

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. CV01-22-6789

ORDER ON PENDING MOTIONS
AND CONTEMPT COURT TRIAL
SCHEDULE

The Court has reviewed the pending motions and certain responses filed by Mr. Bundy. The Court finds a hearing is not necessary and would not be helpful in resolving two of the motions. As to Plaintiffs' Motion to Compel Mr. Bundy's attendance at a deposition, the Court finds based on the criminal sanctions being pursued against Mr. Bundy in the Renewed Motion for Contempt, Mr. Bundy enjoys a right to remain silent and does not have to sit for a deposition to establish the factual basis or elements that the Plaintiffs have the burden of establishing beyond a reasonable doubt for each count of contempt. Being forced to sit for deposition about the facts

related to the Renewed Motion for Contempt would likely result in Mr. Bundy invoking his Fifth Amendment rights in response to every question, which he has indicated in his response he intends to invoke. Thus, compelling the deposition would not be productive at this time. The Court does intend to address the failure of Mr. Bundy to comply with subpoenas, but that will be done after the current renewed motion for contempt is resolved by the Court. The Court will reserve its ruling on this Motion to Compel Attendance at a Deposition until *after* the court trial on the pending Renewed Motion for Contempt.

As to Plaintiffs' Motion to Alter Deadlines including the date for disclosure of Mr. Bundy's witnesses and exhibits, the Court does not find good cause to modify the deadlines previously set by this Court and this Motion to Alter Deadlines is denied. Mr. Bundy shall disclose any potential witnesses and/or exhibits, if any, he may seek to rely upon for purposes of the motion for contempt court trial, one week *prior to* the hearing or November 6, 2023. The witness list and exhibit list must be *filed* with the Court and served by email to Plaintiffs' counsel on or before November 6, 2023. Failure to timely disclose this information may result in a witness not being able to testify or an exhibit not being admitted for consideration by the Court.

Mr. Bundy has filed a Motion to Dismiss Contempt Charges. In order to resolve this motion prior to proceeding with any evidence, the Court will modify the start time and issues to be addressed on Monday, November 13, 2023. The Court will hear Mr. Bundy's Motion **at 10:00 a.m. on November 13, 2023** at the Ada County Courthouse with all parties appearing in-person. The Court will next proceed with the court trial on the Renewed Motion for Contempt, if appropriate. The Court will recess at noon to preside over a treatment court and the court trial will resume on Tuesday, November 14, 2023 at 8:30 a.m. if Mr. Bundy's motion is not granted. The revised schedule is as follows:

- **Monday, November 13, 2023 at 10:00 a.m. in-person at the Ada County Courthouse, the Court will take up any of Mr. Bundy's Motion to Dismiss. Plaintiffs and Mr. Bundy will each have 20 minutes to argue this Motion starting with Mr. Bundy. The Court will be prepared to orally rule on the Motion. If the Motion is denied, the Court will continue with the court trial for Plaintiffs' Renewed Motion for Contempt until noon at which point the Court will recess to handle other unrelated matters.**
- **If necessary, the court trial will start again on Tuesday, November 14, 2023 at 8:30 a.m., evidence will be presented. The Court will have certain short recesses, but may go until approximately 5:00 p.m.**
- **The Court will skip Wednesday November 15, 2023 to handle other unrelated matters.**
- **If necessary, the court trial will continue on Thursday, November 16, 2023 at 8:30 a.m. The Court will have certain short recesses, but may go until approximately 5:00 p.m.**
- **If necessary, the court trial will continue on Friday, November 17, 2023 at 8:30 a.m. The Court will have certain short recesses, but may go until approximately 5:00 p.m.**

IT IS SO ORDERED.

Dated: 10/19/23



NANCY A. BASKIN
District Judge

CERTIFICATE OF SERVICE

I, the undersigned, certify that on 10/19/23, I caused a true and correct copy of the foregoing ORDER ON PENDING MOTIONS AND CONTEMPT COURT TRIAL SCHEDULE to be forwarded with all required charges prepaid, by the method(s) indicated below, in accordance with the Rules of Civil Procedure, to the following person(s):

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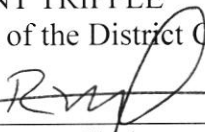
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TRENT TRIPPLE
Clerk of the District Court

By 
Deputy Clerk