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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

**MEMORANDUM IN OPPOSITION TO
MOTION FOR PROTECTIVE ORDER
AND TO QUASH DEPOSITION
DUCES TECUM NOTICE**

Respondents, St. Luke’s Health System, Ltd., St. Luke’s Regional Medical Center, Ltd.,
Chris Roth, Natasha D. Erickson, M.D., and Tracy W. Jungman, NP (collectively “Plaintiffs”),

by and through their attorneys of record, Holland & Hart LLP, hereby submit this Memorandum in Opposition to Defendant Diego Rodriguez's Motion for Protective Order and to Quash Deposition Duces Tecum Notice ("Motion").

I. INTRODUCTION

Defendant Diego Rodriguez seeks to avoid legitimate post-judgment discovery about his assets through unfounded claims of harassment and procedural impropriety. His motion should be denied. The deposition notice and document requests are reasonable, proportionate, and essential to Plaintiffs' ability to enforce their rights to collection. Rodriguez's arguments are nothing more than an attempt to shield himself from discovery obligations through baseless allegations of retaliation. The Court should deny the Motion.

II. BACKGROUND

Plaintiffs served Defendant Rodriguez with a subpoena duces tecum on July 24, 2025. Declaration of Anne H. Haws in Support of Opposition to Motion for Protective Order ("Haws Decl."), ¶ 2, Ex. A. The subpoena seeks discovery to aid Plaintiffs in post-judgment collection actions. *Id.* On July 30, 2025, Defendant Rodriguez filed the pending Motion. Defendant has so far failed to request the Motion be decided without a hearing or notice it for hearing as required by Local Rule 5.3 (within 14 days of the filing date of a motion, which here is August 13).

Plaintiffs submit this response in opposition despite the likely procedural failing so that the Court may rule on the Motion and do not object to the Court ruling on the motion without hearing.

III. LEGAL STANDARD

Idaho Rule of Civil Procedure 45(d)(1) allows quashing of a subpoena upon timely motion if the movant shows, in relevant part, that "it is unreasonable, oppressive, fails to allow

time for compliance, requires disclosure of privileged or other protected matter and no exception or waiver applies, or subjects a person to undue burden[.]”

Idaho Rule of Civil Procedure 26(c) governs protective orders in the context of discovery requests. The rule permits a party from whom written discovery or a deposition is sought to seek relief to protect from “annoyance, embarrassment, oppression, or undue burden or expense[.]” Idaho R. Civ. P. 26(c)(1). The party moving for a protective order “must include a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action.” *Id.* If a motion for protective order is denied, in whole or in part, the court may order that the party permit the discovery. *Id.* 26(c)(2).

IV. ARGUMENT

A. Rodriguez Has Not Made Any Attempt to Confer to Resolve This Dispute without Court Action.

As of the date of this response in opposition to the Motion, Rodriguez has failed to comply with the clear dictate of Rule 26(c) by seeking to confer with counsel for Plaintiffs to resolve the issues he raises regarding the subpoena without Court action. Haws Decl., ¶ 3. On that basis alone, his motion for protective order should be denied and the discovery should be ordered to be made.

Aside from the procedural failing, Rodriguez’s allegations regarding alleged attempts by Plaintiffs to use a deposition and request for production of documents as a weapon to punish him for filing an appeal to the Idaho Supreme Court are entirely without merit. As set forth below, the deposition notice was served within reasonable time and in conjunction with his likely travel to Boise for the August 19th hearing before this Court, and the discovery requests are squarely focused on discovery related to his assets and Plaintiffs’ legitimate rights to pursue post-

judgment collection efforts where, as here, Rodriguez has failed to take any steps to satisfy even a portion of the judgment.

B. The Deposition Notice Is Reasonable and the Subpoena Should Not Be Quashed.

Rodriguez’s primary argument—that the deposition is based on “false assumptions” about his travel—lacks merit. The notice properly provides reasonable advance notice as required by the Idaho Rules of Civil Procedure.

Rodriguez has not demonstrated that appearing for deposition on August 18, 2025, a single day in advance of this Court’s in-person hearing on all pending motions set for August 19th, creates any undue burden. Provided his required attendance at the hearing on August 19th at 9 a.m., a deposition in person in Boise the day prior does not present an undue burden.

Moreover, Rodriguez provides no evidence that the timing of this deposition was retaliatory. Instead, the July 24, 2025 notice was supplied in the hopes that Rodriguez would work with Plaintiffs and sit for a deposition in alignment with his travel to Boise for the hearing before this Court. The notice provided more than three weeks’ notice—hardly the rushed, harassing conduct Rodriguez alleges. That Rodriguez has pending appeals in Idaho does not create a discovery-free zone around his person. Rodriguez cites no authority requiring Plaintiffs to suspend legitimate discovery activities based on his appellate filings.

C. The Document Requests Are Reasonable in Scope and Relevance.

The categories of documents requested are directly relevant to understanding Rodriguez’s financial condition, asset holdings, and business relationships—information essential to this litigation. Haws Decl., ¶ 2, Ex. A. For example, the requests are temporarily limited: Most requests focus on the period from January 1, 2021, through the present, which is a reasonable timeframe given the March 2022 filing of this lawsuit. *See id.* The requests are also tailored to target specific categories of financial records, corporate documents, and asset information rather

than seeking broad, unlimited discovery. *Id.* Further, asset discovery is fundamental to understanding Defendants' ability to satisfy any portion of the judgment, including to trace the flow of funds between related entities owned or controlled by Rodriguez.

While Rodriguez claims the requests duplicate prior discovery, he has repeatedly failed to provide responses to prior discovery, as is well documented in the underlying record of this case. Moreover, even considering his extremely limited and frustrated participation in discovery, Rodriguez provides no evidence of actual duplication.

St. Luke's Plaintiffs are entitled to engage in post-judgment discovery efforts where as here, Rodriguez, a judgment debtor, has taken no steps to satisfy the judgment due and owing to Plaintiffs. The pendency of his appeal to the Idaho Supreme Court does not insulate him from legitimate post-judgment discovery.

V. CONCLUSION

For the foregoing reasons, the St. Luke's Parties request that this Court deny Defendant Rodriguez's Motion for Protective Order and to Quash Deposition Duces Tecum Notice. Pursuant to Idaho Rule of Civil Procedure 26(c), the Court should order Rodriguez to comply with the subpoena.

DATED: August 12, 2025.

HOLLAND & HART LLP

By: /s/ Erik F. Stidham

Erik F. Stidham

Jennifer M. Jensen

Zachery J. McCraney

Anne Henderson Haws

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of August, 2025, 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:

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Ammon Bundy for Governor
People's Rights Network
c/o Ammon Bundy
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Cedar City, Utah 84712

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/s/ Erik F. Stidham

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