

Frequently Asked Questions & Answers for the “Mandate Lawsuit”

What are we doing?

We are organizing to file a lawsuit.

When will we file the lawsuit? Who is our lawyer?

Our goal will be to file the first complaint by this week, September 30th, 2021. People may continue to join us even after this date. The filing date will depend on the lawyers. We have chosen Scott Street and John Howard. Scott is overseeing legal strategy. He also represented the **California Fitness Alliance** in 2020, representing more than 300 businesses.

Who are we filing on behalf of?

PERK is the advocacy group filing on behalf of thousands of people directly impacted by the mandates. Across at least 7 Counties.

Spanning at least 50+ Departments and organizations:

County Fire Departments, City Sewer/Trash/Water, DCFS/DPSS (Emergency Response Social Workers), County Probation, District Attorney’s offices, Sheriff Departments, Public Sanitation Group, County Detectives, Mental Health Facilities, DMH, PD, STC, CIOB, DPH, DHS, ICU, County Hospital Staff, Superior Court, Water and Power, IT county workers, County Council, Environmental Health, Internal Service Department, Homeless Services, County Life Guards, County Workers, Doctors, and More.

Why are we filing a lawsuit?

Protection of the Educational Rights of Kids, a non-profit known as PERK, is an advocacy organization that advocates for children, protecting children’s rights, parental rights, civil rights issues, bodily autonomy, medical freedom, and more. PERK engages with local and state elected officials on policies, legislation, and encourages constituents to actively use their voice. PERK understands the negative impact mandates are having on children and families across the state. PERK believes if the First Responders, Public Workers, and Healthcare workers were to lose their jobs, consequentially not being available to society by reducing the workforce, it would devastate the services, protection, and societal infrastructure needed for children and families at home, school, indoor/outdoor spaces, jeopardizing safety from fires, remove protection from predators, accidents, protect against crime or abuse, decrease the labor industry, including at hospitals and urgent medical needs, and impact all public and private spaces. For this reason, PERK has chosen to engage in this lawsuit.

We also believe the mandates placed upon first responders and public workers violates bodily autonomy, religious beliefs, the Nuremberg code, [Federal and State discrimination laws](#), and the mandates completely disregard any natural immunity. PERK is also certain the mandates will directly impact children negatively. When jobs are threatened, stress, instability, and food insecurities increase.

We believe all Californians are protected under the Nuremberg Code, The Declaration of Helsinki, and Siracusa Principle, we declare every human being has the right to refuse medical procedures. A declaration of emergency does not supersede human rights or forced coercion of any procedure. We support parental rights, liberties, and the protection of children. It has long been observed that governments may not repress and deny fundamental rights and freedoms of people. There is an international covenant on Civil and Political Rights called the Siracusa Principle. [California has codified in law your rights and protection under California Health and Safety Codes](#), against medical mandates, experimentations, experiments, including failure to give fully informed consent on risks, unknowns, and long-term health impact, including possibly mandating or forcing products, but failing to communicate “experimental subject’s bill of rights,” with a list of the rights of a subject in a medical experiment, written in a language in which the subject is fluent.

For example:

§ 24174. “Medical experiment” As used in this chapter, “medical experiment” means: (a) The severance or penetration or damaging of tissues of a human subject or the use of a drug or device, as defined in Section 109920 or 109925, electromagnetic radiation, heat or cold, or a biological substance or organism, in or upon a human subject in the practice or research of medicine in a manner not reasonably related to maintaining or improving the health of the subject or otherwise directly benefiting the subject.

The new investigational mRNA technology “penetrate” the tissues of a human subject and PCR testing are classified as a CLASS B medical device.

PERK is also aware of digital health passes or certificates launching in schools, cities, and counties across the state. Many are disguised as health passes, but in reality, they are mass surveillance systems, tracking platforms, genetic programs, masquerading as necessary health programs. We believe these certificates and tracking programs will lead to discrimination, a medical apartheid, and open an unprecedented danger for removing people from society.

Donations:

- We will encourage donations from all of you, but there will *not* be a specific amount required to participate. PERK will be fundraising on behalf of our advocacy and lawsuit for you. We will also be requesting donations from committed donors to fund the suit. We already have them in place to match donations.
- Donations will not be refunded.
- Our goal is to provide the first deposit this Friday, September 24, 2021, to officially retain our legal team and lawyer.
- <https://donorbox.org/first-responders-fundraiser>

Exemptions:

- You may participate regardless of submitting an exemption or not.
- We will provide templates and examples for exemptions.

What to do right now:

- Stay calm the best you can. We will be sending you resources, advocating on your behalf, as we prepare for the lawsuit.
- Every situation is so complex regarding pensions, employment, and each department. We can only recommend or make suggestions.
- How to respond to the county? Some groups are choosing to not submit anything. They ignore the requests from the county, and will not be complying in any way, with any form, or information. Others are responding, stating their information is private or that they are working with their union and cannot respond, yet. You will have to choose which option best fits you.
- Signing up for the fulgent app places you and your vaccination status into a database that will track you. We understand there may be consequences and penalties to not sign up. Not logging in may be the safest thing to do. Kick the can down the road. You may say something like “I don’t trust the app, happy to disclose, but not in a digital form.” If they come back to you, you may want to ask questions and request the Fulgent app privacy policy, informed consent, legal policy in the case of cyber breaches, and opt out options.
- Regarding the fulgent app, you may say the following “I have a right to privacy under article 1, section 1, of the California Constitution. You cannot there require that I disclose anything outside what a normal person should know. I do not have to trade or exchange one right for another.”

Participation:

- You may participate if you are in a union, but PERK will be advocating for everyone.
- You are not required to exit your union to participate.
- You may participate from any department and any county. The lawyers may strategically file against the best county. ***They will not be filing a suit to each department***, but rather a broader suit addressing what is happening in all your departments.

How this will work:

- PERK will be the organization advocating ***for all the people*** who want to be part of the lawsuit. This will allow people to remain anonymous, but still participate.
- PERK will be the organization *paying* for the lawsuit. PERK will be the *official client* with the lawyers. PERK is not a law firm, but instead a non-profit who is retaining lawyers to represent all of you on the mandate issue. We don't expect any money to be rewarded to anyone even when we win. The goal is to litigate against the mandate, and other strategic issues.
- PERK will be advocating for you by suing on your behalf. Who are we suing? That will be strategically decided by the lawyers.
- You will not be required to enter individual legal engagement agreements, unless the lawyers want certain plaintiffs represented from the group.

Liability

- We cannot be held responsible or liable if you are terminated from your job.
- We cannot be held responsible or liable for the outcome of the litigation.
- We want you to join us, but you are not obligated to work with us on this suit. If you want to litigate on your own and become a client directly with your own lawyer, go ahead.

Strategy

- PERK's hope is that instead of having each department file a suit, we file one or two broader strategic suits that impact all of your departments.
- PERK's strategy is not only a lawsuit. We also have additional strategies as well.
- We will be providing you resources such as "right to refuse" letter for the fulgent app, exemption templates, a template letter that may be sent to Union representatives, and strategic letters to your departments (*if approved by the legal team.*)
- One reason we are making this long list of who is participating with us, is to leverage your numbers. As of today, there are thousands of you spanning more than 50+ departments.
- For example, if whole departments are ready to quit (which they are), we will inform your department that the consequence of terminating your group may result in other departments quitting, too.
- We will leverage our other PERK members and coalitions (tens of thousands), to write letters and create public pressure if and when the situation warrants it.
- We have social media influencers ready to interview you, tell your stories, and highlight it.
- We are working with other coalition groups across the state as well.
- If protests, gathering, or other actions are necessary, we will organize that too.
- Some groups among us are ready to take this all the way. No compliance, termination, whatever it takes!

Sign Up:

PERK is creating a PERK Advocacy Agreement for you to sign up. This will allow us to know important details. <https://dev-clearengine.pantheonsite.io/content/perk-advocacy-agreement>