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2 **Mark Sabitt**  
3 **Spence and Sabitt LLP**  
4 **747 Willamette Street**  
5 **Eugene, OR 97401**  
6 **Phone (541)343-9909**  
7 **Fax (541)343-0014**

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10 **IN THE UNITED STATES DISTRICT COURT**  
11 **FOR THE DISTRICT OF OREGON**  
12

13 UNITED STATES OF AMERICA, )

14 Plaintiff, )

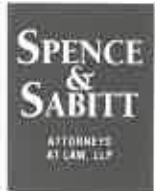
15 vs. )

16 Michael Emry, )

17 Defendant. )

18 Case No.: 6:16-MJ-56-JR


19 Defendant's Memorandum In  
20 Support Of Release



21 747 Willamette St.  
22 Eugene, OR 97401  
23 41-343-9909  
24 fax 343-0014

25 COMES NOW Defendant, Michael Emry, by and through his attorney Mark Sabitt,  
26 appearance by Marc A. Spence, and respectfully submits the attached Declarations for the  
Court's consideration at the release hearing set for May 24, 2016.

Respectfully submitted this 23 day of May, 2016.

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28 \_\_\_\_\_  
29 Marc A. Spence, OSB# 873496  
30 On behalf of Mark Sabitt  
31 Attorney for Defendant

May 21, 2016

Mark Sabitt  
747 Willamette St.  
Eugene, Oregon 97401

Re: Declaration on the behalf of Michael Emry.

I, Diane Rodgers, attest that I am 63 years old and have been a lifelong resident of New Jersey State with residence since 2000 at 62 McKinley Avenue, Trenton, NJ 08609. My cell phone number is 609-638-2610.

I am sole proprietor of FRC Consulting, a consulting and estimating company specializing in Codes, Materials and Application of Fire Resistant Coating for Structural Steel Building serving the Construction Industry in the northeast region of the country.

I do hereby attest that I have known Michael Emry for a period of at least two years. I first had developed an online corresponding relationship with Michael's wife Becky. As we both shared a common interest in seeking Truth in Media. Through our correspondence I had the pleasure of talking with Michael numerous times via telephone and Skype conversations, on a wide range of topics.

Throughout our conversations, Michael Emry has always struck me as being highly intelligent, level headed, open and honest, and compassionate towards his fellow man with a deep love for his wife Becky. He often spoke of believing in the code of Do No Harm unto others man. He is a man who seeks out the Truth, regardless of where that Truth leads to. He is also a man who would have helped any stranger by giving them the shirt off his back or the last dollar he had to his name. He truly is a man of selfless intentions.

Michael Emry has served his Country with Honor and Distinction in two branches in the US Military that I am aware of, as well as overt and covert operations on behalf of the US State Department in numerous foreign theaters and yes, domestic as well. He is a man that freely, openly and honestly swore His Oath to Defend and Up Hold this Country and its Constitution. A commitment to that scared oath, he still honors to this day.

It is that Honor that lead him to become one of the key Whistleblowers in the Iran Contra Affair during Reagan era. A clandestine US operation intent on illegally funneling weapons and money to the Iranians, he willingly assisted in bringing to Congress and the American People the Truth of this operation. At much risk to his own safety and life.

As the result of one domestic investigation in which he worked undercover CI for a US Agency, his role was discovered which resulted in the retaliation murder of his former mother-in-law. I am sure you

have had the ability to access and review his military record. He has a proven track record in outstanding Service to His Country and Dedication to its Citizenry.

It is his proven record, his dedication to his Oath, his love of family and friends and compassion for his fellow man that speaks volumes to the honesty and integrity of this man. Michael Emry, from what I do know of this man, is a man of impeccable Character, and his words are heartfelt and true to his core. He has seen, first hand, the horrors, depravity and lies that War is built upon. Having served and lived through such horrors, the very last thing Michael Emry would ever want is for the People of this Country to have to endure such violent events on our own soil.

I pray that you find in your heart the compassion and in your mind the understanding which would lead you to realize that Michael Emry presents no threat of violence or hostility toward his fellow man nor does he harbor any flight risk, in trying to flee from these charges. I well assure you that Michael Emry would adhere to and be present for any court appearances that may be mandated.

It is with these words that I strongly recommend that Michael Emry be released, in his own recognizance, from detention while he awaits hearings on the charges set forth.

Sincerely;

*Diane Rodgers* (electronic signature)

Diane Rodgers

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Mark Sabitt  
 Spence and Sabitt LLP  
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 Eugene, OR 97401  
 Phone (541)343-9909  
 Fax (541)343-0014

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,  Plaintiff,  vs.  MICHAEL EMRY,  Defendant.	) ) ) ) ) ) ) ) ) ) ) )	Case No.: 6:16-MJ-56-JR  <b>DECLARATION OF                  JUDY KERR</b>
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47 Willamette St.  
 Eugene, OR 97401  
 (541) 343-9909  
 fax 343-0014

I, Judy Kerr do hereby declare and state:

That I reside at 337 South Humboldt St. Canyon City, Oregon 97820. My husband and I have been married for 30 years and we have lived in Canyon City for 26 years. I am 73 years old and I am currently retired from a career with the U.S. Government most recently with the U.S. Forest Service. I was employed with the forest service for 25 years.

I have known Michael Emry and his wife since they moved to Grant County. We became acquainted with Michael and his wife Becky when they moved to town a few months ago and offered to help establish a community newsletter. I feel as if I have come to know Michael Emry quite well in this short period of time, and he has been a regular guest in our home. I know Michael as an even-tempered and peaceful individual who has acted as a

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calming influence at community meetings and gatherings. Michael is known as protector of his wife Becky and I know them to be quite devoted to one another. Following Michael's recent arrest, we took Becky into our home and we have helped her to get their 5<sup>th</sup> wheel trailer moved to a location where it can remain parked for the long term and where Michael and Becky can reside.

In my 73 years and I think it is fair to state that I have come to know and understand people very well. My opinion of Michael Emry is that he is a peaceful and law abiding. If Michael is released from custody back to Grant County, my husband and I will assist Michael and his wife in any way that we can to help them continue to be good citizens in our community to help Michael attend any required court appearances.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge.

Signed this 11<sup>th</sup> day of May 2016.

  
Judy Kerr



47 Willamette St.  
Astoria, OR 97103  
41-343-0909  
ax 343-0014

### Affidavit of Vicky Lynn Davis pertaining to Michael Ray Emry


My name is Vicky Lynn Davis. I am 64 years old. I live at 145 Avenida Del Rio, Twin Falls, ID 83301. I have been at this address since 2008 and have lived in Idaho since 1995. My phone number is (208) 734-0811 and my cell number is (208) 404-2332.

I am retired but work full time as a researcher, writer and website developer for The Voice of Idaho News aka TVOINews. (website [www.tvoinews.com](http://www.tvoinews.com)) and most recently The Voice of Grant County Oregon News. I work on a voluntary basis because I believe in the mission of TVOI News which is to provide to the public information they need to make informed decisions.

Michael Emry is the proprietor of TVOI and I've worked closely with both Michael and Becky on almost a daily basis since late September or early October of 2014 which is the serious beginning of TVOI News. It was started shortly before that but they had been unable to get it off the ground due to inexperience in dealing with IT people.

I can state unequivocally that Michael is not a danger to anybody. I personally, am a little high strung and I can attest to the fact that Michael has a talent for calming people down. He is a very kind man and very much the peacemaker. I've never seen him lose his temper or become in any way a person I would consider threatening.

I believe that if Michael were released, he would attend all court appearances and I would be happy to provide Michael and Becky any assistance they require to ensure that they comply with any obligations the court may require of them.

  
Vicky Lynn Davis

145 Avenida Del Rio  
Twin Falls, ID 83301  
(208) 734-0811

State of Idaho County of Twin Falls

On this 12 day of May, 2016, before  
me, Katherine Jones  
Name of Notary Public

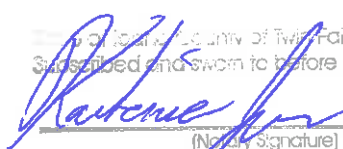
the undersigned Notary Public, personally appeared

Name of signer proved to me on the basis of satisfactory evidence

Dwight Lucas

to be the person whose name is subscribed to the within instrument, and acknowledge that she executed it.

Witness my hand and official seal

  
(Notary Signature)  
Katherine Jones

5-2-16  
(Date)



May 20, 2016

Declaration of David Herbert Salch pertaining to Michael Ray Emery

My name is David Herbert Salch, I am 54 years old and reside at 4446 dodge rd, white city or. I have been at this address for about 8 years since moving here from California. My phone number is 541-826-4345.

I am both an executive in a firm operating out of southern California and owner of a small family farm in Oregon. The firm is Cirro Inc, in Aliso Viejo ca and my title is CTO (chief technical officer). I have operated as CTO for multiple companies under the direction of an incubator and financing firm, Frost Data Capital in San Juan Capistrano, ca. I have built several large scale (for fortune 100 companies) technical products and taken them to market over the last 20 years. I hold several patents involved in those products. I also started, financed, and operate a small farm in southern Oregon specializing in "beyond organic" foods to serve people suffering from health issues. It is called Little Sprouts Farm. We have over 250 customers in the southern Oregon area and are branching out nationwide this year. We are very active in local health oriented groups in southern Oregon, and have been invited to give seminars and talks in the technical world nationwide from my work in the tech industry.

I have known Michael Emry for about 5 months now. During this relatively short time, I have vetted him extensively because we have discussed and investigated starting a new type of nationwide news service, funded by my acquaintances in southern California. I have spent much time on the phone getting to know Michael, understanding his background and personality to represent him and this news service idea to the investors. During this time, I have found Michael to be an upstanding man, dedicated to honesty and truth, and very passionate about his beliefs.

Michael is one to run to a crisis, not away from it. I watched him during the Malheur refuge situation to observe him on the front lines of news, working diligently to get the real story out when others were afraid. He put himself in the middle of situations, not to cause trouble, but to record what was happening and tell the story. He is a newsman at heart. Over the last few months he has put himself at great financial disadvantage to enable him to operate as the sole news agency remaining in a difficult but almost forgotten situation around the refuge. He did not leave when the high profile dwindled, but stayed at the job to cover what no one else seemed interested in.

Michael has also spent much time helping the women and children that were disadvantaged by the occurrences at the refuge. For instance,... he was instrumental in organizing help to have personal belongings gathered and delivered to the families after the main event was over.

It is obvious to me, that Michael is not a threat to anyone. Given the positions he placed himself in to cover the news, he has never threatened or harmed another person in any way. He has acted professionally and sacrificially in all cases. I am personally convinced that he poses no danger to anyone.

It is also obvious to me that Michael is not a flight risk. During the chaos surrounding the events at the refuge, Michael kept a cool head and remained at the center of the news. After the dust settled, he also remained at the center of the news, conducting interviews and fact finding. He has never shied away

from a dangerous or controversial situation. His personality is to take things head on, in a civil and organized manner. He does not advocate breaking law, nor does he hide from his own actions. I have found him to be very truthful in both good and bad details about his life. I see no reason to fear him missing court appearances or orders. He is one to rush to situations to expose and publicize them, not shy away or avoid them.

One reason I can have such a strong opinion is that I have spent time evaluating Michael to head up this new news agency we are considering launching and investing in. This was not just a shallow review, but an in depth study. I am personally responsible for evaluating Michael and have done so to my satisfaction for the purposes of forming a new venture and encouraging large investment.

I recommend release of Michael from custody, pending court appearances, without fear of danger to the community or danger from flight.

Under penalty of perjury, I swear the foregoing is true to the best of my knowledge.

David Salch

A handwritten signature in black ink, appearing to read 'D Salch', written in a cursive style.

5-20-2016



**Attorney, Mark Sabitt  
747 Willamette Street  
Eugene Oregon 97401  
Fax 541 343 0014**

**May 15<sup>th</sup>, 2016**

**Mr. Sabitt:**

**This is my declaration that I have known Mike Emery for about 10 years and consider him as a very good person. He is non-threatening, easy to get along with, and a gentle man. He gave me my first computer years ago when I could not afford to buy one. I ask that you as his Attorney and, his Judge both consider my statements here in good faith.**

**I live in Boise Idaho and have worked as a security guard at the local zoo for 17 years.**

**Sincerely,**



**Mr. Terry Shepard  
3005 1/2 North 36<sup>th</sup> Street  
Boise Idaho 83703**

**Phone: 208 810 5445**

Dear Sir,

Regarding the hearing today for Michael Emry.

Michael and his wife have recently moved to Grant County intending to make it their forever home.

We welcomed them into the community and we are hopeful that Michael will be released to come back to live here.

I see no reason he would be considered a flight risk or a danger to the community.

Michael is a peaceful community-minded person—always willing to lend a hand when needed.

Sincerely,

Elaine Smith  
Prairie City, Oregon

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Mark Sabitt  
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Eugene, OR 97401  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,	)	
	)	Case No.: 6:16-MJ-56-JR
Plaintiff,	)	
	)	DECLARATION OF
vs.	)	RICHARD OCAMIGA
	)	
MICHAEL EMRY,	)	
	)	
Defendant.	)	
	)	



747 Willamette St.  
Eugene, OR 97401  
41-343-9909  
fax 343 0014

*OCAMIGA*  
I, Richard Ocamiga do hereby declare and state that:

I am a resident of Ada County, Boise Idaho and I reside at 4993 W. Catalpa Drive Boise, Idaho 83703. I have lived in Boise since 1978. I am currently employed as a shop foreman at Kenworth ~~Truck~~ *SALES BOISE*, where I have worked for two and a half years. I have prior employment at Inland Crane in Boise and prior to that at Mac Tools in Boise for sixteen years.


I know Michael Emry and I have known him for 15 years. I first met Mr. Emry when I sold him tools at a shop where he was employed several years ago. I also know Mr. Emry's wife/girlfriend Becky Hudson. Although Mr. Emry and I first met through our work, we came to be friends thereafter and I have socialized with Michael and with other friends we have in common for several years. I feel as if I have come to know Mr. Emry quite well during the

time that I have known him. I have always known Mr. Emry to be a peaceful, law abiding citizen and I consider him to be a valued friend.

If Mr. Emry was released from custody back to Boise, Ada County, Idaho, I would continue to socialize with Michael and I would be happy to help him fulfill his obligations to the court in Oregon in any way that I can. It is my opinion, based upon my relationship with Michael Emry for many years, that if he is released from custody Michael will not be a threat to this or to any other community, and that Michael will appear in court in the future as required.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge.

Signed this 11 day of May 2016.

  
Richard Ocamiga  
Boise, Idaho



147 Willamette St.  
Eugene, OR 97401  
41-343-9909  
fax 343-0014

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