

Frequently Asked Questions & Answers regarding the “K-12 Vaccination Mandate Lawsuit”

What are we doing?

Protection of the Educational Rights of Kids (PERK) and Children’s Health Defense, Chapter (CHD-CA) are have joined forces to file a series of lawsuits against districts up and down the state of California that have decided to implement illegal, dangerous shot mandates on children in grades K-12 (as they roll out), and fight for children and parents.

Who are our lawyers?

We have chosen [FACTS LAW TRUTH JUSTICE LLP](#) attorneys Nicole C. Pearson, Jessica R. Barsotti and Rita Barnett-Rose – all committed leaders in this legal fight for medical freedom who have also worked intimately with CHD-CA – to lead the charge.

Who are filing on behalf of?

PERK and CHD-CA are advocacy groups filing on behalf of thousands of people directly impacted by the mandates.

Who are we suing?

LAUSD. LAUSD has the earliest compliance deadlines, and is the biggest District in the state. **If this can be declared by a court to be illegal, all district policies will be affected, not just the district sued.** After LAUSD, FLTJ will be suing Piedmont – with similarly early deadlines and violations – then Culver City, Oakland, Hayward, San Diego Unified School Districts, and **any other district that votes to implement any COVID-19 injection mandate.** Once these lawsuits are activated, FLTJ will set its sights on the Governor’s plan to implement a state wide mandate. This will be a massive battle that will likely be ongoing for some time.

When are we filing suit?

FLTJ filed suit against LAUSD and its Board members on **October 13, 2021.**

What’s next?

FLTJ is currently preparing to go into court to ask for immediate relief from the District’s illegal, dangerous mandate via a “temporary restraining order” (TRO). The TRO will restrain or prohibit the District and corresponding schools from continuing to enforce the shot mandate until the court can rule on the merits of our case. Once the court issues the TRO, the parties will have 12-16 days until they go into another hearing for a “preliminary injunction” (PI) prohibiting the District and schools from enforcing the mandate until the end of trial on the merits, which could be months away. ***Please keep your eyes open for an update from us regarding this next step, and also asking for your positive thoughts, prayers, and energy as they gear up to go to battle.***

Why are filing a lawsuit?

The suits against school districts will be based on procedural and policy arguments that they do not have authority to issue these mandates. This is to help parents get through the fall semester, as we know the next action is from the Legislature is for the California Department of Public Health (CDPH) to add these shots to the mandatory K-12 shot list set forth in California *Health & Safety Code*, Section 120335. **Note: we still have legal arguments to make against that action and we will make them when the time comes;** however, we need to tackle the current, illegal and dangerous effects of the Districts' and schools' now.

Donations:

- ***There is no donation requirement.*** PERK and CHD-CA are both fundraising on behalf of all families in California. However...
- ***The more money we raise, the more lawsuits we can bring against more districts, and against Newsom and the State when that battle arises.***
- You can donate via [CHD-CA's](#) or [PERK's](#) donation platforms.
- Donations will not be refunded, but will be put towards ongoing and future litigation efforts against school mandates.

Exemptions:

- LAUSD and Piedmont Unified School District have both stated that no exemptions other than medical exemptions will be honored. This is contrary to the California *Health and Safety Code* provisions on school vaccines added to the schedule.
- Although, legally, both medical and personal belief exemptions (PBE) are required to be offered in connection with any shots added to the mandatory K-12 shot list, **we do not recommend submitting exemptions for the following reasons:**
 - *You do not need to ask to be exempted from a policy that is illegal, void on its face, and should not exist to begin with.* Do not legitimize their policy by asking to be opted out of it!
 - *They are not being offered by the schools!!!*
 - ***We believe that – as the Legislature did with SB277 – they will use the number of premature, ineffective PBE's submitted to justify legislation banning PBE's altogether, again, with respect to the CV19 shots.***
 - Even if you are successful in obtaining an exemption, what does that look like?
 - Oppressive, invasive, stressful conditions on your child.
 - Entry into the government's database for tracking.

Participation:

- Anyone can participate in these suits by donating, providing information and insights, signing declarations describing your experiences and the impact this has had on your child and family, educating your community, and volunteering. **This can all be done anonymously, if desired because CHD-CA and PERK have stepped into your and your child's shoes** so that you can help “behind the scenes” and not be required to divulge any personal information.

- You may participate from any district and any county.
- FLTJ will not be filing a suit to each district, but rather a broader suit addressing what is happening in all the districts implementing mandates for schools. The ultimate goal is to address the statewide policy announced by the governor.

How This Is Working:

- PERK and CHD-CA are the plaintiffs – and FLTJ’s clients – **representing and advocating for all California families** that want to be part of the lawsuit. This will allow most people to remain anonymous, but still participate.
- **PERK and CHD-CA are paying for the lawsuits** via donations and contributions. Neither organization is a law firm, but non-profit organizations retaining lawyers to represent all of you on the K-12 shot mandate issues.
- **We do not expect any money to be awarded in these lawsuits, even when we win.** The goal is to defeat the mandate, not win damages.
- If any damages are awarded they will be distributed to all those who participate in the suits, as required by law.
- Any of you are free to personally pursue damages in a lawsuit on your own behalf if you feel that is warranted.
- You will not be required to enter individual legal engagement agreements, unless the lawyers want certain strategic plaintiffs represented from the group.

Disclaimer

- We cannot be held responsible or liable for any health-related decisions you or your family make regarding the mandates.
- 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 choose your own lawyer, and become a client directly with that lawyer, you may do so. Nothing in this arrangement prohibits anyone from hiring their own lawyer to pursue claims related to the mandates or otherwise personal to an individual’s child.
- Educate and empower you to rise up and fight these unlawful mandates together in the courts of law *and* public opinion and influence! ***We have the numbers, we have the Truth, and we are on the right side of History.***
- Here are links to legal resources we believe are critical for you to familiarize yourself with *and share* so that we can defeat these illegal, deadly mandates together:
 - [Cease and Desist Letter to PASSED K-12 Shot Resolutions,](#)
 - [Cease and Desist Letter to PROPOSED K-12 Shot Resolutions,](#)
 - [FLTJ Letter of Due Diligence for K-12 School -](#)

- Here is a link to [FLTJ RESOURCES](#) page, in general.

WHAT TO DO RIGHT NOW:

- **Stay calm** the best you can. We will be sending you resources, advocating on your behalf, and preparing the lawsuit.
- Every situation is unique, as is your child's and family's situation, in addition to the rules and policies of each district. Some families are choosing to not respond to or submit anything, ignoring requests and refusing to comply in any way. Others are responding, stating the information is private. Others are stating they are working with their doctor and cannot respond, yet. You will have to choose which option best fits you.
- **Note: signing up for the Daily Pass App, the COLOR App or any similar tracking app used by the district or school places you and your child's vaccination status into a database that will track you and/or your children.** These apps blockchain, which means it's connected to everything including bank accounts and more.
 - Most districts state that use of a digital app is not required to attend school. Assert your right to use a non-digital version of any school entry requirements. 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 particular app privacy policy, informed consent, legal policy in the case of cyber breaches, and opt out options.
 - You might also say, "I have a right to privacy under article 1, section 1, of the California Constitution. You cannot require that I disclose anything outside what a normal person should know. I do not have to trade or exchange one right for another."