

Erik F. Stidham (ISB #5483)
Robert A. Faucher (ISB #4745)
Jennifer M. Jensen (ISB #9275)
Zachery J. McCraney (ISB #11552)
Anne Henderson Haws (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
rafaucher@hollandhart.com
jmjensen@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

**DECLARATION OF JENNIFER M.
JENSEN IN SUPPORT OF
MEMORANDUM IN OPPOSITION TO
MOTION TO DISMISS OBJECTION
TO CLERK'S RECORD ON APPEAL**

Jennifer M. Jensen declares and states as follows:

1. I am an attorney with the firm of Holland & Hart LLP (“Holland & Hart”) and serve as counsel for the Plaintiffs/Respondents in this case. I make this declaration based on my personal knowledge.

2. On October 4, 2023, Diego Rodriguez filed a notice of appeal, seeking review of the judgment entered in favor of Plaintiffs on August 29, 2023.

3. Pursuant to Idaho Appellate Rule 19, on October 18, 2023, Plaintiffs timely filed their request for additional transcripts and records to be included in the appellate record. Given the nature and breadth of Rodriguez’s notice of appeal, the volume of evidence presented at trial, and relevant pretrial proceedings, Plaintiffs sought inclusion of 20 transcripts and 314 filings and trial exhibits. On November 17, 2023, the Court granted the request for additional transcripts and records.

4. On Thursday, May 2, 2024, at 4:34 PM, the clerk’s office (via SecureFileTransferNotification@adacounty.id.gov) emailed my office with a link to download the clerk’s record for the pending appeal. A staff member at my office clicked on the link and attempted to download the files but received an error message stating “needs authorization.”

5. Unable to download the materials, a staff member at my office emailed the clerk’s office on Friday May 3, 2024 at 2:22 PM, requesting assistance due to the “needs authorization” error message. The error was not resolved that day, and my office still could not access the files the clerk’s office had attempted to make available.

6. On Monday, May 6, 2024 at 3:33 PM, my office again emailed the clerk’s office but received no response.

7. The following day at 10:50 AM, the clerk's office responded that it would prepare a thumb drive for pick up instead of continuing to attempt to resolve the "needs authorization" access error. Two thumb drives were ultimately required to fit all the files. The clerk's office prepared the two thumb drives on May 7, 2024. A runner from my office picked them up the same day.

8. Having received the clerk's record, my office reviewed and determined that 82 of the records were missing. To be clear, the missing records had been requested and approved by the Court previously and thus had apparently been inadvertently omitted from the clerk's record.

9. Plaintiffs duly filed an objection to the clerk's record on June 3, 2024 and set the matter for hearing pursuant to Idaho Appellate Rule 29(a).

10. I chose not to attach copies of the emails referenced above or include the names of individuals involved for safety reasons, due to the Defendants' ongoing pattern of cyberstalking and threatening individuals who are involved in this lawsuit.

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

DATED: June 13, 2024.

By: /s/Jennifer M. Jensen
Jennifer M. Jensen

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of June, 2024, 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
Ammon Bundy for Governor
People's Rights Network
c/o Ammon Bundy
P.O. Box 1062
Cedar City, Utah 84712

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☒ Email/iCourt/eServe:
aebundy@bundyfarms.com

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/ Jennifer M. Jensen

Jennifer M. Jensen
OF HOLLAND & HART LLP

32218152_v1