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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 21<sup>st</sup> Avenue,  
Lewiston, Idaho 83501

Defendants,

Docket No. 52552-2024

Case No. CV35-24-1063

**DEFENDANT'S MEMORANDUM IN OPPOSITION  
TO PLAINTIFFS' SUPPLEMENTAL  
MEMORANDUM AND IN SUPPORT OF MOTION  
FOR STAY**

**ORAL ARGUMENT REQUESTED**

**I. INTRODUCTION**

Defendant Jeremy L. Bass ("Defendant"), perforce pro se, and submits this Memorandum in Opposition to Plaintiffs' submits this Memorandum opposing Plaintiffs' Supplemental Memorandum and supporting his Motion for Stay. Plaintiffs' arguments are riddled with misrepresentations and immaterial claims, underscoring the need for a stay and the waiver of any bond requirements.

**II. REFUTATION OF PLAINTIFFS' CLAIMS**

1. Mischaracterization of Occupancy and Contributions

- a. Plaintiffs falsely portray Defendant as occupying the property without expense, ignoring documented monthly contributions of \$875 toward rent and maintenance costs.

b. Plaintiffs omit that the upper property is uninhabitable, lacking essential utilities, which was stated clearly for them in previous hearings only further undermining their claims of enrichment.

2. Misapplication of Unjust Enrichment Doctrine

a. Plaintiffs misapply Idaho law, dismissing Defendant's property maintenance efforts as "incidental benefits." These efforts, which directly preserve the property's value, benefit Plaintiffs beyond incidental gain, as they prevent further injury to the tenant.

b. Defendant has and continues to reserve the right to seek restitution for all documented property-related expenses should Plaintiffs ultimately prevail.

**III. LEGAL AND EQUITABLE GROUNDS FOR STAY AND WAIVER**

1. Financial Hardship

a. Defendant incurs monthly expenses that are above "everyday costs of living that Defendant would incur in any living situation" detailed in his affidavit and previous filings.

b. Requiring a bond imposes undue financial hardship, effectively barring Defendant from pursuing his appellate rights.

2. Negligible Risk to Plaintiffs

a. Plaintiffs acquired the property at a fraction of its assessed value and face no imminent financial harm during the appeal.

b. Defendant's consistent maintenance of the property ensures it retains its value, safeguarding Plaintiffs' interests.

3. Public Policy and Fairness

- a. Denying a stay undermines equitable access to appellate review, disproportionately penalizing a pro se litigant.
- b. Plaintiffs' efforts to discredit Defendant aim to obscure scrutiny of potentially irregular foreclosure practices, a matter of significant public interest.

#### IV. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully prays that this Honorable Court:

1. GRANT Defendant's Motion for Stay in its entirety;
2. WAIVE any bond requirement, or in the alternative, impose a nominal bond amount;
3. STRIKE all prejudicial and unsupported statements contained within Plaintiffs' filings; and
4. GRANT such other and further relief, both general and special, at law or in equity, to which Defendant may show itself justly entitled.

Dated this 17<sup>th</sup> day of January 2025.  
Respectfully submitted,  
Jeremy L. Bass  
Defendant-Appellant / Perforce Pro Se

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Defendant-Appellant / Perforce Pro Se

## CERTIFICATE OF MAILING

I certify that I have sent by email and first-class mail this ***DEFENDANT'S MEMORANDUM IN OPPOSITION TO PLAINTIFFS' SUPPLEMENTAL MEMORANDUM AND IN SUPPORT OF MOTION FOR STAY*** to Plaintiffs and Co-Defendant's counsel on January 17<sup>th</sup>, 2025, at the following email address and postal address:

Lewis N. Stoddard, Bar No. 7766

**Email:** lewis@hwmlawfirm.com [✓]

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