

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,

Plaintiff(s),

-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,

Defendant(s).

Case No. CV01-22-6789

ORDER ON REQUEST FOR
TRANSCRIPT FEE WAIVER

To the extent this "Notice Requesting Transcripts and Transcript Fee Waiver Confirmation" could be deemed a motion for a fee waiver, the motion is denied.

Pursuant to Idaho Rules of Civil Procedure 83 (g)(1)(b): "Exemption from payment. The district judge may order a transcript prepared at county expense if the appellant is exempt from paying the fee as provided by statute or law." Because the rule states a court "may" issue a waiver of transcript fees, the Court finds the decision of whether to issue a waiver is a decision made at the discretion of the trial court. When a matter is within the court's discretion, the trial court must "(1) correctly perceived the issue as one of discretion; (2) acted within the outer boundaries of its

discretion; (3) acted consistently with the legal standards applicable to the specific choices available to it; and (4) reached its decision by the exercise of reason.” *Lunneborg v. My Fun Life*, 163 Idaho 856, 867, 421 P.3d 187, 198 (2018).

Defendant Rodriguez’s claim of “financial hardship” is not supported by a sworn financial affidavit of his assets and liabilities to support such a statement and is inconstant with the credible testimony at trial that Defendant Rodriguez controls numerous organizations that receive large amounts of monies in the form of donations that directly or indirectly flow through to Mr. Rodriguez. Additionally, Mr. Rodrigues failed to comply with lawful discovery requests regarding his finances. While the transcript fees estimate of \$6,363.50 is significant, it is not an unusual amount based on the length of the trial. For all these reasons, the Court exercises its discretion and finds Mr. Rodriguez has not shown by substantial and credible evidence that payment for the transcripts would be a financial hardship for Mr. Rodriguez to pay.

For these reasons, the Court does not find good cause to grant the requested waiver of transcript feed in this case for this part. The motion is denied.

IT IS SO ORDERED.

Dated: 11/14/23



NANCY A. BASKIN
District Judge

CERTIFICATE OF SERVICE

I, the undersigned, certify that on 11/14/23, I caused a true and correct copy of the foregoing ORDER ON REQUEST FOR TRANSCRIPT FEE WAIVER 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):

Erik F. Stidham (X) Email
Jennifer M. Jensen
Zachery J. McCraney
Alexandra S. Grande
efstidham@hollandhart.com
jmjensen@hollandhart.com
zjmccraney@hollandhart.com
aehenderson@hollandhart.com
Attorney for Plaintiff(s)

Diego Rodriguez (X) Email
freedommanpress@protonmail.com
Pro Se Defendant

Ammon Bundy, Ammon Bundy for Governor, (X) Mail
and People’s Rights Network
c/o Ammon Bundy
4615 Harvest Lane
Emmett ID 83617-3601
Pro Se Defendant

Ammon Bundy for Governor (X) Mail
And People’s Rights Network
c/o Ammon Bundy
P.O. Box 370
Emmett ID 83617
Pro Se Defendant

Freedom Man Press LLC and Freedom Man PAC (X) Mail
c/o Diego Rodriguez
1317 Edgewater DR #5077
Orlando, FL 32804
Pro Se Defendant

TRENT TRIPPLE
Clerk of the District Court

By  Deputy Clerk