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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' NOTICE OF ERRATA
RE: OPPOSITION TO PLAINTIFF'S
MOTION TO MODIFY THE
SCHEDULING ORDER
[ECF NO. 70]**

PLEASE TAKE NOTICE that Defendants Keith Hodge, Kevin Hodge, and Hodgetwins, LLC (collectively, "Defendants") respectfully submit this Notice of Errata to their Opposition to Plaintiff's Motion to Modify the Scheduling Order (ECF No. 70) (the "Opposition"). The Opposition cites to the Declaration of Stephen Parker, but the filed Opposition did not include Mr. Parker's declaration. Defendants wish to correct this error. Attached hereto as **Exhibit A** is the Declaration of Stephen Parker. The underlying Opposition was timely filed on August 24, 2026; therefore, this declaration is timely submitted. This error does not affect the substance of the arguments made in the Opposition.

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Dated: August 24, 2026.

Respectfully submitted,

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

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 24, 2026, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing document is being served via transmission of Notices of Electronic Filing generated by CM/ECF.

Respectfully submitted,

/s/ Ronald D. Green

Ronald D. Green

RANDAZZA | LEGAL GROUP

EXHIBIT A

Declaration of Stephen Parker

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**DECLARATION OF STEPHEN PARKER
IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFF'S
MOTION TO MODIFY THE
SCHEDULING ORDER**

[ECF NO. 67]

I, Stephen Parker, declare as follows:

1. I am over the age of eighteen and competent to testify to the matters stated below.

I have personal knowledge of these matters, and if called as a witness I could and would testify to them.

2. I am an attorney licensed to practice in the State of Arkansas and the United States District Courts for the Western and Eastern Districts of Arkansas. I am the managing member and an attorney at Westark Law located in Fayetteville, Arkansas.

3. I represent Mr. Nathan Hughes and DiamondHands, LLC d/b/a Bigly ("Bigly"). I am not counsel for any party to this action, and neither Mr. Hughes, Bigly nor I have any financial interest in its outcome.

4. Nathan Hughes is a managing member of Bigly. I am authorized to speak for Mr.

1 Hughes and Bigly with respect to the scheduling of Mr. Hughes deposition.

2 5. On July 17, 2026, I was contacted by Nicole Westbrook, counsel for Plaintiff Steve
3 Smothermon, regarding the deposition of Mr. Hughes. Specifically, Ms. Westbrook asked if I
4 would accept service of a subpoena for deposition on behalf of Mr. Hughes and requested his
5 availability.

6 6. Ms. Westbrook and I agreed to August 26, 2026, as the date Mr. Hughes would be
7 deposed.

8 7. On August 4, 2026, Ms. Westbrook emailed me Mr. Hughes' subpoena for
9 deposition, which I accepted on his behalf as his attorney and the attorney for Bigly. However, to
10 date Ms. Westbrook has not confirmed that she will be taking Mr. Hughes deposition (either in-
11 person or remotely by video), nor has she scheduled a court reporter or otherwise followed up
12 regarding the logistics of the deposition.

13 8. Mr. Hughes and I do not know whether Ms. Westbrook intends on taking his
14 deposition on August 26, 2026, although considering that I have not been contacted by a court
15 reporter, we believe it is unlikely.

16 9. Ms. Westbrook has not requested a Rule 30(b)(6) deposition of Bigly, and she has
17 not identified any other Bigly witness she wishes to depose.

18 10. Mr. Hughes and Bigly have complied with all requests by Ms. Westbrook.

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

21 Executed on August 21, 2026, at Fayetteville, Arkansas.

22 
23 _____
24 Stephen Parker