obligations.

With default entered as to all Defendants, liability is established as to the St. Luke's Parties' legal claims. Your job is to determine the amount of damages that should be paid to the St. Luke's Parties by the Defendants.

B. PLAINTIFFS REQUEST THE COURT READ THE FOURTH AMENDED COMPLAINT TO THE JURY.

For context, the above Statement of the Case is quoted (with minor alterations) from the first six paragraphs of the Fourth Amended Complaint. These paragraphs summarize the St. Luke's Parties' theory of the case. As factual allegations, they are deemed true on default.

[The St. Luke's Parties note to the Court that they included a jury instruction in their July 6, 2023 filing contemplating that the Court would read the Fourth Amended Complaint to the jury. The intent is to aid the members of the jury by presenting them with the factual allegations they must take as true, given the entry of default against all Defendants.]

DATED: July 7, 2023.

HOLLAND & HART LLP

By: /s/Erik F. Stidham

Erik F. Stidham

Jennifer M. Jensen

Alexandra S. Grande

Zachery J. McCraney

Anne E. Henderson

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of July, 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
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

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Email/iCourt/eServe:

freedommanpress@protonmail.com

/s/ Erik F. Stidham

Erik F. Stidham
OF HOLLAND & HART LLP