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Attorneys for Plaintiff Pastor Steve Smothermon

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

**PASTOR STEVE
SMOTHERMON,**

Plaintiff,

v.

KEITH HODGE, an individual;
KEVIN HODGE, an individual;
HODGETWINS, LLC, a Nevada
limited liability company;

Defendants.

Case No.: 2:25-cv-01858-APG-BNW

**PLAINTIFF'S MOTION FOR
PROTECTIVE ORDER STAYING
PLAINTIFF'S OBLIGATION TO
RESPOND TO DEFENDANTS'
EIGHTH, NINTH, AND TENTH
REQUESTS FOR PRODUCTION,
SECOND REQUESTS FOR
ADMISSION, SIXTH AND
SEVENTH INTERROGATORIES,
AND TO SIT FOR A DEPOSITION
ON SEPTEMBER 15, 2026**

Plaintiff Pastor Steve Smothermon, by and through undersigned counsel, moves this Court under Federal Rule of Civil Procedure 26(c) for a protective order relieving Plaintiff of any obligation to respond to the six sets of written discovery Defendants served during Plaintiff's post-surgical incapacity (Defendants' **Eighth, Ninth, and Tenth Sets of Requests for Production, Second Set of Requests for Admission, and Sixth and Seventh Sets of Interrogatories**) and to sit for his deposition in Las Vegas on September 15, 2026 (a date unilaterally chosen after both parties requested a stay of this deposition until November or later) until (1) Plaintiff's treating

1 physician clears him to participate in this litigation, and (2) the Court resolves the parties' pending
2 cross-motions to modify the Scheduling Order (ECF Nos. 66 and 67).

3 INTRODUCTION

4 In a span of just over two weeks in August 2026, while Plaintiff was confined to bed rest
5 and medicated following major spinal surgery, Defendants served six new sets of written
6 discovery: the Eighth, Ninth, and Tenth Requests for Production, the Second Requests for
7 Admission, and the Sixth and Seventh sets of Interrogatories. These join a discovery campaign
8 that already totals ten sets of requests for production and seven sets of interrogatories. Plaintiff
9 cannot respond. His treating physician has confirmed in writing that the Plaintiff is limited to bed
10 rest, cannot sit, concentrate, or remain awake, should not endure any added stress, and cannot
11 participate in any interview or be interviewed for any reason until early November 2026 at the
12 earliest. A litigant in that condition cannot gather documents, confirm facts, review draft answers,
13 or verify interrogatory and admission responses.

14 The six sets are not only untimely as to a bedridden plaintiff; they are substantively
15 objectionable. Three of them (the Eighth Requests for Production, the Sixth Interrogatories, and
16 the Second Requests for Admission) demand sweeping damages discovery — Legacy Church
17 financial records, the computation of non-economic damages, and admissions about Plaintiff's
18 knowledge and losses — that overlaps discovery Defendants already propounded. The other three
19 (the Ninth and Tenth Requests for Production and the Seventh Interrogatories) reach into
20 Plaintiff's experts' preparation materials and demand every artificial-intelligence prompt, output,
21 and all strengths and weaknesses of your case identified by the AI — discovery that implicates
22 expert work product and is, at a minimum, properly deferred until the Court sets the scope and
23 schedule of the discovery that remains.

24 The relief sought is narrow and temporary. Plaintiff does not refuse to respond and
25 preserves his objections. He asks only that his obligation to respond to these six sets be stayed until
26 he is medically able to participate and until the Court rules on the two pending motions (ECF Nos.
27 66 and 67) that will define the schedule and scope of remaining discovery. Rule 26(c) exists for

1 exactly this situation, and good cause is manifest.

2 **RELEVANT BACKGROUND**

3 The Court's Scheduling Order (ECF No. 49) set a discovery cut-off of September 18, 2026,
4 a dispositive-motion deadline of October 19, 2026, and a joint-pretrial-order deadline of November
5 18, 2026. Two motions to modify that schedule are pending. Defendants moved on August 13,
6 2026, to extend the cut-off to November 30, 2026, solely to take Plaintiff's deposition (ECF
7 No. 66); Plaintiff moved on August 17, 2026, to extend the cut-off to December 31, 2026, and
8 adjust the dependent deadlines (ECF No. 67). Both remain undecided.

9 On July 1, 2026, Plaintiff underwent major lumbar spinal-fusion surgery — removal and
10 vertebra-replacement fusion of L5–S1 with nerve decompression. On August 14, 2026, his treating
11 physician, Dr. Diego Gonzalez, confirmed that Plaintiff cannot travel for at least three months and
12 is limited to bed rest; that his medications make it difficult to sit, concentrate, or remain wakeful;
13 that he should not be enduring any added stress; and that he is unable to attend any hearings by
14 Zoom, or other type of video, audio or in-person proceeding whether involving court or deposition
15 testimony or any interview, or otherwise be interviewed for any reason. The soonest Plaintiff may
16 resume activity is early November 2026, subject to re-evaluation. That same incapacity prevents
17 Plaintiff from assisting counsel in the case preparation that responding to discovery requires.

18 Upon learning that Plaintiff was incapacitated, Defendants served six sets of discovery
19 requests seeking 21 requests for production, 19 requests for admission, and 7 extensive, multipart
20 interrogatories, along with the deposition of Pastor Smothermon on a date unilaterally chosen in
21 Las Vegas (requiring travel by someone who cannot travel). The requests are largely irrelevant
22 and served merely to harass and drive-up fees in this litigation:

23 • **Eighth Set of Requests for Production**, served August 5, 2026, seeking Legacy
24 Church financial records, Plaintiff's compensation and media-engagement data, book-sales data,
25 social-media analytics, and communications with crisis-management consultants. Defendants'
26 Eighth Set of Requests for Production
27

1 • **Sixth Set of Interrogatories**, served August 5, 2026, seeking the identity of
 2 persons expressing shock or confusion, facts supporting claims of undermined moral authority and
 3 pastoral standing, physical and emotional symptoms, and the computation of non-economic
 4 damages. Defendants' Sixth Set of Interrogatories

5 • **Second Set of Requests for Admission**, served August 5, 2026, seeking
 6 admissions regarding removal of the Facebook Post, Plaintiff's personal knowledge of the post,
 7 his damages claims, and the Defendants' knowledge and intent. Defendants' Second Set of
 8 Requests for Admission

9 • **Ninth Set of Requests for Production** (Nos. 55–56), served August 13, 2026,
 10 seeking all documents, audio, video, and other information provided to Plaintiff's expert Robert
 11 Fisher and to any rebuttal expert.

12 • **Seventh Set of Interrogatories** (Nos. 23–24), served August 19, 2026, seeking the
 13 AI tools, prompts, and inputs used in the Fisher and Jonyer expert reports, the portions of his report
 14 that were partially or wholly written by AI, and all strengths and weaknesses of your case identified
 15 by the AI.

16 • **Tenth Set of Requests for Production** (Nos. 57–62), served August 19, 2026,
 17 seeking all AI prompts, outputs, sessions (in native or exported form), model and configuration
 18 settings, and communications concerning any AI use by Dr. Istvan Jonyer.

19 • **Deposition Notice**, served September 3, 2026, with a unilaterally chosen date, time,
 20 and location, despite Defendants having previously moved this Court for an extension of the close
 21 of discovery until November when the Plaintiff could be comfortably deposed (Plaintiff also
 22 sought an extension of time; both motions remain pending).

23 Under the 30-day periods of Rules 33, 34, and 36 running from those service dates,
 24 responses to the sets of discovery come due in September 2026, beginning on or about September
 25 4, 2026.

LEGAL STANDARD

Rule 26(c)(1) authorizes the Court, for good cause, to issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including by forbidding or limiting the discovery. The party seeking protection bears the burden of showing good cause, which requires a showing “that specific prejudice or harm will result” if the protective order is not granted. *In re Roman Cath. Archbishop of Portland in Oregon*, 661 F.3d 417 (9th Cir. 2011). Independently, Rule 26(b)(2)(C) requires the Court — on motion or on its own — to limit discovery that is unreasonably cumulative or duplicative or can be obtained from some other source that is more convenient, less burdensome, or less expensive.

ARGUMENT

Plaintiff’s Documented Medical Incapacity Is Specific, Concrete Good Cause as to All Six Sets and his Deposition.

The prejudice here is specific, documented, and undisputed — not the kind of broad allegations of harm that fail the Rule 26(c) test. *In re Roman Cath. Archbishop of Portland in Oregon*, 661 F.3d 417 (9th Cir. 2011). Dr. Gonzalez’s letter establishes that Plaintiff is confined to bed rest, cannot sit or concentrate, is on medications that impair wakefulness, must avoid “added stress,” and cannot participate in any proceeding or interview for any reason until early November 2026 at the earliest. Responding to these six sets is not a task counsel can perform alone. The Eighth Requests for Production and Sixth Interrogatories demand Plaintiff’s damages records, symptoms, and the computation of his own claimed losses; the Second Requests for Admission require Plaintiff personally to admit or deny facts within his knowledge; and interrogatory and admission responses must be verified or answered by the party. A plaintiff who cannot sit at a computer, concentrate, or endure stress cannot do any of that, and compelling responses now would yield unreliable, unverified answers — the very annoyance, oppression, and undue burden Rule 26(c) prevents. That is good cause.

The Six Sets Are Cumulative, Premature, and Independently Subject to Limitation.

The character of the six sets supplies a second, independent basis for relief. The August 5 damages discovery — the Eighth Requests for Production, the Sixth Interrogatories, and the Second Requests for Admission — revisits Plaintiff’s alleged reputational and emotional harm, book sales, church finances, and damages computation, subjects Defendants to matters already probed through earlier interrogatories, requests for production, and requests for admission, and to which Plaintiff has responded. Rule 26(b)(2)(C) does not merely permit the Court to curb that repetition; it *requires* the Court to limit discovery that is unreasonably cumulative or duplicative or obtainable from a more convenient or less burdensome source. Requiring a bedridden plaintiff to prepare rolling, individualized responses to each successive wave is the paradigmatic undue burden Rule 26(c) addresses.

The August 13 and 19 sets — the Ninth and Tenth Requests for Production and the Seventh Interrogatories — press even further, demanding every document provided to Plaintiff’s experts and every AI tool, prompt, output, session, and all strengths and weaknesses of your case identified by the AI. That discovery is made into expert-preparation materials and attorney work product. It should, at a minimum, be deferred until the Court can address its scope in an orderly fashion rather than under the pressure of a response clock running against an incapacitated party.

The Pending Scheduling Motions Make a Stay the Efficient Course.

The scope and timing of remaining discovery are already before the Court. Defendants seek a cut-off of November 30, 2026, for Plaintiff’s deposition (ECF No. 66); Plaintiff seeks December 31, 2026, to complete the remaining, defined discovery on a full record (ECF No. 67). Compelling Plaintiff to answer six sets now — days before the current September 18 cut-off and while both motions are pending — and sit for his deposition September 15, would waste the parties’ and the Court’s resources and prejudge the scheduling questions the Court is deciding. A protective order staying Plaintiff’s obligation to respond to these six sets and sit for his deposition until he recovers and the Court rules preserves the status quo, harms no one, and avoids piecemeal motion practice. Defendants identify no trial date and no concrete prejudice from a short, defined pause.

CONCLUSION

For the foregoing reasons, Plaintiff respectfully requests that the Court enter a protective order under Rule 26(c):

1. Relieving Plaintiff of any obligation to respond to Defendants' Eighth Set of Requests for Production, Ninth Set of Requests for Production (Nos. 55–56), Tenth Set of Requests for Production (Nos. 57–62), Second Set of Requests for Admission, Sixth Set of Interrogatories, and Seventh Set of Interrogatories (Nos. 23–24) until further order of the Court;

2. Staying the response deadlines for those six sets until the later of (a) thirty days after Plaintiff's treating physician clears him to participate in this litigation, or (b) the Court's ruling on the pending motions to modify the Scheduling Order (ECF Nos. 66 and 67), at which time the parties shall meet and confer on a coordinated response schedule;

3. Stay the deposition of Plaintiff until his physician clears him;

4. In the alternative, limiting the Eighth Requests for Production, Sixth Interrogatories, and Second Requests for Admission as unreasonably cumulative and duplicative under Rule 26(b)(2)(C), and deferring the Ninth and Tenth Requests for Production and Seventh Interrogatories pending the Court's determination of the proper scope of expert-related discovery; and

5. Granting such other and further relief as the Court deems just.

Respectfully submitted this 3rd day of September, 2026.

/s/ Nicole A. Westbrook
Nicole A. Westbrook
G. Michael Jackson Esq.

JONES, DAVIS & JACKSON, P.C.

Attorneys for Pastor Steve Smothermon

CERTIFICATION OF CONFERRAL (LR IA 1-3(f) AND LR 26-6)

Counsel for Plaintiff certifies that they have attempted in good faith to confer with counsel for Defendants on this motion. Counsel for Plaintiff sent an email to defense counsel on September 2, 2026, requesting conferral on the above-styled motion. Defendants responded that they oppose the relief requested herein because they contend Plaintiff's discovery responses were previously due 28 days after they were served.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 3, 2026, I caused the foregoing document to be electronically filed with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing document was served on all counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

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Ronald D. Green, NV Bar No. 7360
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Keith Hodge, Kevin Hodge, and Hodgetwins, LLC

/s/ Nicole A. Westbrook

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Attorneys for Plaintiff Pastor Steve Smothermon

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

**PASTOR STEVE
SMOTHERMON,**

Plaintiff,

v.

KEITH HODGE, an individual;
KEVIN HODGE, an individual;
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limited liability company;

Defendants.

Case No.: 2:25-cv-01858-APG-BNW

**DECLARATION OF NICOLE A.
WESTBROOK IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PROTECTIVE ORDER**

I, Nicole A. Westbrook, declare as follows:

1. I am an attorney with the law firm of Jones, Davis & Jackson, P.C., admitted *pro hac vice* as counsel of record for Plaintiff Pastor Steve Smothermon in this action. I submit this declaration in support of Plaintiff's Motion for Protective Order. I have personal knowledge of the matters stated below and, if called as a witness, could and would testify competently to them. As to matters stated on information and belief, I believe them to be true based on my review of the case file and my participation in this litigation.

2. I make this declaration to place before the Court the facts supporting Plaintiff's Motion and to satisfy the meet-and-confer certification requirement of Local Rules 26-6(c) and IA 1-3(f).

1 3. The Court’s Scheduling Order (ECF No. 49) set a discovery cut-off of September
2 18, 2026, a dispositive-motion deadline of October 19, 2026, and a joint-pretrial-order deadline of
3 November 18, 2026.

4 4. Two motions to modify that schedule are pending and undecided. On August 13,
5 2026, Defendants moved to extend the discovery cut-off to November 30, 2026 solely to take
6 Plaintiff’s deposition (ECF No. 66). On August 17, 2026, Plaintiff moved to extend the discovery
7 cut-off to December 31, 2026 and to adjust the dependent deadlines (ECF No. 67).

8 5. On July 1, 2026, Plaintiff underwent major lumbar spinal-fusion surgery —
9 removal and vertebra-replacement fusion of L5–S1 with nerve decompression.

10 6. On August 14, 2026, Plaintiff’s treating physician, Dr. Diego Gonzalez, issued a
11 letter confirming that Plaintiff cannot travel for at least three months and is limited to bed rest; that
12 his medications make it difficult to sit, concentrate, or remain wakeful; that he should not be
13 enduring any added stress; and that he is unable to attend any hearings by ZOOM, or other type of
14 video, audio or in-person proceeding whether involving court or deposition testimony or any
15 interview, or otherwise be interviewed for any reason. Dr. Gonzalez states that the soonest Plaintiff
16 may resume activity as early November 2026, subject to re-evaluation. A true and correct copy of
17 Dr. Gonzalez’s August 14, 2026, letter is in the record at ECF No. 67-2.

18 7. Based on my communications with Plaintiff and his representatives, Plaintiff’s
19 medical condition prevents him not only from being deposed but from participating in the case
20 preparation that responding to written discovery requires. He is presently unable to gather
21 documents, confirm facts, review draft responses, or verify interrogatory and admission responses
22 under oath.

23 8. After Plaintiff’s July 1, 2026, surgery, Defendants served six additional sets of
24 written discovery that are the subject of Plaintiff’s Motion:

25 a. Defendants’ **Eighth Set of Requests for Production**, served August 5, 2026, seeking
26 Legacy Church financial records, Plaintiff’s compensation and media-engagement data, book-
27 sales data, social-media analytics, and communications with crisis-management consultants.

1 Defendants' Eighth Set of Requests for Production. A true and correct copy is attached as **Exhibit**
2 **A.**

3 b. Defendants' **Sixth Set of Interrogatories**, served August 5, 2026, seeking the identity
4 of people expressing shock or confusion, facts supporting claims of undermined moral authority
5 and pastoral standing, physical and emotional symptoms, and the computation of non-economic
6 damages. Defendants' Sixth Set of Interrogatories. A true and correct copy is attached as **Exhibit**
7 **B.**

8 c. Defendants' **Second Set of Requests for Admission**, served August 5, 2026, seeking
9 admissions regarding removal of the Facebook Post, Plaintiff's personal knowledge of the post,
10 his damages claims, and Defendants' knowledge and intent. Defendants' Second Set of Requests
11 for Admission. A true and correct copy is attached as **Exhibit C.**

12 d. Defendants' **Ninth Set of Requests for Production** (Nos. 55–56), served August 13,
13 2026, seeking all documents and other information provided to Plaintiff's expert Robert Fisher
14 and to any rebuttal expert. A true and correct copy is attached as **Exhibit D.**

15 e. Defendants' **Seventh Set of Interrogatories** (Nos. 23–24), served August 19, 2026,
16 seeking the artificial-intelligence tools, prompts, and inputs used in the Fisher and Jonyer expert
17 reports, the portions of the reports written by AI, and all strengths and weaknesses of your case
18 identified by the AI. A true and correct copy is attached as **Exhibit E.**

19 f. Defendants' **Tenth Set of Requests for Production** (Nos. 57–62), served August 19,
20 2026, seeking all AI prompts, outputs, sessions, model and configuration settings, and
21 communications concerning any AI use by Dr. Istvan Jonyer. A true and correct copy is attached
22 as **Exhibit F.**

23 9. These six sets were served while Defendants were aware of Plaintiff's surgery and
24 post-operative restrictions, and they join a discovery campaign that already includes, in total, ten
25 sets of requests for production and seven sets of interrogatories, in addition to multiple sets of
26 requests for admission.
27

1 10. Defendants' notice of deposition, unilaterally selecting the date, time, and location
2 of Plaintiff's deposition in Las Vegas, was served September 3, 2026. A true and correct copy is
3 attached as **Exhibit G**.

4 11. Before filing the Motion, counsel for Plaintiff met and conferred, or in good faith
5 attempted to meet and confer, with counsel for Defendants concerning a stay of Plaintiff's
6 obligation to respond to the Eighth, Ninth, and Tenth Sets of Requests for Production, the Second
7 Set of Requests for Admission, and the Sixth and Seventh Sets of Interrogatories, in light of
8 Plaintiff's medical incapacity and the pending scheduling motions. Counsel for Plaintiff emailed
9 counsel for Defendants on September 2, 2026, requesting a position or conferral. Defendants
10 responded that they did not know why we were trying to confer. Counsel for Plaintiff explained
11 the motion to protect was based on Plaintiff's inability to assist in the responses. Defendants
12 responded the next day stating that the responses were due September 3, 2026 (when counsel first
13 attempted to confer), and that a protective order was also due September 3, 2026 (28 days after
14 service of the requests). Plaintiff explained that the responses were due September 4, but
15 Defendants' counsel did not respond.

16 12. Despite these efforts, the parties were unable to resolve the dispute, and this Motion
17 is necessary. Defendants oppose the relief requested.

18 13. Pursuant to Local Rule 26-6(b), the full text of each set of discovery at issue is
19 outlined in the sets attached as Exhibits A through G.

20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct.

22 Executed on September 3, 2026.

23 

24 _____
25 Nicole A. Westbrook
26
27

PLAINTIFF'S
EXHIBIT A
TO
MOTION TO
PROTECT

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Attorneys for Defendants
 Keith Hodge, Kevin Hodge, and Hodgetwins, LLC

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

PASTOR STEVE SMOTHERMON,

 Plaintiff,

v.

KEITH HODGE, an individual; KEVIN
 HODGE, an individual; HODGETWINS, LLC,
 a limited liability company,

 Defendants.

Case No. 2:25-cv-01858-APG-BNW

**DEFENDANTS' EIGHTH SET OF
 REQUESTS FOR PRODUCTION**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Defendants request that Plaintiff Pastor Steve Smothermon produce the documents herein described for inspection and copying by Defendants' counsel within the time required by law or such other time as the Court may order, at the offices of Randazza Legal Group, PLLC, located at 8991 W. Flamingo Rd., Suite B, Las Vegas, Nevada 89147, or at such other time and place upon which counsel may agree.

These requests are directed to the following allegation, which appears at Paragraph 55 of the proposed First Amended Complaint (ECF No. 52-1) and, in substance, at Paragraphs 4, 45, 46, 54, 60, and 61 of the Complaint (ECF No. 1) (the "Damages Allegation"):

The impact of the defamatory post was immediate and devastating. Members of Plaintiff's congregation, community leaders, and the broader conservative public expressed extreme shock, anger, and confusion, believing that Pastor Smothermon

was a hypocrite who secretly lobbied for progressive corporate interests. This false association severely undermined his moral authority, damaged his pastoral standing, and caused him profound emotional distress, humiliation, and mental suffering.

Defendants serve these requests without waiver of, and expressly reserving, their opposition to Plaintiff's Motion for Leave to File First Amended Complaint (ECF No. 52). Each request is directed to damages Plaintiff has placed at issue under the operative Complaint and is not contingent on the Court granting leave to amend.

DEFINITIONS

1. "Plaintiff", "you", and "your" shall refer to Plaintiff Steve Smothermon.
2. "Action" shall mean the present lawsuit, *Pastor Steve Smothermon v. Keith Hodge, et al.*, Case No. 2:25-cv-01858-APG-BNW, pending in the U.S. District Court for the District of Nevada.
3. "Facebook Post" refers to the post titled "Cracker Barrel's WOKE Past Comes Back to Light" published on the Hodgetwins Facebook page on or about August 22, 2025.
4. "Legacy Church" shall refer to Legacy Church, Inc., together with each affiliated, predecessor, or successor entity, campus, school, ministry, foundation, and charitable organization, and their respective officers, directors, elders, pastors, employees, and agents.
5. "Damages Allegation" shall refer to the allegation quoted above.
6. "All", "any", and "each" shall be construed as encompassing any and all.
7. "And" and "or" shall be construed disjunctively or conjunctively, as necessary by context, to bring within the scope of the definition, instruction, or Request all responses that might otherwise be construed to be outside of its scope by any other construction.
8. "Communication" shall mean the transmittal of information, in the form of facts, ideas, inquiries, or otherwise.
9. "Concerning" shall mean relating to, referring to, regarding, describing, evidencing, or consulting.

10. “Document(s)” means all paper and electronic documents, files, and data of every kind or nature, in whatever medium stored, and all tangible things, that are in Your possession, custody, or control. This definition is intended to encompass any and all matter discoverable under the Federal Rules of Civil Procedure and other applicable law.

REQUESTS FOR PRODUCTION

REQUEST NO. 42:

Produce Documents sufficient to show, for each month from January 1, 2024 to the present, the total tithes, offerings, contributions, and designated giving received by Legacy Church, to the extent within Your possession, custody, or control.

REQUEST NO. 43:

Produce Documents sufficient to show, for each month from January 1, 2024 to the present, the average weekly attendance and total membership at each Legacy Church campus, to the extent within Your possession, custody, or control.

REQUEST NO. 44:

Produce all Documents concerning compensation paid to you by Legacy Church or any affiliated entity from January 1, 2024 to the present, including but not limited to Forms W-2 and 1099, housing allowances, honoraria, bonuses, and royalty statements.

REQUEST NO. 45:

Produce all Documents concerning any speaking, preaching, teaching, or media engagement that was offered to, accepted by, or performed by you from January 1, 2024 to the present. This Request does not seek Documents concerning lost opportunities responsive to Request Nos. 17 and 18.

REQUEST NO. 46:

Produce all Documents showing the monthly sales of Big Problems, Bigger God and of Large Large Living in a Small Small World for the calendar year 2026, and the monthly sales of any other book, recording, or work authored or presented by you for the calendar years 2025 and 2026.

REQUEST NO. 47:

Produce all sermons, newsletters, bulletins, podcasts, broadcasts, livestreams, and social media posts referring or relating to the Facebook Post, to Defendants, or to this Action. This request does not seek Documents produced in response to Request Nos. 22, 23, and 24.

REQUEST NO. 48:

Produce all analytics, traffic, and engagement data for your and Legacy Church's websites, YouTube channels, and social media accounts from January 1, 2025 through October 31, 2025. This Request does not seek the podcast listener data responsive to Request No. 12.

REQUEST NO. 49:

Produce all Documents concerning any engagement of, or communication with, any public relations, crisis communications, or reputation management consultant or firm from August 1, 2025 to the present, including but not limited to engagement letters, invoices, and payment records. This request does not seek the itemization provided in response to Interrogatory Nos. 5 and 6.

REQUEST NO. 50:

Produce all Documents concerning any donor, member, or attendee of Legacy Church who ceased, reduced, or suspended attendance, membership, volunteer service, or financial support, in whole or in part, because of the Facebook Post. This Request does not seek Documents produced in response to Request No. 8.

REQUEST NO. 51:

Produce all Documents concerning any publication, statement, controversy, or proceeding since January 1, 2020, other than the Facebook Post, that you contend caused harm to Your reputation or caused you emotional distress.

REQUEST NO. 52:

Produce all Documents concerning any action, claim, or demand, other than this Action, in which you have sought damages or other relief for emotional distress, mental suffering, humiliation, or harm to reputation. This Request does not seek the defamation demands responsive to Request No. 41.

REQUEST NO. 53:

Produce Documents sufficient to show the date on which You first took steps to preserve evidence relating to this Action, the categories of material preserved, and the custodians to whom any preservation instruction was directed.

REQUEST NO. 54:

Produce all Documents concerning each statement identified in your response to Interrogatory No. 21, including but not limited to all recordings, transcripts, notes, drafts, and correspondence concerning any such statement.

Dated: August 5, 2026.

Respectfully submitted,

RANDAZZA LEGAL GROUP, PLLC

/s/ Ronald D. Green

Marc J. Randazza, NV Bar No. 12265

Ronald D. Green, NV Bar No. 7360

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8991 W. Flamingo Rd., Ste. B

Las Vegas, NV 89147

Attorneys for Defendants

Keith Hodge, Kevin Hodge, and Hodgetwins,
LLC

Case No. 2:25-cv-01858-APG-BNW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 5, 2026, I served this document on counsel for Plaintiff via electronic mail to:

G. Michael Jackson
mjackson@jonesdavis.com

Nicole A. Westbrook
nwestbrook@joneskeller.com

/s/ Richard L. McLaren

RICHARD L. MCLAREN

RANDAZZA | LEGAL GROUP

PLAINTIFF'S
EXHIBIT B
TO
MOTION TO
PROTECT

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Attorneys for Defendants
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**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

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KEITH HODGE, an individual; KEVIN
 HODGE, an individual; HODGETWINS, LLC,
 a limited liability company,

Defendants.

**DEFENDANTS' SIXTH SET OF
 INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendants serve the following requests for admission on Plaintiff Pastor Steve Smothermon.

These requests are directed to the following allegation, which appears at Paragraph 55 of the proposed First Amended Complaint (ECF No. 52-1) and, in substance, at Paragraphs 4, 45, 46, 54, 60, and 61 of the Complaint (ECF No. 1) (the "Damages Allegation"):

The impact of the defamatory post was immediate and devastating. Members of Plaintiff's congregation, community leaders, and the broader conservative public expressed extreme shock, anger, and confusion, believing that Pastor Smothermon was a hypocrite who secretly lobbied for progressive corporate interests. This false association severely undermined his moral authority, damaged his pastoral standing, and caused him profound emotional distress, humiliation, and mental

suffering.

Defendants serve these requests without waiver of, and expressly reserving, their opposition to Plaintiff's Motion for Leave to File First Amended Complaint (ECF No. 52). Each request is directed to damages Plaintiff has placed at issue under the operative Complaint and is not contingent on the Court granting leave to amend.

DEFINITIONS

1. "Plaintiff", "you", and "your" shall refer to Plaintiff Steve Smothermon.

2. "Action" shall mean the present lawsuit, *Pastor Steve Smothermon v. Keith Hodge, et al.*, Case No. 2:25-cv-01858-APG-BNW, pending in the U.S. District Court for the District of Nevada.

3. "Facebook Post" refers to the post titled "Cracker Barrel's WOKE Past Comes Back to Light" published on the Hodgetwins Facebook page on or about August 22, 2025.

4. "Legacy Church" shall refer to Legacy Church, Inc., together with each affiliated, predecessor, or successor entity, campus, school, ministry, foundation, and charitable organization, and their respective officers, directors, elders, pastors, employees, and agents.

5. "Damages Allegation" shall refer to the allegation quoted above.

6. "All", "any", and "each" shall be construed as encompassing any and all.

7. "And" and "or" shall be construed disjunctively or conjunctively, as necessary by context, to bring within the scope of the definition, instruction, or Request all responses that might otherwise be construed to be outside of its scope by any other construction.

8. "Communication" shall mean the transmittal of information, in the form of facts, ideas, inquiries, or otherwise.

9. "Concerning" shall mean relating to, referring to, regarding, describing, evidencing, or consulting.

10. "Document(s)" means all paper and electronic documents, files, and data of every kind or nature, in whatever medium stored, and all tangible things, that are in Your possession, custody, or control. This definition is intended to encompass any and all matter discoverable under

the Federal Rules of Civil Procedure and other applicable law.

INTERROGATORIES

INTERROGATORY NO. 18:

Identify each person, other than a person identified in your response to Interrogatory No. 3, who you contend “expressed extreme shock, anger, [or] confusion” or who you contend believed that you were “a hypocrite who secretly lobbied for progressive corporate interests,” as alleged in the Damages Allegation. Your response should include, but is not limited to: (a) the date and substance of each such expression or belief; (b) whether it was communicated to you directly or whether you learned of it from another source and, if the latter, the identity of that source; and (c) all known contact information for that person, including but not limited to name, street address, email address, and telephone number.

INTERROGATORY NO. 19:

State all facts supporting your allegation that the Facebook Post “severely undermined [your] moral authority” and “damaged [your] pastoral standing,” including but not limited to: (a) any change since August 22, 2025 in your title, position, duties, ecclesiastical authority, or terms of employment at Legacy Church; (b) any change since August 22, 2025 in your membership on or affiliation with any board, council, association, or advisory body; and (c) any disciplinary, corrective, or review proceeding involving you. This Interrogatory does not seek the economic loss itemized in your responses to Interrogatory Nos. 5 and 6.

INTERROGATORY NO. 20:

Describe each physical or emotional symptom that you experienced and attribute to the Facebook Post, including but not limited to: (a) the approximate date each symptom began; (b) the approximate date each symptom ended or, if ongoing, a statement to that effect; (c) the frequency and severity of each symptom; and (d) each medication or course of treatment taken or received for it. This Interrogatory does not seek re-identification of the persons identified in your responses to Interrogatory Nos. 10, 11, and 12, or restatement of the symptoms disclosed in your response to Interrogatory No. 10; it seeks the onset, duration, frequency, severity, and treatment of each

1 symptom.

2 **INTERROGATORY NO. 21:**

3 Identify each statement made by you, by Legacy Church, or by any person acting on your
4 behalf, to any person other than your counsel, that referred or related to the Facebook Post, to
5 Defendants, or to this Action, including but not limited to sermons, newsletters, bulletins, emails,
6 podcasts, broadcasts, livestreams, social media posts, and statements to any media outlet. Your
7 response should include, but is not limited to: (a) the date of each statement, the medium, and the
8 approximate size of the audience; (b) the identity of each person to whom the statement was made
9 and all known contact information for that person; (c) whether a recording or transcript of the
10 statement exists; (d) each statement in which you stated or suggested that Defendants published
11 the Facebook Post knowing that it was false; and (e) each statement in which you stated or
12 suggested that Defendants published the Facebook Post recklessly or with reckless disregard for
13 whether it was false.

14 **INTERROGATORY NO. 22:**

15 Separately for each category of non-economic damages you seek in this Action, including
16 but not limited to reputational harm, humiliation, emotional distress, and mental suffering, state
17 the amount claimed, the method by which that amount is computed, and the facts on which the
18 computation relies. This Interrogatory does not seek the economic loss itemized in your responses
19 to Interrogatory Nos. 5 and 6.

20
21 Dated: August 5, 2026.

Respectfully submitted,

22 RANDAZZA LEGAL GROUP, PLLC

23 /s/ Ronald D. Green

24 Marc J. Randazza, NV Bar No. 12265

25 Ronald D. Green, NV Bar No. 7360

26 RANDAZZA LEGAL GROUP, PLLC

8991 W. Flamingo Rd., Ste. B

Las Vegas, NV 89147

27 Attorneys for Defendants

Keith Hodge, Kevin Hodge, and Hodgetwins,
LLC

Case No. 2:25-cv-01858-APG-BNW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 5, 2026, I served this document on counsel for Plaintiff via electronic mail to:

G. Michael Jackson
mjackson@jonesdavis.com

Nicole A. Westbrook
nwestbrook@joneskeller.com

/s/ Richard L. McLaren

RICHARD L. MCLAREN

RANDAZZA | LEGAL GROUP

PLAINTIFF'S
EXHIBIT C
TO
MOTION TO
PROTECT

Marc J. Randazza, NV Bar No. 12265
 Ronald D. Green, NV Bar No. 7360
 Alex J. Shepard, NV Bar No. 13582
 Randazza Legal Group, PLLC
 8991 W. Flamingo Rd., Ste. B
 Las Vegas, NV 89147
 Telephone: 702-420-2001
 ecf@randazza.com

Attorneys for Defendants
 Keith Hodge, Kevin Hodge, and Hodgetwins, LLC

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

PASTOR STEVE SMOTHERMON,

 Plaintiff,

v.

KEITH HODGE, an individual; KEVIN
 HODGE, an individual; HODGETWINS, LLC,
 a limited liability company,

 Defendants.

Case No. 2:25-cv-01858-APG-BNW

**DEFENDANTS' SECOND SET OF
 REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Defendants serve the following requests for admission on Plaintiff Pastor Steve Smothermon.

These requests are directed to the following allegation, which appears at Paragraph 55 of the proposed First Amended Complaint (ECF No. 52-1) and, in substance, at Paragraphs 4, 45, 46, 54, 60, and 61 of the Complaint (ECF No. 1) (the "Damages Allegation"):

The impact of the defamatory post was immediate and devastating. Members of Plaintiff's congregation, community leaders, and the broader conservative public expressed extreme shock, anger, and confusion, believing that Pastor Smothermon was a hypocrite who secretly lobbied for progressive corporate interests. This false association severely undermined his moral authority, damaged his pastoral standing, and caused him profound emotional distress, humiliation, and mental

suffering.

Defendants serve these requests without waiver of, and expressly reserving, their opposition to Plaintiff's Motion for Leave to File First Amended Complaint (ECF No. 52). Each request is directed to damages Plaintiff has placed at issue under the operative Complaint and is not contingent on the Court granting leave to amend.

DEFINITIONS

1. "Plaintiff", "you", and "your" shall refer to Plaintiff Steve Smothermon.

2. "Action" shall mean the present lawsuit, *Pastor Steve Smothermon v. Keith Hodge, et al.*, Case No. 2:25-cv-01858-APG-BNW, pending in the U.S. District Court for the District of Nevada.

3. "Facebook Post" refers to the post titled "Cracker Barrel's WOKE Past Comes Back to Light" published on the Hodgetwins Facebook page on or about August 22, 2025.

4. "Legacy Church" shall refer to Legacy Church, Inc., together with each affiliated, predecessor, or successor entity, campus, school, ministry, foundation, and charitable organization, and their respective officers, directors, elders, pastors, employees, and agents.

5. "Damages Allegation" shall refer to the allegation quoted above.

6. "All", "any", and "each" shall be construed as encompassing any and all.

7. "And" and "or" shall be construed disjunctively or conjunctively, as necessary by context, to bring within the scope of the definition, instruction, or Request all responses that might otherwise be construed to be outside of its scope by any other construction.

8. "Communication" shall mean the transmittal of information, in the form of facts, ideas, inquiries, or otherwise.

9. "Concerning" shall mean relating to, referring to, regarding, describing, evidencing, or consulting.

10. "Document(s)" means all paper and electronic documents, files, and data of every kind or nature, in whatever medium stored, and all tangible things, that are in Your possession, custody, or control. This definition is intended to encompass any and all matter discoverable under

the Federal Rules of Civil Procedure and other applicable law.

REQUESTS FOR ADMISSION

REQUEST NO. 15:

Admit that the Facebook Post was removed from Facebook within twenty-four (24) hours of its publication.

REQUEST NO. 16:

Admit that you did not personally view the Facebook Post on Facebook before it was removed.

REQUEST NO. 17:

Admit that every comment on the Facebook Post of which you are aware identified the photograph as depicting you rather than Steve Smotherman.

REQUEST NO. 18:

Admit that you cannot identify any person who ceased attending Legacy Church because of the Facebook Post.

REQUEST NO. 19:

Admit that you cannot identify any person who reduced or discontinued financial contributions to Legacy Church because of the Facebook Post.

REQUEST NO. 20:

Admit that you cannot identify any “community leader,” as that term is used in the Damages Allegation and at Paragraphs 4, 45, 46, 54, 60, and 61 of the Complaint (ECF No. 1), who expressed shock, anger, or confusion to you concerning the Facebook Post.

REQUEST NO. 21:

Admit that you cannot identify any member of “the broader conservative public,” as that term is used in the Damages Allegation and at Paragraphs 4, 45, 46, 54, 60, and 61 of the Complaint (ECF No. 1), other than a member or employee of Legacy Church, who expressed shock, anger, or confusion concerning the Facebook Post.

REQUEST NO. 22:

Admit that your title, position, and duties at Legacy Church have not changed as a result of the Facebook Post.

REQUEST NO. 23:

Admit that your compensation from Legacy Church has not decreased as a result of the Facebook Post.

REQUEST NO. 24:

Admit that you did not communicate any request for a retraction directly to Defendants before commencing this Action.

REQUEST NO. 25:

Admit that an employee of Legacy Church sent an email to the customer service email address listed on Defendants' merchandise website concerning the Facebook Post.

REQUEST NO. 26:

Admit that, before you retained counsel in connection with the Facebook Post, no person other than an employee or agent of Legacy Church communicated to you that they had viewed the Facebook Post.

REQUEST NO. 27:

Admit that you have stated to at least one person other than your counsel that Defendants published the Facebook Post knowing that it was false.

REQUEST NO. 28:

Admit that you have stated to at least one person other than your counsel that Defendants published the Facebook Post recklessly or with reckless disregard for whether it was false.

Dated: August 5, 2026.

Respectfully submitted,

RANDAZZA LEGAL GROUP, PLLC
/s/ Ronald D. Green

Marc J. Randazza, NV Bar No. 12265
Ronald D. Green, NV Bar No. 7360
RANDAZZA LEGAL GROUP, PLLC
8991 W. Flamingo Rd., Ste. B

Las Vegas, NV 89147

Attorneys for Defendants
Keith Hodge, Kevin Hodge, and Hodgetwins,
LLC

Case No. 2:25-cv-01858-APG-BNW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 5, 2026, I served this document on counsel for Plaintiff via electronic mail to:

G. Michael Jackson
mjackson@jonesdavis.com

Nicole A. Westbrook
nwestbrook@joneskeller.com

/s/ Richard L. McLaren

RICHARD L. MCLAREN

RANDAZZA | LEGAL GROUP

PLAINTIFF'S
EXHIBIT D
TO
MOTION TO
PROTECT

Marc J. Randazza, NV Bar No. 12265
 Ronald D. Green, NV Bar No. 7360
 Alex J. Shepard, NV Bar No. 13582
 Randazza Legal Group, PLLC
 8991 W. Flamingo Rd., Ste. B
 Las Vegas, NV 89147
 Telephone: 702-420-2001
 ecf@randazza.com

Attorneys for Defendants
 Keith Hodge, Kevin Hodge, and Hodgetwins, LLC

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

Case No. 2:25-cv-01858-APG-BNW

PASTOR STEVE SMOTHERMON,

Plaintiff,

v.

KEITH HODGE, an individual; KEVIN
 HODGE, an individual; HODGETWINS, LLC,
 a limited liability company,

Defendants.

**DEFENDANTS' NINTH SET OF
 REQUESTS FOR PRODUCTION**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Defendants request that Plaintiff Pastor Steve Smothermon produce the documents herein described for inspection and copying by Defendants' counsel within the time required by law or such other time as the Court may order, at the offices of Randazza Legal Group, PLLC, located at 8991 W. Flamingo Rd., Suite B, Las Vegas, Nevada 89147, or at such other time and place upon which counsel may agree.

DEFINITIONS

1. "Plaintiff", "you", and "your" shall refer to Plaintiff Steve Smothermon.

2. "Action" shall mean the present lawsuit, Pastor Steve Smothermon v. Keith Hodge, et al., Case No. 2:25-cv-01858-APG-BNW, pending in the U.S. District Court for the District of Nevada.

3. “Facebook Post” refers to the post titled “Cracker Barrel’s WOKE Past Comes Back to Light” published on the Hodgetwins Facebook page on or about August 22, 2025.

4. “Legacy Church” shall refer to Legacy Church, Inc., together with each affiliated, predecessor, or successor entity, campus, school, ministry, foundation, and charitable organization, and their respective officers, directors, elders, pastors, employees, and agents.

5. “Damages Allegation” shall refer to the allegation quoted above.

6. “All”, “any”, and “each” shall be construed as encompassing any and all.

7. “And” and “or” shall be construed disjunctively or conjunctively, as necessary by context, to bring within the scope of the definition, instruction, or Request all responses that might otherwise be construed to be outside of its scope by any other construction.

8. “Communication” shall mean the transmittal of information, in the form of facts, ideas, inquiries, or otherwise.

9. “Concerning” shall mean relating to, referring to, regarding, describing, evidencing, or consulting.

REQUESTS FOR PRODUCTION

REQUEST NO. 55:

Produce all Documents, audio recordings, video recordings, and any and all other information provided to Robert Fisher, your designated expert witness, to aid in his understanding of the Action and to assist in the preparation of his written report, regardless of whether he used the Document, audio recording, video recording, or information in the preparation of his expert report.

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REQUEST NO. 56:

Produce all Documents, audio recordings, video recordings, and any and all other information provided to your designated rebuttal expert witness to aid in his/her understanding of the Action and to assist in the preparation of his/her written report, regardless of whether he or she used the Document, audio recording, video recording, or information in the preparation of his/her expert report.

Dated: August 13, 2026.

Respectfully submitted,

RANDAZZA LEGAL GROUP, PLLC

/s/ Ronald D. Green

Marc J. Randazza, NV Bar No. 12265

Ronald D. Green, NV Bar No. 7360

RANDAZZA LEGAL GROUP, PLLC

8991 W. Flamingo Rd., Ste. B

Las Vegas, NV 89147

Attorneys for Defendants

Keith Hodge, Kevin Hodge, and Hodgetwins,
LLC

Case No. 2:25-cv-01858-APG-BNW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 13, 2026, I served this document on counsel for Plaintiff via electronic mail to:

G. Michael Jackson
mjackson@jonesdavis.com

Nicole Westbrook
nwestbrook@jonesdavis.com

Respectfully submitted,

/s/ Ronald D. Green

Ronald D. Green

RANDAZZA | LEGAL GROUP

PLAINTIFF'S
EXHIBIT E
TO
MOTION TO
PROTECT

Marc J. Randazza, NV Bar No. 12265
 Ronald D. Green, NV Bar No. 7360
 Alex J. Shepard, NV Bar No. 13582
 RANDAZZA LEGAL GROUP, PLLC
 8991 W. Flamingo Rd., Ste. B
 Las Vegas, NV 89147
 Telephone: 702-420-2001
 ecf@randazza.com

Attorneys for Defendants,
 Keith Hodge, Kevin Hodge, and Hodgetwins, LLC

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

PASTOR STEVE SMOTHERMON,
 Plaintiff,

v.

KEITH HODGE, an individual; KEVIN
 HODGE, an individual; HODGETWINS,
 LLC, a limited liability company,
 Defendants.

Case No. 2:25-cv-01858-APG-BNW

**DEFENDANTS' SEVENTH
 SET OF INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendants serve the following interrogatory on Plaintiff Pastor Steve Smothermon.

DEFINITIONS

1. "Plaintiff," "you," and "your" shall refer to Plaintiff Steve Smothermon.
2. "Action" shall mean the present lawsuit, *Pastor Steve Smothermon v. Keith Hodge, et al.*, Case No. 2:25-cv-01858-APG-BNW, pending in the U.S. District Court for the District of Nevada.
3. "Facebook Post" refers to the post titled "Cracker Barrel's WOKE Past Comes Back to Light" published on the Hodgetwins Facebook page on or about August 22, 2025.
4. "All", "any", and "each" shall be construed as encompassing any and all.
5. "And" and "or" shall be construed disjunctively or conjunctively, as necessary by context, to bring within the scope of the definition, instruction, or Request all responses that might

otherwise be construed to be outside of its scope by any other construction.

6. “Communication” shall mean the transmittal of information, in the form of facts, ideas, inquiries, or otherwise.

7. “Concerning” shall mean relating to, referring to, regarding, describing, evidencing, or consulting.

8. “AI Tool” means any generative artificial intelligence system, chatbot, or large language model, including but not limited to ChatGPT, Grok, Claude, Gemini, Copilot, or any other such tool, whether accessed through a consumer interface, an API, or a private or enterprise deployment.

9. “Prompt” means any input, query, question, instruction, image, or text submitted to an AI Tool, including all follow-up, revised, or repeated submissions.

10. “Session” means a continuous or related exchange of Prompts and outputs with an AI Tool, whether preserved as a chat log, export, screenshot, transcript, or otherwise.

INTERROGATORIES

INTERROGATORY NO. 23:

With regard to the expert report prepared by Robert Fisher, identify: (1) the AI Tool used by Mr. Fisher to aid in the preparation of his expert report; (2) the Prompts that Mr. Fisher provided to the AI; (3) the documents and case information that Mr. Fisher provided to the AI; (4) the portions of his report that were partially or wholly written by AI; and (5) all strengths and weaknesses of your case identified by the AI.

INTERROGATORY NO. 24:

With regard to the expert report prepared by Istvan Jonyer, identify: (1) the AI Tool used by Mr. Jonyer to aid in the preparation of his expert report; (2) the Prompts that Mr. Jonyer provided to the AI; (3) the documents and case information that Mr. Jonyer provided to the AI; (4) the portions of his report that were partially or wholly written by AI; and (5) all strengths and weaknesses of your case identified by the AI.

1 Dated: August 19, 2026.

Respectfully Submitted,

2 /s/ Ronald D. Green

Marc J. Randazza, NV Bar No. 12265

3 Ronald D. Green, NV Bar No. 7360

Alex J. Shepard, NV Bar No. 13582

4 RANDAZZA LEGAL GROUP, PLLC

5 8991 W. Flamingo Rd., Ste. B

Las Vegas, NV 89147

6 *Attorneys for Defendants,*

7 Keith Hodge, Kevin Hodge, and

Hodgetwins, LLC

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Case No. 2:25-cv-01858-APG-BNW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 19, 2026, I served this document on counsel for Plaintiff via electronic mail to:

G. Michael Jackson
mjackson@jonesdavis.com

Nicole Westbrook
nwestbrook@jonesdavis.com

Respectfully submitted,

/s/ Ronald D. Green
Ronald D. Green

RANDAZZA | LEGAL GROUP

PLAINTIFF'S
EXHIBIT F
TO
MOTION TO
PROTECT

Marc J. Randazza, NV Bar No. 12265
 Ronald D. Green, NV Bar No. 7360
 Alex J. Shepard, NV Bar No. 13582
 Randazza Legal Group, PLLC
 8991 W. Flamingo Rd., Ste. B
 Las Vegas, NV 89147
 Telephone: 702-420-2001
 ecf@randazza.com

Attorneys for Defendants
 Keith Hodge, Kevin Hodge, and Hodgetwins, LLC

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

Case No. 2:25-cv-01858-APG-BNW

PASTOR STEVE SMOTHERMON,

Plaintiff,

v.

KEITH HODGE, an individual; KEVIN
 HODGE, an individual; HODGETWINS, LLC,
 a limited liability company,

Defendants.

**DEFENDANTS' TENTH SET OF
 REQUESTS FOR PRODUCTION**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Defendants request that Plaintiff Pastor Steve Smothermon produce the documents herein described for inspection and copying by Defendants' counsel within the time required by law or such other time as the Court may order, at the offices of Randazza Legal Group, PLLC, located at 8991 W. Flamingo Rd., Suite B, Las Vegas, Nevada 89147, or at such other time and place upon which counsel may agree.

DEFINITIONS

1. "Plaintiff", "you", and "your" shall refer to Plaintiff Steve Smothermon.
2. "Action" shall mean the present lawsuit, *Pastor Steve Smothermon v. Keith Hodge, et al.*, Case No. 2:25-cv-01858-APG-BNW, pending in the U.S. District Court for the District of Nevada.

3. “Facebook Post” refers to the post titled “Cracker Barrel’s WOKE Past Comes Back to Light” published on the Hodgetwins Facebook page on or about August 22, 2025.

4. “Legacy Church” shall refer to Legacy Church, Inc., together with each affiliated, predecessor, or successor entity, campus, school, ministry, foundation, and charitable organization, and their respective officers, directors, elders, pastors, employees, and agents.

5. “Damages Allegation” shall refer to the allegation quoted above.

6. “All”, “any”, and “each” shall be construed as encompassing any and all.

7. “And” and “or” shall be construed disjunctively or conjunctively, as necessary by context, to bring within the scope of the definition, instruction, or Request all responses that might otherwise be construed to be outside of its scope by any other construction.

8. “Communication” shall mean the transmittal of information, in the form of facts, ideas, inquiries, or otherwise.

9. “Concerning” shall mean relating to, referring to, regarding, describing, evidencing, or consulting.

10. “AI Tool” means any generative artificial intelligence system, chatbot, or large language model, including but not limited to ChatGPT, Grok, Claude, Gemini, Copilot, or any other such tool, whether accessed through a consumer interface, an API, or a private or enterprise deployment.

11. “Prompt” means any input, query, question, instruction, image or text submitted to an AI Tool, including all follow-up, revised, or repeated submissions.

12. “Session” means a continuous or related exchange of Prompts and outputs with an AI Tool, whether preserved as a chat log, export, screenshot, transcript, or otherwise.

REQUESTS FOR PRODUCTION

REQUEST NO. 57:

Produce all Prompts submitted to any AI Tool by Dr. Istvan Jonyer, or anyone acting on his behalf, in connection with the opinions, analysis, or conclusions set forth in his report dated August 17, 2026.

REQUEST NO. 58:

Produce all outputs, responses, or answers received from any AI Tool in response to the Prompts identified in the preceding request, in unredacted and complete form, including any portions not quoted or excerpted in the expert's report.

REQUEST NO. 59:

Produce all documents sufficient to show the model, model version, and any configuration or setting (including but not limited to temperature, reasoning level, or mode selected, such as "Expert," "Pro," "Thinking," or similar) used for each Session identified above.

REQUEST NO. 60:

Produce all Sessions, in native or exported form (including chat logs, PDF exports, screenshots, or shared links), reflecting any use of an AI Tool by Dr. Istvan Jonyer in connection with this matter.

REQUEST NO. 61:

All communications between Dr. Istvan Jonyer and any other person, including but not limited to retaining counsel, referring to or discussing the use of an AI Tool in forming the opinions in his report.

REQUEST NO. 62:

To the extent any Prompt, output, or Session responsive to the foregoing requests no longer exists, produce a description of when and how it was deleted or became unavailable, and by whom.

Dated: August 19, 2026.

Respectfully submitted,

RANDAZZA LEGAL GROUP, PLLC
/s/ Ronald D. Green

Marc J. Randazza, NV Bar No. 12265
 Ronald D. Green, NV Bar No. 7360
 RANDAZZA LEGAL GROUP, PLLC
 8991 W. Flamingo Rd., Ste. B
 Las Vegas, NV 89147

Attorneys for Defendants Keith Hodge,
 Kevin Hodge, and Hodgetwins, LLC

Case No. 2:25-cv-01858-APG-BNW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 19, 2026, I served this document on counsel for Plaintiff via electronic mail to:

G. Michael Jackson
mjackson@jonesdavis.com

Nicole Westbrook
nwestbrook@jonesdavis.com

Respectfully submitted,

/s/ Ronald D. Green
Ronald D. Green

RANDAZZA | LEGAL GROUP

PLAINTIFF'S
EXHIBIT G
TO
MOTION TO
PROTECT

Marc J. Randazza, NV Bar No. 12265
Ronald D. Green, NV Bar No. 7360
Alex J. Shepard, NV Bar No. 13582
RANDAZZA LEGAL GROUP, PLLC
8991 W. Flamingo Rd., Ste. B
Las Vegas, NV 89147
Telephone: 702-420-2001
ecf@randazza.com

Attorneys for Defendants,
Keith Hodge, Kevin Hodge, and Hodgetwins, LLC

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PASTOR STEVE SMOTHERMON,
Plaintiff,

v.

KEITH HODGE, an individual; KEVIN
HODGE, an individual; HODGETWINS,
LLC, a limited liability company,
Defendants.

Case No. 2:25-cv-01858-APG-BNW

**NOTICE OF
VIDEOTAPED DEPOSITION
OF PASTOR STEVE SMOTHERMON**

PLEASE TAKE NOTICE that on **Tuesday, September 15, 2026**, starting at **9:00 a.m. PDT**, pursuant to Fed. R. Civ. P. 30(a)(1), Defendants Keith Hodge, Kevin Hodge, and Hodgetwins, LLC (“Defendants”), by and through their undersigned counsel, will take the videotaped and stenographically recorded deposition upon oral examination of Plaintiff Pastor Steve Smothermon before a Notary Public in and for the State of Nevada, or before some other officer authorized by law to administer oaths.

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1 The deposition will take place at NAEGLI Deposition & Trial, 300 S. 4th St., 6th Floor,
2 Las Vegas, NV 89101, and will continue from day to day until completed. You are invited to
3 attend and cross-examine.

4 Dated: September 3, 2026.

Respectfully Submitted,

/s/ Ronald D. Green

Marc J. Randazza, NV Bar No. 12265

Ronald D. Green, NV Bar No. 7360

Alex J. Shepard, NV Bar No. 13582

RANDAZZA LEGAL GROUP, PLLC

8991 W. Flamingo Rd., Ste. B

Las Vegas, NV 89147

Attorneys for Defendants,

Keith Hodge, Kevin Hodge, and

Hodgetwins, LLC

Case No. 2:25-cv-01858-APG-BNW

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 3, 2026, a copy of the foregoing was served upon counsel for Plaintiff via electronic mail as follows:

Nicole A. Westbrook
JONES & KELLER, P.C.
1675 Broadway, 28th Floor
Denver, CO 80202
<nwestbrook@jonesdavis.com>
Counsel for Plaintiff, Steve Smothermon

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