

Leonard J. French (admitted pro hac vice, ECF 16)
Pennsylvania Bar No. 312413
THE LAW FIRM OF LEONARD J. FRENCH
74 West Broad Street, Suite 400
Bethlehem, PA 18018
Telephone: (610) 466-5644
Email: ljfrench@leonardjfrench.com

Eric Allen (Utah State Bar No. 13486)
ALLEN, MITCHELL & ALLEN PLLC
2091 Murray Holladay Road, Suite 21
Salt Lake City, UT 84117
Telephone: (801) 930-1117
Email: eric@allenlawyer.com

Attorneys for Anonymous Non-Party Publisher of thebammap.com
LIMITED APPEARANCE

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

BAM FRANCHISING, INC., a Delaware corporation, Plaintiff, vs. DOES 1-10, Defendants.	DECLARATION OF LEONARD J. FRENCH IN SUPPORT OF ANONYMOUS NON-PARTY PUBLISHER'S EMERGENCY MOTIONS LIMITED APPEARANCE Case No. 2:26-cv-00895-DBB-DBP District Judge David Barlow Magistrate Judge Dustin B. Pead
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I, Leonard J. French, declare as follows:

1. I am an attorney licensed in Pennsylvania and am admitted pro hac vice in this action. ECF 16. Eric Allen of Allen, Mitchell & Allen PLLC is local counsel. ECF 13. I represent the anonymous non-party publisher of the website

thebammap.com (the "Publisher"), for the limited purpose of challenging discovery directed at the Publisher's identity. I have personal knowledge of the facts in this declaration.

2. On October 7, 2026, I sent a letter to Plaintiff's counsel, Matthew J. Orme and Kyle K. Tucker, identifying the subpoenas at issue, stating the Publisher's objections based on the qualified reporters privilege, asking which subpoenas had been served and when, requesting a standstill, and proposing to confer. A true and correct copy is attached as **Exhibit A**.
3. On October 12, 2026, at 11:00 a.m. Mountain Time, I conferred by telephone with Matthew J. Orme, the only other participant on the call. Mr. Orme stated that among BAM's concerns were whether the Publisher is a BAM franchisee or is otherwise the source of the materials. I told him that the Publisher is not a BAM franchisee; that the Publisher would not disclose its identity or the identity of any source; and that the Publisher was willing to discuss removing content BAM identified as objectionable. On October 13, 2026, I sent Mr. Orme a letter setting out the Publisher's objections and proposing a standstill and alternatives. A true and correct copy is attached as **Exhibit B**. As of noon, Mountain Daylight Time, October 14, 2026, I have not received a response.
4. On October 13, 2026, I sent copies of my October 13 letter (Exhibit B) to Vercel, Inc. and GoDaddy.com, LLC, including to GoDaddy at CourtDisputes@godaddy.com, notifying them of the Publisher's objections to the subpoenas and its intended motions. That was my first communication with either

provider. True and correct copies of my transmittal emails, together with any responses received, are attached as **Exhibit C**. Outside counsel to Vercel responded with a question about whether Plaintiff's counsel responded to the October 13 letter, and I updated them after noon MDT on October 14 that I had not received a response.

5. BAM's proofs of service state that the subpoenas, which are dated October 1, 2026, and command production by October 19, 2026, at 5:00 p.m., were served on Vercel, Inc. and GoDaddy.com, LLC on October 5, 2026. ECF 14, 15. BAM's counsel has informed me that "[t]he subpoenas to Vercel and GoDaddy are the only subpoenas we have served at this time."
6. Attached as **Exhibit D** is a true and correct copy of the front page from thebammap.com, which I captured on October 14, 2026, describing the website's practice of citing sources, grading claims, maintaining a corrections log, and offering a right-of-reply form.
7. Attached as **Exhibit E** is a true and correct copy of a CBC news report concerning the dispute between BAM and its customers and critics, which I obtained on October 14, 2026 from the URL shown.
8. Attached as **Exhibit F** is a true and correct copy of GoDaddy's published Subpoena Policy, which I obtained from its website on October 14, 2026.
9. Attached as **Exhibit G** is a true and correct copy of the Memorandum Decision and Order in *Ion Solar, LLC v. Bailey*, No. 2:23-cv-00371-DBB-DAO, ECF 13 (D. Utah Aug. 11, 2023).

10. The Publisher has preserved, and will continue to preserve, records relating to thebammapp.com, including the records described in the subpoenas.

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

Executed on October 14, 2026.

/s/ Leonard J. French
Leonard J. French