BILLY J. WILLIAMS, OSB #901366 United States Attorney District of Oregon ETHAN D. KNIGHT, OSB #992984 **GEOFFREY A. BARROW** CRAIG J. GABRIEL, OSB #012571 PAMALA R. HOLSINGER, OSB #892638 Assistant United States Attorneys ethan.knight@usdoj.gov geoffrey.barrow@usdoj.gov craig.gabriel@usdoj.gov pamala.holsinger@usdoj.gov 1000 SW Third Ave., Suite 600 Portland, OR 97204-2902 Telephone: (503) 727-1000 Attorneys for United States of America

### UNITED STATES DISTRICT COURT

#### DISTRICT OF OREGON

## UNITED STATES OF AMERICA

### 3:16-CR-00051-BR

# AFFIDAVIT OF FBI SPECIAL AGENT RONNIE WALKER IN SUPPORT OF GOVERNMENT'S SUPPLEMENTAL MEMORANDUM

v.

AMMON BUNDY, et al.,

Defendants.

) ) ss.

)

STATE OF OREGON

County of Multnomah

1. I, Ronnie Walker, being first duly sworn, hereby depose and state as follows:

### I. INTRODUCTION AND AGENT BACKGROUND

2. I make this affidavit in support of the government's supplemental memorandum in support of its motion to enforce the Protective Order.

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3. I am a Special Agent with the Federal Bureau of Investigation and have been since 1996. My training and experience includes agency specific training in all aspects of conducting federal criminal investigations. I am an "investigative or law enforcement officer of the United States" within the meaning of Title 18, United States Code, Section 2510(7), authorized to conduct investigations into alleged violations of federal law. Over the course of my career, I have led or participated in numerous federal criminal investigations. I am currently assigned to the Portland Division of the FBI and have been assigned to assist with the investigation surrounding the January 2016 occupation of the Malheur National Wildlife Refuge (MNWR), a federal wildlife refuge operated by the United States Fish and Wildlife located south of Burns, Oregon.

4. This affidavit is intended to show only facts pertinent for the requested motion and does not set forth all of my knowledge about this matter.

# **II. RELEVANT FACTS**

5. On January 2, 2016, and continuing through February 11, 2016, several individuals to include Dylan ANDERSON, Sandra ANDERSON, Sean ANDERSON, Jeff Wayne BANTA, Jason BLOMGREN, Ammon BUNDY, Ryan BUNDY, Brian CAVALIER, Blaine COOPER, Shawna COX, Travis COX, Duane Leo EHMER, Eric Lee FLORES, David Lee FRY, Wesley KJAR, Corey LEQUIEU, Kenneth MEDENBACH, Joseph O'SHAUGHNESSY, Jason PATRICK, Ryan PAYNE, Jon RITZHEIMER, Jake RYAN, Pete SANTILLI, Geoffrey STANEK, Darryl William THORN, Neil WAMPLER, and others participated in the illegal occupation of the MNWR.

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6. As a result of the occupation, all of the above-named individuals were charged with conspiracy to impede by force, intimidation, or threat, officers of the United States from discharging their duties in violation of Title 18, United States Code, Section 372. Some of the above-named individuals were also charged with possessing a firearm and dangerous weapon in a federal facility in violation of Title 18, United States Code, Section 930(b); theft of government property in violation of Title 18, United States Code, Section 641; and/or depredation of government property in violation of Title 18, United States Code, Section 1361. Charges against Pete SANTILLI were subsequently dismissed. *United States v. Ammon Bundy, et al.*, was assigned case number 3:16-CR-00051-BR.

7. On February 25, 2016, the Honorable Anna J. Brown, United States District Judge, District of Oregon, ordered the government to provide discovery to the defendants. The first volume of discovery materials was provided to defense counsel on March 4, 2016. Fifty total volumes of discovery materials were provided from March 4, 2016, to October 13, 2016.

8. On March 9, 2016, Judge Brown entered an Interim Protective Order, court record 288, which stated that defense counsel may provide copies of discovery only to individuals further described in the order.

9. On March 24, 2016, Judge Brown entered the final Protective Order, court record 342, which stated defense counsel may provide copies of discovery only to: 1) the defendants in this case; 2) persons employed by the attorney of record who are necessary to assist counsel of record in preparation for trial or other proceedings in this case; and 3) persons who defense counsel deems necessary to further legitimate investigations and preparations of this case.

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10. The Protective Order further ordered that defense counsel shall provide a copy of the Protective Order to any person who receives copies of discovery and that any person who receives copies of discovery from defense counsel shall use the discovery only to assist the defense in the investigation and preparation of this case and shall not reproduce or disseminate the discovery material to any other person or entity. The Protective Order applied only to 1) statements by witnesses and defendants to government officials, 2) sealed documents, and 3) evidence received from searches of electronic media.

11. Every document provided to defense counsel in discovery was marked in the lower left hand column "Dissemination Limited by Court Order."

12. On September 7, 2016, trial began for seven of the above-named defendants. The trial concluded on October 27, 2016, and all seven defendants were acquitted of the charged conspiracy. Prior to the first trial, eleven defendants pled guilty. A second trial for the remaining seven defendants is scheduled to begin February 14, 2017.

13. Beginning November 15, 2016, Gary HUNT began publishing excerpts from the discovery materials on the Outpost of Freedom blog at http://outpost-of-freedom.com.

14. On January 5, 2017, HUNT was served a cease and desist letter which directed him to stop publishing excerpts from the above-described discovery materials that were in his possession and in violation of the Protective Order.

15. On January 5, 2017, Sarah Redd-Buck posted a message on her Facebook page which stated "Gary Hunt just received a visit today from FBI serving him a cease and desist letter because he was publishing factual discovery that has been leaked to him that is still under seal."

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On January 6, 2017, another individual posted a question on that same page asking "Who is Gary Hunt?" That same day, the message "He is working with our lawyers" was posted in reply from defendant Duane EHMER's Facebook account. Sarah Redd-Buck and Duane EHMER's Facebook accounts are not private and can be viewed by anyone accessing Facebook.

16. A copy of the above-mentioned messages has been attached to this affidavit.

Ronnie Walker Special Agent Federal Bureau of Investigation

SUBSCRIBED and SWORN to before me this  $10^{46}$  day of January 2017.

Kome Shy

Notary Public for Oregon



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(1) Sarah Redd-Buck

Intro

Member since June 24, 2016

Sarah has a featured photo. Add

featured photos to your profile too.

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When we the people stand together and take action our voices are heard. Utah knows how and isn't afraid to fight.

I just received this message from a SITLA Board Member:

"SITLA Board just voted unanimously to defer any action on our inholdings within Bears Ears until we have more information."

Defined as deferring until after the new administration arrives;)

Well done, Jami/ Merri/team!

Like Share 24 **3** shares

Sarah Redd-Buck January 5 at 9:18pm

The devil and his followers work in the dark. They are afraid of the light and being exposed. They collaborate in secrecy. #secretcombinations

"Gary Hunt just received a visit today from FBI serving him a cease and desist letter because he was publishing factual discovery that has been leaked to him that is still under seal."





Add Photos

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https://www.facebook.com/sarah.reddbuck.3

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(1) Sarah Redd-Buck

#### Suzanne Ballard His reports are amazing! I've thoroughly appreciated knowing e lie how deceitful the FBI really is. Makes me furious that they would intimidate him Photos this way. 1 · January 5 at 10:28pm Like · Jeff Powers replied · 1 Reply Duane Ehmer He is working with our lawyers Like · 6 · January 6 at 4:28am Diannia Awbrey Who is Gary Hunt? Like · January 6 at 4:45am Alan Echols Good friend. Gary Hunt is an investigative journalist. I've never met him but his work is good and accurate Like · 1 · January 6 at 4:04pm Edward Scott Government don't try to stop a lie Like · January 6 at 3:59pm Sarah Redd-Buck shared Thom Davis's post. January 5 at 5:27pm · Thom Davis Cliven Bundy's Army! January 4 at 10:55pm · Friends To all of us in Harney County it's time to stop blaming Ammon Bundy for problems that we in the County have turned our backs on for far to long. We have let the ... English (US) · Español · Português (Brasil) See More Français (France) · Deutsch Like Share Privacy · Terms · Advertising · Ad Choices · Cookies · More 19 Facebook © 2017 Mark Hayward OK so 60% work for the Government and many of the Ranchers are afraid of retaliation. Not very good excuses to blame the Bundy's . The Hammond's never broke any reasonable Law .. Like · 2 · January 5 at 6:30pm Mark Hayward Þ Like · January 5 at 6:31pm Sarah Redd-Buck January 5 at 12:20pm We are putting together packets to hand out at the sundance film festival In Park City. We spend a week one on one with many well known celebrities, professional athletes, and others from all over providing private security detail for them. Our goal is to educate many who have a platform and a loud voice. If you have any other ideas we could do while up there, please share them. We thought about possibly providing LaVoy pins for each security guy to wear as well. William Ferg... See More Like Share 44 3 shares View 8 more comments April Kiessling Excellent ideas, they are probably in the dark and need a short summary of the situation. Perhaps a producer will consider making a film or documentary on this! 1 · January 6 at 2:38pm Like · Alan Echols Couldn't hurt. Maybe open some eyes. Sure hope this is pursued

#### Attachment to Affidavit of FBI SA Walker

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