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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 21st Avenue, Lewiston,
Idaho 83501

Defendants.

Case No. CV35-24-1063

**DEFENDANT'S RESPONSE TO PLAINTIFF'S
ALLEGATIONS IN SECTION E**

DEMAND FOR JURY

COMES NOW the Defendant Jeremy L. Bass, (hereinafter "Defendant Bass"), perforce representing himself pro se, and hereby responds to the *Plaintiffs' Reply Memorandum in Support of Motion for Summary Judgment as Against Defendant Jeremy L. Bass*, (hereinafter "Plaintiff's Memorandum"), filed in this proceeding on the 18th day of October, 2024, delivered on the 20th day of October mid-day to Defendant Bass. This response is based on the facts and arguments set forth herein.

I. INTRODUCTION

The Defendant submits this response to address the allegations made by Plaintiff in Section E of the Plaintiff's Memorandum received just yesterday. Plaintiff accuses Defendant of misrepresenting case law and violating *Idaho Rule of Civil Procedure 11 ("I.R.C.P. 11")*. Defendant denies these allegations and asserts that any citation issues were inadvertent and do not rise to the level of a violation of *I.R.C.P. 11*.

II. RESPONSE TO ALLEGED MISREPRESENTATIONS

A. Compliance with *I.R.C.P. 11*

I.R.C.P. 11 requires that filings be grounded in fact and law after reasonable inquiry. Defendant has made every effort to ensure compliance with this rule. Any citation issues were unintentional and not meant to mislead the Court. Mistakes in legal citations do not equate to bad faith or intentional misrepresentation.

B. Specific Allegations Addressed

1) Citation to Pines Grazing Ass'n v. Flying Joseph Ranch, LLC

Plaintiff claims this case has nothing to do with the foreclosure process or bona fide purchaser status. Defendant acknowledges that a citation error may have occurred. The intended citation was to a case supporting the proposition that courts can scrutinize a purchaser's status when evidence of collusion, fraud, or procedural irregularities exists. This was not an attempt to mislead the Court, but an oversight in referencing the correct case. Defendant apologizes for the error.

2) Citation to Kane v. Union State Bank

Plaintiff claims this case does not exist. Upon review, Defendant concedes that the citation to Kane v. Union State Bank was an error. Defendant mistakenly cited a case that cannot be located within the jurisdiction and acknowledges the mistake. However, this error does not reflect an intent to mislead the Court, but rather a typographical or clerical mistake.

3) Citation to Wells Fargo Bank, N.A. v. Renz

Plaintiff asserts that this case does not exist. Defendant acknowledges that the citation to Wells Fargo Bank, N.A. v. Renz was similarly incorrect. The incorrect citation was inadvertently included, and while this was a mistake, Defendant had no intent to deceive

1 the Court. Errors of this nature can arise from the extensive legal research required, and
2 Defendant will ensure that future citations are verified with greater scrutiny.

3 III. SHEPARD'S CITATIONS REPORT ANALYSIS

4 A Shepard's Citations report (*Exhibit R*), which reflects citation accuracy across documents,
5 shows that both parties have made citation errors. The Shepard's report was run on the following
6 documents:

7 *1) Plaintiffs' Motion for Summary Judgment*

8 *2) Plaintiffs' Memorandum in Support of Motion for Summary Judgment*

9 *3) Affidavit of Jeremy L. Bass in Support of Defendant's Response to Plaintiffs' Motion for*
10 *Summary Judgment*

11 *4) Defendant's Response to Plaintiffs' Motion for Summary Judgment*

12 The results of the Shepard's analysis are as follows:

- 13 • **Plaintiff:** 8 incorrect and 4 correct quotes identified.
- 14 • **Defendant:** 5 incorrect quotes.

15 This demonstrates that both parties have encountered citation inaccuracies, indicating that
16 such errors, while unfortunate, are not uncommon in legal filings. Given the complexities of legal
17 research, such citation mistakes do not constitute intentional misconduct or a violation of *I.R.C.P.*
18 *11*.

19 IV. NO VIOLATION OF *I.R.C.P. 11*

20 Given that the citation errors were unintentional, not misleading, and mutual between both
21 parties, there is no violation of *I.R.C.P. 11*. The purpose of this rule is to prevent the filing of
22 documents that are frivolous or intended to deceive the Court. Defendant's citations, though
23 incorrect, do not meet this threshold.

1 As a perforce pro se litigant, the Defendant is doing the best he can in this complex matter.
2 The Defendant's ability to raise to the level of postdoctoral legal education should not preclude
3 him from the fair application of the law simply because the Defendant may not execute
4 procedural formalities with the precision of a seasoned attorney. The intention behind the
5 Defendant's actions is not to mislead but to present the facts as best the Defendant can, within
6 the limits of the Defendant's resources.

7 Moreover, Defendant has a record of acting in good faith throughout these proceedings and
8 will continue to ensure compliance with all legal standards.

9 V. CONCLUSION

10 Defendant respectfully requests that the Court:

- 11 1) Recognize that citation errors were inadvertent and not intended to mislead.
- 12 2) Acknowledge that both parties made similar errors, as reflected in the Shepard's Citations
13 report.
- 14 3) Deny Plaintiff's allegations of *I.R.C.P. 11* violations and allow the case to proceed on its
15 merits, rather than focusing on citation errors.

16 Defendant will continue to uphold the highest standards of legal practice and will take further
17 steps to ensure citation accuracy in future filings.

Dated this 21 day of October 2024.

Respectfully submitted,
Jeremy L. Bass
Defendant/ Pro Se

Signature

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CERTIFICATE OF MAILING

I certify that I have sent by email and first-class mail this DEFENDANT BASS' RESPONSE TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT to Plaintiffs on October 21st, 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

Signature

ACKNOWLEDGMENT

STATE OF IDAHO)

: ss.

County of NEZ PERCE COUNTY)

On the _21_ day of __October__, 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: _____