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**IN THE SUPREME COURT OF THE STATE OF IDAHO**

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/Respondents,

vs.

DIEGO RODRIGUEZ, an individual,

Defendant/Appellant,

and

AMMON BUNDY, an individual; AMMON  
BUNDY FOR GOVERNOR, a political  
organization; 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.

Docket No. 51244-2023

Ada County Case No. CV01-22-06789

**COMBINED OPPOSITION TO: (1)  
MOTION TO RECOGNIZE AND  
PRESERVE UNRESOLVED FEDERAL  
CONSTITUTIONAL QUESTIONS FOR  
SUPREME COURT OR FEDERAL  
COURT REVIEW; (2) MOTION TO  
STAY IN PERSON ORAL  
ARGUMENT PENDING FEDERAL  
INTERVENTION; AND (3)  
CONDITIONAL NOTICE REGARDING  
ORAL ARGUMENT AND  
RESERVATION OF RIGHTS PENDING  
FEDERAL RELIEF**

Plaintiffs/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 (“St. Luke’s

Parties”), by and through their attorneys of record, Holland & Hart LLP, hereby submit this, their combined opposition to Defendant/Appellant’s Diego Rodriguez’s (1) Motion to Recognize and Preserve Unresolved Federal Constitutional Questions for Supreme Court or Federal Court Review; (2) Motion to Stay In Person Oral Argument Pending Federal Intervention; and (3) Conditional Notice Regarding Oral Argument and Reservation of Rights Pending Federal Relief.

## **I. ARGUMENT**

Appellant Diego Rodriguez, in the above-identified motions and notice filed September 6 and 7, 2025, requests this Court stay his appeal. There is no basis for a stay. In fact, 28 U.S.C. § 1257, which Rodriguez cites, compels denial of his motions. The statute relates to certiorari, the process by which the U.S. Supreme Court may review “[f]inal judgments or decrees rendered by the highest court of a State” for certain constitutional matters. 28 U.S.C. § 1257(a). Staying this appeal will only prevent a reviewable judgment or decree from being rendered by this Court.

Moreover, Rodriguez’s motions are just another renewal of the motion to appear remotely, which this Court has denied three times. Rodriguez again advances frivolous arguments with no support. There is no requirement that the Court provide a memorandum decision on a procedural motion.

And the reason for the denial of his three-times failed motions is evident from the very order on which Rodriguez relies. This order (the “Remote Proceedings Order”) provides that rules regarding remote proceedings are presently under review. January 6, 2023 Order Re: Remote Court Proceedings, available at <https://isc.idaho.gov/EO/Order-January-6-2023-Re-Remote-Court-Proceedings.pdf>. In other words, there is no requirement that any hearing be held remotely. *See id.* The Remote Proceedings Order also states that the Court will consider “the value of in-person appearances for certain types of proceedings.” *Id.* Here, the value of in-person

hearing arises from the issues of fugitive disentitlement and the pending warrants issued against Rodriguez. Rodriguez has had full opportunity to brief the issues, and they should be heard like any other appeal, as calendared.

As detailed in prior briefing, the St. Luke's Parties continue to suffer prejudice from Rodriguez's violation of federal and state court orders. *See* 2025-06-12 Memo. in Resp. to Mot. to Appear Remotely at 2-5. Allowing Rodriguez a stay of this appeal would only enable him to continue to disobey court orders despite pending warrants and defame the St. Luke's Parties in violation of the Permanent Injunction. He filed this appeal. He should follow through with it.

## **II. CONCLUSION**

For all the foregoing reasons, the St. Luke's Parties request this Court deny Rodriguez's (1) Motion to Recognize and Preserve Unresolved Federal Constitutional Questions for Supreme Court or Federal Court Review; (2) Motion to Stay In Person Oral Argument Pending Federal Intervention; and (3) Conditional Notice Regarding Oral Argument and Reservation of Rights Pending Federal Relief.

DATED: September 22, 2025.

HOLLAND & HART LLP

By: /s/ Jennifer M. Aiko

Erik F. Stidham

Jennifer M. Aiko

Anne Henderson Haws

*Counsel for Plaintiffs-Respondents*

### CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of September, 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:

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. Aiko

Jennifer M. Aiko  
OF HOLLAND & HART LLP

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