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IN THE DISTRICT COURT FOR THE SECOND JUDICIAL DISTRICT
FOR THE STATE OF IDAHO, IN AND FOR NEZ PERCE COUNTY

DPW ENTERPRISES LLC and MOUNTAIN PRIME
2018 LLC,

Plaintiff -Respondents,

v.

JEREMY L. BASS,

Defendant-Appellant,

and

DWAYNE PIKE, and CURRENT OCCUPANT, and
Unknown Parties in Possession of the real
property commonly known as 1515 21st Avenue,
Lewiston, Idaho 83501

Defendants,

Docket No. 52552-2024

Case No. CV35-24-1063

**SUPPLEMENTAL MOTION TO STRIKE
PLAINTIFFS' FILINGS FOR REPETITION,
SCANDALOUS CONTENT, AND OBSTRUCTION
OF JUSTICE**

ORAL ARGUMENT REQUESTED

Defendant Jeremy L. Bass ("Defendant"), perforce pro se, and submits this *SUPPLEMENTAL MOTION TO STRIKE PLAINTIFFS' FILINGS FOR REPETITION, SCANDALOUS CONTENT, AND OBSTRUCTION OF JUSTICE* in opposition to *SUPPLEMENTAL MEMORANDUM IN OPPOSITION TO DEFENDANT'S JEREMY BASS' MOTION FOR STAY AND MOTION TO WAIVE BOND* (filed January 14, 2025). Defendant respectfully moves this Court to strike the entirety of Plaintiffs' filing pursuant to *I.R.C.P. 12(f)* for its repetitive, immaterial, and scandalous content designed to distract from Plaintiffs' lack of substantive evidence and attempts to obstruct Defendant's access to justice. In support of this Motion, Defendant provides a line-by-line analysis and refutation of Plaintiffs' supplemental memorandum.

I. INTRODUCTION

Plaintiffs' Supplemental Memorandum ("Memorandum") is replete with repetitive, immaterial, and scandalous content, violating *Idaho Rule of Civil Procedure 12(f)*. The

Memorandum rehashes previously addressed arguments, introduces no new evidence, and fails to engage with Defendant's counterarguments. Instead, it relies on conclusory statements and inflammatory language, demonstrating a pattern of bad faith and abusive litigation tactics intended to obstruct justice and prejudice the Court against Defendant. This conduct, particularly within the limited timeframe before the hearing, further exacerbates the prejudice against Defendant as it strategically limits his ability to respond to such accusations within the rules.

Specifically, the timing and content of Plaintiffs' filing suggest an intentional effort to exploit procedural rules to their advantage. By submitting this Memorandum rife with repeated falsities and inflammatory accusations just days before the hearing, Plaintiffs are effectively denying Defendant the opportunity to seek sanctions under *I.R.C.P. 11* due to the 21-day safe harbor requirement. This is not the first time Plaintiffs have engaged in such tactics. Their pattern of making false and unsubstantiated statements throughout this litigation is a clear indication of their bad faith and intent to prejudice the Court..

II. REPETITIVE AND IMMATERIAL CONTENT

The Memorandum rehashes arguments and claims already made in prior filings, including:

1. Defendant has presented no admissible evidence refuting the Trustee's Deed and Plaintiffs' ownership of the property. This claim is identical to assertions in *Plaintiffs' Memorandum in Opposition to Motion for Stay* (November 27, 2024) and *Declaration of Counsel* (November 27, 2024).
2. Defendant occupies the property rent-free for his own financial benefit. This accusation is repeated from *Plaintiffs' Memorandum in Support of Summary Judgment* (October 22, 2024) and *Plaintiffs' Declaration of Counsel* (October 22, 2024).

3. Defendant's financial contributions are incidental and self-serving. This assertion mirrors claims in *Plaintiffs' Memorandum in Support of Summary Judgment* (October 22, 2024) and *Plaintiffs' Opposition to Stay* (November 27, 2024).

4. Defendant's request for stay and bond waiver is self-serving and lacks merit. This assertion duplicates claims in *Plaintiffs' Opposition to Motion for Stay* (November 27, 2024) and *Plaintiffs' Supplemental Filing* (December 15, 2024).

This repetition violates Rule 12(f), as the filing is redundant and immaterial, offering no new evidence or legal analysis.

III. SCANDALOUS AND PREJUDICIAL STATEMENTS

The Memorandum employs inflammatory and prejudicial language, including:

1. Accusing Defendant of "maneuvering" and acting for his "financial benefit" without evidentiary support.
2. Asserting Defendant has "profited from the present litigation" without substantiation.
3. Claiming Defendant's arguments are "without support" and based on "mere speculation or a scintilla of evidence."
4. Alleging Defendant "fails to present any evidence or new facts" and that the "record is otherwise devoid of any evidence to support his positions."

These statements are designed to prejudice the Court against Defendant and distract from Plaintiff's own misconduct, including potential fraudulent practices in the trustee's sale which the Defendant has submitted multiple exhibits of evidence and even by their own affidavit.

IV. ARGUMENT FOR STRIKING PLAINTIFFS' FILING

A. Repetitive and Immaterial Content

1 Plaintiffs' supplemental memorandum rehashes arguments and claims already made in
2 prior filings without introducing new evidence or addressing Defendant's counterarguments. This
3 violates *I.R.C.P. 12(f)* as the filing is redundant and immaterial.

4 B. Scandalous and Prejudicial Statements

5 Plaintiffs employ inflammatory language, such as accusing Defendant of "maneuvering"
6 and acting for "financial benefit," without evidentiary support. These statements are designed to
7 prejudice the Court against Defendant and distract from Plaintiffs' own misconduct.

8 C. Speculative Injuries and Lease Validity

9 Plaintiffs' claims of financial harm are speculative. The existing lease with Mr. Pike ensures
10 Plaintiffs are not financially disadvantaged, and Plaintiffs' arguments rely on future litigation
11 outcomes that are not guaranteed.

12 D. Obstruction of Justice

13 By relying on repetition and mischaracterizations, Plaintiffs seek to create procedural and
14 financial barriers to Defendant's ability to defend his property rights. This strategy is an abuse of
15 the judicial process and undermines the principles of fairness and equity.

16 **V. GROUNDS FOR RELIEF UNDER 42 U.S.C. § 1983**

17 1. Scandalous and Irrelevant Statements in Plaintiffs' Filings

18 Plaintiffs' filings contain statements that are immaterial, inflammatory, and scandalous,
19 including but not limited to:

- 20 a. Allegations that Defendant occupies the property "rent-free" while pursuing legal
21 actions for financial gain.
22 b. Assertions that Defendant manipulates the legal process to "avoid paying rent or
23 a mortgage payment."

- c. Personal attacks on Defendant's motives and character, alleging vexatious litigation without any evidentiary basis.
- d. Statements implying that Defendant's actions constitute "self-serving requests" without recognizing the necessity of these actions to protect Defendant's rights and property.

These statements serve no legitimate purpose in advancing Plaintiffs' claims and are intended solely to prejudice the Court against the Defendant. Such conduct violates *I.R.C.P. 12(f)*, which permits the striking of any "redundant, immaterial, impertinent, or scandalous matter."

2. Violations of Idaho Rules of Professional Conduct

Opposing counsel's submissions demonstrate a clear pattern of misconduct, including violations of:

- a. **I.R.P.C. 3.3(a)(1)**: Failing to ensure factual accuracy in submissions to the Court.
- b. **I.R.P.C. 3.4(e)**: Introducing irrelevant and inflammatory content into filings
- c. **I.R.P.C. 4.3**: Exploiting the pro se status of Defendant without ensuring fairness in the proceedings.
- d. **I.R.P.C. 8.4(d)**: Engaging in conduct prejudicial to the administration of justice.

VI. REQUEST FOR JUDICIAL ADMONISHMENT

The gravity of counsel's conduct necessitates judicial intervention to ensure the integrity of these proceedings. Defendant respectfully requests that this Court admonish counsel and implement oversight mechanisms to prevent further exploitation of the Defendant's pro se status.

VII. CONCLUSION

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully requests that this Court:

1. **STRIKE** Plaintiffs' Supplemental Memorandum in its entirety pursuant to I.R.C.P. 12(f);

