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7 *Plaintiffs' Counsel*

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **COUNTY OF LOS ANGELES**

10 _____) **Case No :**
11 **TAMARA BUCK,**)
12 **SHARON BROWN,**) **VERIFIED COMPLAINT**
13 **SARAH LUCAS,**) **FOR PRELIMINARY AND**
14 **CHARLENE HOUSEN,**) **PERMANENT INJUNCTION**
15 **DAWNIELLE SELDEN,**) **TO STOP ENFORCEMENT OF**
16 **SERGE EUSTACHE**) **SENATE BILL NUMBER 277.**
17 **TRICIA EUSTACHE,**) **[Calif. H&S Code §§120325–120380]**
18 **NIKKI JENCEN,**)
19 *Plaintiffs,*)
20 **vs.**)
21 **THE STATE OF CALIFORNIA,**)
22 **and DOES 1 – 99, inclusive,**) *PLAINTIFFS DEMAND JURY TRIAL.*
23 *Defendants.*)
24 _____)

25 MAY IT PLEASE THE COURT; now come the Plaintiffs with the instant
26 pleading: *Verified Complaint for Preliminary and Permanent Injunction to Stop*
27 *Enforcement of Senate Bill Number 227. [Calif. H&S Code §§120325–120380]*
28

1 If SB 277 takes effect, California will be left with a decidedly “segregated”
2 school system -- vaxxed and unvaxxed -- where many children will suffer
3 invidious discrimination based on “medical status” (a protected class under
4 California law). Under a *Brown vs. Board of Education* analysis, such a bifurcated
5 school system -- vaxxed and unvaxxed -- reeks of “separate-but-equal,” and thus,
6 cannot be allowed to stand. Under California law, segregation based on “medical
7 status” is every bit as odious as segregation based on “race,” “creed” or “color.”
8 [See *Brown vs. Board of Education of Topeka*, (1954) 347 U.S. 483]

9 Plaintiffs sue to enforce their children’s constitutional right to an education
10 regardless of “immunization status” (*i.e.*, “medical status”), and also to enforce
11 a parent’s rights to exercise “personal beliefs” in opposition to State-mandated
12 immunization requirements by asserting their own various philosophic objections,
13 (“*Herd immunity is fraud!*”), conscientious objections, (“*My family is Vegan!*”),
14 and religious objections, (“*Aborted fetal cells?--No way!*”).

15 SB 277 violates the children’s fundamental right to attend school, (Calif.
16 Const. Art. 9, Sec. 5), and it also violates the parents’ fundamental right to freely
17 exercise their “personal beliefs” (Free Exercise Clause, First Amendment).

18 Plaintiffs cannot understate the historical significance and sheer weight
19 of the First Amendment; the right to “freely exercise religion” forms the very
20 cornerstone of democracy. Plaintiffs believe The Founders placed “freedom of
21 religion” in the First Amendment because it is the most fundamental of all rights,
22 quite literally, the number one most cherished right of free-thinking people.

23 The Free Exercise Clause protects the individual in his or her free expression
24 of “personal beliefs” -- especially those beliefs that run contrary to the State.
25 The First Amendment allows individuals to freely exercise “personal beliefs”
26 and freely make their own joyful noise without leave or hindrance from the State.
27 This lawsuit recognizes no public health crisis; rather, this lawsuit champions
28 civil liberties, personal freedoms, and restores the rights of the individual.

1 Plaintiffs steadfastly refuse to surrender their constitutional right to exercise
2 “personal beliefs” -- *i.e.*, their sincerely held philosophic, conscientious, and
3 religious objections to State-mandated immunization; furthermore, Plaintiffs refuse
4 to surrender their children’s constitutional right to go to school.

5 Plaintiffs should not be required to surrender one constitutional right to get
6 to another. Plaintiffs should not be placed in the untenable position of having to
7 choose between the right to educate their children, (Calif. Const. Art. 9, Sec. 5),
8 and the right to freely exercise their “personal beliefs” in opposition to State-
9 mandated immunization, (Free Exercise Clause, First Amendment).

10 Plaintiffs seek a court order striking down SB 277 as unconstitutional.
11 Plaintiffs seek preliminary and permanent injunctive relief in order to preserve the
12 status quo and to halt enforcement of SB 277. [California Health & Safety Code
13 §§120325 - 20380].

14 Most significantly, SB 277 implicates “fundamental rights,” chiefly, the
15 children’s fundamental right to go to school, (Calif. Constitution), and the parents’
16 fundamental right to freely exercise their “personal beliefs,” (First Amendment).
17 The “right to go to school” and the “right to freely exercise personal beliefs” are
18 constitutional rights, and thus, “fundamental” rights.

19 Where, as here, “fundamental rights” are at stake, courts must employ a
20 heightened level of judicial review, “strict scrutiny.” Under a “strict scrutiny”
21 analysis, this Court must strike down SB 277 because, when all’s said, the State’s
22 interest in *educating* children is necessarily more compelling than its interest in
23 *vaccinating* them.

24 Here, because Plaintiffs allege violations of fundamental rights, the burden
25 of proof “shifts” to the State to demonstrate a “compelling governmental interest”
26 in SB 277, and further, the State has the burden to demonstrate that Sacramento
27 lawmakers “narrowly tailored” SB 277 to achieve only that specific governmental
28 interest, with no “less-restrictive means” available.

1 The stated goal of SB 277 is the “total immunization” of all California
2 schoolchildren. [See Calif. H&S Code §120325(a)] However, this Orwellian goal
3 of “total immunization,” is factually impossible to achieve, and thus, the State,
4 as a matter of law, can never meet its legal burden, and Plaintiffs thus prevail.

5 Why is the goal of “total immunization” impossible? As a threshold matter,
6 and this is most significant, vaccine makers do not guarantee any “immunization.”
7 And, because vaccine makers do not guarantee any “immunization,” it is factually
8 impossible for vaccinated children to guarantee “immunization” to the State, and,
9 *ipso facto*, it’s impossible to achieve the stated goal of “total immunization.”

10 Assuming vaccine makers file motions to intervene in the instant litigation,
11 Plaintiffs are confident that vaccine makers will corroborate the fact that their
12 vaccines come with absolutely, positively zero guarantees, warranties, or promises,
13 express or implied, of any kind whatsoever. None!

14 Bending to the will of the national vaccine market, the State-mandated
15 “immunization” program is built on a faulty premise; the State, (wittingly or
16 unwittingly?), labors under the false premise that vaccination always results in
17 “immunization,” but Plaintiffs reemphasize -- this is flatly false.

18 Plaintiffs argue there can be no “compelling governmental interest” in
19 the stated goal of “total immunization” simply because such goal is impossible;
20 and the impossibility factor lay in the irrefutable premise that vaccines come with
21 no guarantee of “immunization.”

22 Forgetting for a moment what may be dubious motives underlying this goal
23 of “total immunization,” Plaintiffs point out the availability of “less-restrictive
24 means” of achieving such a goal (if indeed it be a worthwhile goal); for example,
25 where parents are concerned about “immunization,” such parents are always free
26 to “immunize,” if they so choose, or where parents are concerned about disease
27 prevention generally, they are free to seek advice or treatment consistent with their
28 own “personal beliefs” (philosophic, conscientious, and religious).

1 And, where the State has legitimate concern about disease prevention,
2 (unrelated to concerns for the national vaccine market), the State may undertake
3 disease-prevention awareness; but ultimately, all decisions regarding whether to
4 “immunize” must be made by the parents, not the State.

5 It is worth noting that SB 277 is conspicuously silent as to the words
6 “vaccine” or “vaccination.” Remarkable as it sounds, neither the words “vaccine”
7 nor “vaccination” ever appear at SB 277; and Plaintiffs were surprised when they
8 learned this! Most notably, SB 277 uses only the term “immunization,” (but never
9 the term “vaccination”). And this is quite significant because, of course, there is
10 a world of difference between “vaccination” and “immunization.”

11 The term “immunization” is a conclusion that a disease-fighting shield is
12 in effect; whereas, by contrast, the term “vaccination” refers to a one-time medical
13 event that (ostensibly) leads to “immunization.” The language of Sacramento
14 lawmakers is clear and unambiguous -- no vaccines required! SB 277 requires
15 only “immunization,” and Plaintiffs’ children are already naturally “immunized.”

16 The State’s interest in achieving “total immunization” must necessarily
17 take a backseat to the California Constitution, which guarantees the fundamental
18 right to free, public education. [Calif. Const., Art. 9, Sec. 5] The California
19 Supreme Court stands firmly on this fundamental right, stating: “[S]ociety has
20 a compelling interest in affording children an opportunity to attend school.”
21 [*Serrano v. Priest*, (1971) 5 Cal. 3d 584, 606, 487 P.2d 1241, 1257].

22 The U.S. Supreme Court recognizes the right to refuse unwanted medical
23 interventions. [*Cruzan v. Director Missouri Dept. Health*, (1990) 497 U.S. 261,
24 278] And, when it comes to the children’s best interests, it is the parents, not
25 the State, who shall have the right to make healthcare decisions. A child is not a
26 “mere creature of the State.” [*Parham v. J.R.*, (1979) 422 U.S. 584] Plaintiffs
27 contend that SB 277 wrongfully removes the parents as decision-makers and
28 wrongfully delegates decision-making to the State.

1 The U.S. Supreme Court also recognizes the fundamental interest of parents,
2 in contrast with that of the State, to guide the religious education of their children.
3 Western history and culture “reflect a strong tradition of parental concern for the
4 nurture and upbringing of their children which the State should not ignore.”
5 [*Wisconsin vs. Yoder*, (1972) 406 U.S. 205, 92 S. Ct. 1526, 32 L. Ed. 2d 15]

6 Plaintiffs believes the Court may take judicial notice of the fact that vaccines
7 maim and kill children. The horror of this reality is mind-numbing. And, in too
8 many instances, vaccines turn out to be more injurious and more deadly than the
9 predicate diseases for which the vaccines were administered in the first place.
10 For example, over the past ten years, the number of schoolchildren who have
11 died from the MMR vaccine far outpaces the number of measles deaths (if any).
12 In fact, the MMR vaccine has a disastrous “success” rate of killing approximately
13 one American child, every month, for the last ten years; sadly, when it comes to
14 measles “immunization,” it’s hard to tell the poison from the cure.

15 Back in 1986, seeking to stabilize the national vaccine market, Congress
16 passed the National Childhood Vaccine Injury Act, [42 U.S.C. §§ 300aa-1 to
17 300aa-34; ("The Act")], and since its creation, the national Vaccine Injury
18 Compensation Program, ("VICP"), has paid-out more than three billion dollars
19 (taxpayer money) on vaccine injury and wrongful death claims.

20 The Act protects the national vaccine market by forbidding would-be
21 plaintiffs from suing vaccine makers at the county courthouse; the Act instead
22 funnels plaintiffs into an arbitration quagmire -- which has no legal mechanism
23 to subpoena industry documents that might tend to prove things like vaccine
24 design defects or manufacturing defects. The Act further protects vaccine makers
25 by relieving them of having to pay monetary compensation to vaccine victims;
26 the Act instead saddles taxpayers with the burden of funding injury compensation.
27 The purpose of the Act is to stabilize the national vaccine market by allowing
28 vaccine makers to dodge jury trials and class action lawsuits.

1 The Act bestows upon the national vaccine market what amounts to almost
2 total immunity from liability -- and Congress generously heaped this special
3 dispensation on vaccine makers because vaccines are “unavoidably unsafe.”
4 Even if properly designed and manufactured in strict accordance with FDA rules,
5 vaccines nevertheless remain “unavoidably unsafe.” [*Bruesewitz v. Wyeth LLC*,
6 (2011) 562 U.S. 223, 131 S. Ct. 1068, 1089, 179 L. Ed. 2d 1]

7 “But for” the Act, jury trials and class action lawsuits would destabilize
8 the national vaccine market -- then overwhelm and capsize it -- because vaccines
9 are “unavoidably unsafe.” Without the Act’s protection, vaccine makers would
10 lose every lawsuit and be driven out-of-business by personal injury lawyers.

11 Tragically, instead of removing “unavoidably unsafe” products from the
12 marketplace, Congress instead removed the specter of liability, and this in turn
13 removed all incentive for vaccine safety. So now, when vaccines kill or maim,
14 vaccine makers pay no monetary damages to the victims -- because Congress
15 foisted that duty upon the American taxpayer -- who must “bail out” vaccine
16 makers for their negligent design and manufacturing defects.

17 Again, even if a vaccine is free of design defect and manufacturing defect,
18 it nevertheless remains “unavoidably unsafe” as a matter of law. When rendering
19 final judgement, Plaintiffs pray the court will acknowledge this irrefutable premise,
20 *i.e.*, that all vaccines are “unavoidably unsafe.”

21 The popular media pretends that vaccines are “safe and effective,” but this
22 is a blatant falsehood; as a matter of law, all vaccines are “unavoidably unsafe,”
23 and for this reason alone, parents are wise to opt-out of mandatory immunization
24 because sometimes, indeed, all too often, vaccines go wrong.

25 Perhaps most disturbing of all, when vaccines go wrong, vaccine makers
26 are utterly incapable of explaining “why.” But this comes as no surprise because
27 vaccine makers are just as incapable of explaining “how” their vaccines
28 (supposedly) bring about immunization.

1 Plaintiffs view all vaccine makers with mistrust and suspicion because:
2 (i) vaccine makers do not guarantee “immunization;” (ii) persons injured by
3 vaccines cannot sue vaccine makers at the county courthouse; (iii) taxpayers must
4 subsidize the vaccine maker’s design defects, manufacturing defects, personal
5 injury claims and wrongful death claims; and (iv) all vaccines are deemed
6 “unavoidably unsafe” due to the ever-present risk of death or great bodily injury;
7 and (v) vaccine makers cannot explain how their products work, nor why they fail.

8 The United States Court of Appeals recognizes that medical science is a
9 “field bereft of complete and direct proof of how vaccines affect the human body.”
10 [*Althen v. Sec’y of Health & Human Servs.*, 418 F.3d 1274 (Fed. Cir. 2005)]

11 Science cannot explain “why” vaccines kill, nor can science predict “who”
12 will next suffer vaccine injuries or “when.” Under a simple cost-benefit analysis,
13 the “costs” associated with vaccines clearly outweigh any “benefit” -- because
14 vaccines come with no immunization guarantee and instead carry the very palpable
15 risk of death.

16 SB 277 violates the constitutional rights of Plaintiffs and their children.
17 Plaintiffs request preliminary and permanent injunctive relief that declares SB 277
18 unconstitutional, and further, restrains THE STATE OF CALIFORNIA from enforcing
19 SB 277 and its “immunization” mandates.

20 Epilogue: Freedom means nothing if you can't keep the government out of
21 your body.

22 Dated: **April 22, 2016**

LAW OFFICES OF T. MATTHEW PHILLIPS

23
24
25
26 /s/ T. Matthew Phillips

27 T. Matthew Phillips, Esq.
28 *Plaintiffs’ Counsel.*

1 (3) Plaintiff, SARAH LUCAS, a Butte County resident, is a 33-year-old single,
2 low-income, Christian, mother of three children who have had most recommended
3 vaccinations. All three of SARAH LUCAS' children experienced vaccine failure
4 or adverse physical reactions resulting in urgent care and ER visits. Plaintiff,
5 SARAH LUCAS, believes that, if her children aren't immune by now, then that is
6 a failure of the vaccines and failure to further vaccinate should not impact public
7 school access. Plaintiff, SARAH LUCAS, refuses to again put her healthy children
8 in danger simply to exercise their fundamental right to a public education.

9 (4) Plaintiff, CHARLENE HOUSEN, a Riverside County resident, is a 39-year-
10 old single mother of a vaccine-injured 5-year-old daughter who chooses to live
11 natural, vaccine-free, organic, and vegetarian. Plaintiff, CHARLENE HOUSEN
12 chooses to allow her daughter's immune system to do its job by not injecting or
13 ingesting harmful chemicals such as GMOs, pesticides, human or animal DNA,
14 aluminum or formaldehyde. Plaintiff, CHARLENE HOUSEN, loudly declares,
15 *"My body, my child, my choice!"*

16 (5) Plaintiff, DAWNIELLE SELDEN, a Riverside County resident, is a college-
17 educated professional, working mother of three, pro-life, Christian conservative.
18 DAWNIELLE SELDEN'S children are partially vaccinated, having abstained from
19 those vaccines that contain aborted fetal cells. One of DAWNIELLE SELDEN'S
20 children have had severe vaccine reactions; her oldest child suffered from vaccine
21 injury after receiving the MMR, and she has nephews who are autistic. Her son is
22 an honors student at a private Catholic school, and she believes it is ludicrous to
23 think that the State can take away her son's right to even a private education,
24 which she funds!

25 (6) Plaintiff, SERGE EUSTACHE, a Los Angeles County resident, is a 40-year-
26 old, African-American, married father of two beautiful daughters. Plaintiff,
27 SERGE EUSTACHE is a VFX artist, (visual effects artist), in the entertainment
28 industry. Plaintiff, SERGE EUSTACHE, pursues this lawsuit in the hopes of

1 keeping our freedom of choice in the matter of vaccinations. Steadfast and true
2 remains SERGE EUSTACHE’S dream of having his daughters pursue their
3 dreams through the educational system of California. Plaintiff, SERGE
4 EUSTACHE wishes that we all may one day enjoy not only lasting health but the
5 freedoms that come with it.

6 (7) Plaintiff, TRICIA EUSTACHE, a Los Angeles County resident, is a
7 46-year-old, married, mother of two girls, ages 7 and 2 and vaxx-free! Plaintiff,
8 TRICIA EUSTACHE is a licensed, Speech Pathologist who puts a lot of effort into
9 maintaining her family’s health and well-being. Plaintiff, TRICIA EUSTACHE
10 has been vegetarian for almost 10 years and she lives a holistic lifestyle. She
11 believes that health is best maintained by adhering to an organic diet, high in raw
12 foods, as well as exercise, routine cleansing, and detox. TRICIA EUSTACHE has
13 spent many years researching and experimenting with alternative and natural
14 remedies for common ailments. Her family avoids pharmaceuticals as much as
15 possible. Plaintiff, TRICIA EUSTACHE is opposed to vaccination because she
16 spent countless hours doing research aided by her background in microbiology.
17 Luckily, for her girls, TRICIA EUSTACHE began her research before they were
18 born to avoid having to make fear-based decisions.

19 (8) Plaintiff, NIKKI JENCEN, a San Diego County resident, is a strong
20 advocate for all human rights, especially children. Plaintiff, NIKKI JENCEN has
21 two vaccine-free children, ages 10 and 6. She is also married to a police officer in
22 San Diego County. Plaintiff, NIKKI JENCEN is a Holistic Health Practitioner,
23 educated with degrees in Sociology, Social Sciences, and Nutrition. She is an
24 online entrepreneur as she the creator of Mega Wellness Summit and the Founder
25 of Women’s Wellness Academy. Plaintiff, NIKKI JENCEN helps women and
26 children heal and live naturally. She believes that a holistic and organic lifestyle is
27 best for all, and she is a promoter of free and public education for all children.

1 (9) Defendant, THE STATE OF CALIFORNIA, includes all state departments
2 and agencies, including *The California Health and Human Services Agency*,
3 *The California Department of Public Health* and the *Governor's Office*, etc.

4 (10) DOES 1 – 10, inclusive, are herein sued under fictitious names; when
5 Plaintiffs learn their true and correct names, Plaintiffs will amend this complaint.
6 Each DOE Defendant is a proximate cause of Plaintiffs' harm.

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1 (18) Here, because fundamental rights are at stake, “strict scrutiny” is the
2 appropriate standard of judicial review; and thus, the burden of proof, by law,
3 “shifts” to the State, which must plead and prove, as an affirmative defense,
4 the existence of a “narrowly tailored, compelling governmental interest.”

5 (19) In order to survive the “strict scrutiny” analysis, the State must prove three
6 things: (i) the existence of a “compelling governmental goal or interest” in SB 277;
7 (ii) that SB 277 was “narrowly tailored” to achieve only that goal or interest, and,
8 (iii) that SB 277 was the “least restrictive means” of achieving it.

9 (20) Legislative Intent: Pursuant to Health & Safety Code Sec. 120325(a), it is
10 the express intent of Sacramento lawmakers to provide: “[a] means for the eventual
11 achievement of total immunization of appropriate age groups against [enumerated]
12 childhood diseases.” [See H&S Code §120325, et.seq.]

13 (21) The articulated three-pronged legal analysis becomes: (i) whether there
14 exists a “compelling governmental interest” in Sacramento's stated goal, *i.e.*,
15 “total immunization;” (ii) whether SB 277 is “narrowly tailored” to achieve
16 Sacramento’s stated goal, *i.e.*, “total immunization; and (iii) whether there are
17 “less-restrictive means” of achieving “total immunization.”

18 (22) Plaintiffs contend there exists no “compelling governmental interest” in
19 “total immunization.” The stated goal of “total immunization” fails to pass muster
20 even under the lower, “rational basis” test; indeed, Plaintiffs argue that the stated
21 goal bears no rational relation to any legitimate interest.

22 (23) Assuming *arguendo*, that Sacramento’s stated goal is otherwise sincere,
23 Plaintiffs argue that “less-restrictive” means are available to the State, *e.g.*,
24 concerned parents are always free to pursue “immunization” in their private lives,
25 outside the State program.

26 (24) Injunctive Relief: Plaintiffs seek a preliminary injunction under CCP §526,
27 which provides an injunction may be granted “when it appears by the complaint
28 that the plaintiff is entitled to the relief demanded.” [See CCP §526] Plaintiffs

1 contend they are entitled to injunctive relief based only on the allegations set forth
2 in the complaint (which is verified).

3 (25) Inadequate Remedy at Law: Plaintiffs allege an inadequate remedy at law;
4 here, monetary compensation is inadequate because Plaintiffs' constitutional rights
5 are inalienable.

6 (26) Risk of Grave & Irreparable Harm: Unless the Court grants the requested
7 injunctive relief, many school children will suffer grave and irreparable harm,
8 including certain injury and death. Once the Court accepts the irrefutable premise
9 that all vaccines are "unavoidably unsafe," the Court may then logically conclude
10 that the enforcement of SB277 will be the direct and proximate cause of dead and
11 maimed schoolchildren.

12 (27) Balancing the Equities: Here, because the risks so far outweigh the benefits,
13 (if any), the Court is wise to issue Plaintiffs' requested injunctive relief. Plaintiffs
14 are in earnest to halt SB 277 -- because they wish to save children's lives and spare
15 families from immeasurable grief, hardship, and suffering.

16 (28) Preserving the Status Quo: If the Court compares the harm to the Defendant
17 in *issuing* the requested injunction -- versus the harm to Plaintiffs in *withholding*
18 the injunction, it becomes obvious that issuing the injunction merely preserves
19 the status quo, and no harm comes to the State. Plaintiffs urge the Court to err
20 on the side of the schoolchildren -- to save their lives -- and to defend their
21 fundamental right to free, public education.

22 (29) Likelihood of Success on the Merits: Plaintiffs believe the instant, verified
23 complaint demonstrates a likelihood of success on the merits because SB 277
24 substantially interferes with fundamental, constitutional rights enumerated at both
25 the federal and state constitutions.

26 (30) Plaintiffs seek attorney's fees award under CCP §1021.5 because this
27 lawsuit enforces important rights affecting the public interest and brings substantial
28 benefits to all Californians.

1 (38) Legislative Intent: Pursuant to Health & Safety Code Sec. 120325(a), it is
2 the express intent of Sacramento lawmakers to provide: “[a] means for the eventual
3 achievement of total immunization of appropriate age groups against [enumerated]
4 childhood diseases.” [See H&S Code §120325, et.seq.]

5 (39) The articulated three-pronged legal analysis becomes: (i) whether there
6 exists a “compelling governmental interest” in Sacramento's stated goal, *i.e.*,
7 “total immunization;” (ii) whether SB 277 is “narrowly tailored” to achieve
8 Sacramento’s stated goal, *i.e.*, “total immunization; and (iii) whether there are
9 “less-restrictive means” of achieving “total immunization.”

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11 “total immunization.” The stated goal of “total immunization” fails to pass muster
12 even under the lower, “rational basis” test; indeed, Plaintiffs argue that the stated
13 goal bears no rational relation to any legitimate interest.

14 (41) Assuming arguendo, that Sacramento’s stated goal is otherwise sincere,
15 Plaintiffs argue that “less-restrictive” means are available to the State, *e.g.*,
16 concerned parents are always free to pursue “immunization” in their private lives,
17 outside the State program.

18 (42) Injunctive Relief: Plaintiffs seek a preliminary injunction under CCP §526,
19 which provides an injunction may be granted “when it appears by the complaint
20 that the plaintiff is entitled to the relief demanded.” [See CCP §526] Plaintiffs
21 contends they are entitled to relief based only on the allegations set forth in the
22 complaint (which is verified).

23 (43) Inadequate Remedy at Law: Plaintiffs allege an inadequate remedy at law;
24 here, monetary compensation is inadequate because the constitutional rights of
25 Plaintiffs’ children are inalienable.

26 (44) Risk of Grave & Irreparable Harm: Unless the Court grants the requested
27 injunctive relief, many school children will suffer grave and irreparable harm,
28 including certain injury and death. Once the Court accepts the irrefutable premise

1 that all vaccines are “unavoidably unsafe,” the Court may then logically conclude
2 that the enforcement of SB277 will be the direct and proximate cause of dead and
3 maimed schoolchildren. And, of course, if SB 277 becomes effective, many
4 children will lose their educations or be forced to relocate out-of-state.

5 (45) Balancing the Equities: Here, because the risks so far outweigh the benefits,
6 (if any), the Court is wise to issue Plaintiffs’ requested injunctive relief. Plaintiffs
7 are in earnest to halt SB 277 -- because they wish to save children’s lives and spare
8 families from immeasurable grief, hardship, and suffering.

9 (46) Preserving the Status Quo: If the Court compares the harm to the Defendant
10 in *issuing* the requested injunction -- versus the harm to Plaintiffs in *withholding*
11 the injunction, it becomes obvious that issuing the injunction merely preserves
12 the status quo, and no harm comes to the State. Plaintiffs urge the Court to err
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20 lawsuit enforces important rights affecting the public interest and brings substantial
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