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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)

CHRISTOPHER M. NEMELKA,	AFFIDAVIT OF LYNNETTE COOK
Plaintiff/Counterdefendant, vs.	Case No. CV 2016-389
HARRY DSCHAAK, Defendant/Counterclaimaint.	Honorable Robert C. Naftz

- 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.

Dschaak's antics, he was extremely distracting and unavoidable to see. I watched as he continuously mocked Mr. Nemelka throughout Mr. Nemelka's presentation and gloat and silently but demonstratively laugh at each of the judge's rulings in Mr. Dschaak's behalf. I was very surprised to see that Judge Naftz did not do anything to stop the Defendant's disruptive actions.

- 5. I noticed that every time Mr. Nemelka arose to speak, the Bailiff reached nervously for his weapon. I have never seen that kind of behavior in a courtroom before.
- 6. My experience in court on October 26, 2018 was unlike any I had ever had. It felt biased like nothing I had ever seen.

I, Lynnette Cook, HEREBY CERTIFY, under criminal penalty of the State of Idaho, that I have read the foregoing AFFIDAVIT and that I understand the representations and information contained therein and that the same are true and accurate to the best of my knowledge.

DATED this 24 day of November, 2018.

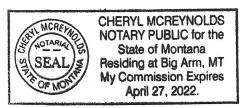
Lynnette Cook

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SUBSCRIBED AND SWORN to before me on 24 day of November, 2018.

STATE OF UTAH) :ss
County of UTAH)
Lake

Personally appeared before me, Lynnette Cook, and signed the foregoing document in my presence on this 24 day of November, 2018.



Notary Public