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IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF POWER
(543 Bannock Avenue, American Falls, Idaho 83211)

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| <p>CHRISTOPHER M. NEMELKA, Plaintiff/Counterdefendant, vs. HARRY DSCHAAK, Defendant/Counterclaimaint.</p> | <p>AFFIDAVIT OF LYNNETTE COOK Case No. CV 2016-389 Honorable Robert C. Naftz</p> |
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I, Lynnette Cook, being first duly sworn upon oath, hereby state as follows:

1. I am over the age of 18 years and competent to testify to the facts stated herein. I further state that I have personal knowledge of the facts stated herein.
2. I attended the hearing on this case held in this court on October 26, 2018.
3. I have been in court several times in the past but have never witnessed a judge treat a person like Judge Naftz treated Mr. Nemelka. Although he gave Mr. Nemelka time to speak, it felt to me as if Judge Naftz was anxious for him to just get to the end of what he had to say. He seemed impatient and short-tempered with Mr. Nemelka throughout the entirety of the hearing. I did not witness the same attitude or behavior towards the defendant.
4. I sat in the audience and watched as Mr. Dschaak positioned his chair at an angle in the courtroom allowing him to look out upon the audience. He made great efforts to establish eye contact with me and others. Although I had no interest in Mr.

