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Pro Se

**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,
Defendants.

Case No. CV01-22-06789

**DEFENDANT DIEGO RODRIGUEZ'S
MOTION FOR PROTECTIVE ORDER
AND TO QUASH DEPOSITION DUCES
TECUM NOTICE**

COMES NOW Defendant Diego Rodriguez, pro se, and pursuant to I.R.C.P. 26(c), and 45(d)(1), respectfully moves this Court for a Protective Order and for an Order Quashing the Notice of Deposition Duces Tecum served on July 24, 2025, by Plaintiffs, and set for August 18, 2025, in Boise, Idaho.

This deposition is not only procedurally improper, but serves as a coordinated act of harassment and abuse of process, designed to overwhelm a pro se litigant during an active appeal and in retaliation for recent filings before the Idaho Supreme Court.

I. PROCEDURAL BACKGROUND

On July 24, 2025, Plaintiffs—through their counsel Erik F. Stidham of Holland & Hart LLP—served a *Notice of Deposition Duces Tecum of Diego Rodriguez*, unilaterally scheduling an in-person deposition for August 18, 2025, at their offices in Boise, Idaho.

Plaintiffs’ notice falsely presumes that Mr. Rodriguez will be in Idaho on that date in connection with a separate matter currently pending before the Idaho Supreme Court. No such travel plans have been confirmed, nor is there any obligation or lawful expectation for Defendant Rodriguez to appear in person for a deposition based on speculative assumptions.

In addition, the notice demands compliance with a 27-category duces tecum request, the scope of which is egregiously overbroad, duplicative of prior discovery requests, and includes demands for third-party records not within Defendant’s possession, custody, or control.

II. LEGAL STANDARD

Under Idaho Rule of Civil Procedure 26(c), the Court may issue a protective order to protect a party from “*annoyance, embarrassment, oppression, or undue burden or expense.*”

Under I.R.C.P. 45(d)(1), the Court may quash or modify a subpoena that is unreasonable, oppressive, fails to allow time for compliance, requires disclosure of privileged or protected matter without waiver or exception, or subjects a person to undue burden.

These rules authorize the Court to intervene where a discovery request is clearly abusive, harassing, or disproportionate—particularly where asserted against a pro se defendant who has limited resources and is actively engaged in appellate proceedings. The Court has broad discretion to shield pro se litigants from discovery tactics that amount to procedural attrition or harassment.

III. ARGUMENT

A. The Notice Is Based on False Assumptions and Improper Presumptions

The deposition is premised on the unsupported assumption that Mr. Rodriguez will be physically present in Idaho on August 18, 2025. That assumption is not grounded in fact.

Rodriguez has filed multiple documents before the Idaho Supreme Court outlining his financial and logistical inability to travel across the country from Florida to Idaho. The Court has not ordered his appearance, and no lawful basis exists for scheduling an in-person deposition based on speculative travel.

B. The Notice Constitutes Procedural Retaliation and Harassment

This deposition was noticed immediately after Rodriguez filed judicial misconduct notices and procedural appeals in both state and federal forums. The timing of this notice—combined with its burden—reveals a transparent effort to:

- Retaliate against Rodriguez for seeking appellate relief;
- Burden him with another layer of procedural complexity;
- Coerce participation under duress.

Such tactics are abusive, unethical, and contrary to Rule 26's protective purpose.

C. The Duces Tecum Requests Are Overbroad, Duplicative, and Harassing

Exhibit A includes 27 categories of documents demanding:

- Personal tax returns,
- Bank statements,
- Property records for third parties,
- Church records,
- Asset transfers,
- Entire corporate records from unrelated entities.

Many of these demands duplicate or exceed prior Requests for Production already objected to and are not limited by relevance, timeframe, or scope. Several requests also demand documents

pertaining to third-party individuals and entities who are not party to this litigation, and whose records are not within Defendant's possession, custody, or control. This expands discovery far beyond legitimate bounds and reveals an abusive and harassing intent.

D. The Discovery Process Is Being Weaponized to Chill Appellate Participation

Rodriguez is currently litigating multiple motions before the Idaho Supreme Court, including a *Renewed Motion to Appear Remotely*, a *Judicial Misconduct Supplement*, and a *Motion to Disqualify Judge Nancy Baskin*. While those matters are pending, Plaintiffs and their counsel are using lower court discovery as a weapon to:

- Punish Rodriguez for asserting his rights,
- Undermine his ability to prepare for appeal,
- And force him to choose between exercising his constitutional right to self-representation or surrendering to abusive and retaliatory discovery demands.

This is a textbook example of procedural attrition and a violation of fundamental fairness under Rule 26.

IV. REQUEST FOR RELIEF

WHEREFORE, Defendant Diego Rodriguez respectfully requests that this Court:

1. Issue a Protective Order under I.R.C.P. 26(c) prohibiting Plaintiffs from taking the deposition of Diego Rodriguez as currently noticed;
2. Quash or Modify the Dukes Tecum portion of the Deposition Notice under I.R.C.P. 45(d)(1), based on its unreasonable and oppressive scope, and the undue burden it imposes on a pro se defendant;
3. Award such further relief as this Court deems just and proper.

Respectfully submitted,

DATED: July 30th, 2025

By: /s/ Diego Rodriguez
Diego Rodriguez

CERTIFICATE OF SERVICE

I certify I served a copy to:

Erik F. Stidham (ISB #5483)
HOLLAND & HART LLP
800 W. Main Street, Suite 1750
Boise, ID 83702-5974

☐ By Mail
☐ By fax
☒ By Email/iCourt/eServe

DATED: July 30th, 2025

By: /s/ *Diego Rodriguez*
Diego Rodriguez