

Jeremy L. Bass, Perforce Pro Se  
1515 21<sup>st</sup> Ave  
Lewiston, ID 83501-3926  
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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,

vs.

Jeremy L. Bass, Dwayne Pike, and Current  
occupant, and Unknown Parties in  
Possession of the real property commonly  
known as 1515 21<sup>st</sup> Avenue, Lewiston,  
Idaho 83501

Defendants.

Case No. CV35-24-1063

**DEFENDANT'S MOTION TO STRIKE  
INAPPROPRIATE STATEMENTS FROM  
PLAINTIFFS' FILINGS**

**DEMAND FOR JURY**

COMES NOW the Defendant Jeremy L. Bass, (hereinafter "Mr. Bass"), Perforce Pro Se, and respectfully moves this Court to strike the following inappropriate statements from Plaintiffs' Response to Defendant's Motion for Reconsideration and related filings, pursuant to *Idaho Rule of Civil Procedure 12(f)*.

**I. BASIS FOR MOTION**

*Idaho Rule of Civil Procedure 12(f)* authorizes the Court to strike from a pleading "any redundant, immaterial, impertinent, or scandalous matter." Plaintiffs' filings in this matter contain numerous statements that:

- Misrepresent facts and procedural history.
- Contain inflammatory language aimed at prejudicing the Court against the Defendant.
- Distract from the substantive legal and factual issues at hand.

**II. STATEMENTS TO STRIKE**

1. "Instead, Defendant has set idle, seeking to try to indirectly litigate purported issues he has with his lender and trustee who are both non-parties to this suit and then to use his disputes as a basis to deny Plaintiffs possession."
  - **Location:** *MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTION FOR STAY* (Page 3 | Line 18)
  - **Reason:** Unfounded claim of dishonesty, intended to undermine Defendant's credibility; Falsely accuses Defendant of acting in bad faith and exploits the litigation context to cast doubt on Defendant's motives; strikable as scandalous and impertinent and prejudicial.
2. "It is also worth noting that while Mr. Bass has espoused numerous issues with his prior lender and Trustee, he's done nothing to pursue those claims against them, including any claim that the underlying foreclosure was wrongful."
  - **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 4 | Footnote)
  - **Reason:** Misrepresentation of Defendant's prior legal actions to create a false narrative; strikable as immaterial and misleading. Contradicts acknowledged prior litigation, falsely implying inaction; strikable as misleading and prejudicial.
3. "Defendant disingenuously asserts that a stay will help prevent him from significant harm through the loss of the Property."
  - **Location:** *MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTION FOR STAY* (Page 3 | Line 10)
  - **Reason:** Baselessly accuses Defendant of dishonesty to prejudice the Court; strikable as scandalous and impertinent.

4. "Defendant continues to occupy the property, continues to refuse to relinquish possession while residing in the property for free."
  - **Location:** *MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTION FOR STAY* (Page 1 | Line 9)
  - **Reason:** Prejudices Defendant by portraying him as exploiting litigation without addressing substantive disputes; strikable as scandalous and misleading.
5. "Defendant has and is profiting from the present litigation."
  - **Location:** *MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTION FOR STAY* (Page 4 | Line 5);
  - **Reason:** Mischaracterizes Defendant's intent and actions to suggest bad faith; strikable as scandalous and prejudicial.
6. "Defendant attempts to justify his reliance and citation to fictitious cases which Defendant appears to have simply made up in order to give the appearance of validity to his baseless arguments. Defendant admits his various citations do not exist and asserts that their inclusion was a mere mistake, but conspicuously fails to provide the correct citations to the authority upon which he was relying."
  - **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 9 | Line 2)
  - **Reason:** Baseless accusation of fabricating evidence; strikable as scandalous and impertinent. Twists acknowledgment of a typographical error into an unsubstantiated accusation of bad faith; strikable as scandalous and misleading and prejudicial.

7. "Yet over 8 months later Defendant Jeremy Bass refuses to relinquish possession based upon a number of conclusory and speculative theories for which Mr. Bass presents no evidence."
- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 2 | Line 4).
  - **Reason:** Dismisses Defendant's legal arguments without engaging substantively; strikable as impertinent and prejudicial.
8. ", but again, beyond setting forth conclusory assertions and a regurgitation of Idaho Case law pertaining to Trustee's Sales, Mr. Bass fails to present any evidence to support his speculative theories, or new facts or theories that bear on the correctness of the Court's Order."
- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 2 | Line 8).
  - **Reason:** Mischaracterizes Defendant's legal filings as baseless without addressing evidence; strikable as impertinent and misleading.
9. "Has submitted two separate briefs both in the form of his motion and a separate memorandum which do nothing more than present the same three conclusory, speculative, and factually unsupported grounds that the Court already previously considered and rejected."
- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 3 | Line 19).
  - **Reason:** Dismisses Defendant's legal filings wholesale without engaging substantively; strikable as impertinent and prejudicial.

10. "Mr. Bass continues to assert that there was collusion, but again fails to provide any evidence to support such claims."
- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 4 | Line 19)
  - **Reason:** Dismisses substantive video and audio evidence without justification, Misrepresents Defendant's submissions and ignores presented evidence; strikable as scandalous impertinent and misleading.
11. "Defendant provides no specificity with respect to what he alleges was statutorily required but not followed."
- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 5 | Line 20)
  - **Reason:** Ignores detailed statutory violations raised by Defendant; strikable as impertinent and misleading.
12. "Mr. Bass has not met his burden to support reconsideration, where his motion merely expresses his disagreement with the Court's ruling."
- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 3 | Line 23)
  - **Reason:** Reduces substantive legal arguments into a personal grievance, prejudicing Defendant's motion; strikable as impertinent and prejudicial.
13. "Defendant presents no authority which makes it illegal for a Trustee conducting a sale to disclose the opening credit bid to interested parties."
- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 5 | Line 3)

- **Reason:** Misrepresents Defendant's arguments about transparency and bid manipulation; strikable as impertinent and misleading.
14. "Defendant's continued assertions of collusion are without support and where mere speculation or a scintilla of evidence is insufficient to create a genuine issue of material fact, summary judgment was properly granted."
- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 5 | Line 15)
  - **Reason:** Ignores video and audio evidence, and even statements in their own filings all pointing to acts of collusion and irregularities; strikable as impertinent and misleading.
15. "Mr. Bass asserts there was no valid default, but he presents no evidence to support such contention or to contradict the recorded Notice of Default in the land records of Nez Perce County, Idaho on August 17, 2022 as Instrument No. 902262"
- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 4 | Line 2)
  - **Reason:** Misrepresents Defendant's evidence regarding payments and correspondence; strikable as misleading and prejudicial.
16. "Defendant has on multiple occasions argued that the \$165,346.71 purchase price that Plaintiffs paid for the Property as the highest bidders at the Trustee's Sale is well below the fair market value for the property."
- **Location:** *MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTION FOR STAY* (Page 4 | Footnote)
  - **Reason:** Contradicted by Plaintiffs' own reliance on public records for valuation; strikable as impertinent and misleading.

17. "he fails to present any evidence or new facts to support any of his arguments and the record is otherwise devoid of any evidence to support his positions."

- **Location:** *PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANT JEREMY L. BASS'S MOTION FOR RECONSIDERATION* (Page 6 | Line 3)
- **Reason:** Dismisses statutory and procedural defects raised by Defendant without engaging substantively; strikable as impertinent and misleading.

## II. RELIEF REQUESTED

Defendant respectfully requests that this Court strike the aforementioned statements and admonish Plaintiffs' counsel for including such inappropriate content as it has been persistent through all filings in this case.

Dated this 4<sup>th</sup> day of December 2024.  
Respectfully submitted,  
Jeremy L. Bass  
Defendant/ Perforce Pro Se

\_\_\_\_\_  
Signature

### CERTIFICATE OF MAILING

I certify that I have sent by email and first-class mail this ***DEFENDANT'S MOTION TO STRIKE INAPPROPRIATE STATEMENTS FROM PLAINTIFFS' FILINGS*** to Plaintiffs and Co-Defendant's counsel on December 4<sup>th</sup>, 2024, at the following email address and postal address:

Email: lewis@hwmlawfirm.com [✓]  
Postal: Lewis N. Stoddard, Bar No. 7766 [ ]  
Halliday, Watkins & Mann, P.C.  
376 East 400 South, Suite 300  
Salt Lake City, UT 84111

Ken Nagy  
Idaho Legal Aid Services, Inc.  
Email: kennagy@idaholegalaid.org [✓]  
Counsel for Dwayne Pike

Jeremy L. Bass  
Defendant/ Perforce Pro Se

\_\_\_\_\_  
Signature

**ACKNOWLEDGMENT**

STATE OF IDAHO                     )  
   : ss.  
County of NEZ PERCE             )

On the 4<sup>th</sup> day of December, 2024, before me, the undersigned Notary Public,  
personally appeared Jeremy Bass, known to me to be the person whose name is subscribed  
to the foregoing instrument, and acknowledged to me that s/he executed the same.  
IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

\_\_\_\_\_  
Notary Public for Idaho

Residing at \_\_\_\_\_

Commission Expires: \_\_\_\_\_



Jeremy L. Bass, Perforce Pro Se  
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Defendants.

Case No. CV35-24-1063

**MOTION FOR JUDICIAL ADMONISHMENT  
OR WARNING**

**DEMAND FOR JURY**

COMES NOW the Defendant Jeremy L. Bass, (hereinafter "Defendant Bass"), Perforce Pro Se,  
and hereby submit to the Honorable Court's a *MOTION FOR JUDICIAL ADMONISHMENT OR  
WARNING* of Plaintiffs' Counsel for Improper and Prejudicial Statements:

**I. Introduction**

Defendant respectfully submits this motion requesting that the Court admonish Plaintiffs'  
counsel for including improper, irrelevant, and prejudicial statements in their filings. Specifically,  
Plaintiffs' assertion that Defendant "did nothing to pursue claims" against his prior lender and  
trustee is factually incorrect, irrelevant to the present case, and intended to cast unwarranted  
aspersions on Defendant's character.

**II. Background**

**1. Just one of the statements in question:**

- Plaintiffs state: “It is also worth noting that while Mr. Bass has espoused numerous issues with his prior lender and Trustee, he’s done nothing to pursue those claims against them, including any claim that the underlying foreclosure was wrongful.”

## **2. Procedural History:**

- Defendant previously pursued legal action in Nez Perce County Case No. CV35-22-1875 to challenge foreclosure-related actions. The case was dismissed on procedural grounds, not for lack of merit.

## **3. Nature of the Current Dispute:**

- This case concerns the validity of the Trustee’s Sale and Plaintiffs’ conduct in acquiring the subject property. Defendant’s prior legal actions are irrelevant to these issues.

# **III. Argument**

## **1. Impropriety of the Statement:**

- The statement is demonstrably false, as Defendant pursued claims in prior litigation.
- It is irrelevant to the issues in this case, which focus on the Trustee’s Sale and Plaintiffs’ conduct.
- The language is inflammatory and prejudicial, aimed at undermining Defendant’s credibility rather than addressing substantive legal matters.

## **2. Violation of Procedural and Ethical Standards:**

- *Idaho Rule of Civil Procedure 12(f)*: The statement is immaterial, impertinent, and scandalous, warranting judicial intervention.
- *Idaho Rule of Professional Conduct 3.3(a)(1)*: Plaintiffs’ counsel has a duty to ensure factual accuracy in representations to the court.
- *Idaho Rule of Professional Conduct 8.4(d)*: The conduct is prejudicial to the administration of justice, distracting from the merits of the case.

### **3. Judicial Authority to Address Conduct:**

- Courts possess inherent authority to manage proceedings and admonish parties or counsel who violate ethical or procedural norms (see *In re Estate of Bradley*, 141 Idaho 567, 114 P.3d 890 (2005)).

### **IV. Request for Judicial Action**

1. Admonish Plaintiffs' counsel for including irrelevant and prejudicial statements in their filings.
2. Direct Plaintiffs' counsel to refrain from making such statements in future filings.
3. Focus proceedings on the substantive issues and disregard prejudicial content aimed at distracting from the merits.

### **IV. Request for Judicial Action**

Defendant urges the Court to uphold the integrity of the judicial process by addressing this conduct and ensuring that all parties adhere to professional and procedural standards.

Dated this 4<sup>th</sup> day of December 2024.

Respectfully submitted,

Jeremy L. Bass

Defendant/ Perforce Pro Se

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Signature

CERTIFICATE OF MAILING

I certify that I have sent by email and first-class mail this ***MOTION FOR JUDICIAL ADMONISHMENT OR WARNING*** to Plaintiffs and Co-Defendant's counsel on December 4<sup>th</sup>, 2024, at the following email address and postal address:

Email: lewis@hwmlawfirm.com [✓] Postal: Lewis N. Stoddard, Bar No. 7766 [ ] Halliday, Watkins & Mann, P.C. 376 East 400 South, Suite 300 Salt Lake City, UT 84111	Ken Nagy Idaho Legal Aid Services, Inc. Email: kennagy@idaholegalaid.org [✓] Counsel for Dwayne Pike
---	---

Jeremy L. Bass  
Defendant/ Perforce Pro Se

\_\_\_\_\_  
Signature

ACKNOWLEDGMENT

STATE OF IDAHO )  
: ss.  
County of NEZ PERCE )

On the 4<sup>th</sup> day of December, 2024, before me, the undersigned Notary Public, personally appeared Jeremy Bass, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that s/he executed the same.  
IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

\_\_\_\_\_  
Notary Public for Idaho

Residing at \_\_\_\_\_

Commission Expires: \_\_\_\_\_

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Defendants.

Case No. CV35-24-1063

**OBJECTION TO MEMORANDUM OF COSTS AND  
ATTORNEY FEES**

**DEMAND FOR JURY**

COMES NOW the Defendant Jeremy L. Bass, (hereinafter "Mr. Bass"), Perforce Pro Se, and respectfully submits this *Objection to the Plaintiffs' Memorandum of Costs and Attorney Fees*, filed November 27, 2024, pursuant to *Idaho Rule of Civil Procedure 54(d)(6)*.

**I. BASIS FOR OBJECTION**

**1. Unreasonable and Excessive Fees:**

Plaintiffs seek \$9,330.00 in attorney fees at a rate of \$300 per hour for 31.1 hours, in addition to \$296.91 in costs. The requested amount is unreasonable and disproportionate, given:

- The routine nature of the filings.
- Lack of substantive complexity in the issues presented.
- Inflated billing entries for unnecessary or duplicative tasks.

**2. Lack of Justification and Compliance with *IRCP Rule 54(e)(3)***

Plaintiffs fail to meet their burden of demonstrating compliance with the factors set forth in *IRCP Rule 54(e)(3)*, including:

- The time and labor required.
- The novelty and difficulty of the questions involved.
- The skill requisite to perform the legal services properly.
- The reasonableness of the fees relative to the results obtained..

**3. Inclusion of Improper or Inflated Costs:**

The Plaintiffs included charges for activities that were unnecessary, unrelated to the core legal issues, or improperly inflated.

- Costs related to filings that were duplicative or unrelated to substantive motions.
- Inclusion of speculative or anticipated fees for work not yet performed, such as future preparation for hearings and replies.

**4. Disproportionate Impact of Award:**

The requested fees and costs are disproportionately punitive and do not reflect the economic realities of this case. Defendant is a self-represented litigant with limited resources, defending against procedural and substantive irregularities in the foreclosure and auction processes.

**II. LEGAL ARGUMENT**

Pursuant to *Idaho Rule of Civil Procedure 54(e)(3)*, the Court must evaluate the reasonableness of attorney fees based on specific factors, including:

- The time and labor involved.
- The novelty and difficulty of the issues.
- The results obtained relative to the effort expended.

In this case:

**1. Routine Nature of Work:**

The legal services provided by Plaintiffs' counsel involved straightforward filings for summary judgment and opposition to motions, requiring no extraordinary skill or effort.

**2. Lack of Complexity:**

The issues presented, including procedural compliance with Idaho foreclosure statutes, are well-established and do not warrant the excessive hours billed.

**3. Failure to Prove Reasonableness:**

Plaintiffs fail to provide adequate justification for their claimed fees, nor do they show that their efforts directly contributed to the resolution of substantive issues.

**III. REQUEST FOR RELIEF**

Defendant respectfully requests that this Court:

1. Strike or reduce the Plaintiffs' claim for attorney fees and costs to a reasonable amount consistent with the applicable standards under Idaho law.
2. Deny any speculative or anticipated costs not yet incurred.
3. Require Plaintiffs to provide a detailed, itemized accounting of their claimed fees and costs, demonstrating compliance with *IRCP Rule 54(e)(3)*.

Dated this 4<sup>th</sup> day of December 2024.

Respectfully submitted,

Jeremy L. Bass

Defendant/ Perforce Pro Se

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Signature

CERTIFICATE OF MAILING

I certify that I have sent by email and first-class mail this ***OBJECTION TO MEMORANDUM OF COSTS AND ATTORNEY FEES*** to Plaintiffs and Co-Defendant's counsel on December 4<sup>th</sup>, 2024, at the following email address and postal address:

Email: lewis@hwmlawfirm.com [✓] Postal: Lewis N. Stoddard, Bar No. 7766 [ ] Halliday, Watkins & Mann, P.C. 376 East 400 South, Suite 300 Salt Lake City, UT 84111	Ken Nagy Idaho Legal Aid Services, Inc. Email: kennagy@idaholegalaid.org [✓] Counsel for Dwayne Pike
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Jeremy L. Bass  
Defendant/ Perforce Pro Se

\_\_\_\_\_  
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ACKNOWLEDGMENT

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: ss.  
County of NEZ PERCE )

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IN WITNESS WHEREOF, I have set my hand and seal the day and year as above written.

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Residing at \_\_\_\_\_

Commission Expires: \_\_\_\_\_