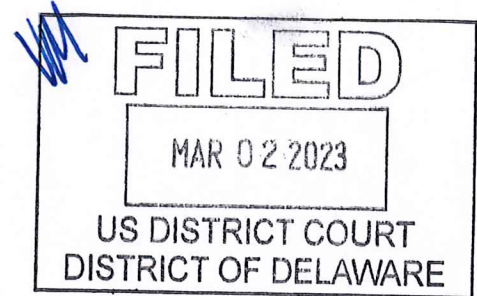
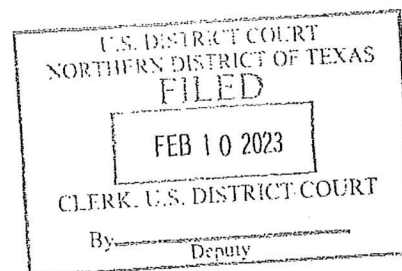


INTERVENORS' EXHIBIT 1





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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

STATE OF TEXAS,)
)
STATE OF OKLAHOMA,)
Plaintiffs,)

Case No.: 4:23-cv-00066-Y

v.)

**PROPOSED COMPLAINT
CLASS ACTION**

U.S. DEPARTMENT OF HEALTH AND)
HUMAN SERVICES,)

DEMAND FOR JURY TRIAL

XAVIER BECERRA, *In His Official*)
Capacity As Secretary of Health and)
Human Services,)

MARVIN FIGUEROA, *In His Official*)
Capacity As Director of)
Intergovernmental and External Affairs of)
the Department of Health and Human)
Services,)

Defendants.)

EMANUEL MCCRAY, *On Behalf of*)
Himself and All Others Similarly Situated,)

Intervenors-Plaintiffs.)

I. INTRODUCTION

1
2 1. The States of Texas and Oklahoma, *hereinafter* Plaintiff States, have alleged
3
4 the Defendants have unlawfully refused to “remove an unlawful regulation from
5 federal law” and that the offending regulation, 42 C.F.R. § 70.1, “unlawfully
6 delegates to the World Health Organization (WHO) the authority to invoke
7 emergency health powers in the United States—infringing on U.S. and state
8 sovereignty.” Plaintiff States Complaint at 1-2.
9

10 2. The unlawful delegation contained in 42 C.F.R. § 70.1 does quite a bit more,
11
12 which is absolutely chilling. The regulation, which appears to have been
13 promulgated in furtherance of the international Communist and Socialist healthcare
14 conspiracy that led to the creation of the WHO in 1948, hangs the WHO’s Sword of
15 Damocles over the entire Constitutions and laws of the United States and the
16 Several States, and over each citizen of the United States where she/he reside. See
17 Circuit Judge Fletcher’s dissent in *U.S. v. Wilkerson*, 208 F.3d 794, 799 (9th Cir.
18 2000) arguing that the “judge’s Sword of Damocles hanging over [the prosecutor]...
19
20 would require also disqualifying the judge.” See also the dissent of Justices
21 Marshall, Douglas and Brennan in *Arnett v. Kennedy*, 416 U.S. 134, 230-31 (1974),
22
23 finding the “uncertainty” of the scope of the dismissal policies “creates the very
24 danger of a chilling effect” to speech by “hang[ing] over their heads like a sword of
25
26
27
28

1 Damocles...for the value of a sword of Damocles is that it hangs — not that it
2 drops.”

3
4 3. The People of the United States did not ordain a Constitution that is capable
5 of delegating authority over their health, safety, welfare and individual sovereignty
6 back to the world Powers who initially created the WHO, namely Austria, France,
7 Great Britain, Greece, the Kingdom of the Two Sicilies, the Ottoman Empire, the
8 Papal States, Portugal, Russia, Spain, Sardinia, and Tuscany, and from whom the
9 People of the United States won their independence, fair and square.
10

11 **II. JURISDICTION AND VENUE**

12
13 4. Jurisdiction is proper in this District Court under 28 U.S.C. §§ 1331, 1346,
14 2201 and 2202.

15
16 5. Pursuant to 28 U.S.C. § 1391(e), venue is proper because at least one Plaintiff
17 resides in Texas and at least one defendant is an officer or employee of the United
18 States acting in his official capacity and under color of legal authority.
19

20 **III. PARTIES**

21 6. Plaintiff State of Oklahoma is a sovereign state which evolved from claims
22 by both Spain and France to the lands now included within the bounds of
23 Oklahoma. The State was subsequently acquired by the United States as part of the
24 Louisiana Purchase of April 30, 1803. Oklahoma’s legal interests are represented by
25 the Attorney General of Oklahoma.
26
27
28

1 7. Plaintiff State of Texas is a sovereign state which evolved from the Adams-
2 Onís Treaty of February 22, 1819, which ceded the United States' claims to Texas
3 to Spain. In September 1821, Agustín de Iturbide, a Mexican military commander,
4 successfully obtained Mexico's independence from Spain, which included the
5 political subdivision of Texas. In or about March 1836, the Tejas region of the state
6 of Coahuila y Tejas successfully revolted against the Mexican Empire. The Treaties
7 of Velasco on May 14, 1836 created the independent Republic of Texas, whose
8 legal interests are represented by the Attorney General of Texas.
9

10
11
12 8. Intervenor-Plaintiff Emanuel McCray ("McCray") is a citizen of the United
13 States. McCray served in the United States military as an Intelligence Officer, a
14 Staff Counterintelligence Officer, a Human Intelligence Officer, and as Commander
15 of a Technical Surveillance Countermeasures Unit.
16

17 9. Defendant United States Department of Health and Human Services (HHS) is
18 an agency of the United States which evolved from the Cabinet-level Department of
19 Health, Education, and Welfare (HEW) in 1953 under President Dwight D.
20 Eisenhower. In 1979 the Department of Education split from HEW, and the
21 Department of Health and Human Services was formed.
22
23

24 10. Defendant Xavier Becerra ("Becerra") evolved from a career as a lawyer and
25 politician and is the Secretary of Defendant Health and Human Services. Defendant
26
27
28

1 Becerra has completed no formal education as a medical doctor or other health care
2 professional.

3
4 11. Defendant Marvin Figueroa (“Figueroa”) evolved from La Ceiba, Honduras
5 and from “serving others through public policy” with the following employment
6 history in the United States:

7
8 U.S. Department of Health and Human Services Office of
9 Intergovernmental Affairs (Jan. 2021- present) (Director of
10 Intergovernmental and External Affairs)

11 Virginia Office of the Governor (Jan. 2018-Jan. 2021) (Gov. Ralph
12 Shearer Northam)

13 U.S. Sen. Mark Warner (D-VA) (2010-Jan. 2018)

14 Hillary for America (July 2016-Nov. 2016)

15 U.S. Sen. Mark Warner (D-VA) (2013-2015) (“Senior Policy Adviser”,
16 “Legislative Assistant”, “Legislative Aide”, “Legislative
17 Correspondent” and “Secondary Education Graduate Fellow”)¹

18
19
20 ¹ On January 23, 2023, the U.S. Attorney’s Office for the Southern District of New York announced the
21 unsealing of a five-count Indictment charging CHARLES MCGONIGAL and SERGEY SHESTAKOV with violating
22 and conspiring to violate the International Emergency Economic Powers Act (“IEEPA”) and with conspiring to
23 commit money laundering and money laundering...by agreeing to provide services to Oleg Vladimirovich Deripaska
24 [Deripaska], a sanctioned Russian oligarch. Available from <https://www.justice.gov/usao-sdny/pr/former-special-agent-charge-new-york-fbi-counterintelligence-division-charged-violating>. Deripaska has Identity Intelligence ties to
25 U.S. Senator Mark Warner; Christopher Steele and the “Steele Dossier”; The “Russia Gate” investigation; Operation
26 “Crossfire Hurricane”; Russian billionaire Sergey Grishin’s network of escorts, which includes Anastasia
27 Vashukevich (a.k.a. Nastya Rybka), a Belarusian model who claimed to have had information on ties between Russia
28 and President Donald Trump’s election campaign which she turned over to Oleg Deripaska; and former FBI Director
James Comey, who appointed MCGONIGAL to his post. See the following links:

- 25 (1) <https://truthsocial.com/@trumpgenius/posts/109769584452966162>
26 (2) <https://truthsocial.com/@trumpgenius/posts/109769745147854171>
27 (3) <https://truthsocial.com/@trumpgenius/posts/109769762364851941>
28 (4) <https://truthsocial.com/@trumpgenius/posts/109769781300715367>
(5) <https://truthsocial.com/@trumpgenius/posts/109769883366220240>
(6) <https://truthsocial.com/@trumpgenius/posts/109769713004359924>
(7) <https://truthsocial.com/@trumpgenius/posts/109769717421978877>.

1 12. Defendant Figueroa is the Director of Intergovernmental and External Affairs
2 of the Department of Health and Human Services and is responsible for responding
3 to the petition for rulemaking on behalf of Defendant HHS and Defendant Secretary
4 Becerra. Defendant Figueroa has completed no formal education as a medical
5 doctor or other health care professional, which converts his entire response to the
6 Petition to a species of fraud.
7
8

9 **IV. FORMATION AND ACTIONS OF THE**
10 **INTERNATIONAL HEALTHCARE CONSPIRACY**

11 13. During the period from 1775-1776, France and Great Britain caused U.S.
12 General George Washington to suffer defeat during the United States' military
13 campaign to capture the cities of Montréal and Quebec.² These Powers had
14 deliberately introduced into Washington's army and the "United Colonies" the
15 "variola virus", which causes the "smallpox disease". This event is believed to be
16 the genesis of the international healthcare conspiracy agreed to by and among
17 Europe's Socialists and Communists.
18
19

20 14. On July 23, 1851, in furtherance of the international healthcare conspiracy, 12
21 countries convened the first "International Sanitary Conference" ("ISC") in Paris,
22 France, namely: Austria, France, Great Britain, Greece, the Kingdom of the Two
23 Sicilies, the Ottoman Empire, the Papal States, Portugal, Russia, Spain, Sardinia,
24
25

26 ² Hirschfeld, Fritz, *"Smallpox, the Continental Army, and General Washington"* (1991). Dissertations,
27 Theses, and Masters Projects. William & Mary. Paper 1539625695. <https://dx.doi.org/doi:10.21220/s2-ecgi-sq04>.
28 Available from <https://scholarworks.wm.edu/etd/1539625695/>;
<https://scholarworks.wm.edu/cgi/viewcontent.cgi?article=4733&context=etd>.

1 and Tuscany. Each country was represented by two unelected individuals—a
2 physician and a diplomat.³

3
4 15. In furtherance of the international healthcare conspiracy, the results produced
5 by the subsequent 14 ISCs were used to create the World Health Organization
6 (“WHO”) on April 7, 1948. The new WHO incorporated the works of the ISCs, and
7 the assets, personnel, and duties of the League of Nations’ Health Organization and
8 the Office International d’Hygiène Publique, including the International
9 Classification of Diseases (ICD).
10

11
12 16. The ISCs also provided the lessons learned foundation which led to the
13 creation of the false 2020 global “data-demic” that became known as “COVID-19”,
14 a false disease which has been incorporated in the ICD.
15

16 17. The smallpox disease is believed to date back to the Egyptian Empire around
17 the 3rd century Before Common Era. The disease was also written about in 4th
18 century China (Common Era); India in the 7th century CE; and Asia Minor in the
19 10th century CE.
20

21 18. On or about May 8, 1980, in furtherance of the international healthcare
22 conspiracy, the 33rd World Health Assembly of the World Health Organization,
23 officially celebrated the end of the smallpox disease by mass vaccinations:
24

25
26 ³ Norman Howard-Jones. *The Scientific Background of the International Sanitary Conferences 1851-1938*
27 (1975). Available from http://whqlibdoc.who.int/publications/1975/14549_eng.pdf; *International Sanitary*
28 *Conferences*. Harvard Library. Available from [https://curiosity.lib.harvard.edu/contagion/feature/international-](https://curiosity.lib.harvard.edu/contagion/feature/international-sanitary-conferences)
[sanitary-conferences](https://curiosity.lib.harvard.edu/contagion/feature/international-sanitary-conferences).

1 'Eradication of smallpox is considered the biggest achievement in international
2 public health.'⁴

3
4 19. Based on McCray's training, education, and experience, the WHO's smallpox
5 disease celebration involves the clever use of propaganda and deception, given the
6 fact that as of November 28, 2021, the "variola virus", which causes the smallpox
7 disease, is being kept alive and officially stored and handled under WHO
8 supervision by "the [U.S. CDC] in Atlanta, Georgia, and the State Research Center
9 of Virology and Biotechnology (VECTOR Institute) in Koltsovo, Russia."⁵

10
11 20. The U.S. CDC, and not the WHO, states that the reason for keeping the
12 variola virus alive is controlled by the fact that:⁶ "scientists and public health
13 officials determined there was still a need to perform research using the variola
14 virus"⁷—a fact that keeps the CDC's Sword of Damocles hanging over the health
15 and safety of all Americans.

16
17
18 21. In furtherance of the international healthcare conspiracy, Congress enacted
19 Section 141, act July 1, 1902, ch. 1378, § 1, 32 Stat. 728, (Title 42 §§ 141 to 148),
20 as "An Act To regulate the sale of viruses, serums, toxins, and analogous products
21 in the District of Columbia; to regulate interstate traffic in said articles, and for
22

23
24 ⁴ *History of Smallpox*. Centers for Disease Control and Prevention, National Center for Emerging and
25 Zoonotic Infectious Diseases (NCEZID), Division of High-Consequence Pathogens and Pathology (DHCPP).
Available from <https://www.cdc.gov/smallpox/history/history.html>.

26 ⁵ *Id.*

27 ⁶ *Id.*

28 ⁷ *Smallpox Research*. Centers for Disease Control and Prevention, National Center for Emerging and
Zoonotic Infectious Diseases (NCEZID), Division of High-Consequence Pathogens and Pathology (DHCPP).
Available from <https://www.cdc.gov/smallpox/research/index.html>.

1 other purposes.” Congress repealed §§ 141-148, July 1, 1944, ch. 373, title XIII, §
2 1313, 58 Stat. 714. These sections now appear under 42 U.S. Code §262.
3

4 22. By providing for the sale and interstate traffic of viruses, serums, toxins,
5 antitoxins, etc., Congress knowingly opened the door that would threaten the health
6 and safety of all Americans in future years, including the present.
7

8 23. In furtherance of the international healthcare conspiracy, Congress and
9 President Truman deliberately outsourced key healthcare functions to the WHO.

10 McCray’s counterintelligence investigation found the following:
11

12 (1) On September 27, 1952, Democratic President Harry S. Truman
13 issued Executive Order No. 10399, 17 F.R. 8648, wherein the Surgeon
14 General of the U.S. was directed to perform certain duties under the
15 International Sanitary Regulations of the World Health Organization
for purposes of carrying out the duties of the “International Health
Administration” and the international healthcare conspiracy.

16 (2) Under 42 U.S.C. §242k, a National Center for Health Statistics
17 and a National Committee on Vital and Health Statistics were created.
18 Subdivision (k) directed cooperation “with national committees of
19 other countries and with the World Health Organization and other
national agencies in the studies of problems of mutual interest....”

20 (3) Under 42 U.S.C. §242l, Congress provided authority for the
21 HHS Secretary to engage in international “cooperative endeavors” with
22 international “organizations, such as the World Health Organization
23 and the United Nations Children’s Fund....”

24 (4) Under the national program of cancer registries, 42 U.S.C.
25 §280e, Congress directed that a system be created “that includes
26 topography (site) information and histology (cell type information)
developed by the World Health Organization....”
27
28

1 (5) In subdivision (j) of 42 U.S.C. §282, Congress commanded that
2 the HHS Secretary “shall consider the status of the consensus data
3 elements set for reporting clinical trial results of the World Health
4 Organization when issuing the regulations under this subparagraph.”

4 (6) Under subdivision (c) of 42 U.S.C. § 300cc–15, Congress
5 directed the HHS Secretary to the “Special Programme of World
6 Health Organization...in furtherance of the global strategy of the
7 World Health Organization Special Programme on Acquired
8 Immunodeficiency Syndrome.”

8 (7) Under subdivision (d) of 42 U.S.C. §300cc–15, Congress
9 directed that in providing grants, etc., the HHS Secretary “shall” give
10 preference to “the World Health Organization.”

11 24. From 1945 through 1947, the United States, through the Office of Military
12 Government for Germany (“OMGUS”), brought to trial twenty-four major political
13 and military leaders of Nazi Germany before the International Military Tribunal
14 (“IMT”). An additional 185 defendants from many sectors of German society were
15 brought before the United States Nuremberg Military Tribunals (“USNMT”) in a
16 series of twelve trials known as the “Subsequent Nuremberg Proceedings.” The
17 defendants were grouped according to their main area of activity: medical, legal,
18 ethnological, economic, or political.

19 25. On December 9, 1946, in the United States’ Opening Statement, Brigadier
20 General Telford Taylor explained the “other responsibilities” of the United States:
21

22 “The defendants in the dock are charged with murder, but this is no
23 mere murder trial. We cannot rest content when we have shown that
24 crimes were committed and that certain persons committed them. To
25 kill, to maim, and to torture is criminal under all modern systems of
26 law. These defendants did not kill in hot blood, nor for personal
27

1 enrichment. Some of them may be sadists who killed and tortured for
2 sport, but they are not all perverts. They are not ignorant men. Most of
3 them are trained physicians and some of them are distinguished
4 scientists. Yet these defendants, all of whom were fully able to
5 comprehend the nature of their acts, and most of whom were
6 exceptionally qualified to form a moral and professional judgment in
this respect, are responsible for wholesale murder and unspeakably
cruel tortures.”

7 26. Defendants Becerra and Figueroa are not trained physicians or distinguished
8 scientists and should not be making important national and foreign policies
9 regarding the health and safety of Americans. This is so, notwithstanding the fact
10 that on June 14, 1948, in furtherance of the international healthcare conspiracy,
11 Congress enacted 22 U.S. Code §290, ch. 469, §1, 62 Stat. 441, which authorized
12 the U.S. President to “accept membership for the United States in the [WHO], the
13 constitution of which was adopted in New York on July 22, 1946, by the
14 International Health Conference for the establishment of an International Health
15 Organization, and deposited in the archives of the United Nations.”
16
17
18

19 27. The United States also presented evidence during its war crimes tribunals of
20 the “mass extermination” of the Jews in Poland and the premeditated “mass
21 murder” of every Polish national found to be infected with tuberculosis to prevent
22 these humans from infecting the Germans that were being settled by Nazi Germany
23 in the “Warthegau”, an area of western Poland annexed by Nazi Germany:
24
25

26 From the preaching of Guett and others sprang the notions which
27 underlie the crimes to which we will now turn. Here we leave behind
28 all semblance, however fictitious, of science and research. Under these

1 teachings, life and livelihood became the birthright of no one. The
2 weak and the physically handicapped are in the way and must be
3 pushed aside. Inferior peoples are born to be exterminated by the
4 Herrenvolk.... The original impetus for this terrible mass murder came
5 from a fiend named [Arthur] Greiser, who was the German Governor
6 of the northwest portions of Poland, which had been absorbed into the
7 Reich under the name "Wartheland." Early in 1942, Greiser was in the
8 process of exterminating [approximately "100,000"] Jews in his
9 territory, and he decided to turn his attention next to Poles infected
10 with tuberculosis.... In May 1942, Greiser wrote to Himmler...: "There
11 are about 230,000 people of Polish nationality in my district who were
12 diagnosed to suffer from tuberculosis. The number of persons infected
13 with open tuberculosis is estimated at about 35,000. This fact has led in
14 an increasing frightening measure to the infection of Germans, who
15 came to the Warthegau perfectly healthy." *Trials of War Criminals*
16 *Before the Nuernberg Military Tribunals Under Control Council Law*
17 *No. 10 (Volume 1)*, at 61-62 (October 1946 – April 1949).⁸

18 28. Others agreed with Greiser and further suggested that:

19 "Aided by the X-ray battalion [Roentgen Sturmabteilung] we could reach
20 the entire population, German and Polish, of the Gau during the first
21 half of 1943... [and that] [i]f absolute secrecy could be guaranteed, all
22 scruples-regardless of what nature-could be over-come." *Id.* at 63-65.

23 29. The United States informed the war crimes Tribunal that:

24 "The prosecution will introduce evidence to show that the [Polish]
25 program was in fact carried out at the end of 1942 and the beginning of
26 1943, and that as a result of the suggestions made by Blome and
27 Greiser, many Poles were ruthlessly exterminated and that others were
28 taken to isolated camps, utterly lacking in medical facilities, where
thousands of them died." *Id.* at 64.

30. In Case No. 1, *U.S. v. Karl Brandt et al.* ("Medical Case") (1946-1947), the
United States charged that one Karl Brandt ("Brandt"), personal physician to Adolf

⁸ Available from U.S. Department of Health and Human Services, National Institutes of Health,
<https://collections.nlm.nih.gov/catalog/nlm:nlmuid-01130400RX1-mvpart>. [Last visited on January 26, 2023].

1 Hitler, and others, “participated in a Common Design or Conspiracy to commit and
2 did commit War Crimes and Crimes against Humanity”.

3
4 31. *Brandt, et al.*, in the course of inhumane experiments, “committed murders,
5 brutalities, cruelties, tortures, atrocities, and other inhumane acts” by “deliberately”
6 infecting healthy humans with the “spotted fever virus” to test the effectiveness of
7 “spotted fever and other vaccines” and of “other chemicals”, and “to keep the virus
8 alive.... As a result, hundreds of persons experimented upon died.”⁹

9
10 32. In Case No. 6, *U.S. v. Carl Krauch et al.* (“I.G. Farben Case”) (1947-1948),
11 the United States charged that the named officials of Interessengemeinschaft
12 Farbenindustrie Aktiengesellschaft (“I.G. Farben”), “while acting through the
13 instrumentality of FARBEN and otherwise”, “committed Crimes against Peace,
14 War Crimes and Crimes against Humanity, and participated in a common plan or
15 conspiracy to commit said crimes”.

16
17
18 33. The Indictment charged that FARBEN “was not only the greatest industrial
19 combine ever formed in Germany but one of the greatest in the world.” The
20 defendants were accused of, *inter alia*, murdering millions of people and inflicting
21 suffering upon millions more. In the death chambers, it “took from three to fifteen
22 minutes to kill the people.... In some instances, attempts were made to utilize the fat
23 from the bodies of the victims in the commercial manufacture of soap.”
24
25

26
27 ⁹ Available from https://www.loc.gov/rr/frd/Military_Law/pdf/NT_Indictments.pdf#page=2.

1 34. At Auschwitz, innocent humans “were forcibly subjected to cruel and unusual
2 experiments in surgery and tests of various medications. These surgical and medical
3 experiments consisted in the main of castrations, ovarian operations, amputations,
4 complete removal of sexual organs, abortions, sterilization by X-Ray, injection with
5 the virus of certain diseases, and subsequent oral or intra-venal application of
6 various drugs and pharmaceutical products. Many of the pharmaceuticals used were
7 manufactured by and procured from one or more of FARBEN’s plants.”

10 35. The Indictment further charged that “I. G. FARBEN carried on propaganda,
11 intelligence and espionage activities” on behalf of Hitler and the Nazis. “In
12 advertising campaigns abroad, FARBEN emphasized Nazi ideology. On 16
13 February 1933, the Board of Directors of the Pharmaceutical Division of FARBEN
14 (Bayer) resolved that advertising in journals hostile to Germany “shall on all terms
15 be avoided.””¹⁰

18 36. In Case No. 10, *U.S. v. Alfried Felix Alwin Krupp Von Bohlen Und Halbach*
19 *et al.* (“Krupp Case”), the United States presented evidence that Krupp, even before
20 the Nazi attack on the Soviet Union had begun, and with the aid of the German
21 Nazis, took “fullest and most ruthless exploitation of all Soviet economic
22 resources.” The United States presented evidence that:

25 “KRUPP obtained from [the Berg und Huettengewerkschaft Ost
26 m. b. H. (BHO)] the priority for exploitation of the Ukraine and the

27 ¹⁰ Available from https://www.loc.gov/rr/frd/Military_Law/pdf/NT_Indictments.pdf#page=67.

1 trusteeship of numerous valuable enterprises, including two plants in
2 Mariupol; the Ilyitch and Azov “A” plants, in Kramatorskaya; and the
3 Molotov Works in Dneperpetrovsk. In 1943 KRUPP undertook: (the
4 complete dismantling of the electro-steel mill at Mariupol for shipment
5 to the KRUPP Bertha Werk near Breslau[, Poland]. Under special
6 provisions of its agreement with the BHO, KRUPP obtained an option,
7 to be exercised after the war, on the property of which it was trustee.
8 Pursuant to the plans and programs of the BHO, RVK and RVE,
9 KRUPP participated in numerous plans and programs for exploiting
10 mining and smelting properties in Russia, and for stripping the
11 occupied territory of stocks, raw materials, scrap iron and other
12 property.” *Id.* at 23.

13 37. The following individuals¹¹ admitted responsibility for creating the “data”
14 that China, the WHO, the World Economic Forum (“WEF”), the United Nations,
15 private businesses and healthcare organizations used to perpetrate a biological hoax
16 against the citizens of the United States in direct violation of 18 U.S. Code
17 §1038(a), which provides a civil cause of action under 18 U.S. Code §1038(b):

18 **Edward C. Holmes** (Shanghai Public Health Clinical Center, Fudan
19 University, Shanghai, China; and Marie Bashir Institute for Infectious
20 Diseases and Biosecurity, School of Life and Environmental Sciences
21 and School of Medical Sciences, The University of Sydney, Sydney,
22 New South Wales Australia)

23 **Fan Wu, Yan-Mei Chen, Zhi-Gang Song, Yuan-Yuan Pei, Yu-Ling**
24 **Zhang, Fa-Hui Dai, Yi Liu, Qi-Min Wang, Jiao-Jiao Zheng, and**
25 **Lin Xu** (Shanghai Public Health Clinical Center, Fudan University,
26 Shanghai, China)

27 ¹¹ See Wu F, Zhao S, Yu B, Chen YM, Wang W, Song ZG, Hu Y, Tao ZW, Tian JH, Pei YY, Yuan ML,
28 Zhang YL, Dai FH, Liu Y, Wang QM, Zheng JJ, Xu L, Holmes EC, Zhang YZ. *A new coronavirus associated with*
 human respiratory disease in China. Nature. 2020 Mar;579(7798):265-269. doi: 10.1038/s41586-020-2008-3. Epub
 2020 Feb 3. Erratum in: Nature. 2020 Apr;580(7803):E7. PMID: 32015508; PMCID: PMC7094943. Available from
 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7094943/>.

1 **Su Zhao, Yi Hu, Zhao-Wu Tao, and Ming-Li Yuan** (Department of
2 Pulmonary and Critical Care Medicine, The Central Hospital of
3 Wuhan, Tongji Medical College, Huazhong University of Science and
4 Technology, Wuhan, China)

5 **Bin Yu and Jun-Hua Tian** (Wuhan Center for Disease Control and
6 Prevention, Wuhan, China)

7 **Wen Wang** (Department of Zoonosis, National Institute for
8 Communicable Disease Control and Prevention, China Center for
9 Disease Control and Prevention, Beijing, China)

10 **Yong-Zhen Zhang** (Shanghai Public Health Clinical Center, Fudan
11 University, Shanghai, China; School of Public Health, Fudan
12 University, Shanghai, China; Department of Zoonosis, National
13 Institute for Communicable Disease Control and Prevention, China
14 Center for Disease Control and Prevention, Beijing, China)

15 38. Edward C. (“Eddie”) Holmes, among several others, directly discussed his
16 group’s data with Anthony Fauci soon after the release of this “data” for the plan
17 going forward.

18 39. McCray found that on or about Friday, January 31, 2020, a volcano of chatter
19 erupted between the following individuals (“the Group”), among others, including
20 Edward C. “Eddie” Holmes:

21 Jeremy Farrar (Director, Wellcome Trust), Anthony Fauci, Dr. Soumya
22 Swaminathan (WHO scientist), Emily Erbelding,¹² Hugh
23 Auchincloss,¹³ Colin McIff (Deputy Director, Office of Global Affairs,

24 ¹² “Emily Erbelding, M.D., M.P.H., serves as Director of the NIAID Division of Microbiology and
25 Infectious Diseases (DMID). Dr. Erbelding is responsible for the strategic and scientific vision for DMID’s complex
26 national and international research program. DMID supports basic, preclinical, and clinical investigations into the
27 causes, diagnosis, treatment, and prevention of a broad range of pathogens, including those related to biodefense and
28 emerging infectious diseases.” Available from <https://www.niaid.nih.gov/about/emily-erbelding-md-mph>.

¹³ “Hugh Auchincloss, M.D., serves as NIAID Principal Deputy Director. In this capacity, Dr. Auchincloss is
responsible for the following: Providing leadership for all NIAID research planning and implementation activities,
including helping to prepare and support a strategic vision for NIAID; Overseeing an extensive portfolio of basic,

1 HHS), Brian Harrison (HHS Chief of Staff),¹⁴ Francis Collins, Kristian
2 G. Anderson, Thomas Alexander, Andrew Rambaut, Christian Drosten,
3 Patrick Vallance, Ron “R.A.M.” Fouchier (Rotterdam), Mike
4 Ferguson, Paul Schreier, Cliff Lane, Lindsey Baden, Hilary Marston,
5 Patricia Conrad, Andrea Lerner, David Morens, Garrett Grigsby,
6 Hilary Marston, Kyle Zebley, Lawrence Kerr, Mara Burr, Maya
7 Levine, Nelson Arboleda, Mike Ferguson, Stefan Pohlmann, John W.
8 Mellors (University of Pittsburgh School of Medicine), Pali Nazir, Tae-
9 Wook Chun, Mark Connors, Martin Blaser, Deborah L. Birx, Jeff
10 Trammell, Dr. Art Kamm, Ian W. Lipkin, David Katz, Robert Eisinger,
11 Gregory Klomp, Vincent Munster, Gregg Gonsalves, Anne Schuchat,
12 MD, Nancy Messonnier, Marion Petronella Gerarda (“M.P.G.”)
13 Koopmans (Rotterdam), Josie Golding, Lawrence Tabak, Shannah
14 Goldner, (NBC Universal); Council Member/Fellow of the United
15 Kingdom Academy of Medical Sciences, Professor Sir Roy Anderson
16 FRS FMedSci (Imperial College London), Kay Johnson, George Q.
17 Daley (Dean of the Faculty of Medicine, Harvard Medical School),
18 Cynthia Antoniak (NBC Universal/MSNBC), and Jennifer Routh.

19 40. On or about Monday, February 3, 2020, Yong-Zhen Zhang, Edward C.
20 Holmes, and others, confirmed the virus named “SARS-CoV-2” had a filial
21 relationship with SARS coronavirus Tor2 (April 25, 2003), GenBank accession
22 number AY274119,¹⁵ which is associated with a patent assigned to Defendant
23 Health and Human Services’ Centers for Disease Control and Prevention (“CDC”),
24 and Bat SARS-like coronavirus isolate bat-SL-CoVZC45 (January 2018),¹⁶

25 clinical, and applied research, as well as product development for biodefense, HIV/AIDS, infectious diseases, and
26 immune-mediated disorders.” Available from <https://www.niaid.nih.gov/about/hugh-auchincloss-md>.

27 ¹⁴ Aila Slisco. Who Is Brian Harrison? Former Labradoodle Breeder Reportedly Led HHS Response to
28 Coronavirus. Newsweek. April 22, 2020. Available from <https://www.newsweek.com/who-brian-harrison-former-labradoodle-breeder-reportedly-led-hhs-response-coronavirus-1499650>.

¹⁵ *SARS coronavirus Tor2, complete genome*. Available from
<https://www.ncbi.nlm.nih.gov/nuccore/AY274119>; He R, Dobie F, Ballantine M, et al. *Analysis of multimerization of the SARS coronavirus nucleocapsid protein*. *Biochem Biophys Res Commun*. 2004;316(2):476-483. doi:10.1016/j.bbrc.2004.02.074. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7111152/>.

¹⁶ Hu D, Zhu C, Ai L, et al. *Genomic characterization and infectivity of a novel SARS-like coronavirus in Chinese bats* [published correction appears in *Emerg Microbes Infect*. 2020 Dec;9(1):2727]. *Emerg Microbes Infect*.

1 GenBank accession number MG772933,¹⁷ which is associated with China's
2 People's Liberation Army (PLA). These dates combine to place "SARS-CoV-2" in
3
4 existence since at least April 2003, as modified in January 2018, when "Bat SARS-
5 like coronavirus isolate bat-SL-CoVZC45" was reported by China's PLA.

6 41. On 18 May 2020 at 7:55pm, former President Trump used the microblogging
7
8 social networking service known as "Twitter" to "tweet"¹⁸ a copy of his four-page,
9 "self-explanatory", letter to Dr. Tedros Adhanom Ghebreyesus of the WHO.

10 42. At page 2 of the WHO letter, President Trump specially mentioned "Dr.
11
12 Zhang Yongzhen",¹⁹ and stated that:

13 "According to Dr. Zhang Yongzhen of the Shanghai Public Health
14 Clinic Center, he told Chinese authorities on January 5, 2020, that he
15 had sequenced the genome of the virus. There was no publication of
16 this information until six days later, on January 11, 2020, when Dr,
17 Zhang self-posted it online. The next day, Chinese authorities closed
18 his lab for "rectification." As even the World Health Organization
19 acknowledged, Dr. Zhang's posting was a great act of
20 "transparency." But the World Health Organization has been
21 conspicuously silent both with respect to the closure of Dr. Zhang's
22 lab and his assertion that he had notified Chinese authorities of his
23 breakthrough six days earlier."

24 2018;7(1):154. Published 2018 Sep 12. doi:10.1038/s41426-018-0155-5. Available from
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6135831/>.

25 ¹⁷ *Bat SARS-like coronavirus isolate bat-SL-CoVZC45, complete genome*. Available from
<https://www.ncbi.nlm.nih.gov/nuccore/MG772933>.

26 ¹⁸ Available at <https://twitter.com/realDonaldTrump/status/1262577580718395393>. Accessed May 18, 2020.

27 ¹⁹ See, Wu F, Zhao S, Yu B, et al. *A new coronavirus associated with human respiratory disease in China*
[published correction appears in *Nature*. 2020 Apr;580(7803):E7]. *Nature*. 2020;579(7798):265-269.

28 doi:10.1038/s41586-020-2008-3. Available from: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7094943/>.
Accessed March 19, 2020 and April 30, 2020.

1 43. Dr. Zhang Yongzhen's SARS-CoV-2 genome sequence was financially
2 supported by China's Special National Project on investigation of basic resources of
3 China (Grant No. SQ2019FY010009) and National Natural Science Foundation of
4 China under Grant Nos.81861138003 and 31930001.

6 44. Financial support for Australian author Edward C. Holmes was directly
7 provided by an "ARC Australian Laureate Fellowship under "FL170100022."

9 45. The research article referencing GenBank accession number AY274119
10 authored by He, *et al.*,²⁰ in turn cites Rota *et al.*,²¹ National Center for Infectious
11 Diseases, Centers for Disease Control and Prevention, Atlanta, GA 30333, USA.,
12 who are also listed as the inventors associated with the U.S. CDC Patent first filed
13 on April 25, 2003 as Provisional Application No. 60/465,927.

16 46. In footnote 31 of their 30 May 2003 research study, Rota, *et al.* thanked
17 numerous influential Americans and Government entities from around the world,²²
18 including the United States and the WHO:

20 "The authors thank the WHO SARS Aetiology Laboratory
21 Investigation Group (Bernhard-Nocht Institute, Hamburg, Germany;

22 ²⁰ He R, Dobie F, Ballantine M, et al. *Analysis of multimerization of the SARS coronavirus nucleocapsid*
23 *protein. Biochem Biophys Res Commun.* 2004;316(2):476-483. doi:10.1016/j.bbrc.2004.02.074. Available at
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7111152/>.

24 ²¹ Rota PA, Oberste MS, Monroe SS, Nix WA, Campagnoli R, Icenogle JP, Peñaranda S, Bankamp B,
25 Maher K, Chen MH, Tong S, Tamin A, Lowe L, Frace M, DeRisi JL, Chen Q, Wang D, Erdman DD, Peret TC, Burns
26 C, Ksiazek TG, Rollin PE, Sanchez A, Liffick S, Holloway B, Limor J, McCaustland K, Olsen-Rasmussen M,
27 Fouchier R, Günther S, Osterhaus AD, Drosten C, Pallansch MA, Anderson LJ, Bellini WJ. *Characterization of a*
novel coronavirus associated with severe acute respiratory syndrome. *Science.* 2003 May 30;300(5624):1394-9. doi:
10.1126/science.1085952. Epub 2003 May 1. PMID: 12730500. Available at
<https://pubmed.ncbi.nlm.nih.gov/12730500/> and
<http://www.sciencemag.org/cgi/pmidlookup?view=long&pmid=12730500>.

28 ²² Available at <https://science.sciencemag.org/content/300/5624/1394.long>.

1 Erasmus Universiteit, National Influenza Centre, Rotterdam,
2 Netherlands; Federal Microbiology Laboratories for Health Canada,
3 Winnipeg, Canada; Institut für Virologie, Marburg Germany; Frankfurt
4 A. M. University Hospital, Klinikum der Johann Wolfgang Goethe-
5 Universität, Frankfurt, Germany; Chinese Center for Disease Control,
6 Beijing, China; Public Health Laboratory Service Central Public Health
7 Laboratory, London; Prince of Wales Hospital, Hong Kong; National
8 Institute of Infectious Disease, Tokyo, Japan; The Chinese University
9 of Hong Kong, Hong Kong; Government Virus Unit, Hong Kong;
10 Queen Mary Hospital, Hong Kong; and Institute Pasteur, Paris, France)
11 for the open collaboration and sharing of information; Centers for
12 Disease Control (CDC) Laboratory Partners Group for support and
13 suggestions; the Coronavirology Partners Group (S. C. Baker, R. Baric,
14 D. A. Brian, D. Cavanagh, M. R. Denison, M. S. Diamond, B. G.
15 Hogue, K. V. Holmes, J. Leibowitz, S. Perlman, L. J. Saif, L. Sturman,
16 and S. R. Weiss) for many helpful reagents, guidance and discussion;
17 B. W. J. Mahy for advice and discussions and for organizing the
18 Laboratory Partners Conferences; S. Emery for technical support; J.
19 Osborne and S. Sammons for help with the figures; and C. Chesley for
20 editorial assistance. M-h.C. is supported by a CDC/Georgia State
21 University interagency agreement.”

22 47. On or about April 25, 2003, the CDC, in its coronavirus patent, Provisional
23 Application No. 60/465,927, which was granted on August 17, 2010, and reported
24 in “PubChem”,²³ established an “arbitrary” threshold cycle (C_T) value for its
25 samples, and further established that the test result for a coronavirus sample was
26 considered “positive if two or more of the SARS genomic targets showed positive
27 results ($C_T \leq 45$ cycles) and all positive and negative control reactions gave expected
28 values.”

²³ Rota, et al. Coronavirus isolated from humans. Available from
<https://pubchem.ncbi.nlm.nih.gov/patent/US7776521>.

1 48. The CDC in its Patent, in addition to positively establishing the typicality of
2 all human coronaviruses and their complete genome sequence through “SARS-CoV
3 Tor2”, the mother of “SARS-CoV-2” (an “RNA [corona]virus strain”), also
4 distributed a blueprint containing a “method”, a “kit”, and a “SARS-CoV organism”
5 for detecting “typical” viruses like “SARS-CoV”:
6

7
8 “1. A method of detecting a severe acute respiratory syndrome-
9 associated coronavirus (SARS-CoV) in a sample....”;

10 “3. A method of detecting a severe acute respiratory syndrome-
11 associated coronavirus (SARS-CoV) in a sample....”;

12 “4. A kit for detecting a severe acute respiratory syndrome-associated
13 coronavirus (SARS-CoV) in a sample, comprising a pair of nucleic
14 acid primers that hybridize under stringent conditions to a SARS-CoV
15 nucleic acid, wherein at least one of the primers comprises the
16 sequence as set forth in any one of SEQ ID NOs: 13-15....”; and

17 “7. The kit of claim 4, further comprising an isolated SARS-CoV
18 organism.”²⁴

19 49. The CDC Patent further disclosed the fact that the C_T cycles permits the
20 sequencing/detection of the whole genome or targets of its fragments or a fraction
21 of the whole genome,²⁵ which in turn relies heavily upon algorithms and associated
22 bioinformatics.²⁶ This in turn revealed the fact that the ability of sequencing
23

24 ²⁴ Available from <https://patents.google.com/patent/US7776521B1>.

25 ²⁵ Brown TA. *Genomes*. 2nd edition. Oxford: Wiley-Liss; 2002. Chapter 6, *Sequencing Genomes*. Available
26 from: <https://www.ncbi.nlm.nih.gov/books/NBK21117/>; Adams, J. (2008) *Complex genomes: Shotgun*
sequencing. Nature Education 1(1):186. Available from [https://www.nature.com/scitable/topicpage/complex-](https://www.nature.com/scitable/topicpage/complex-genomes-shotgun-sequencing-609/)
<https://www.sciencedirect.com/topics/agricultural-and-biological-sciences/expressed-sequence-tags>.

27 ²⁶ Manning T, Sleator RD, Walsh P. *Naturally selecting solutions: the use of genetic algorithms in*
28 *bioinformatics*. Bioengineered. 2013;4(5):266-278. doi:10.4161/bioe.23041. Available from

1 technologies to sequence and or detect viruses and their variants, are highly
 2 dependent on the assembly methods used for assembling the genome sequence and
 3 the skill of the technician.²⁷ “SARS-CoV-2”, which has a filial relationship with
 4 “SARS-CoV Tor2”, was assembled using “Megahit v. V1.1.3”, and sequenced
 5 using “Illumina MiniSeq”²⁸ sequencing technology manufactured in San Diego, CA.

6
 7
 8 50. On or about January 1, 2020, seven of the top ten genomic sequencing
 9 companies in the world, by revenue, were either based in the United States, or had
 10 an active presence in the United States, including the PRC: (1) Illumina, Inc. (No. 1)
 11 San Diego, CA; (2) Thermo Fisher Scientific (No. 2) Waltham, MA; (3) BGI Group
 12 (No. 3), Shenzhen, Guangdong, China, formerly known as the Beijing Genomics
 13 Institute (“BGI”); (4) Agilent Technologies (No. 4) Santa Clara, CA; (5) 10X
 14 Genomics (No. 5) Pleasanton, CA; (6) GENEWIZ (Brooks Automation) (No. 7)

15
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 18 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3813526/>; Hamada M, Asai K. *A classification of bioinformatics algorithms from the viewpoint of maximizing expected accuracy (MEA)*. J Comput Biol. 2012;19(5):532-549. doi:10.1089/cmb.2011.0197. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3342518/>; Kaymaz Y, Ganglberger F, Tang M, Haslinger C, Fernandez-Albert F, Lawless N, Sackton T. *HierFIT: A hierarchical cell type classification tool for projections from complex single-cell atlas datasets*. Bioinformatics. 2021 Jul 13;btab499. doi: 10.1093/bioinformatics/btab499. Epub ahead of print. PMID: 34255817. Available from <https://pubmed.ncbi.nlm.nih.gov/34255817/>; <https://academic.oup.com/bioinformatics/advance-article-abstract/doi/10.1093/bioinformatics/btab499/6320801?redirectedFrom=fulltext>; Wing-Kin Sung (2011). *Algorithms in Bioinformatics: A Practical Introduction*. Available from <https://www.taylorfrancis.com/books/mono/10.1201/9781420070347/algorithms-bioinformatics-wing-kin-sung>.

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²⁷ Islam R, Raju RS, Tasnim N, et al. *Choice of assemblers has a critical impact on de novo assembly of SARS-CoV-2 genome and characterizing variants* [published online ahead of print, 2021 Apr 5]. *Brief Bioinform*. 2021;bbab102. doi:10.1093/bib/bbab102. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8083570/>; Li D, Liu CM, Luo R, Sadakane K, Lam TW. *MEGAHIT: an ultra-fast single-node solution for large and complex metagenomics assembly via succinct de Bruijn graph*. Bioinformatics. 2015 May 15;31(10):1674-6. doi: 10.1093/bioinformatics/btv033. Epub 2015 Jan 20. PMID: 25609793. Available from <https://pubmed.ncbi.nlm.nih.gov/25609793/>; <https://academic.oup.com/bioinformatics/article/31/10/1674/177884>; Qin J, Li R, Raes J, et al. *A human gut microbial gene catalogue established by metagenomic sequencing*. *Nature*. 2010;464(7285):59-65. doi:10.1038/nature08821. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3779803/>.

²⁸ Available from <https://www.ncbi.nlm.nih.gov/nucleotide/MN908947> and <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7094943/>.

1 South Plainfield, NJ; and (7) Pacific Biosciences of California (PacBio) (No. 9)
2 Menlo Park, CA.²⁹

3
4 51. To state differently, not only did the United States own the coronavirus
5 patent, the diagnostic test and the coronavirus samples, the United States was also
6 home to the most advanced coronavirus detection equipment in the entire world and
7 maintains the National Respiratory and Enteric Virus Surveillance System
8 (“NREVSS”). In this light, it was unnecessary for the Defendants to outsource any
9 power to the WHO.
10

11
12 52. McCray’s pursuit of the leads provided by the CDC Patent revealed the fact
13 that American and Chinese diagnostic laboratories were among other private sector
14 entities that assisted Dr. Jennifer Harcourt, *et al.*³⁰ and the CDC in detecting and
15 isolating the first “SARS-CoV-2 reference strain for the United States”: (1) Sino
16 Biological Inc., Beijing China; (2) Bio-Rad Laboratories, Inc., Hercules, CA; (3)
17 Thermo Fisher Scientific, Waltham, MA; (4) Fast Track Diagnostics Luxembourg
18 S.à.r.l., Luxembourg/ Erlangen Germany (acquired by Siemens Healthineers in
19 2018); (5) Cell Signaling Technology, Inc., Danvers, MA; (6) Oxford Nanopore
20 Technologies, Oxford, UK; (7) GitHub, Inc., San Francisco, CA; (8) Gene Codes
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26 ²⁹ Mark Terry. *Top 10 Gene Sequencing Companies by Revenue*. BioSpace. November 29, 2019. Available
from <https://www.biospace.com/article/top-10-gene-sequencing-companies-by-revenue/>.

27 ³⁰ Harcourt, Jennifer et al. “Severe Acute Respiratory Syndrome Coronavirus 2 from Patient with
28 *Coronavirus Disease, United States.*” *Emerging infectious diseases* vol. 26,6 (2020): 1266-1273.
doi:10.3201/eid2606.200516. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7258473/>.

1 Corporation, Ann Arbor, MI; (9) New England Biolabs, Ipswich, MA; (10) Agilent
2 Technologies, Inc., Santa Clara, CA; and (11) Illumina, Inc., San Diego, CA.

3
4 53. The discovery of the chemical constitution of viruses paved the way for the
5 search for novel molecular materials with a “focus[] on viruses as natural
6 nanomaterials.”³¹

7
8 54. Historically studied for their effects as pathogens, recent advances have
9 incorporated viruses as substrates for chemical modification, materials
10 development, and therapeutic design, thus paving the way for developing chemical
11 strategies for modifying viruses, and the applications of these technologies. *Id.*

12
13 55. Gain-of-function research (“GOF-R”), as explained by Michael J. Selgelid in
14 his work funded by the NIH:

15
16 “[I]nvolves experimentation that aims or is expected to (and/or,
17 perhaps, actually does) increase the transmissibility and/or virulence of
18 pathogens. Such research, when conducted by responsible scientists,
19 usually aims to improve understanding of disease causing agents, their
20 interaction with human hosts, and/or their potential to cause
21 pandemics. The ultimate objective of such research is to better inform
22 public health and preparedness efforts and/or development of medical
23 countermeasures. Despite these important potential benefits, GOF
24 research (GOFR) can pose risks regarding biosecurity and biosafety.
25 GOFR is a subset of “dual-use research”—i.e., research that can be
26 used for both beneficial and malevolent purposes. Whereas the dual-
27 use life science research debate has largely focused on biosecurity
28 dangers associated with potential malevolent use of research, the
GOFR debate has more explicitly focused on risks involving both
biosecurity and biosafety—the point being that creation of especially

³¹ Koudelka KJ, Manchester M. *Chemically modified viruses: principles and applications. Curr Opin Chem Biol.* 2010;14(6):810-817. doi:10.1016/j.cbpa.2010.10.005. Available from <https://pubmed.ncbi.nlm.nih.gov/21036656/>. Accessed May 20, 2020.

1 dangerous pathogens might pose highly significant biosafety risks that
2 are independent of, and perhaps more feasible to measure/assess than,
3 risks associated with malevolent use.

4 Following controversy surrounding research, published in 2012, that
5 led to the creation of highly pathogenic H5N1 (avian) influenza virus
6 strains that were airborne transmissible between ferrets—and more
7 recent reports of biosafety mishaps involving anthrax, smallpox, and
8 H5N1 in U.S. government laboratories—in 2014 the administration of
9 US President Barack Obama called for a “pause” on funding (and
10 relevant research with existing US Government funding) of GOF
11 experiments involving influenza, SARS, and MERS viruses in
12 particular.”³²

13
14 56. Malevolent “bioengineering of existing pathogens”, derived from GOF, is
15 often cited as increasing the dangers of emerging infectious diseases to global health
16 which is compounded by the deliberate dissemination of these viruses.³³

17
18 57. On September 21, 2021, Dr. Francis Collins, Director of Defendant HHS’
19 National Institutes of Health, announced on his Blog his elation with the advances
20 in the use of “directed evolution” to deliver “therapeutic genes” to muscles.³⁴

21
22 58. “Directed evolution” has its origins in the 1960s with Sol Spiegelman,³⁵ an
23 American molecular biologist who developed the technique of nucleic acid
24 hybridization, which helped to lay the groundwork for advances in recombinant

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³² See, Selgelid MJ. Gain-of-Function Research: Ethical Analysis. *Sci Eng Ethics*. 2016;22(4):923–964. doi:10.1007/s11948-016-9810-1. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4996883/>. Accessed on May 20, 2020.

³³ Spero D, Petrovsky N, De Groot AS. Report from the field: Fifth Vaccine Renaissance in Providence RI. *Hum Vaccin Immunother*. 2012;8(7):1006-1009. doi:10.4161/hv.19779. <https://pubmed.ncbi.nlm.nih.gov/22777100/>. Accessed May 12, 2020.

³⁴ Dr. Francis Collins. *Engineering a Better Way to Deliver Therapeutic Genes to Muscles*. Available from <https://directorsblog.nih.gov/tag/directed-evolution/>.

³⁵ *The Sol Spiegelman Papers*. National Library of Medicine, National Institutes of Health. Department of Health and Human Services. Available from https://profiles.nlm.nih.gov/spotlight/px/catalog?search_field=all_fields.

1 DNA and RNA technology.³⁶ Spiegelman received the Lasker Award in 1974 for
2 his 1965 work on Q β RNA. The modern development of “directed evolution”
3 methods was honored in 2018 with the awarding of the Nobel Prize in Chemistry to
4 Frances Arnold for evolution of enzymes, and George Smith and Gregory Winter
5 for phage display. Defendant HHS’ National Library of Medicine maintains
6 thousands of studies on the subject of “directed evolution”.
7

8
9 59. On January 26, 2023, U.S. Senator Marco Rubio (R-FL) announced he had
10 sent a letter³⁷ to Albert Bourla, President and CEO of Pfizer, suggesting that Pfizer
11 may be conducting research to mutate the SARS-CoV-2 virus to create additional,
12 more potent virus variants and the vaccines to combat future variants which Pfizer
13 dubs “directed evolution” research. The questionable research was reported by
14 Journalist Emerald Robinson after learning about an undercover investigative
15 report³⁸ released by “Project Veritas”.³⁹
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22 ³⁶ Mills DR, Peterson RL, Spiegelman S. *An extracellular Darwinian experiment with a self-duplicating*
23 *nucleic acid molecule*. Proc Natl Acad Sci U S A. 1967 Jul;58(1):217-24. doi: 10.1073/pnas.58.1.217. PMID:
24 5231602; PMCID: PMC335620. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC335620/>.

25 ³⁷ Rubio Sends Letter to Pfizer CEO on Alleged Gain-of-Function Research. Available from
26 <https://www.rubio.senate.gov/public/index.cfm/2023/1/rubio-sends-letter-to-pfizer-ceo-on-alleged-gain-of-function-research>.

27 ³⁸ Project Veritas Media Relations Manager Mario Balaban Talks #DirectedEvolution with Emerald
28 Robinson. Available from <https://truthsocial.com/@ProjectVeritas/posts/109762450440701113>.

³⁹ Pfizer Executive: ‘Mutate’ COVID via ‘Directed Evolution’ for Company to Continue Profiting Off of
Vaccines ... ‘COVID is Going to be a Cash Cow for Us’ ... ‘That is Not What We Say to the Public’ ... ‘People
Won’t Like That’ ... ‘Don’t Tell Anyone’. January 25, 2023. Available from
<https://www.projectveritas.com/news/pfizer-executive-mutate-covid-via-directed-evolution-for-company-to-continue/>.

1 60. In or about 1988, Anthony Fauci received the George M. Kober Lectureship
2 Award.⁴⁰ In or about 2007, Fauci received the George M. Kober Medal of the
3 Association of American Physicians for his work in clinical medicine; the National
4 Medal of Science for his research into the pathogenesis of human
5 immunodeficiency virus (HIV) disease; and the Mary Woodard Lasker Public
6 Service Award for Advancements in AIDS relief and biodefense.⁴¹
7

8
9 61. In furtherance of the international healthcare conspiracy, according to
10 information available from the National Institutes of Health, the Laskers, from
11 whom Anthony Fauci received an award, “organized the Committee for the
12 Nation’s Health [“CNH”] in 1945 to support President Harry Truman’s proposal for
13 universal health insurance. Later, the Committee devoted itself to gathering facts
14 and data on mortality, disability, and the ensuing loss of productivity. These
15 statistics were then used by Lasker to lobby Congress for medical research
16 appropriations.”⁴²
17
18

19
20 62. On information and belief, in or about November 1950, Dr. Majorie Shearon,
21 *et al.*, reported on Communist “Front” activities engaged in a scheme to
22 “Nationalize American Medicine” using the CNH, the most powerful
23

24
25 ⁴⁰ Available from https://de.m.wikipedia.org/wiki/George_M._Kober_Medal_and_Lectureship.

26 ⁴¹ Available from <https://www.nih.gov/news-events/news-releases/anthony-s-fauci-awarded-lasker-award-public-service>; <https://laskerfoundation.org/awards/award-nominations/>; <https://laskerfoundation.org/all-awards-winners/>; <https://laskerfoundation.org/winners/advancements-in-aids-relief-and-biodefense/>.

27 ⁴² *Letter from Michael M. Davis to Mary Lasker*. Committee for the Nation’s Health, Inc. March 14, 1956.
28 Available from U.S. National Library of Medicine, National Institutes of Health,
<https://profiles.nlm.nih.gov/spotlight/tl/catalog.nlm:nlmuid-101584665X104-doc>.

1 nongovernmental lobby for the nationalization of medicine”⁴³ in furtherance of the
 2 international healthcare conspiracy. On information and belief, on or about March
 3
 4 14, 1956, the CNH was organized as follows:

| | | |
|---|--|---|
| <p>CHAIRMAN Channing Frothingham, M.D.</p> <p>HONORARY VICE-CHAIRMEN George Meany Bishop G. Bromley Oxnam Walter P. Reuther Mrs. Franklin D. Roosevelt Gerard Swepe</p> <p>TREASURER Henry Kaiser</p> <p>SECRETARY Walton Hamilton</p> <p>CHAIRMAN, EXECUTIVE COMMITTEE Michael M. Davis</p> | <p>BOARD OF DIRECTORS Channing Frothingham, M.D. Viola W. Bernard, M.D. James A. Brownlow Morris Llewellyn Cooke Paul B. Cornely, M.D. Nelson H. Cruikshank Joseph Curran Michael M. Davis John W. Edelman Katherine P. Ellickson Abe Fortas Frank F. Furstenberg, M.D. Arthur Goldberg Harry Goldblatt, M.D. Bernard Greenberg John Gunther Walton Hamilton Henry Kaiser Mary Dublin Keyserling</p> | <p>Mary Dublin Keyserling John A. Lapp David J. McDonald Joseph C. Meyer, M.D. Newbold Morris James G. Patton Eric Peterson Jacob Potofsky Samuel I. Rosenman Theodore M. Sanders, M.D. Max Seham, M.D. Robert E. Sherwood Boris Shishkin Wayne Chatfield Taylor Robert F. Wagner, Jr. R. M. Walls, D.D.S. Lester Washburn Hubert Will Wilson M. Wing, M.D. Matthew Woll</p> <p>EXECUTIVE DIRECTOR John M. Brumm</p> |
|---|--|---|

17 63. On information and belief, Channing Frothingham (“Frothingham”), in
 18 addition to serving as the Chairman of the CNH, served as the Dean of the Harvard
 19 Medical School.⁴⁴
 20

21 64. In Q Post 3896, Q linked the “China virus” to the City of Wuhan, China:
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25 ⁴³ Shearon, Majorie (Dr.) Shearon Legislative Service—*Challenge to Socialism*, Chevy Chase, MD.
 26 *Challenge To Socialism. Formerly American Medicine and the Political Scene*. Vol. IV, No. 36. November 16, 1950.
 27 http://www.columbia.edu/cu/lweb/digital/collections/rbml/lehman/pdfs/0794/ldpd_leh_0794_0103.pdf.

28 ⁴⁴ Louis Tompkins Wright Papers. Harvard University Library. Available from
<https://hollisarchives.lib.harvard.edu/repositories/14/resources/4614>.

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Q JHts 1 Jul 1976 17:22:27 No. 86275147
Mar 25 2020 18:13:55 (EST)

2007_C.JPG

Severe Acute Respiratory Syndrome Coronavirus as an Emerging and Reemerging Infection
Woo PC, Cheng VC, Lau SK, Lam PKH, Yip CCY, et al.

rapid spread
<https://www.theepochtimes.com/the-closing-of-21-million-cell-phone-accounts-in-china-may-suggest-a-high-cop-virus-death-toll-3281291.html>

- >End POTUS rally(s)?
- >End POTUS econ gains?
- >End POTUS unemployment gains?
- >End POTUS [A, B, C, D,]?
- [weaken prior to P. elec?]
- >Delay US/China trade negotiations?
- [China pref Biden(+VP) as P?]
- >Shelter [Biden] public appearances?
- >Shelter [Biden] debate(s)?
- >Push new/revised P. 2020 > vote by mail? [unsecure]
- <https://twitter.com/TomFitton/status/124207160846885441>
- >Push [D] wish list [unrelated] [Items CV Bill [voting amends?]
- <https://twitter.com/SenTomCotton/status/1242169734763818011>
- What is the mathematical probability this occurs [the 'time bomb' explodes] at the exact point in time that allows for maximum damage [above] prior to the P. elec?
- Outside of standard deviation?
- WHO BENEFITS THE MOST?
- [Mueller failed]
- [Impeachment failed]
- >Why was it critically important impeachment be rushed in the House?
- [MSM[D party]/Hollywood narrative(s) failed]
- [THE COUP FAILED]
- [D] party leading nominee established [super T] prior to lock-down [take-over]? [Sanders ELIM Biden FRONT]
- Occam's razor simply states that of any given set of explanations for an event occurring, the simplest one is most likely the correct one.

the CHINA virus
Worth remembering:
<https://www.youtube.com/watch?v=aeVtMnIBSc2>
Wuhan Institute of Virology [geo location]?
[1st biosafety lvl 4 lab -- 2015]
City/Province origin -- Hot zone [geo location]?
<https://www.justice.gov/opa/pr/harvard-university-professor-and-two-chinese-nationals-charged-three-separate-china-related>
"Unbeknownst to Harvard University beginning in 2011, Lieber became a "Strategic Scientist" at [Wuhan] University of Technology (WUT) in China and was a contractual participant in China's Thousand Talents Plan from In or about 2012 to 2017."

65. The research study cited by Q was published by Cheng VC, et al., which advised that:

"The presence of a large reservoir of SARS-CoV-like viruses in horseshoe bats, together with the culture of eating exotic mammals in southern China, is a time bomb. The possibility of the reemergence of SARS and other novel viruses from animals or laboratories and therefore the need for preparedness should not be ignored."⁴⁵

⁴⁵ Cheng VC, Lau SK, Woo PC, Yuen KY. *Severe acute respiratory syndrome coronavirus as an agent of emerging and reemerging infection*. Clin Microbiol Rev. 2007;20(4):660-694. doi:10.1128/CMR.00023-07. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2176051/>. See, Similar articles in PubMed: *Severe Acute Respiratory Syndrome (SARS) Coronavirus ORF8 Protein Is Acquired from SARS-Related Coronavirus from Greater Horseshoe Bats through Recombination*. [J Virol. 2015]. Available from <https://www.ncbi.nlm.nih.gov/pubmed/26269185>; *Bats are natural reservoirs of SARS-like coronaviruses*. [Science. 2005]. Available from <https://www.ncbi.nlm.nih.gov/pubmed/16195424>; *Civets are equally susceptible to experimental infection by two different severe acute respiratory syndrome coronavirus isolates*. [J Virol. 2005]. Available from <https://www.ncbi.nlm.nih.gov/pubmed/15681462>; *Animal coronaviruses: what can they teach us about the severe acute respiratory syndrome?* [Rev Sci Tech. 2004]. Available from <https://www.ncbi.nlm.nih.gov/pubmed/15702725>; *The relationship of severe acute respiratory syndrome coronavirus with avian and other coronaviruses*. [Avian Dis. 2006]. Available from <https://www.ncbi.nlm.nih.gov/pubmed/17039827>; Woo PC, Lau SK, Yip CC, et al. *Comparative analysis of 22 coronavirus HKU1 genomes reveals a novel genotype and evidence of natural recombination in coronavirus HKU1*. J Virol. 2006;80(14):7136-7145. doi:10.1128/JVI.00509-06. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1489027/>; *Coronavirus HKU1 and other coronavirus infections in Hong Kong*. [J Clin Microbiol. 2006]. Available from <https://www.ncbi.nlm.nih.gov/pubmed/16757599>; *Molecular epidemiological and clinical features of coronavirus HKU1 in children with acute respiratory tract infection in Lanzhou*. Zhonghua Er Ke Za Zhi. 2010. Available from <https://www.ncbi.nlm.nih.gov/pubmed/21176481>; *In silico*

1 66. Under this circular set of scientific data, the WHO and other foreign powers
2 had already used the SARS-CoV-2 data to shut the world down. The Defendants'
3 delegation to the WHO was not necessary to plan for a future fake pandemic which
4 only uses data.
5

6 67. McCray found through the use of intelligence and counterintelligence
7 research and analysis that the propaganda management of the "SARS-CoV-2"
8 narrative unwittingly created the existence of two organisms associated with the
9 current false pandemic—one, if it exists, would violate 18 U.S.C. §§175 *et seq.*, 178
10 *et seq.*, 1038 *et seq.*, and 2331 *et seq.*, given the lack of claim of ownership of the
11 organism and a failure to conduct a criminal investigation of the organism as an
12 agent of bioterrorism—and a second organism, if it exists, that is based exclusively
13 on biotechnical data designed to "mimic" an organism named "SARS-CoV-2" that
14 has never been observed under natural environmental conditions before its
15 spontaneous appearance in the "data" approved by China.
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20 68. This second "data"-driven, spontaneous organism ("SARS-CoV-2"), on
21 which the entire false pandemic is based, was originally assigned Primary Locus
22 Genome Sequence GenBank No. MN908947. Subsequent to this assignment,
23 "SARS-CoV-2" underwent three unique revisions, manipulations, and or edits of its
24

25
26 analysis of ORF1ab in coronavirus HKU1 genome reveals a unique putative cleavage site of coronavirus HKU1 3C-
27 like protease.[Microbiol Immunol. 2005]. Available from <https://www.ncbi.nlm.nih.gov/pubmed/16237267>; The
28 widening scope of coronaviruses.[Curr Opin Pediatr. 2006]. Available from
<https://www.ncbi.nlm.nih.gov/pubmed/16470161>; Coronavirus diversity, phylogeny and interspecies jumping.[Exp
Biol Med (Maywood). 2009]. Available from <https://www.ncbi.nlm.nih.gov/pubmed/19546349>.

1 original “data” within weeks, as noted by Defendant HHS’ National Center for
2 Biotechnology Information (NCBI) “BioProject Curation Staff”:
3

4 **Version 1.1: MN908947.1** (30473 bp ss-RNA).⁴⁶ *Wuhan seafood market*
5 *pneumonia virus isolate Wuhan-Hu-1, complete genome, GenBank:*
6 *MN908947.1;*

7 **Version 1.2: MN908947.2** (29875 bp ss-RNA).⁴⁷ *Wuhan seafood market*
8 *pneumonia virus isolate Wuhan-Hu-1, complete genome GenBank:*
9 *MN908947.2; and*

10 **Version 1.3: GenBank No. MN908947.3** (29903 bp ss-RNA).⁴⁸ *Severe acute*
11 *respiratory syndrome coronavirus 2 isolate Wuhan-Hu-1, complete genome,*
12 *GenBank: MN908947.3.*

13 69. McCray’s research found no naturally occurring virus capable of spontaneous
14 appearance and capable of changing its full genome within weeks of discovery.

15 70. McCray’s research also found a complete lack of uniformity among the users
16 of the “SARS-CoV-2” data. For example, rather than rely on the genome sequence
17 the Agency isolated in Washington State,⁴⁹ the CDC instead relied upon Communist
18 China’s Version 1.2 of the China virus data to obtain an emergency use
19 authorization (“EUA”).⁵⁰
20

21 “Since no quantified virus isolates of the 2019-nCoV were available
22 for CDC use at the time the test was developed and this study
23

24 ⁴⁶ Available from <https://www.ncbi.nlm.nih.gov/nuccore/MN908947.1>.

⁴⁷ Available from <https://www.ncbi.nlm.nih.gov/nuccore/MN908947.2>.

⁴⁸ Available from <https://www.ncbi.nlm.nih.gov/nuccore/MN908947>.

25 ⁴⁹ Harcourt J. *Severe Acute Respiratory Syndrome Coronavirus 2 from Patient with Coronavirus Disease,*
26 *United States.* Emerg Infect Dis. 2020 Jun;26(6):1266-1273. doi: 10.3201/eid2606.200516. Epub 2020 Jun 17. PMID:
27 32160149; PMCID: PMC7258473. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7258473/>; *Severe*
acute respiratory syndrome coronavirus 2 isolate SARS-CoV-2/human/USA/WA-CDC-02982586-001/2020, complete
genome. Available from <https://www.ncbi.nlm.nih.gov/nuccore/MN985325.1>.

⁵⁰ Available from <https://www.fda.gov/media/134922/download>.

1 conducted, assays designed for detection of the 2019-nCoV RNA were
2 tested with characterized stocks of in vitro transcribed full length RNA
3 (N gene; GenBank accession: MN908947.2) of known titer (RNA
4 copies/ μ L) spiked into a diluent consisting of a suspension of human
5 A549 cells and viral transport medium (VTM) to mimic clinical
6 specimen.” *Id.* at 40.

7 71. In response to social media criticism, Reuters news agency conducted a fact
8 check of the CDC’s EUA statements with Dr. Thushan de Silva, from the United
9 Kingdom’s University of Sheffield’s Department of Infection, Immunity and
10 Cardiovascular Disease:

11 “De Silva said that the document is describing what was used to
12 determine the lowest amount of viral genetic material the RT-PCR
13 assay could detect.

14 “They describe a very common process during assay set up, where the
15 limit of detection of the RT-PCR assay was determined”, he said. In
16 this case, the CDC have used ‘transcribed’ RNA as the positive control
17 - which means they used synthetically produced genetic material
18 identical to that carried by the virus.

19 “To calculate the limit of detection of an RT-PCR assay, you need to
20 have a known quantity of virus to extract genetic material (RNA) from,
21 or alternatively a known quantity of RNA identical to that carried by
22 the virus”, de Silva said.

23 According to de Silva, one reason for using transcribed RNA would
24 have been that at the time of set up, not many standardised and
25 quantified viral stocks would have been available to extract viral RNA
26 from.

27 De Silva maintains that using transcribed RNA rather than RNA
28 extracted from quantified viral stocks is no reason to question the
existence of SARS-CoV-2.”

1 72. Dr. Thushan de Silva engaged in science misinformation and disinformation
2 given the fact that only data was used by de Silva to fact check the CDC's EUA. It
3 also follows that "synthetically produced genetic material identical to that carried by
4 the virus" is not the same as the actual physical genetic material carried by the virus.
5 The comparison is akin to artificial and natural sweeteners, and regular and
6 synthetic motor oils.
7

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9 73. Reuter's factcheck confirmed no physical specimen of "SARS-CoV-2" exists,
10 notwithstanding the "complete genome" documented by the CDC as "Severe acute
11 respiratory syndrome coronavirus 2 isolate SARS-CoV-2/human/USA/WA-CDC-
12 02982586-001/2020" as a result of "isolation of SARS-CoV-2 from a patient who
13 had coronavirus disease (COVID-19) in the United States."
14

15
16 74. The CDC "made the virus isolate available to the public health community by
17 depositing it into 2 virus reagent repositories... the Biodefense and Emerging
18 Infections Research Resources Repository (<https://www.beiresources.org>) reagent
19 resources (American Type Culture Collection, <https://www.atcc.org>) and the World
20 Reference Center for Emerging Viruses and Arboviruses, University of Texas
21 Medical Branch (<https://www.utmb.edu/wrceva>), to serve as the SARS-CoV-2
22 reference strain for the United States."
23

24
25 75. Reuter's factcheck further clarifies the fact that instead of using physical
26 specimen, the CDC "synthetically produced genetic material identical to that carried
27

1 by the virus.” This admission is consistent with the CDC’s EUA which described a
2 process specifically designed “to mimic clinical specimen” because physical viral
3 specimen was not available. The “Conspiracy Theorists” were right once again.
4

5 76. To state differently, the CDC’s EUA issued by the FDA relied exclusively on
6 “data” certified by Communist China to “synthetically produce[] genetic material”
7 that only mimics the virus China claims exists. Reuters is guilty of engaging in
8 misinformation and disinformation regarding the CDC’s EUA.
9

10 77. Pfizer, Inc. relied upon Communist China’s “data” Version 1.3 for its
11 Comirnaty vaccine. The Department of Defense and its Secretary, Lloyd James
12 Austin III, also relied upon Version 1.3 for development of the military’s universal
13 “coronavirus” vaccine under the leadership of Kayvon Modjarrad, founding
14 Director of the Emerging Infectious Diseases Branch at the Walter Reed Army
15 Institute of Research and Associate Professor of Medicine at the Uniformed
16 Services University.⁵¹
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20 78. On January 27, 2023, Pfizer, Inc., in furtherance on the international
21 healthcare conspiracy, released a response to the Project Veritas undercover video
22 and the interview Project Veritas’ Media Relations Manager Mario Balaban gave to
23 Emerald Robinson. In the press release, Pfizer claimed, among things, that the
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26 ⁵¹ Available from <https://eidresearch.org/our-team/kayvon-modjarrad-md-phd>; Joyce MG, King HAD,
27 Naouar IE, et al. Efficacy of a Broadly Neutralizing SARS-CoV-2 Ferritin Nanoparticle Vaccine in Nonhuman
28 Primates. Preprint. bioRxiv. 2021;2021.03.24.436523. Published 2021 Mar 25. doi:10.1101/2021.03.24.436523,
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8010721/>; <https://www.biospace.com/article/united-states-army-begins-human-trials-of-pan-coronavirus-vaccine/>.

1 company had access to the “original SARS-CoV-2 virus”, a claim no one in the
2 entire world has ever made, including the U.S. Intelligence Community and the U.S.
3 Department of Defense, and that the company has engineered viruses:⁵²
4

5 “Working with collaborators, we have conducted research where the
6 original SARS-CoV-2 virus has been used to express the spike protein
7 from new variants of concern.... In a limited number of cases when a
8 full virus does not contain any known gain of function mutations, such
9 virus may be engineered to enable the assessment of antiviral activity
in cells.”

10 79. Pfizer’s claim to have had access to the “original SARS-CoV-2 virus”
11 converts every SARS-CoV-2/COVID-19 death into premeditated murder, and every
12 death from COVID-19 vaccination into premeditated murder.
13

14 80. Pfizer’s claim that a “virus may be engineered” lawfully, has some merits. In
15 1902, Congress established statutory approval for the engineering, sale and
16 trafficking of engineered viruses Section 141, act July 1, 1902, ch. 1378, § 1, 32
17 Stat. 728, (Title 42 §§ 141 to 148), which now appear under 42 U.S. Code §262.
18

19 81. In or about 1941, Harvard University and the American Red Cross built an
20 infectious disease hospital for Britain which became known as the “Common Cold
21 Unit” (“CCU”).⁵³ The CCU was led by D.A.J. Tyrrell (“Tyrrell”), MD, FRCP, MC
22 Path from 1957 to 1990. *Tyrrell and Bynoe* are associated with the history of the
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26 ⁵² Pfizer Responds to Research Claims, January 27, 2023. Available from
27 <https://www.pfizer.com/news/announcements/pfizer-responds-research-claims>.

28 ⁵³ Tyrrell D. *The origins of the Common Cold Unit*. J R Coll Physicians Lond. 1990 Apr;24(2):137-40.
PMID: 2191116; PMCID: PMC5387570. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5387570/>.

1 “human coronaviruses”, first introduced in 1965, when they found that they could
2 passage a virus named “B814”.

3
4 82. Tyrrell preferred the virologist’s approach of investigating diseases and trying
5 to detect, classify, and understand all the viruses that cause respiratory disease, and
6 then seek to discover their means of transmission and survival in nature and the
7 various defenses of the body against them. When clinical specimens did not yield a
8 virus in tissue culture, Tyrrell preferred “inoculation into human volunteers”.⁵⁴

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10 83. In 1962, Sol Spiegelman developed a technique referred to as “nucleic acid
11 hybridization” that allowed the detection of specific RNA and DNA molecules in
12 cells. It was this combination of viral DNA and viral RNA which helped to lay the
13 groundwork for advances in recombinant DNA technology.⁵⁵

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16 84. In 1966, Hamre and Procknow demonstrated the ability to grow a virus,
17 “229E”, with unusual properties in tissue culture from samples obtained from
18 medical students with colds. Both B814 and 229E were ether-sensitive and therefore
19 presumably required a “lipid-containing coat for infectivity”.⁵⁶

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22 ⁵⁴ Tyrrell DAJ. *A Virologist's Approach to Respiratory Viruses*. J R Coll Physicians Lond. 1968;2(2):162-168. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5370704/>.

23 ⁵⁵ Gillespie D, Spiegelman S. *A quantitative assay for DNA-RNA hybrids with DNA immobilized on a membrane*. J Mol Biol. 1965 Jul;12(3):829-42. doi: 10.1016/s0022-2836(65)80331-x. PMID: 4955314.. Available from <https://www.sciencedirect.com/science/article/abs/pii/S002228366580331X?via%3Dihub>.

24 ⁵⁶ Kahn, Jeffrey S. MD, PhD; McIntosh, Kenneth MD. *History and Recent Advances in Coronavirus Discovery*, The Pediatric Infectious Disease Journal: November 2005 - Volume 24 - Issue 11 - p S223-S227 doi: 10.1097/01.inf.0000188166.17324.60, citing Tyrrell DA, Bynoe ML. *Cultivation of viruses from a high proportion of patients with colds*. Lancet. 1966 Jan 8;1(7428):76-7. doi: 10.1016/s0140-6736(66)92364-6. PMID: 4158999 and Hamre D, Procknow JJ. *A new virus isolated from the human respiratory tract*. Proc Soc Exp Biol Med. 1966 Jan;121(1):190-3. doi: 10.3181/00379727-121-30734. PMID: 4285768. See also:
25
26
27 (1) Cueno ME, Ueno M, Iguchi R, et al. *Insights on the Structural Variations of the Furin-Like Cleavage Site Found Among the December 2019-July 2020 SARS-CoV-2 Spike Glycoprotein: A Computational Study Linking Viral*

1 85. In a 1966 letter⁵⁷ to Dr. D. H. L. Bishop (“Bishop”), Department of Zoology,
2 University of Edinburgh, Chemical Biology Unit, Edinburgh, Scotland, under the
3 authority of 42 U.S. Code §262, Sol Spiegelman notified Bishop, among other
4 things, that he would be providing the two bacterial strains, A19 and Q13, which
5 Bishop “required” and further informed Bishop that the Bacteriophage Q β RNA⁵⁸
6 virus was “uniquely different”:
7
8

9 “The amino acid composition of [] is uniquely different from any of the
10 other viruses we have looked at or that have been reported. It lacks
11 tryptophane, and methionine in addition to histidine.”

12 86. In 1974, Kaplan and Apirion, using *Escherichia coli* mutants, some of them
13 lacking in ribonuclease I (RNase I, EC 2. 7. 7. 17) and others containing various
14 combinations of modified and unmodified ribonuclease II (RNase II, EC 3. 1.4.1)
15 and polynucleotide phosphorylase (PNPase, EC 2. 7. 7. 8), were able to show it was
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19 *Evolution and Infection*. Front Med (Lausanne). 2021;8:613412. Published 2021 Mar 10.

20 doi:10.3389/fmed.2021.613412. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7987684/>;

21 (2) Frutos R, Serra-Cobo J, Pinault L, Lopez Roig M, Devaux CA. *Emergence of Bat-Related Betacoronaviruses: Hazard and Risks*. Front Microbiol. 2021;12:591535. Published 2021 Mar 15. doi:10.3389/fmicb.2021.591535.

22 Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8005542/>;

23 (3) Sbaoui Y, Bennis F, Chegdani F. *SARS-CoV-2 as Enteric Virus in Wastewater: Which Risk on the Environment and Human Behavior?*. Microbiol Insights. 2021;14:1178636121999673. Published 2021 Mar 15.

24 doi:10.1177/1178636121999673. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7968024/>;

25 (4) Eguia RT, Crawford KHD, Stevens-Ayers T, et al. *A human coronavirus evolves antigenically to escape antibody immunity*. PLoS Pathog. 2021;17(4):e1009453. Published 2021 Apr 8. doi:10.1371/journal.ppat.1009453. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8031418/>; and

26 (5) Pluskota-Karwatka D, Hoffmann M, Barciszewski J. *Reducing SARS-CoV-2 Pathological Protein Activity with Small Molecules* [published online ahead of print, 2021 Apr 5]. J Pharm Anal. 2021;10.1016/j.jpha.2021.03.012.

27 doi:10.1016/j.jpha.2021.03.012. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8020608/>.

28 ⁵⁷ National Library of Medicine, National Institutes of Health, U.S. Department of Health & Human Services. *Letter from Sol Spiegelman to D. H. L. Bishop*. Available from

<https://profiles.nlm.nih.gov/spotlight/px/catalog.nlm.nlmuid-101584919X48-doc>.

⁵⁸ Available from <https://www.ncbi.nlm.nih.gov/Taxonomy/Browser/wwwtax.cgi?id=2789016>.

1 possible that the three enzymes RNase I, RNase II, and PNPase participate in the
2 degradation of stable RNA during carbon starvation.⁵⁹
3

4 87. Pfizer further claims in its press release to be a victim of corporate capture by
5 the United States and other world Powers:

6 “In addition, to meet U.S. and global regulatory requirements for our
7 oral treatment, PAXLOVID™, Pfizer undertakes in vitro work.... It is
8 important to note that these studies are required by U.S. and global
9 regulators...and are carried out by many companies and academic
institutions in the U.S. and around the world. *Id.*

10 88. Pfizer’s claim to be a victim of corporate capture explains how Communist
11 China’s censorship of McCray was built into the code of the entire system of
12 Twitter and Facebook to make sure certain ideas would not be heard,⁶⁰ and how
13 Congressman Adam Schiff was bold enough to attempt the shutdown of Journalist
14 Paul Sperry’s Twitter account.⁶¹
15

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17 89. On or about August 27, 2021, the U.S. Intelligence Community also
18 confirmed “SARS-CoV-2” was data from China when stating in an intelligence
19 assessment “[t]he IC—and the global scientific community—lacks clinical samples”
20 for use in determining the origin of “SARS-CoV-2”.⁶² The claim was repeated on or
21
22

23 ⁵⁹ Kaplan R, Apirion D. *The involvement of ribonuclease I, ribonuclease II, and polynucleotide*
24 *phosphorylase in the degradation of stable ribonucleic acid during carbon starvation in Escherichia coli.* J Biol
Chem. 1974 Jan 10;249(1):149-51. PMID: 4358625. Available from [https://www.jbc.org/article/S0021-9258\(19\)43103-7/pdf](https://www.jbc.org/article/S0021-9258(19)43103-7/pdf).

25 ⁶⁰ Available from <https://twitter.com/trumpgenius2/status/1387376613214412800>.

26 ⁶¹ Bruce Golding. *Dem Rep. Adam Schiff wanted journalist Paul Sperry's account suspended over reporting*
on Trump whistleblower, Twitter Files reveals. New York Post. January 3, 2023. Available from
27 <https://nypost.com/2023/01/03/adam-schiff-wanted-reporter-paul-sperrys-account-suspended/>.

28 ⁶² *Unclassified Summary of Assessment on COVID-19 Origins.* Office of the Director of National
Intelligence. August 27, 2021. Available from <https://www.dni.gov/index.php/newsroom/reports-publications/reports->

1 about October 29, 2021,⁶³ with the following additional intelligence analysis,
2 notwithstanding the fact that the IC “lacks clinical samples” to make an intelligence
3 analysis:
4

5 “The IC assesses China did not develop SARS-CoV-2 as a biological
6 weapon.... Most IC analysts assess with low confidence that SARS-
7 CoV-2 was not genetically engineered. Their assessment is based on
8 technical analysis of SARS-CoV-2 and the IC’s growing understanding
9 of traits and the potential for recombination in other coronaviruses.
10 Two agencies believe there is not sufficient evidence to make an
11 assessment either way. As of August 2021, we still have not observed
12 genetic signatures in SARS-CoV-2 that would be diagnostic of genetic
13 engineering, according to the IC’s understanding of the virus.” *Id.* at 4.

14 90. The different “data” versions of the same China virus led McCray to find
15 confirmation in media reports that all of the vaccines that were authorized for use by
16 Defendant HHS, are based on “data” provided by Communist China and the other
17 international healthcare conspirators. For example, on or about December 11, 2020,
18 Yasemin Saplakoglu (“Saplakoglu”), a writer for Live Science,⁶⁴ reported that the
19 “COVID-19 vaccines developed by Pfizer and Moderna” were based on “data”
20 supplied by Communist-controlled China:

21 “On Jan. 10, Chinese researchers first published the genetic sequence
22 [“data”] of the novel coronavirus on a preprint online; within a week,

23
24 <https://www.dni.gov/files/ODNI/documents/assessments/Unclassified-Summary-of-Assessment-on-COVID-19-Origins.pdf>

25 ⁶³ *Declassified Assessment on COVID-19 Origins*. Office of the Director of National Intelligence. October
26 29, 2021. Available from <https://www.dni.gov/index.php/newsroom/reports-publications/reports-publications-2021/item/2263-declassified-assessment-on-covid-19-origins>;
27 <https://www.dni.gov/files/ODNI/documents/assessments/Declassified-Assessment-on-COVID-19-Origins.pdf>.

28 ⁶⁴ Yasemin Saplakoglu. *COVID-19 vaccines: The new technology that made them possible*. Live Science. December 11, 2020. Available from <https://www.livescience.com/mrna-vaccines-future-vaccine-development.html>.

1 Weissman and his team at the University of Pennsylvania were already
2 developing synthetic mRNA against the virus and both Moderna and
3 Pfizer licensed this team's formulation from The University of
4 Pennsylvania, according to a perspective posted on Sep. 3 in the
5 journal JAMA. Within 66 days of the sequence ["data"] being
6 published, Moderna, in collaboration with [Anthony Fauci's] National
7 Institute of Allergy and Infectious Diseases, developed a vaccine and
8 kickstarted the first U.S. clinical trial to test it against COVID-19."

9 91. On or about March 25, 2021, Jon Gertner of the New York Times also
10 reported that the vaccines are based on "data" from Communist China⁶⁵ and that the
11 lack of specimens was correctable as a "software problem":

12 "It's typically the case, for instance, that a pharmaceutical company
13 needs samples of a virus to create a vaccine. But once the sequence
14 ["data"] was in the public realm, Moderna, an obscure biotech
15 company in Cambridge, Mass., immediately began working with the
16 National Institutes of Health on a plan. 'They never had the virus on
17 site at all; they really just used the sequence ["data"], and they viewed
18 it as a software problem,' Francis deSouza, the chief executive of
19 Illumina, which makes the sequencer that [Yong-Zhen⁶⁶] Zhang used,
20 told me with some amazement last summer, six months before the
21 Moderna vaccine received an emergency-use authorization by the Food
22 and Drug Administration. The virus's code ["data"] also set the testing
23 industry into motion. Only by analyzing characteristic aspects of the
24 virus's genetic sequence ["data"] could scientists create kits for the
25 devices known as P.C.R. machines, which for decades have used
26 genetic information ["data"] to formulate fast diagnostic tests."

27 92. Stated differently, in light of the fact that only "data" was used to shut down
28 the entire United States, the unconstitutional delegation of power to the WHO

⁶⁵ Jon Gertner. *Unlocking the Covid Code*. The New York Times. March 25, 2021. Available from <https://www.nytimes.com/interactive/2021/03/25/magazine/genome-sequencing-covid-variants.html>.

⁶⁶ *Severe acute respiratory syndrome coronavirus 2 isolate Wuhan-Hu-1, complete genome*. GenBank No. MN908947.3. Available from <https://www.ncbi.nlm.nih.gov/nuccore/MN908947.3>; Wu F, Zhao S, Yu B, et al. A new coronavirus associated with human respiratory disease in China [published correction appears in Nature. 2020 Apr;580(7803):E7]. *Nature*. 2020;579(7798):265-269. doi:10.1038/s41586-020-2008-3. Available from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7094943/>.

1 embodied in 42 C.F.R. § 70.1 would constitute an overt act done in furtherance of a
2 planned international mass murder healthcare conspiracy that has dressed up the
3 citizens of the United States for their funeral.
4

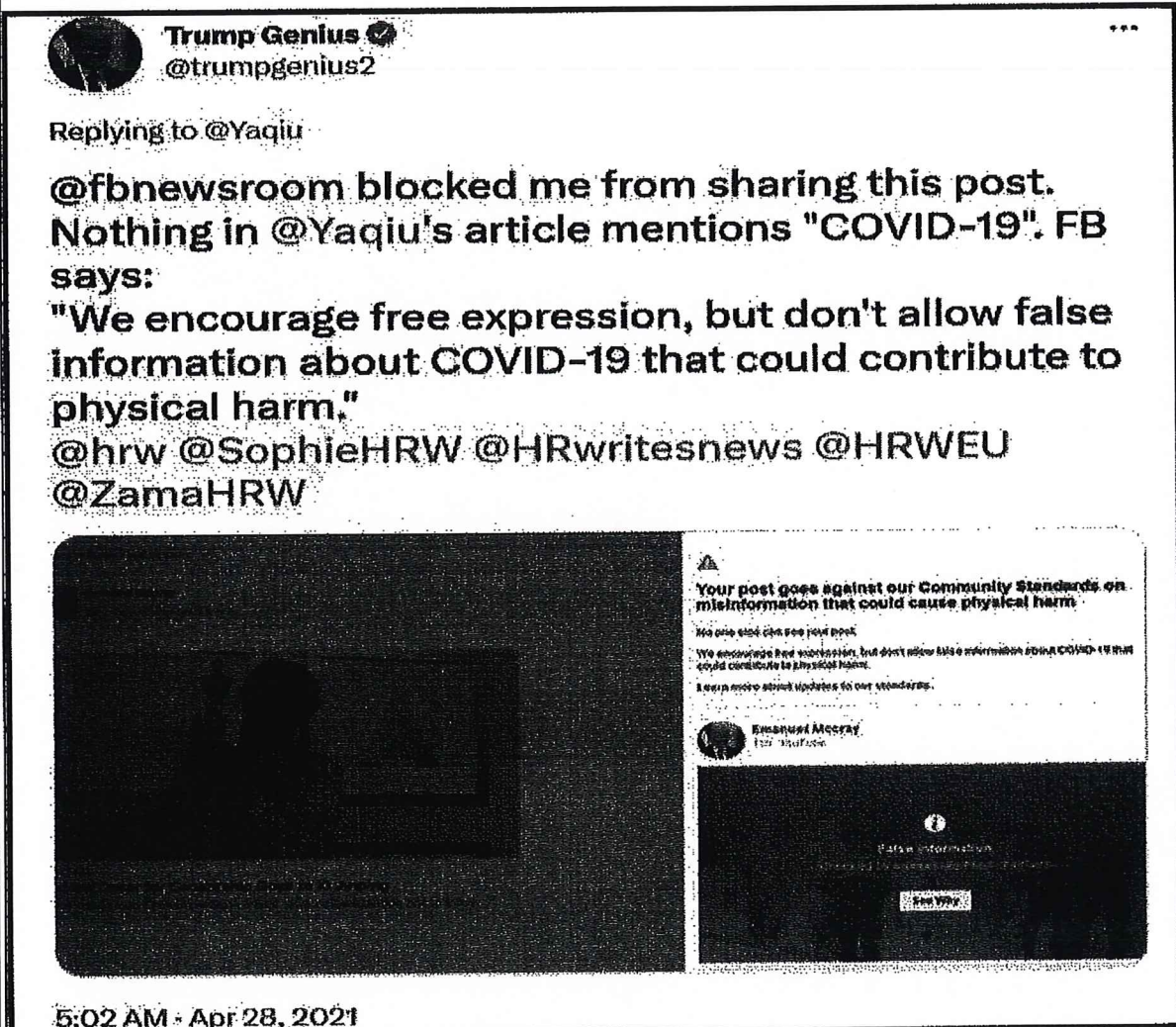
5 93. President Trump successfully interfered with this planned international mass
6 murder by introducing Operation Warp Speed (“OWS”) on or about April 29, 2020.
7 President Trump’s logic appears to have been designed to prevent the healthcare
8 conspirators from falsely extending the fake pandemic over a period of ten years
9 during which time vaccines would be claimed to be under normal development.
10

11 94. On January 21, 2021, in furtherance of the international healthcare
12 conspiracy, President Biden issued Executive Order 13999 (Protecting Worker
13 Health and Safety) (“ExOrd. 13999”),⁶⁷ which directed the “Secretary of
14 Agriculture, the Secretary of Labor, the Secretary of Health and Human Services,
15 the Secretary of Transportation, and the Secretary of Energy, in consultation with
16 the heads of any other appropriate agencies,” to find routes around the U.S
17 Constitution using the COVID-19 pandemic hoax as the vehicle.
18
19
20

21 95. On April 28, 2021, in furtherance of the international healthcare conspiracy,
22 the Chinese Communist Party blocked McCray, a citizen of the United States and a
23 resident of Washington State, from sharing a Tweet on Facebook from his Twitter
24
25
26

27 ⁶⁷ Available from <https://www.govinfo.gov/content/pkg/DCPD-202100072/html/DCPD-202100072.htm>.

1 account, “@trumpgenius2”,⁶⁸ by building code into the entire systems of these
2 social media companies:
3



21 96. McCray’s tweet celebrated Beijing-born Chloe Zhao for becoming “the first
22 [“Asian”] woman of color to win an Oscar for best director for her film
23 *Nomadland*”, which had nothing to do with “COVID-19”.
24
25

26 ⁶⁸ Available from <https://twitter.com/trumpgenius2/status/1387376613214412800>. Original article: Yaqiu
27 Wang. *And the Oscar for Censorship Goes to Xi Jinping: Beijing-born Director Chloe Zhao's Historic Win Erased in China*. Human Rights Watch (HRW). April 26, 2021. Available from <https://www.hrw.org/news/2021/04/26/and-oscar-censorship-goes-xi-jinping>.
28

1 97. In furtherance of the international healthcare conspiracy, “Independent Fact
2 Checkers” falsely labeled McCray’s tweet as “misinformation” and “false
3 information about COVID-19 that could contribute to physical harm”. Nothing in
4 McCray’s tweet, or in the Human Rights Watch article, mentioned “COVID-19”.

6 98. The success of *Nomadland* led to Frances Louise McDormand becoming the
7 first person in American history to win Academy Awards both as producer and
8 performer; and the second woman in American history to win Best Actress three
9 times—second only to Katharine Hepburn.⁶⁹ McDormand was also collaterally
10 attacked by the international healthcare conspiracy’s global censorship policies.
11

13 99. The Peoples Republic of China, which was founded by the Communist Party
14 of China, among other foreign Powers, including the United States, is a member⁷⁰ of
15 the WHO whose Director, Tedros Adhanom Ghebreyesus, is/was a member of the
16 Tigray People’s Liberation Front, a Communist front group and an Ethiopia-
17 designated terrorist organization.⁷¹
18

20 100. In furtherance of the international healthcare conspiracy, the United States
21 codified its membership in the WHO’s international healthcare conspiracy by
22 enacting 22 U.S. Code §290.
23

24 ⁶⁹ *Nomadland* (film). Wikipedia. Available from [https://en.wikipedia.org/wiki/Nomadland_\(film\)](https://en.wikipedia.org/wiki/Nomadland_(film)); Frances
25 McDormand. Wikipedia. Available from https://en.wikipedia.org/wiki/Frances_McDormand; Travis Clark. *The 44*
26 *actors who have won multiple Oscars, ranked by who has won the most*. April 26, 2021. Available from
<https://www.businessinsider.com/actors-with-most-oscars-2018-2#frances-mcdormand-3-wins-5-nominations-43>.

⁷⁰ Available from <https://www.who.int/countries>.

27 ⁷¹ *Ethiopia Declares Tigray, Oromia Groups Terrorist Organizations*. Bloomberg. May 6, 2021. Available
28 from <https://www.bloomberg.com/news/articles/2021-05-06/ethiopia-declares-tigray-romia-groups-terrorist-organizations>.

1 101. A conspiracy to violate, and violation of Chapters 10 and 113B of Title 18
2 United States Code, which contains the predicate criminal statutes, 18 U.S. Code
3 §175, and 18 U.S. Code §2332a, underlie the civil cause of action set forth in 18
4 U.S. Code § 1038(b), as explained by the Courts in *U.S. v. Brahm*, 520 F. Supp. 2d
5 619, 626-28 (D.N.J. 2007); *United States v. Keyser*, 704 F.3d 631, 639-40 (9th Cir.
6 2012); and *United States v. Hale*, 762 F.3d 1214, 1224-26 (10th Cir. 2014).

9 102. An agreement to engage in a conspiracy involving a “mere force of numbers”
10 of individuals acting in unison through the international healthcare conspiracy to
11 violate personal and economic rights underlie a separate cause of action, which falls
12 within the exception to the general conspiracy rule and gives rise to an independent
13 wrong. See, *Liappas v. Augoustis*, 47 So. 2d 582, 583 (Fla. 1950); *Snipes v. W.*
14 *Flagler Kennel Club, Inc.*, 105 So. 2d 164, 165 (Fla. 1958). See also, *Cabello v.*
15 *Fernandez-Larios*, 402 F.3d 1148, 1158-60 (11th Cir. 2005) (Attaching liability to
16 the defendant); *Halberstam v. Welch*, 705 F.2d 472, 486-87 (D.C. Cir. 1983)
17 (Attaching liability to a “passive but compliant” partner of the co-defendant);
18 *Hartford Accident & Indemnity Co. v. Sullivan*, 846 F.2d 377, 383-384 (7th Cir.
19 1988) (Attaching liability derived from the attorney’s agreement in the overall
20 broader conspiracy scheme); *United States v. Smith*, 749 F.3d 465, 498 (6th Cir.
21 2014) (“Withdrawal terminates the defendant’s liability for post withdrawal acts of
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1 his co-conspirators, but he remains guilty of conspiracy.”); *Pinkerton v. United*
2 *States*, 328 U.S. 640, 644 (1946):

3
4 “A conspiracy is a partnership in crime.... It involves deliberate
5 plotting to subvert the laws.... And it is characterized by secrecy,
6 rendering it difficult of detection, requiring more time for its discovery,
and adding to the importance of punishing it when discovered.”

7 103. On September 9, 2021, in furtherance of the international healthcare
8 conspiracy, President Biden announced “a new plan to require more Americans to
9 be vaccinated.”

10
11 104. On November 5, 2021, in furtherance of the international healthcare
12 conspiracy, James S. Frederick (“Frederick”), Acting Assistant Secretary of Labor
13 for Occupational Safety and Health, U.S. Department of Labor, in response to
14 President Biden’s “new plan”, issued an Emergency Temporary Standard (“ETS”),
15 86 Fed.Reg. 61402 (2021), under the false authority of 29 U.S. Code § 655(c). See
16
17
18 *National Fed’n of Indep. Bus. v. Department of Labor*, 142 S. Ct. 661, 663 (2022).

19 105. On January 13, 2022, the Supreme Court stayed enforcement of the Labor
20 Secretary’s ETS. *Id.* 142 S. Ct. 661 (2022).

21
22 106. On April 18, 2022, U.S. District Judge Kathryn Kimball Mizelle (“Mizelle”)
23 (Tampa, Florida) declared “unlawful” and vacated the “mandate” “Requirements for
24 Persons to Wear Masks While on Conveyances and at Transportation Hubs, 86 Fed.
25 Reg. 8025 (Feb. 3, 2021) promulgated by the Centers for Disease Control and
26 Prevention (“CDC”) in furtherance of the international healthcare conspiracy. See
27
28

1 *Health Freedom Defense Fund, Inc., et al. v. Biden, et al.*, Case No. 8:21-cv-01693-
2 KKM-AEP, Doc. No. 54, filed April 18, 2022 (Middle District of Florida).

3
4 107. Judge Mizelle also found the PHSA was not a source for the CDC to mandate
5 the wearing of masks, citing *Ala. Ass'n of Realtors v. Dep't of Health & Hum.*
6 *Servs.*, 141 S. Ct. 2485, 2487-89 (2021) (per curiam).

7
8 108. On or about August 26, 2021, the U.S. Supreme Court, in *Alabama*
9 *Association of Realtors et al., v. United States Department of Health and Human*
10 *Services et al.*, No. 21A23, was “virtually certain” the Realtors would “succeed on
11 the merits of their argument that the CDC had exceeded its authority” when
12 imposing a nationwide moratorium on evictions “in reliance on a decades-old stat-
13 ute [§361(a) of the Public Health Service Act, 42 U. S. C. §264(a)] that authorizes it
14 to implement measures like fumigation and pest extermination.”⁷² Said the Court:
15
16

17 “The applicants not only have a substantial likelihood of success on the
18 merits—it is difficult to imagine them losing.... At least 80% of the
19 country, including between 6 and 17 million tenants at risk of eviction,
20 falls within the moratorium.”).

21 109. The rulings of the Supreme Court in *Ala. Ass'n of Realtors v. Dep't of Health*
22 *& Hum. Servs.*, 141 S. Ct. 2485 (2021) and *National Fed'n of Indep. Bus. v.*
23 *Department of Labor*, 142 S. Ct. 661 (2022), and Judge Mizelle’s holding that the
24 PHSA was not a source for the CDC to mandate the wearing of masks, presupposed
25

26
27 ⁷² Available from https://www.supremecourt.gov/opinions/20pdf/21a23_ap6c.pdf (Application (21A23) to
28 vacate stay presented to The Chief Justice and by him referred to the Court granted.).

1 the existence of a real pandemic, and would aptly apply to the nonexistence of a
2 pandemic.

3
4 110. Allowing 42 C.F.R. § 70.1 to stand would permit the WHO's Sword of
5 Damocles to wreak havoc over numerous Clauses of the Federal Constitution such
6 as the Tax and Spend, Coinage, Commander-In-Chief, Due Process, Commerce,
7 and the Doctrine of Discovery and separation of powers.
8

9 V. CLASS ACTION ALLEGATIONS

10 111. This class action meets the prerequisites mandated by Fed. R. Civ. P. 23(a)
11 and Local Rule 23.1:
12

13 A. **Numerosity**: The proposed class includes all citizens of the United
14 States, approximately 334,000,000. Excluded are the Defendants, the Judiciary and
15 their families and employees, and the District of Columbia. There are no subclasses,
16 though some citizens might prefer not to have violations of their constitutional
17 rights remedied and may choose to exclude themselves from this litigation.
18

19 B. **Commonality**: All putative class members have rights guaranteed
20 under the Federal Constitution and certain "powers" reserved to them under the
21 Tenth Amendment. A sole discreet legal question all putative Plaintiffs-Intervenors
22 share in common is whether 42 C.F.R. § 70.1 is a constitutional delegation of
23 authority to the WHO, or whether 42 C.F.R. § 70.1 is a regulation that exceeds the
24 authority to the WHO, or whether 42 C.F.R. § 70.1 is a regulation that exceeds the
25 authority available under the Constitution and laws of the United States.
26
27
28

1 C. **Typicality:** The loss of constitutional sovereignty and powers reserved
2 to the People of the United States is typical of the putative class. Because McCray is
3 a citizen of the United States and is among the “people” to whom the Tenth
4 Amendment reserves “powers not delegated to the United States by the
5 Constitution, nor prohibited by it to the States”, McCray would have Article III
6 standing to pursue the class claims under the typicality requirements of Rule 23.
7
8

9 D. **Fair and Adequate Representation:** McCray is a citizen of the United
10 States. The Federal Constitution applies equally to each citizen of the United States,
11 and the States were accepted into the Union on equal footing. There are no formal
12 or personal conflicts of interests between McCray, the putative class members, and
13 the claim McCray seeks to pursue. It is also not fatal if some members of the class
14 might prefer not to have violations of their constitutional rights remedied.
15
16

17 Moreover, the State Plaintiffs “seek to protect their quasi-sovereign interest in the
18 health and well-being of their residents”. The States and the citizens of the U.S. are
19 all in this Nation together.
20

21 112. This action can be maintained as a class action under Fed. R. Civ. P. 23(b)
22 because Federal constitutional rights guaranteed to individuals are undifferentiated
23 in every State of the Union.
24

25 **VI. FIRST CLAIM FOR RELIEF**
26 **Violations of the Legislative “Vesting Clause” and Tenth Amendment**
27
28

1 113. The Plaintiffs-Intervenors adopt and incorporate by reference all preceding
2 allegations.

3
4 114. The U.S. Constitution vests power in only three branches of Government,
5 namely, U.S. Const. arts. I, II and III. The World Health Organization is not a
6 Branch of the U.S. Government and has not been found to be an administrative
7 agency of the United States, notwithstanding 22 U.S. Code §290.
8

9 115. By vesting Congress with “[a]ll legislative Powers”, the Supreme Court has
10 viewed the Legislative Vesting Clause as limiting the authority Congress can
11 delegate to other branches of government or private entities. In general, the Court
12 has held that the legislative power and the essential legislative functions of
13 Congress cannot be delegated, abdicated or transferred. See, *U.S. v. Shreveport*
14 *Grain El. Co.*, 287 U.S. 77, 85 (1932) (“But Congress may declare its will, and after
15 fixing a primary standard, devolve upon administrative officers the ‘power to fill up
16 the details’ by prescribing administrative rules and regulations.”); *Whitman v.*
17 *American Trucking Assns., Inc.*, 531 U.S. 457, 473 (2001) (“The very choice of
18 which portion of the power to exercise — that is to say, the prescription of the
19 standard that Congress had omitted — would *itself* be an exercise of the forbidden
20 legislative authority.”); *Hampton Co. v. United States*, 276 U.S. 394, 406 (1928)
21 (“[I]t is a breach of the National fundamental law if Congress gives up its legislative
22 power and transfers it to the President....”). See also *Marshall Field & Co. v. Clark*,

1 143 U.S. 649, 692 (1892) (same); *Wayman v. Southard*, 23 U.S. (10 Wheat.) 1, 42-
2 43 (1825) (same); and *Schechter Corp. v. United States*, 295 U.S. 495, 528-29
3
4 (1935):

5 “Extraordinary conditions do not create or enlarge constitutional
6 power. (Citations omitted). The Constitution established a national
7 government with powers deemed to be adequate, as they have proved
8 to be both in war and peace, but these powers of the national
9 government are limited by the constitutional grants. Those who act
10 under these grants are not at liberty to transcend the imposed limits
11 because they believe that more or different power is necessary. Such
12 assertions of extra-constitutional authority were anticipated and
13 precluded by the explicit terms of the Tenth Amendment, — “The
14 powers not delegated to the United States by the Constitution, nor
15 prohibited by it to the States, are reserved to the States respectively, or
16 to the people.”)

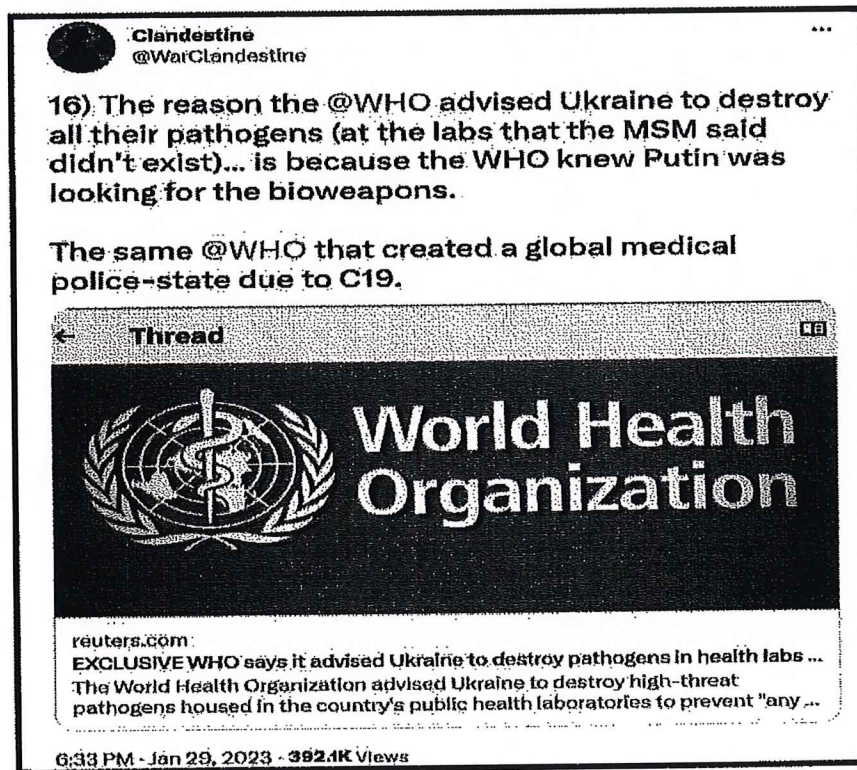
17 116. No provision of the Federal Constitution authorizes the Defendants to
18 delegate decisions regarding American public health emergencies to any foreign
19 Power, including the WHO, or members of the WHO. A provision of the
20 Constitution providing for such delegation would return the citizens of the United
21 States to conditions existing before the Declaration of Independence. The People of
22 the United States never ordained such a Constitution.

23 117. “As construed by the Court, this section is the recognition of a principle of
24 universal law; the principle that in every forum a contract is governed by the law
25 with a view to which it was made.” *Wayman v. Southard*, 23 U.S. 1, 48 (1825).

26 118. On its face, 42 C.F.R. § 70.1 provides a portal through which hostile and
27 friendly foreign powers and rogue officers of the United States can recapture and
28

1 exercise dominion and control over the lands and the Peoples lost after the 1776
2 Revolution and the other revolts.

3
4 119. On January 29, 2023, "Clandestine" (@WarClandestine) on Twitter, posted a
5 tweet that claimed the WHO "advised" Ukraine to destroy "high-threat pathogens"
6 to prevent Russian President Putin from finding them:⁷³



21 120. Clandestine's tweet illustrates the threat to the sovereignty of the United
22 States and its citizens presented by the delegation of authority to the WHO
23 contained in 42 C.F.R. § 70.1.

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⁷³ Available from <https://twitter.com/WarClandestine/status/1619886519027892227>.

1 121. Under the Critical Infrastructures Protection Act (“CIPA”) of 2001, 42 U.S.C.
2 §5195c, Congress, in part, directed that “any physical or virtual disruption of the
3 operation of the critical infrastructures of the United States be rare, brief,
4 geographically limited in effect, manageable, and minimally detrimental to the
5 economy, human and government services, and national security of the United
6 States....”
7
8

9 122. Under the “Defense Production Act of 1950” (“DPA”), Chapter 55 of Title
10 50, Congress provided the President with an array of authorities to “prepare for and
11 respond to military conflicts, natural or man-caused disasters, or acts of terrorism”,
12 as set forth in 50 U.S. Code §4502.
13

14 123. On February 12, 2013, the Administration of Barack Obama promulgated
15 Presidential Policy Directive/PPD–21 (Directive on Critical Infrastructure Security
16 and Resilience), which seeks to advance “a national unity of effort to strengthen and
17 maintain secure, functioning, and resilient critical infrastructure.” PPD-21 identified
18 16 critical infrastructure sectors and designated associated Federal Sector-Specific
19 Agencies.
20
21

22 124. On February 12, 2020, President Trump issued Executive Order 13905
23 (Strengthening National Resilience Through Responsible Use of Positioning,
24 Navigation, and Timing Services) and invoked the powers in 42 U.S.C. §5195c and
25 50 U.S. Code §4502 as countermeasures to the attempts by the international
26
27
28

1 healthcare conspiracy to shut down the economy of the United States and keep U.S.
2 citizens locked in their homes for ten years of more. After invoking these powers,
3
4 President Trump designated churches, firearm industries and others as critical to the
5 United States.

6 125. On July 26, 2016, President Obama promulgated Presidential Policy
7
8 Directive/PPD-41, a Directive on United States Cyber Incident Coordination.
9 Under PPD-41, the responsible Government agency would become the lead entity
10 directing information releasable to the public and controlling the narrative,
11 including censorship.
12

13 126. PPD-41 was the response mechanism used by T-Mobile to report its 2021
14 “cyberattack”.⁷⁴ What has not been shared by T-Mobile and the Federal
15 Government is the fact that the attackers gained access to T-Mobile customer’s
16 identity intelligence, which includes the healthcare data involved with the current
17 pandemic hoax in furtherance of the international healthcare conspiracy that is using
18
19 42 C.F.R. § 70.1 as an additional portal through which access to the identity
20 intelligence of U.S. citizens can be gained.
21

22 127. Following T-Mobile’s 2021 cyberattack, McCray and others known to
23
24 McCray, began experiencing varying degrees of degradation to their mobile
25 services with T-Mobile.

26
27 ⁷⁴ *T-Mobile Shares Updated Information Regarding Ongoing Investigation into Cyberattack*.
28 August 17, 2021. Available from <https://www.t-mobile.com/news/network/additional-information-regarding-2021-cyberattack-investigation>.

1 128. In December 2022, McCray and others known to McCray notified T-Mobile
2 and the United States District Court for the Western District of Missouri Western
3 Division, MDL No. 3019, Master Case No. 4:21-MD-03019-BCW, of their
4 exclusion from the T-Mobile Settlement Agreement to pursue their own class
5 action, in part due to the failure of the Agreement to address degradation of services
6 and identity intelligence involving their healthcare and other sensitive personal data.
7
8 T-Mobile has not responded to these court documents.
9

10 129. On January 19, 2023, in a Form 8K filing, T-Mobile notified the United
11 States Securities and Exchange Commission that a “bad actor” had gained access to
12 approximately 37 million accounts associated its customer’s identity intelligence
13 “starting on or around November 25, 2022”:⁷⁵
14
15

16 **Item 8.01 — Other Events.**

17 On January 5, 2023, T-Mobile US, Inc. (the “Company,” “we,” or “our”) identified that a bad actor was obtaining data through a single Application
18 Programming Interface (“API”) without authorization. We promptly commenced an investigation with external cybersecurity experts and within a day of
19 learning of the malicious activity, we were able to trace the source of the malicious activity and stop it. Our investigation is still ongoing, but the
20 malicious activity appears to be fully contained at this time, and there is currently no evidence that the bad actor was able to breach or compromise our
21 systems or our network.

22 Our systems and policies prevented the most sensitive types of customer information from being accessed, and as a result, based on our investigation to
23 date, customer accounts and finances were not put at risk directly by this event. The API abused by the bad actor does not provide access to any
24 customer payment card information (PCI), social security numbers/tax IDs, driver’s license or other government ID numbers, passwords/PINs or other
25 financial account information, so none of this information was exposed. Rather, the impacted API is only able to provide a limited set of customer
26 account data, including name, billing address, email, phone number, date of birth, T-Mobile account number and information such as the number of lines
27 on the account and plan features. The preliminary result from our investigation indicates that the bad actor(s) obtained data from this API for
28 approximately 37 million current postpaid and prepaid customer accounts, though many of these accounts did not include the full data set.

29 We currently believe that the bad actor first retrieved data through the impacted API starting on or around November 25, 2022. We are continuing to
30 diligently investigate the unauthorized activity. In addition, we have notified certain federal agencies about the incident, and we are concurrently
31 working with law enforcement. Additionally, we have begun notifying customers whose information may have been obtained by the bad actor in
32 accordance with applicable state and federal requirements.

33 As we have previously disclosed, in 2021, we commenced a substantial multi-year investment working with leading external cybersecurity experts to
34 enhance our cybersecurity capabilities and transform our approach to cybersecurity. We have made substantial progress to date, and protecting our
35 customers’ data remains a top priority. We will continue to make substantial investments to strengthen our cybersecurity program.

36 We may incur significant expenses in connection with this incident.

37 Although we are unable to predict the full impact of this incident on customer behavior in the future, including whether a change in our customers’
38 behavior could negatively impact our results of operations on an ongoing basis, we presently do not expect that it will have a material effect on the
Company’s operations.

75 Available from
<https://www.sec.gov/ix?doc=/Archives/edgar/data/0001283699/000119312523010949/d641142d8k.htm>.

1 130. T-Mobile failed to inform the Securities and Exchange Commission, its direct
2 and indirect consumers, and the public that the “API” access point utilized by the
3 “bad actor” is a common interface that allows authorized developers to access
4 certain parts of T-Mobile’s website or mobile service applications when the
5 developers are building applications for T-Mobile. For example, Twitter, Inc.
6 offered an API that allowed programmers and developers like Tapbots and the
7 Iconfactory to develop “TweetBot” and “Twitterific”, functions associated with the
8 Twitter website, until Twitter decided to change who could access its API and for
9 what purpose. The media, for its role under PPD-41, falsely described this
10 unauthorized theft of identity intelligence as a “hack” rather than T-Mobile’s
11 negligence.⁷⁶ Access to this application could allow for the coding of censorship
12 instructions to ban or censor an individual’s constitutional right to speech as was
13 done in the case of McCray’s censorship by Communist China.
14

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16
17
18 131. The Defendants’ regulation, 42 C.F.R. § 70.1, when coupled with the APIs of
19 telecommunications carriers and social media platforms, would provide the WHO,
20 foreign powers, and rogue actors an unprecedented avenue to engineer dangerous
21 hybrid viruses, in addition to dictating how the America public health system
22 provides goods and services to Americans, including congressional spending and
23 appropriations, taxation and censorship regarding healthcare information.
24
25

26
27 ⁷⁶ See, Matthew Keys. *T-Mobile's latest customer data breach wasn't a 'hack'*. TheDesk.net. January 23,
28 2023. Available from <https://thedesk.net/2023/01/t-mobile-compromise-api-was-not-hacked/>.

1 132. In or about April 2020, in furtherance of the international healthcare
 2 conspiracy to conceal evidence of the immunohistology of “SARS-CoV-2”,
 3 Defendant HHS and the CDC instructed public health authorities using the National
 4 Vital Statistics System (“NVSS”), to intentionally falsify the standard Death
 5 Certificates to include “COVID-19” deaths by: (1) eliminating SARS-CoV-2
 6 infection as the “UNDERLYING CAUSE OF DEATH”; (2) requiring the
 7 “MANNER OF DEATH” be listed as “Natural”; and (3) eliminating the need for a
 8 COVID-19-related autopsy/ pathologist, as shown in these three “scenarios” for
 9 completing the COVID-19 Death Certificate.⁷⁷
 10
 11
 12

13 Scenario 1

| | | |
|--|---|--|
| <p>CAUSE OF DEATH (See instructions and examples)</p> <p>32. PART I. Enter the <u>chain of events</u>—diseases, injuries, or complications—that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line. Add additional lines if necessary.</p> | | <p>Approximate interval: Onset to death</p> |
| <p>IMMEDIATE CAUSE (Final disease or condition resulting in death)</p> <p>Sequentially list conditions, if any, leading to the cause listed on line a. Enter the UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST</p> | <p>a. Acute respiratory acidosis Due to (or as a consequence of):</p> <p>b. COVID-19 Due to (or as a consequence of):</p> <p>c. _____ Due to (or as a consequence of):</p> <p>d. _____ Due to (or as a consequence of):</p> | <p>3 days</p> <p>1 week</p> |
| <p>PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I</p> <p>Chronic obstructive pulmonary disease, hypertension</p> | | <p>33. WAS AN AUTOPSY PERFORMED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>34. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> |
| <p>35. DID TOBACCO USE CONTRIBUTE TO DEATH?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Probably</p> <p><input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown</p> | <p>36. IF FEMALE:</p> <p><input type="checkbox"/> Not pregnant within past year</p> <p><input type="checkbox"/> Pregnant at time of death</p> <p><input type="checkbox"/> Not pregnant, but pregnant within 42 days of death</p> <p><input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death</p> <p><input type="checkbox"/> Unknown if pregnant within the past year</p> | <p>37. MANNER OF DEATH</p> <p><input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide</p> <p><input type="checkbox"/> Accident <input type="checkbox"/> Pending Investigation</p> <p><input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined</p> |

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26 ⁷⁷ Vital Statistics Reporting Guidance. Guidance for Certifying Deaths Due to Coronavirus Disease 2019
 27 (COVID-19). National Center for Health Statistics, Centers for Disease Control and Prevention, U.S. Department of
 28 Health and Human Services. Report No. 3, April 2020. Available from
<https://www.cdc.gov/nchs/data/nvss/vsrg/vsrg03-508.pdf>, page 2.

Scenario II

| CAUSE OF DEATH (See instructions and examples) | | | Approximate Interval Onset to death |
|---|---|---|---|
| 32. PART I. Enter the chain of events—diseases, injuries, or complications—that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line. Add additional lines if necessary. | | | |
| IMMEDIATE CAUSE (Final disease or condition resulting in death) | a. Acute respiratory distress syndrome | Due to (or as a consequence of): | 2 days |
| Sequentially list conditions, if any, leading to the cause listed on line a. Enter the UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST | b. Pneumonia | Due to (or as a consequence of): | 10 days |
| | c. COVID-19 | Due to (or as a consequence of): | 10 days |
| | d. | | |
| PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I | | | 33. WAS AN AUTOPSY PERFORMED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| | | | 34. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 35. DID TOBACCO USE CONTRIBUTE TO DEATH? <input type="checkbox"/> Yes <input type="checkbox"/> Probably <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown | 36. IF FEMALE: <input checked="" type="checkbox"/> Not pregnant within past year <input type="checkbox"/> Pregnant at time of death <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death <input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death <input type="checkbox"/> Unknown if pregnant within the past year | 37. MANNER OF DEATH <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined | |

Scenario III

| CAUSE OF DEATH (See instructions and examples) | | | Approximate Interval Onset to death |
|---|---|---|---|
| 32. PART I. Enter the chain of events—diseases, injuries, or complications—that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line. Add additional lines if necessary. | | | |
| IMMEDIATE CAUSE (Final disease or condition resulting in death) | a. Acute respiratory illness | Due to (or as a consequence of): | 1 day |
| Sequentially list conditions, if any, leading to the cause listed on line a. Enter the UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST | b. Probable COVID-19 | Due to (or as a consequence of): | 5 days |
| | c. | Due to (or as a consequence of): | |
| | d. | | |
| PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I | | | 33. WAS AN AUTOPSY PERFORMED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Ischemic stroke | | | 34. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 35. DID TOBACCO USE CONTRIBUTE TO DEATH? <input type="checkbox"/> Yes <input type="checkbox"/> Probably <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown | 36. IF FEMALE: <input checked="" type="checkbox"/> Not pregnant within past year <input type="checkbox"/> Pregnant at time of death <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death <input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death <input type="checkbox"/> Unknown if pregnant within the past year | 37. MANNER OF DEATH <input checked="" type="checkbox"/> Natural <input type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined | |

133. In each “Scenario”, the “UNDERLYING CAUSE”/trigger mechanism required to be shown in block 32, “SARS-CoV-2”, is omitted and no instructions for completing blocks 38 through 43 is given to the users of the NVSS. The significance of these deletions—whether a murder weapon or the murder weapon is presented—is substantial when juxtaposed a sample standard Death Certificate involving the human use of a gun to kill another human:

| CAUSE OF DEATH (See instructions and examples) | | | Approximate Interval Onset to death |
|---|--|---|--|
| <p>32. PART I. Enter the chain of events—disease, injuries, or complications—that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line. Add additional lines if necessary.</p> | | | |
| IMMEDIATE CAUSE (Final disease or condition resulting in death) | a. Cardiac tamponade | Due to (or as a consequence of): | 15 minutes |
| | b. Perforation of heart | Due to (or as a consequence of): | 20 minutes |
| Sequentially list conditions, if any, leading to the cause listed on line a. Enter the UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST | c. Gunshot wound to thorax | Due to (or as a consequence of): | 20 minutes |
| | d. | | |
| PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I. | | | 33. WAS AN AUTOPSY PERFORMED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | 34. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 35. DID TOBACCO USE CONTRIBUTE TO DEATH? <input type="checkbox"/> Yes <input type="checkbox"/> Probably <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown | 36. IF FEMALE: <input type="checkbox"/> Not pregnant within past year <input type="checkbox"/> Pregnant at time of death <input type="checkbox"/> Not pregnant, but pregnant within 42 days of death <input type="checkbox"/> Not pregnant, but pregnant 43 days to 1 year before death <input type="checkbox"/> Unknown if pregnant within the past year | 37. MANNER OF DEATH <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Homicide <input type="checkbox"/> Accident <input type="checkbox"/> Pending investigation <input type="checkbox"/> Suicide <input type="checkbox"/> Could not be determined | |
| 38. DATE OF INJURY (Mo/Day/Yr) (Spell Month) August 20, 2003 | 39. TIME OF INJURY Approx. 2100 | 40. PLACE OF INJURY (e.g., Decedent's home; construction site; restaurant; woodlot area) neighbor's home | 41. INJURY AT WORK? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 42. LOCATION OF INJURY State: Alabama City or Town: Street & Number: 3129 Discus Avenue Apartment No.: | | Zip Code: 35487-0002 | |
| 43. DESCRIBE HOW INJURY OCCURRED: Shot by another person using a handgun | | | 44. IF TRANSPORTATION ACCIDENT, SPECIFY: <input type="checkbox"/> Driver/Operator <input type="checkbox"/> Passenger <input type="checkbox"/> Pedestrian <input type="checkbox"/> Other (Specify): |

134. Block 43 of the Death Certificate shown in paragraph 133 *supra*, requires a description of how the injury occurred and would require a notation describing the injury as “SARS-CoV-2” infection and or COVID-19 vaccination. In either case, the manner of death would be listed as “homicide” in Block 37 since “SARS-CoV-2”, the virus, was not naturally occurring, and has never been proven to have been naturally occurring in the United States before China released the “SARS-CoV-2” “data”; and all COVID-19 vaccinations were administered through the agency of a human being, namely healthcare professionals.

135. The instructions for the COVID-19 Death Certificate unconstitutionally deprives every decedent of their right to know the true legal manner and cause of death when the “SARS-CoV-2” infection is intentionally omitted from blocks 32 and 43 and “homicide” is not listed as the “manner of death” in Block 37.

1 136. The falsification of the standard Death Certificates by Defendant HHS and
2 the CDC in furtherance of the international healthcare conspiracy represents the
3 attempt to cover up the commission of mass murder and or mass manslaughter, or
4 the attempted commission of mass murder and or mass manslaughter proscribed in
5 18 U.S. Code §§ 1111, 1112, 1113, 1114, 1116, and 1119, which is punishable as a
6 separate crime under the “conspiracy” provisions of 18 U.S. Code §1117, which
7 provides that:
8
9

10 “If two or more persons conspire to violate section 1111, 1114, 1116,
11 or 1119 of this title, and one or more of such persons do any overt act
12 to effect the object of the conspiracy, each shall be punished by
13 imprisonment for any term of years or for life.”

14 137. The Defendants’ regulation, 42 C.F.R. § 70.1, would shift liability for Federal
15 homicide to the Director of the WHO, as a means of escaping the personal
16 jurisdiction of the courts of the United States, which is unavailable to the Director
17 of the WHO as explained in *T-Mobile United States, Inc. v. Huawei Device United*
18 *States, Inc.*, 115 F. Supp. 3d 1184, 1201 (W.D. Wash. 2015):
19

20 “What is missing from Huawei China’s evidence is anything to
21 contradict T-Mobile’s allegation that it “directed both its own
22 employees and Huawei USA employees to steal ... information from
23 T-Mobile.” ¶ 17. The closest Huawei China comes to contradicting
24 that evidence is a generic assertion that it “did not engage in any
25 activities in the State of Washington as alleged in the complaint.” Xu
26 Decl. (Dkt. # 55) ¶ 14. But T-Mobile’s claims do not depend on the
27 allegation that Huawei China took actions in Washington, they depend
28 on the allegation that Huawei China directed from afar the Bellevue
misconduct of Mr. Xiong, Mr. Wang, and others. That uncontradicted

1 allegation, as the court will now discuss, is a sufficient basis for the
2 court's exercise of personal jurisdiction over Huawei China."

3 138. China's censorship of McCray; China's involvement in the current pandemic
4 hoax; and China's interference of T-Mobile's operations in the United States
5 demonstrates a clear and present danger to the sovereignty of the People of the
6 United States. The United States⁷⁸ and Oklahoma⁷⁹ have passed laws warning of the
7 dangers of the Communist "conspiracy" and outlawing the Communist conspiracy.
8

9
10 139. On or about January 23, 2023, William Henry Gates III, "Bill Gates" gave an
11 "interview" to the Lowy Institute in Australia. When asked to score the WHO's
12 COVID-19 performance, Bill Gates responded:⁸⁰
13

14 "Well the W-H-O was so mistreated by the US and other member
15 countries that it's very hard to do your job when your largest donor is
16 completely withdrawing in the middle of an epidemic.... The W-H-O
17 is going to need more resources to have a dedicated team not just for
18 when the epidemic comes, but to go to the world's countries and make
19 sure that these drills are being done. You know we do fire drills. You
20 know the Defense Department does war games. We need for epidemics
21 to practice.... And so we need to be doing every five years, a really
22 comprehensive exercise at both country and regional level of pandemic
23 preparedness and you need a global group that's kind of scoring
24 everybody and saying hey you know if you're not participating in this
25 you could be the source of the next pandemic...."

26 ⁷⁸ Aug. 24, 1954, ch. 886, §2, 68 Stat. 775 (50 U.S.C. §841) (2019).

27 ⁷⁹ Laws 1955, p. 189, § 1. 2021 Okla. Stat. Ann. tit. 21, §§ 21-1266.1.

28 ⁸⁰ *Preparing for global challenges: In conversation with Bill Gates*. Lowy Institute. 23 January 2023.
Available from <https://www.lowyinstitute.org/event/preparing-global-challenges-conversation-bill-gates>; YouTube:
Preparing for Global Challenges: In Conversation with Bill Gates. https://youtu.be/038_DssSv0 (8:57 – 10:50).

1 140. On May 29, 2020, President Trump announced the United States would be
2 terminating its relationship with the WHO. As reported by CNN, President Trump
3 stated:⁸¹
4

5 “Because they have failed to make the requested and greatly needed
6 reforms, we will be today terminating our relationship with the World
7 Health Organization and redirecting those funds to other worldwide
8 and deserving, urgent global public health needs... Chinese officials
9 ignored their reporting obligations to the World Health Organization
10 and pressured the World Health Organization to mislead the world
11 when the virus was first discovered by Chinese authorities.”

12 141. Later in the interview at the Lowy Institute, Bill Gates disclosed being a
13 member of the international healthcare conspiracy when he described “three
14 problems” with the COVID-19 vaccines that “we” need to fix:⁸²

15 “The current vaccines are not infection blocking[;] they’re not broad so
16 when new variants come up you lose protection and they have very
17 short duration....”

18 142. “*Health Affairs*”, a leading peer-reviewed journal of health policy thought
19 and research founded in 1981 under the aegis of Project HOPE, a nonprofit
20 international health education organization, published a negative observation of the
21 WHO similar to Bill Gates:⁸³

22 “Importantly, though, WHO has no enforcement mechanisms; it can
23 only provide guidance. Sovereign nations choose which of its
24

25 ⁸¹ Jason Hoffman and Maegan Vazquez. *Trump announces end of US relationship with World Health
26 Organization*. CNN. May 29, 2020. Available from [https://www.cnn.com/2020/05/29/politics/donald-trump-world-
27 health-organization/index.html](https://www.cnn.com/2020/05/29/politics/donald-trump-world-health-organization/index.html).

28 ⁸² *Preparing for Global Challenges: In Conversation with Bill Gates*. https://youtu.be/038_DssSv0 (54:31
– 54:45).

⁸³ Ashish K. Jha. *Defunding WHO: Why The President's Decision Makes America Less Safe*. April 16, 2020.
Available from <https://www.healthaffairs.org/doi/10.1377/forefront.20200415.253920/>.

1 recommendations to follow. Ultimately, WHO is a membership
2 organization, made up of member states, and its ability to confront,
3 criticize, or alter the behavior of those members is limited. These
4 limitations are important when considering WHO's response early in
5 the epidemic. China first notified WHO of an outbreak of a new virus
6 on December 31, 2019. Although WHO offered to send a team of
7 experts to China, it was rebuffed by the Chinese government. WHO
8 could no more impose its will and forcibly send its team into China
9 than it could have entered the US if the Trump administration had
10 rejected a similar offer.”

11 143. The unconstitutional delegations contained in 42 C.F.R. § 70.1 would clearly
12 give the WHO the statutory authority to direct the United States and its officers
13 conduct the “drills” Bill Gates desires; the legal authority to fill the staffing
14 shortages the WHO needs to carry out future fake pandemics and “epidemics”; and
15 the force the United States to comply with the WHO's demands and policy
16 decisions, whose Director, Tedros Adhanom Ghebreyesus, evolved from the
17 Communist-terrorist Tigray People's Liberation Front of Ethiopia.

18 144. When codifying the international Communist Conspiracy, 50 U.S. Code
19 §841, Congress described this conspiracy as a persistent threat “to overthrow the
20 Government of the United States”:

21
22 “The Congress finds and declares that the Communist Party of the
23 United States, although purportedly a political party, is in fact an
24 instrumentality of a conspiracy to overthrow the Government of the
25 United States. It constitutes an authoritarian dictatorship within a
26 republic, demanding for itself the rights and privileges accorded to
27 political parties, but denying to all others the liberties guaranteed by
28 the Constitution.... Unlike political parties...the policies and programs
of the Communist Party are secretly prescribed for it by the foreign
leaders of the world Communist movement.... The peril inherent in its

1 operation arises not from its numbers, but from its failure to
2 acknowledge any limitation as to the nature of its activities, and its
3 dedication to the proposition that the present constitutional
4 Government of the United States ultimately must be brought to ruin by
5 any available means, including resort to force and violence. Holding
6 that doctrine, its role as the agency of a hostile foreign power renders
7 its existence a clear present and continuing danger to the security of the
8 United States. It is the means whereby individuals are seduced into the
9 service of the world Communist movement, trained to do its bidding,
10 and directed and controlled in the conspiratorial performance of their
11 revolutionary services. Therefore, the Communist Party should be
12 outlawed.

13
14 145. Plaintiff State of Oklahoma, when codifying Okla. Stat. Ann. tit. 21, §21-
15 1266.1, similarly described the threat to the State from the existence of “communist
16 conspiracy”:

17 “Upon evidence and proof already presented before this legislature,
18 congress, the courts of this state, and the courts of the United States, it
19 is here now found and declared to be a fact that there exists an
20 International Communist conspiracy which is committed to the
21 overthrow of the government of the United States and of the several
22 states, including that of the State of Oklahoma, by force or violence,
23 such conspiracy including the Communist Party of the United States,
24 its component or related parts and members, and that such conspiracy
25 constitutes a clear and present danger to the government of the United
26 States and of this state.

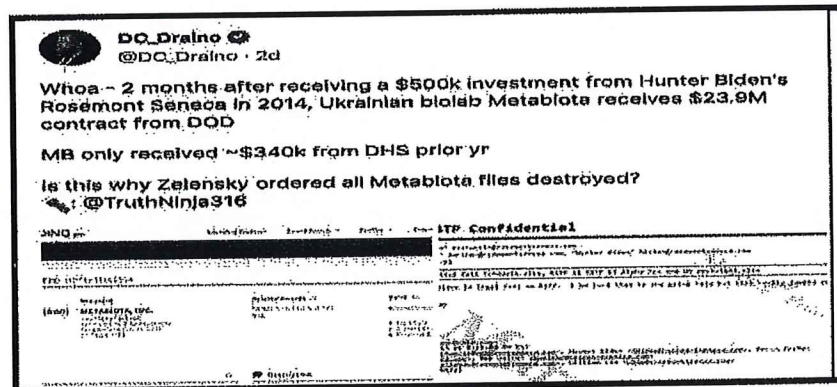
27 146. In *Dennis v. United States*, 341 U. S. 494 (1951), *Yates v. United States*, 354
28 U.S. 298 (1957) and *Scales v. United States*, 367 U.S. 203 (1961), the Supreme
Court found the criminalization of the communist conspiracy within “the
substantive evils that Congress has a right to prevent.” See also, *Matter of Davis v.*
Hults, 24 Misc. 2d 954, 956 (N.Y. Sup. Ct. 1960):

1 “The petitioner is not an unknowing rank-and-filer, caught in the wiles
2 of the Communist snare.... [H]e was adjudicated to be in the top
3 echelon of the Communist conspiracy in this country, advocating the
4 overthrow of our democratic government by force and violence...as a
5 matter of instigative effort to achieve action to that end.... And it is no
6 secret that the aim of the conspiratorial apparatus of the Communist
party is the establishment of a dictatorship, where civil rights, as we
know them in a libertarian democracy, would not exist.”

7 147. Communism, and its many forms, evolved from individuals such as Lucius
8 Annaeus Seneca the Younger (“Seneca”) (c. 4 BC – 65 AD), who served as an
9 advisor to Nero Claudius Caesar Augustus Germanicus, who was born Lucius
10 Domitius Ahenobarbus.
11

12 148. When ordaining their Constitution, the People of the United States were
13 aware of the existence of the ideals of Communism and could have provided for the
14 protection of this tool of dictators.
15

16 149. On January 31, 2022, “DC_Draino” (“@DC_Draino”) posted a truth on
17 President Trump’s social media platform “Truth Social”, linking President Biden’s
18 son, Hunter Biden, to Ukraine’s biolabs:⁸⁴
19



27 ⁸⁴ Available from https://truthsocial.com/@DC_Draino/posts/109786551799706446.

1
2 150. During his counterintelligence investigation in September 2021, McCray
3 found that the post by DC_Draino involving Metabiota, Inc. has a deeper identity
4 intelligence which links Metabiota, Inc. to funding from Anthony Fauci's NIAID in
5 2008 and 2009:⁸⁵
6

The screenshot shows a search results page from NIH Reporter. The search term is 'Metabiota, Inc.'. The results table includes the following entries:

| Project ID | Project Name | PI | Organization | Fiscal Year | Agency | Funding ID | FY Total Cost/ID # | See All Projects |
|-------------------|---|-----------------------|----------------|-------------|--------|------------|------------------------|------------------|
| Y 0210660020-05 | NIH Director's Pioneer Award | A WOLFE, HANNAH D. CF | METABIOTA, INC | 2006 | OD | FIG NIAID | \$268,500 \$377,178 | View |
| 1. R22CA148514-01 | IDENTIFYING NOVEL VIRUSES IN HUMAN MALIGNANCY | A WOLFE, HANNAH D. CF | METABIOTA, INC | 2009 | NCI | NCI | \$439,058 | View |
| A 0210660020-02 | NIH Director's Pioneer Award | A WOLFE, HANNAH D. CF | METABIOTA, INC | 2009 | OD | FIG NIAID | \$288,500 \$371,178 | View |
| 5. R22CA148514-02 | IDENTIFYING NOVEL VIRUSES IN HUMAN MALIGNANCY | A WOLFE, HANNAH D. CF | METABIOTA, INC | 2010 | NCI | NCI | \$653,892 | View |
| 1. H200001594-01 | Global Health Security Partner Engagement: Expanding Efforts and Strategies to Protect and Improve Public Health Globally | A SCHMIDT, BRAD D. CF | METABIOTA, INC | 2016 | OGH | NCSD ODGSD | \$100,000 \$970,000 | View |

17
18
19 151. McCray further found from his counterintelligence investigation that in
20 August 2005, U.S. Senators Richard G. Lugar (R-Ind.) and Barack Obama (D-Ill.)
21 visited Ukraine following the agreement by the United States and Ukraine “to work
22 jointly to prevent the spread of biological weapons...[and] to improve security at
23 facilities where dangerous microbes are kept.”⁸⁶
24

25
26 ⁸⁵ Available from <https://reporter.nih.gov/search/O1f6qy5a8UmbSjtMxwS8YA/projects>.

27 ⁸⁶ Jo Warrick. *U.S. to Aid Ukraine in Countering Bioweapons*. Washington Post. August 30, 2005. Available
28 from <https://www.washingtonpost.com/archive/politics/2005/08/30/us-to-aid-ukraine-in-countering-bioweapons/72059ed1-90ca-4381-ac6f-10f4e205f09e/>.

1 152. One lab receiving funding was the I.I. Mechnikov Antiplague Scientific and
2 Research Institute, in the Black Sea port city of Odessa. “The institute was part of a
3 Cold War network of ‘antiplague’ stations that supplied highly lethal pathogens to
4 Soviet bioweapons factories”, according to the 2005 Washington Post article.
5

6 153. Rather than bring an end to Hitler’s medical and science experiments, Nazi
7 Germany, and the other members of NATO, including the United States, continued
8 these experiments in Ukraine, including military aggression against President Putin
9 and the Russian Federation. During a “special” military operation in early 2022,
10 Russia discovered documents linking Metabiota, United States Agency for
11 International Development (USAID), the “PREDICT” program and the “emergence
12 of Covid” in Ukraine.⁸⁷ If true, this would explain why China only released “data”,
13 and not the original specimen from which the “data” was derived.
14
15
16

17 154. On March 21, 2022, Lieutenant General Igor Kirillov, Chief of the Radiation,
18 Chemical and Biological Defense Forces of the Russian Armed Forces, announced
19 his special forces had discovered the “Pope authored the idea of creating a central
20 depository of high-threat pathogens in Kiev” and that the Pope spoke highly of an
21
22
23
24

25
26 ⁸⁷ *Russian Defense Ministry names those who worked on bioweapons in Ukraine.* TASS Russian News
27 Agency. 31 Mar 2022. Available from <https://tass.com/politics/1430595>; *Russian Defense Ministry connects USAID's
28 bat capture program to emergence of COVID-19.* TASS Russian News Agency. 4 Aug 2022. Available from
<https://tass.com/politics/1489503>; Regina. *General Kirillov announces US and Ukraine's plans to study Ebola virus
in Odessa.* News Unrolled. July 7, 2022. Available from <https://newsunrolled.com/world/54383.html>.

1 American citizen, “Ulana Suprun”, who was born in Detroit, Michigan to parents
2 George Harry Jurkiw and Zenovia Jurkiw.⁸⁸

3
4 155. In or about 2013, Suprun and her husband Marco Suprun, a Canadian
5 propagandist and producer associated with the “stopfake.org”⁸⁹ censorship and fact
6 check organization, moved to Ukraine where they became active in the 2014
7 Ukrainian revolution and “Euromaidan”.

8
9 156. In July 2015, Ukraine President Petro Poroshenko (“Poroshenko”) permitted
10 Ukrainian citizenship to be conferred upon Ulana Suprun and her husband.⁹⁰ During
11 the ceremony, Poroshenko noted the participation of Ulana Suprun and her husband
12 “in the training program for the new Ukrainian Police Patrol Service. Mr.
13 Poroshenko said that, thanks to such knowledge, new police officers have already
14 saved a human life.”

15
16
17 157. In July 2016, Poroshenko permitted Ulana Suprun to be installed in the
18 position of “acting Minister of Healthcare” for Ukraine.⁹¹

19
20 158. The U.S. Congress reported that in 2016, Ukraine’s top anti-corruption
21 prosecutor, Viktor Shokin, had an active and ongoing investigation into Burisma
22

23 ⁸⁸ Russian Defense Ministry names those who worked on bioweapons in Ukraine. TASS Russian News
24 Agency. 31 Mar 2022. Available from <https://tass.com/politics/1430595>.

25 ⁸⁹ Available from <https://www.stopfake.org/en/about-us/>; Bernhard Warner. *A Ukrainian journalism*
26 *professor has fought Putin's disinformation machine for 8 years—with surprising success. Here's why he's convinced*
27 *fake news can be defeated.* Fortune Media. June 28, 2022. Available from [https://fortune.com/2022/06/28/ukraine-](https://fortune.com/2022/06/28/ukraine-russia-war-disinformation-fake-news-stopfake-yevhen-fedchenko/)
28 [russia-war-disinformation-fake-news-stopfake-yevhen-fedchenko/](https://fortune.com/2022/06/28/ukraine-russia-war-disinformation-fake-news-stopfake-yevhen-fedchenko/).

29 ⁹⁰ Poroshenko grants Ukrainian citizenship to Ulana and Marko Suprun of the U.S. The Ukrainian Weekly.
30 July 17, 2015. Available from [http://www.ukrweekly.com/uw/wp/poroshenko-grants-ukrainian-citizenship-to-ulana-](http://www.ukrweekly.com/uw/wp/poroshenko-grants-ukrainian-citizenship-to-ulana-and-marko-suprun-of-the-u-s/)
31 [and-marko-suprun-of-the-u-s/](http://www.ukrweekly.com/uw/wp/poroshenko-grants-ukrainian-citizenship-to-ulana-and-marko-suprun-of-the-u-s/).

32 ⁹¹ Available from https://en.wikipedia.org/wiki/Ulana_Suprun.

1 and its owner, Mykola Zlochevsky. At the time, Hunter Biden continued to serve on
2 Burisma’s board of directors in Ukraine. According to news reports, then Vice-
3 President Biden “threatened to withhold \$1 billion in United States loan guarantees
4 if Ukraine’s leaders did not dismiss [Shokin]. After that, Ukraine’s Parliament fired
5 Shokin.”⁹²
6

7
8 159. Ulana Suprun’s father, George Harry Jurkiw, is a former U.S. defense
9 contractor who helped produce “valuable technology and fire suppression
10 equipment for the A-1 Abrams tank”,⁹³ which President Biden is sending to
11 Ukraine.⁹⁴
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13 160. On March 12, 2022, the Russian Ministry of Foreign Affairs posted
14 additional details about Ulana Suprun, including the fact that Ukrainians nicknamed
15 her “Dr. Death” and that her grandfather, “Ivan Jurkiw” was a “Nazi
16 collaborator”.⁹⁵
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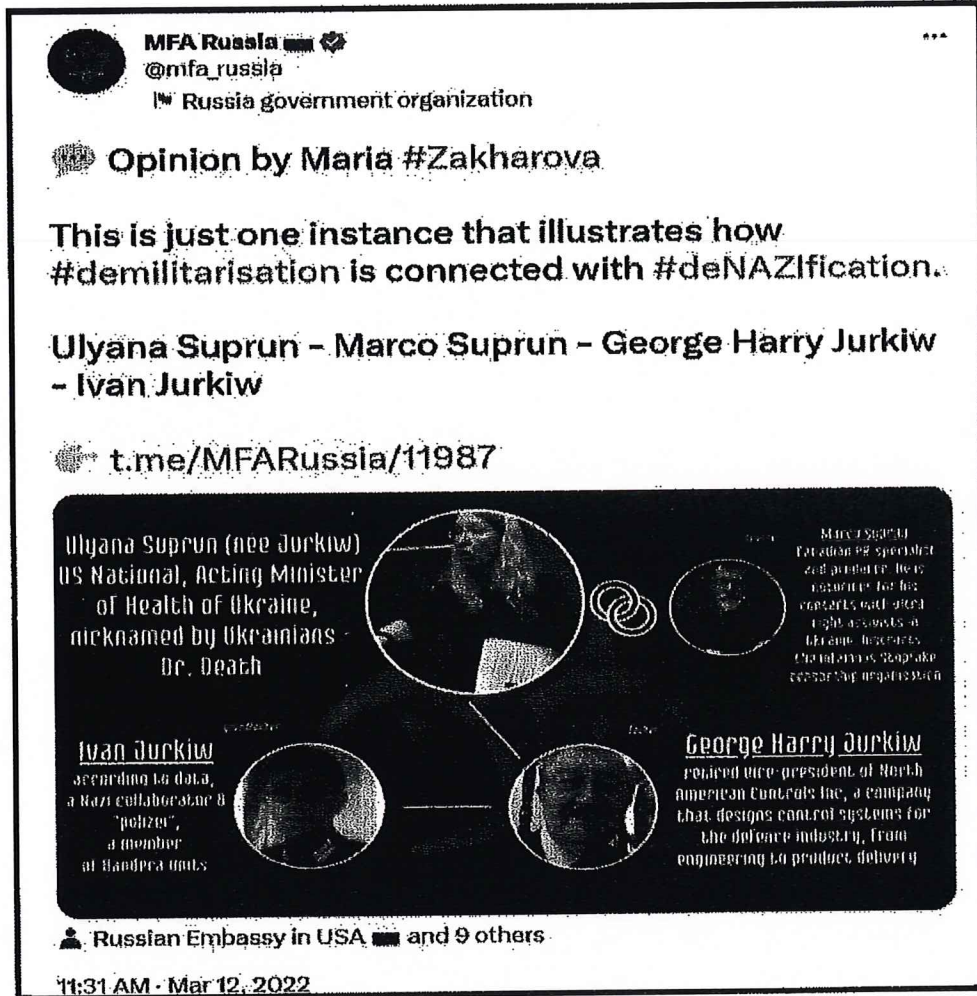
21
22 ⁹² Hunter Biden, Burisma, and Corruption: The Impact on U.S. Government Policy and Related Concerns. U.S. Senate Committee on Homeland Security and Governmental Affairs, U.S. Senate Committee on Finance Majority Staff Report. September 18, 2020. Available from https://www.finance.senate.gov/download/hsgac_-_finance-joint-report; Representative Marjorie Taylor Greene. H. RES. 57: *Impeaching Joseph R. Biden, President of the United States, for abuse of power by enabling bribery and other high crimes and misdemeanors*. 117th Congress. 1st Session. January 21, 2021. Available from <https://www.govinfo.gov/content/pkg/BILLS-117hres57ih/html/BILLS-117hres57ih.htm>.

23 ⁹³ Ukrainian Catholic University Foundation. Available from <https://ucufoundation.org/george-jurkiw/>.

24 ⁹⁴ David Vergun. *Biden Announces Abrams Tanks to be Delivered to Ukraine*. DOD News. January 25, 2023. Available from <https://www.defense.gov/News/News-Stories/Article/Article/3277910/biden-announces-abrams-tanks-to-be-delivered-to-ukraine/>.

25 ⁹⁵ Available from https://twitter.com/mfa_russia/status/1502728955811479552;
26 <https://www.facebook.com/317708145042383/photos/a.384182835061580/2876868272459678/?type=3>.
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161. In an interview published in 2018 by The Lancet, Ulana Suprun confirmed she had earned the nickname “Dr. Death” for her health care reforms in Ukraine:

“Other key elements of the reforms include the introduction of a patient-centred model of care and the requirement for patients to select and register with one family or primary care based doctor. The reforms have faced opposition from many sides, including politicians and some influential doctors who believe that implementation of the reforms are leading to increased numbers of deaths. “[Opposition] say I’m doing

1 the genocide of the Ukrainian people. That I'm doctor death and all
2 these kinds of things", Suprun said."⁹⁶

3 162. In 2014, Reuters and the BBC News Service posted a photograph of Victoria
4 Nuland, President Obama's Assistant Secretary of State for European and Eurasian
5 Affairs and U.S. Ambassador Geoffrey Pyatt, which shows them walking in the
6 (pro-Poroshenko) opposition camp at Independence Square in Kiev, Ukraine in
7 December 2013:⁹⁷
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U.S. Assistant Secretary of State for European and Eurasian Affairs Victoria Nuland (C) and U.S. Ambassador Geoffrey Pyatt walk in the opposition camp at Independence Square in Kiev in this December 10, 2013, file photo. REUTERS/Vasily Fedosenko/Files

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⁹⁶ Ulana Suprun: the accidental reformer. *The Lancet*. Vol 392, September 1, 2018. Available from [https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736\(18\)31855-5.pdf](https://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(18)31855-5.pdf); Pimm J. *Ulana Suprun: the accidental reformer*. *Lancet*. 2018 Sep 1;392(10149):727. doi: 10.1016/S0140-6736(18)31855-5. PMID: 30191822.

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⁹⁷ Doina Chiacu, Arshad Mohammed. *Leaked audio reveals embarrassing U.S. exchange on Ukraine, EU*. Reuters. February 6, 2014. Available from <https://www.reuters.com/article/us-usa-ukraine-tape/leaked-audio-reveals-embarrassing-u-s-exchange-on-ukraine-eu-idUSBREA1601G20140207>; *Ukraine crisis: Transcript of leaked Nuland-Pyatt call*. BBC. February 7, 2014. Available from <https://www.bbc.com/news/world-europe-26079957>.

1 163. From the allegations set forth in paragraphs 148 through 162, *supra*, it
2 appears the United States has illegally annexed Ukraine in violation of domestic and
3 international laws and that the August 2005 visit to Ukraine U.S. Senators Lugar
4 (R-Ind.) and Barack Obama (D-Ill.) laid the foundation for this unconstitutional
5 annexation of Ukraine under the guise of working “jointly to prevent the spread of
6 biological weapons”.

9 164. Ukraine’s biolabs were then funded by the Pentagon to develop biological
10 weapons of mass destruction, which were placed under the supervision of Ukraine’s
11 Health Ministry. Afterwards, Ulana “Dr. Death” Suprun, was installed as the acting
12 Health Minister of Ukraine with oversight of the biolabs by President Obama’s
13 Administration.

16 165. Then Vice President Biden further subjected Ukraine to a congressional
17 “ring-fencing”⁹⁸ technique by withholding \$1 billion if Ukrainian Prosecutor Shokin
18 was not fired. Adding to the perception and reality that Ukraine is an unauthorized
19 annexation by the United States is the fact that in 2022, Congress has approved at
20

25 ⁹⁸ As defined by Treasury, a “ring-fencing” is the segregation of certain assets from the rest of a financial
26 institution’s balance sheet in order to address problems with the assets in isolation. U.S. Department of the Treasury,
27 *Decoder* (Sept. 18, 2009) (online at www.financialstability.gov/roadtostability/decoder.htm); *Kash Patel – D’s Are In
28 The Process Of Removing Biden, The Patriots Have The Leverage To Get It All.* (38:11). X22 Report. Available from
[https://x22report.com/aiovg_videos/kash-patel-ds-are-in-the-process-of-removing-biden-the-patriots-have-the-
leverage-to-get-it-all/](https://x22report.com/aiovg_videos/kash-patel-ds-are-in-the-process-of-removing-biden-the-patriots-have-the-leverage-to-get-it-all/).

1 least \$113billion of aid to Ukraine⁹⁹ to fight the war against Russia the United
2 States and NATO continued after Nazi Germany was replaced by NATO.

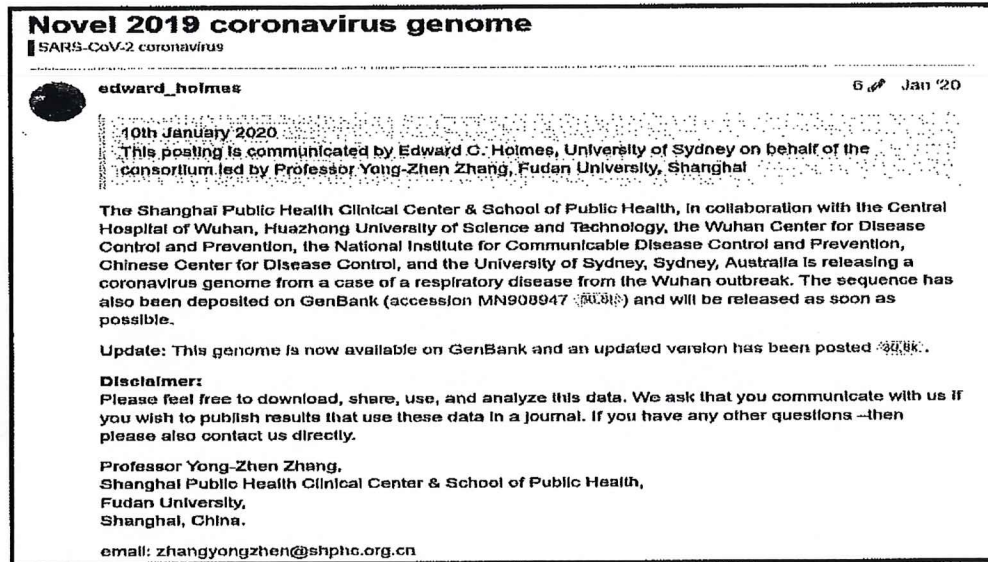
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4 166. Like the “Pope” who “authored the idea of creating a central depository of
5 high-threat pathogens in Kiev”, Pope Alexander VI, was involved in settling the
6 claim of Spain to all lands west of the Continental Divide in the Americas in the
7 papal bull *Inter caetera* issued on May 4, 1493, which paved the way for Texas to
8 revolt against the Mexico Empire and become a member of the United States.

9
10 167. Under the ordained Federal Constitution, the People provided for the mode of
11 amendment in Article V. Nothing in this constitutional provision conveys powers to
12 an agency of the United States, in a manner similar to the annexation of Ukraine, to
13 amend the Article I to permit the delegation of power to the WHO, whose Director
14 is a Communist-terrorist conspirator.

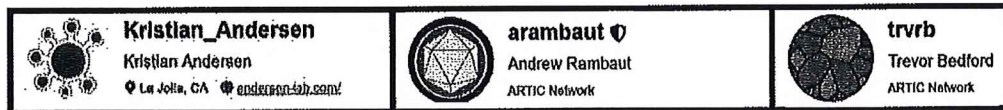
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17 168. It is inescapable that 42 C.F.R. § 70.1 lays the framework for the WHO and
18 foreign powers to conspire to annex the United States. McCray found, during his
19 counterintelligence investigation, another spoke in the international healthcare
20 conspiracy. On or about January 10, 2020, Edward C. Holmes, a national of the
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26 ⁹⁹ *Congress Approved \$113 Billion of Aid to Ukraine in 2022*. Committee for a Responsible Federal Budget.
27 January 5, 2023. Available from <https://www.crfb.org/blogs/congress-approved-113-billion-aid-ukraine-2022>; *How*
28 *Much Aid Has the U.S. Sent Ukraine? Here Are Six Charts*. Council on Foreign Relations. December 16, 2022.
Available from <https://www.cfr.org/article/how-much-aid-has-us-sent-ukraine-here-are-six-charts>.

1 Commonwealth of Australia, posted the “data” associated with the full genome
2 sequence of “SARS-CoV-2” on a website called “Virological.org”:¹⁰⁰



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14 169. On information and belief, the following individuals, among others, began
15 immediately posting their comments regarding the “SARS-CoV-2” data:

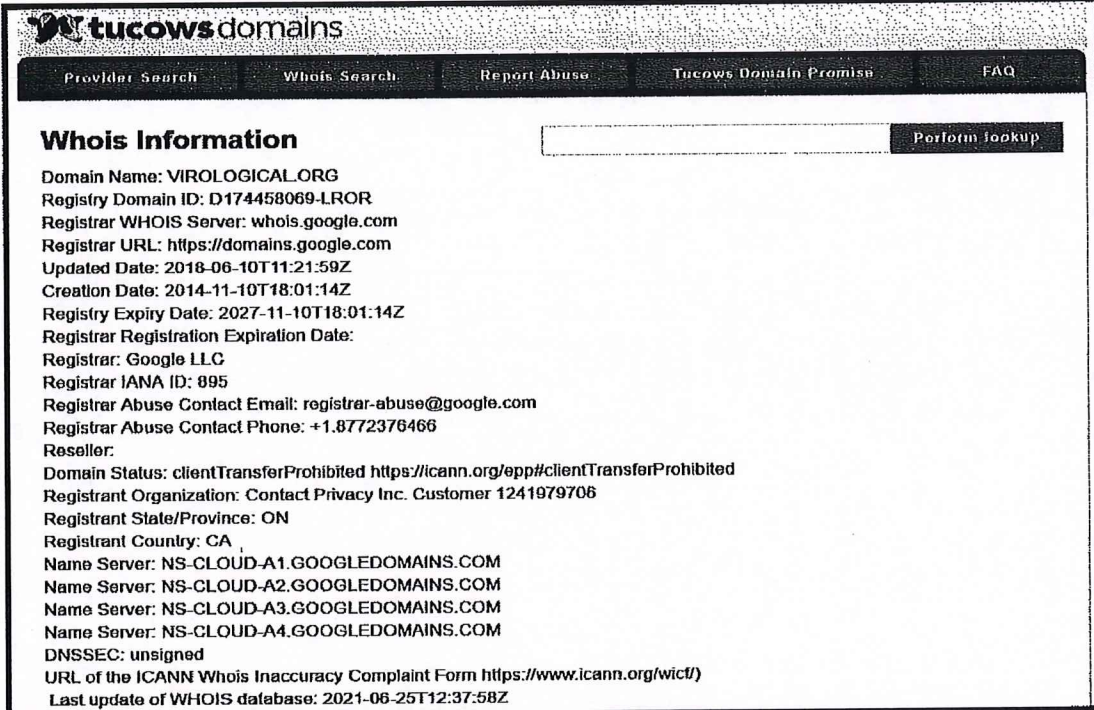


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19 170. McCray next conducted a search of the “WHOIS” database maintained by
20 Tucows Domains Inc. (“Tucows”),¹⁰¹ for information on the website named

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23 ¹⁰⁰ Jon Gertner. *Unlocking the Covid Code*. The New York Times Magazine. March 25, 2021. Available
24 from <https://www.nytimes.com/interactive/2021/03/25/magazine/genome-sequencing-covid-variants.html>; Jon
25 Cohen. *Chinese researchers reveal draft genome of virus implicated in Wuhan pneumonia outbreak*. January 11,
2020. Available from <https://www.sciencemag.org/news/2020/01/chinese-researchers-reveal-draft-genome-virus-implicated-wuhan-pneumonia-outbreak>; Edward C. Holmes. *Novel 2019 coronavirus genome*. Available from
<https://virological.org/t/novel-2019-coronavirus-genome/319>.

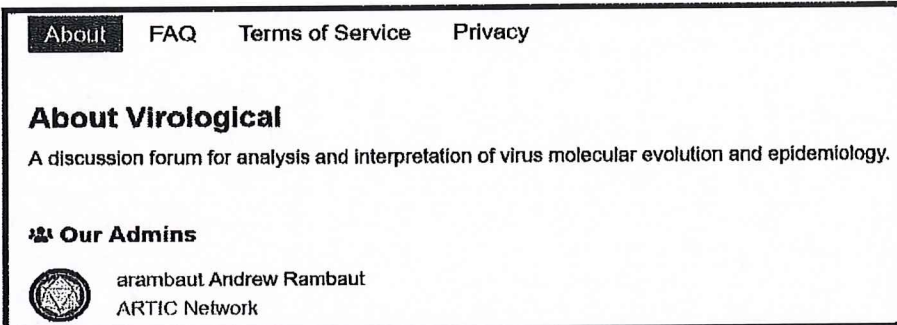
26 ¹⁰¹ Available from <https://tuowdomains.com/whois-search/>. Similar searches of the WHOIS databases
27 maintained by Go Daddy and ICANN, respectively, provided similar results:
<https://www.godaddy.com/whois/results.aspx?checkAvail=1&domain=virological.org&domainName=virological.org>
28 ; and <https://lookup.icann.org/lookup>.

1 “Virological.org”. Tucows revealed the website was privately registered to an entity
2 in Ontario, Canada and that the Registrar was listed as Google, LLC:
3

4 The screenshot shows the Tucows domains website interface. At the top, there are navigation links: Provider Search, Whois Search, Report Abuse, Tucows Domain Promise, and FAQ. Below this is a search bar with a 'Perform lookup' button. The main content area is titled 'Whois Information' and displays the following details for the domain VIROLOGICAL.ORG: Registry Domain ID: D174458069-LROR, Registrar WHOIS Server: whois.google.com, Registrar URL: https://domains.google.com, Updated Date: 2018-06-10T11:21:59Z, Creation Date: 2014-11-10T18:01:14Z, Registry Expiry Date: 2027-11-10T18:01:14Z, Registrar Registration Expiration Date: (blank), Registrar: Google LLC, Registrar IANA ID: 895, Registrar Abuse Contact Email: registrar-abuse@google.com, Registrar Abuse Contact Phone: +1.8772376466, Reseller: (blank), Domain Status: clientTransferProhibited https://icann.org/epp#clientTransferProhibited, Registrant Organization: Contact Privacy Inc. Customer 1241979706, Registrant State/Province: ON, Registrant Country: CA, Name Servers: NS-CLOUD-A1.GOOGLEDOMAINS.COM, NS-CLOUD-A2.GOOGLEDOMAINS.COM, NS-CLOUD-A3.GOOGLEDOMAINS.COM, NS-CLOUD-A4.GOOGLEDOMAINS.COM, DNSSEC: unsigned, URL of the ICANN Whois Inaccuracy Complaint Form https://www.icann.org/wicf/, and Last update of WHOIS database: 2021-06-25T12:37:58Z.

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16 171. McCray followed up with a search within the website named
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18 “Virological.org”, and discovered one “Andrew Rambaut”, of “ARTIC Network”,
19 was performing services as the administrator of the website:¹⁰²

20 The screenshot shows the 'About' page of Virological.org. At the top, there are navigation links: About, FAQ, Terms of Service, and Privacy. The main heading is 'About Virological', followed by the text 'A discussion forum for analysis and interpretation of virus molecular evolution and epidemiology.' Below this is a section titled 'Our Admins' with a small icon of a person. Underneath, there is a circular profile picture of Andrew Rambaut and the text 'arambaut Andrew Rambaut' and 'ARTIC Network'.

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27 ¹⁰² Available from <https://virological.org/about>.

1 172. McCray next searched Tucows for information on the website named
 2 “artic.network”, and discovered the website was, like “Virological.org”, protected
 3 for privacy, while also being associated with Google, LLC and Ontario, Canada:
 4

5

| | | | | |
|-----------------|--------------|--------------|-----------------------|-----|
| Provider Search | Whois Search | Report Abuse | Tucows Domain Promise | FAQ |
|-----------------|--------------|--------------|-----------------------|-----|

6 **Whois Information** Perform lookup

7 Domain Name: artic.network
 8 Registry Domain ID: 8c2038ce860f4447a289f28087aeabe0-DONUTS
 9 Registrar WHOIS Server: whois.donuts.co
 10 Registrar URL: http://domains.google.com
 11 Updated Date: 2018-06-15T11:18:57Z
 12 Creation Date: 2017-07-10T08:12:00Z
 13 Registry Expiry Date: 2027-07-10T08:12:00Z
 14 Registrar: Google Inc.
 15 Registrar IANA ID: 895
 16 Registrar Abuse Contact Email: registrar-abuse@google.com
 17 Registrar Abuse Contact Phone: +1.8772376486
 18 Domain Status: ok https://icann.org/epp#ok
 19 Registry Registrant ID: REDACTED FOR PRIVACY
 20 Registrant Name: REDACTED FOR PRIVACY
 21 Registrant Organization: Contact Privacy Inc. Customer 1241517723
 22 Registrant Street: REDACTED FOR PRIVACY
 23 Registrant City: REDACTED FOR PRIVACY
 24 Registrant State/Province: ON
 25 Registrant Postal Code: REDACTED FOR PRIVACY
 26 Registrant Country: CA
 27 Registrant Phone: REDACTED FOR PRIVACY
 28 Registrant Phone Ext: REDACTED FOR PRIVACY
 Registrant Fax: REDACTED FOR PRIVACY
 Registrant Fax Ext: REDACTED FOR PRIVACY

15 173. McCray next conducted a search within the Artic Network’s website,
 16 <https://artic.network/>, and discovered one “Andrew Rambaut”, of the University of
 17 Edinburgh, and one “Trevor Bedford”, of the Fred Hutch Center in Seattle, WA,
 18 were among its members.¹⁰³
 19
 20

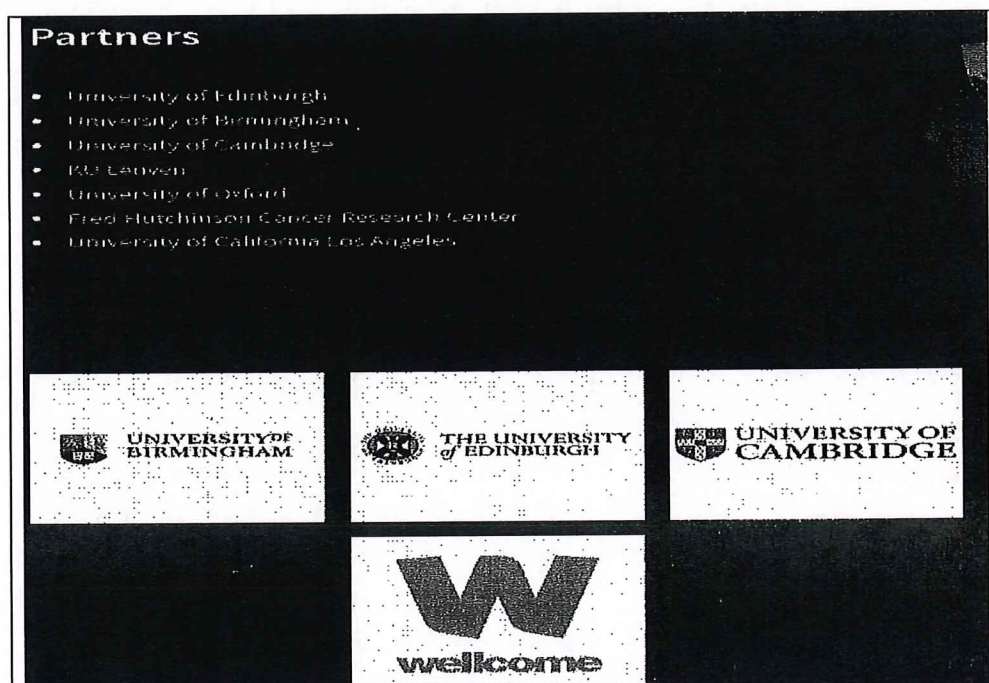
| | |
|---|--|
| 21 KU LEUVEN, BELGIUM 22 Guy Baele 23 Liana Kafetzopoulou 24 Mandev Gill 25 Philippe Lemey | UNIVERSITY OF BIRMINGHAM Nick Loman Radoslaw Poplawski Will Rowe Josh Quick |
| THE FRED HUTCH CENTER ¹⁰⁴ | UNIVERSITY OF CAMBRIDGE |

26 ¹⁰³ Available from <https://artic.network/3-network-members.html>.

27 ¹⁰⁴ The Fred Hutchinson Cancer Research Center, a 501(c)(3) nonprofit organization. 1100 Fairview Ave. N.,
 28 P.O. Box 19024, Seattle, WA 98109-1024.

| | |
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| 1 Trevor Bedford ¹⁰⁵ | Ian Goodfellow |
| 2 James Hadfield | Luke Meredith |
| 3 UNIVERSITY OF OXFORD | UNIVERSITY OF EDINBURGH |
| 4 Anel Nurtay | Andrew Rambaut |
| 5 Christophe Fraser | Aine O'Toole |
| 6 UNIVERSITY OF CALIFORNIA | JT McCrone |
| 7 LOS ANGELES | Rachel Colquhoun |
| Marc Suchard | Verity Hill |
| | Emily Scher |

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9 174. McCray next conducted searches within the Artic Network's website and
10 discovered its "Partners" include the "Wellcome Trust", among others:¹⁰⁶



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26 ¹⁰⁵ Trevor Bedford and Richard Neher founded the website Nextstrain.org. Jon Cohen. *Mining coronavirus*
27 *genomes for clues to the outbreak's origins*. Science Magazine. January 31, 2020. Available from
<https://www.sciencemag.org/news/2020/01/mining-coronavirus-genomes-clues-outbreak-s-origins>.

28 ¹⁰⁶ Available from <https://artic.network/1-about.html>.

1 175. McCray's further searching within the Artic Network's website revealed the
2 organization is "Funded by the Wellcome Trust (Collaborators Award
3 206298/Z/17/Z)".
4

5 176. McCray next conducted a search within the Wellcome Trust's website and
6 discovered one Dr. Jeremy Farrar was the Director of the Trust,¹⁰⁷ and the following
7 individuals served as the Trust's Board of Governors: Julia Gillard AC; Professor
8 Sir Michael A J Ferguson CBE, FRS, FRSE, FMedSci; Professor Tobias
9 Bonhoeffer; Professor Arup K. Chakraborty; Amelia Fawcett DBE, CVO; Richard
10 Gillingwater, CBE; Professor Bryan Grenfell OBE, FRS; Professor Gabriel Leung,
11 GBS, who is also a member of the US National Academy of Medicine; Professor
12 Fiona Powrie, FRS, FMedSci; Cilla Snowball DBE and Elhadj As Sy,¹⁰⁸ who also
13 serves as Co-Chair of the Global Preparedness Monitoring Board (GPMB),¹⁰⁹ while
14 Dr. Jeremy Farrar served as a GPMB Board Member.
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18 177. McCray next found the Global Preparedness Monitoring Board ("GPMB")¹¹⁰
19 was created in 2018 and co-convened by the World Health Organization and the
20 World Bank Group to act as a world political action committee and world lobbying
21 group. "Financial contributions dedicated to the GPMB are in a separate account,
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26 ¹⁰⁷ *Jeremy Farrar reappointed as Wellcome's Director*. Available from <https://wellcome.org/news/jeremy-farrar-reappointed-welcomes-director>.

27 ¹⁰⁸ Available from <https://wellcome.org/who-we-are/governance/board-governors>.

28 ¹⁰⁹ Available from <https://apps.who.int/gpmb/>.

¹¹⁰ Available from <https://apps.who.int/gpmb/board.html>.

1 and the GPMB Secretariat budget is ring-fenced within the WHO Programme
2 Budget in a special category.”

3
4 178. McCray’s counterintelligence research identified Anthony Fauci was among
5 the members of the GPMB when it published its first annual report in September
6 2019,¹¹¹ and had spontaneously disappeared from the list during May 2021. McCray
7 found no Federal authority authorizing Fauci to conduct U.S. foreign policy under
8 the direction of the WHO and the World Bank as a member of the GPMB.
9

10 179. McCray obtained a screen capture of the GPMB’s website that existed on
11 about May 13, 2021, at approximately 12:34:05pm,¹¹² which listed Fauci as a
12 member of the GPMB since September 2019. A screen capture of the GPMB’s
13 website on May 26, 2021, at approximately 06:13:22am,¹¹³ showed Fauci was no
14 longer listed as a member of the GPMB.
15
16

17 180. McCray’s follow up on Fauci and the GPMB uncovered “The Fauci/COVID-
18 19 Dossier”, “prepared for humanity by Dr. David E. Martin”, which was submitted
19 by “Stephanie Dorr”¹¹⁴ to the Board of Commissioners, Yamhill County Oregon.
20 Among other things, The Fauci/COVID-19 Dossier had uncovered Americans,
21 much like in Ukraine, already providing U.S. foreign policy assistance to the WHO,
22
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26 ¹¹¹ Available from https://apps.who.int/gpmb/assets/annual_report/GPMB_Annual_Report_English.pdf.

¹¹² Available from <https://web.archive.org/web/20210513123405/https://apps.who.int/gpmb/board.html>.

¹¹³ Available from <https://web.archive.org/web/20210526061322/https://apps.who.int/gpmb/index.html>.

¹¹⁴ Stephanie Dorr. *The Fauci/COVID-19 Dossier*. May 19, 2021. Available from
27 <https://www.co.yamhill.or.us/sites/default/files/BOC%20Public%20Comments%20052021.pdf>.

1 in the form of an “interlocking” antitrust and associated with “EVENT 201” in
2 October 2019:

3
4 “We noted that gain-of-function specialist, Dr. Ralph Baric, was both
5 the recipient of millions of dollars of U.S. research grants from several
6 federal agencies but also sat on the World Health Organization’s
7 International Committee on Taxonomy of Viruses (ICTV) and the
8 Coronaviridae Study Group (CSG). In this capacity, he was both
9 responsible for determining “novelty” of clades of virus species but
10 directly benefitted from determining declarations of novelty in the form
11 of new research funding authorizations and associated patenting and
12 commercial collaboration. Together with CDC, NIAID, WHO,
13 academic and commercial parties (including Johnson & Johnson;
14 Sanofi and their several coronavirus patent holding biotech companies;
15 Moderna; Ridgeback; Gilead; Sherlock Biosciences; and, others), a
16 powerful group of interests constituted what we would suggest are
17 “interlocking directorates” under U.S. anti-trust laws.

18 These entities also were affiliated with the WHO’s Global
19 Preparedness Monitoring Board (GPMB) whose members were
20 instrumental in the Open Philanthropy-funded global coronavirus
21 pandemic “desk-top” exercise EVENT 201 in October 2019. This
22 event, funded by the principal investor in Sherlock Biosciences and
23 linking interlocking funding partner, the Bill and Melinda Gates
24 Foundation into the GPMB mandate for a respiratory disease global
25 preparedness exercise to be completed by September 2020 alerted us to
26 anticipate an “epidemic” scenario. We expected to see such a scenario
27 emerge from Wuhan or Guangdong China, northern Italy, Seattle, New
28 York or a combination thereof, as Dr. Zhengli Shi and Dr. Baric’s work
on zoonotic transmission of coronavirus identified overlapping
mutations in coronavirus in bat populations located in these areas.”

181. McCray believes, based on his training, education and experience, the
COVID-19 hoax pandemic was the “epidemic”/infodemic drill Bill Gates suggested
be conducted “every five years”. See paragraphs 139 and 142, *supra*.

1 182. In an article written for China CDC Weekly, Chinese national George F. Gao,
2 who served on the GPMB with Fauci, admitted being a “member of Global
3 Preparedness Monitoring Board (GPMB) under the World Health Organization
4 (WHO)”, and that:¹¹⁵

6 [W]e have meetings twice a year to evaluate preparedness for the
7 control and prevention of emerging pathogens. I remembered in the
8 2019 Annual Report, it claimed that the next pandemic might be
9 caused by an influenza virus or coronavirus, with coronavirus at the top
10 of the list. I was also in present in New York at the tabletop exercise of
11 preparedness and response, called Event 201, organized by Johns
12 Hopkins University on October 18, 2019 with an “imaginary enemy”
of disease, called coronavirus associated pneumonia syndrome
(CAPS), which truly sounded like the real COVID-19.

13 183. Rather than inform the public of the truth about COVID-19 being nothing
14 more than an ancient “infodemic” exercise/drill, Gao blamed the failure of the
15 COVID-19 datademic on the “epidemic” of “mis/disinformation”:
16

17 In the past, discussions about a strategy switch raised concerns about
18 China’s response capacity and even led to rumors or
19 mis/disinformation, which challenged the resilience and tolerance of
20 society. China was able to explore the zero-COVID strategy because it
21 has a strong community-level public health service (citation omitted)
22 and the capacity to ensure the execution of the strategy. We have been
23 working hard to tackle both the COVID-19 pandemic and the
24 mis/disinformation epidemic, which was referred to as an “infodemic”
25 as early as in 2002 (citation omitted). The word “infodemic” was
26 already widely used to refer to an information epidemic when the
27 severe acute respiratory syndrome (SARS) outbreak occurred. This
28 term was borrowed from the real disease epidemic, but was used to
refer to a wider field, including the science of humanity. An infodemic

¹¹⁵ George F. Gao. *Infodemiology: The Science Studying Infodemic and Inforus[J]*. China CDC Weekly, 2022, 4(52): 1181-1182. doi: 10.46234/ccdcw2022.237. On line: December 30, 2022. Available from <https://weekly.chinacdc.cn/en/article/doi/10.46234/ccdcw2022.237>.

1 can be more exaggerated than a respiratory pathogen-caused disease
2 because it is mainly transmitted through the internet, which allows for
3 faster spread.... While the government and professionals are working
4 hard to control the emergence of the COVID-19 cases, they also have
5 to work hard to deal with the infodemic.

6 Infodemic can sometimes be even more harmful than the disease
7 epidemic itself. When the COVID-19 outbreak occurred in late
8 December 2019 and early January 2020, rumors and
9 mis/disinformation filled social media, causing serious panic around
10 the world. Dr. Anthony Fauci, a world-renowned infectious disease
11 expert and long-term director of National Institute of Allergy and
12 Infectious Diseases (NIAID), National Institutes of Health (NIH),
13 USA, was attacked and someone on social media even threatened to
14 kill his two daughters. Emails of my conversation with Dr. Fauci were
15 revealed under the US law. Bill Gates was also blamed on social media
16 for supporting grants for infectious diseases research, claiming he
17 supported the creation of the SARS-CoV-2 virus, the causative agent of
18 COVID-19. Our publications from China CDC, including the
19 identification and isolation of the SARS-CoV-2 (then called hCoV-19)
20 and the determination of the epidemiological parameters, were
21 published in both *the Lancet* and *The New England Journal of
22 Medicine*. It is hard to believe that scientific research could be a target
23 of an infodemic, even though science has played a very important role
24 in the fight against COVID-19. Many more examples can be listed here
25 during the early stage of the COVID-19 pandemic. Therefore, the study
26 of infodemics needs more attention from the academic research field in
27 the future as we face more attacks of emerging and re-emerging
28 pathogens in the foreseeable future and other public health issues that
may suddenly emerge.”

184. Gao’s claim that “China was able to explore the zero-COVID strategy
because it has a strong community-level public health service (citation omitted) and
the capacity to ensure the execution of the strategy” is very similar to the type of
health care reforms Ulana “Dr. Death” Suprun was attempting to establish in

1 Ukraine after she completed participation “in the training program for the new
2 Ukrainian Police Patrol Service.” See paragraphs 154-161, *supra*.

3
4 185. Gao’s great surprise that: “It is hard to believe that scientific research could
5 be a target of an infodemic, even though science has played a very important role in
6 the fight against COVID-19”, intentionally overlooks the fact that an “infodemic”
7 based on a virus that does not exist is nothing more than information. Francis
8 deSouza, the chief executive of Illumina, Inc., stated that in the absence of a
9 specimen, “they really just used the sequence [“data”], and they viewed it as a
10 software problem.” See paragraph 91, *supra*.

11
12
13 186. Gao also did not inform the public that when he suggested that “the study of
14 infodemics needs more attention”, he was referring to more censorship of the kind
15 directed at McCray and others in paragraphs 95-98, *supra*.

16
17 187. McCray conducted further research within the Artic Network’s website and
18 discovered the organization’s “collaborators” includes one “Kristian Andersen”, of
19 the Scripps Research Institute in La Jolla, CA; David Spiro of the National Institutes
20 of Health; and Dhamari Naidoo, of the WHO, among others.¹¹⁶

21
22 188. On or about January 11, 2020, in response to China’s public disclosure of the
23 full genome sequence of SARS-CoV-2, Science Magazine¹¹⁷ reported comments
24
25

26 ¹¹⁶ Available from <https://artic.network/6-collaborators.html>.

27 ¹¹⁷ Jon Cohen. *Chinese researchers reveal draft genome of virus implicated in Wuhan pneumonia outbreak*.
28 Science Magazine. January 11, 2020. Available from <https://www.sciencemag.org/news/2020/01/chinese-researchers-reveal-draft-genome-virus-implicated-wuhan-pneumonia-outbreak>.

1 made by the following individuals: “Jeremy Farrar, head of the Wellcome Trust in
2 London”; “Edward Holmes, a virologist and evolutionary biologist at the University
3 of Sydney”; “Evolutionary biologist Andrew Rambaut at the University of
4 Edinburgh”; “Kevin Olival, vice-president for research of the EcoHealth Alliance”;
5 and “Ralph Baric, a coronavirus researcher at the University of North Carolina,
6 Chapel Hill”, who commented that “[b]ureaucratic hurdles would make it difficult
7 for China to ship the actual virus quickly to other countries”:
8
9

10 **Ralph Baric, a coronavirus researcher at the University of North Carolina, Chapel Hill,**
11 **notes that of the four known SARS-related bat viruses capable of infecting humans,**
12 **this one is the most distant from SARS itself. After downloading the sequence last**
13 **night, his lab immediately began to try to reverse-engineer a live virus from the**
14 **sequence, which can be helpful to develop antibody tests and to start experiments**
15 **in animal models. “If you want to have a strong public health response, you have to**
16 **do this quickly,” says Baric, who leads one of the few labs in the world that can re-**
17 **create coronaviruses just from their sequences. (Bureaucratic hurdles would make**
18 **it difficult for China to ship the actual virus quickly to other countries, he says.)**

17 **Baric hopes this virus’s discovery and the response to it illustrate the speed at**
18 **which scientists can move by working together. “One of the things that’s sad is that**
19 **the public doesn’t realize how incredibly competent the public health and the basic**
20 **science community are at going from a newly discovered virus to a tremendous**
21 **amount of capacity to trace and try to control its spread,” Baric says.**

22 189. Based on a lead developed from the Science Magazine article, on or about
23 June 25, 2021, McCray conducted a search of Tucows for information on the
24 website named “nextstrain.org”. Tucows revealed the website was, like
25 “virological.org” and “artic.network”, protected for privacy reasons, while also
26 being associated with Ontario, Canada.
27
28

1 190. On or about June 25, 2021, McCray conducted a search within the
2 “Nextstrain.org” website,¹¹⁸ and discovered the website “is an open-source project
3 to harness the scientific and public health potential of pathogen genome data”.
4
5 McCray further learned the website indicated this “open-source project” is
6 supported by the National Institutes of Health and the Bill & Melinda Gates
7 Foundation, among others:
8



11
12 191. On January 28, 2020, the U.S. Department of Justice announced the separate
13 arrests of Dr. Charles Lieber (“Lieber”) and Chinese nationals Yanqing Ye and
14 Zaosong Zheng, and separately charging the trio in connection with aiding the
15 People’s Republic of China.¹¹⁹
16

17 192. On information and belief, Dr. Lieber specializes in nanoscience and
18 nanotechnology and holds nearly 50 patents, including a patent for “interfaces for
19 syringe-injectable electronics”. Dr. Lieber was Chair of Harvard University’s
20 Chemistry and Chemical Biology Department and had reportedly been maintaining
21 unreported financial and academic associations with the Wuhan University of
22 Technology (“WUT”).
23
24

25
26 ¹¹⁸ Available from <https://nextstrain.org/>.

27 ¹¹⁹ Harvard University Professor and Two Chinese Nationals Charged in Three Separate China Related
28 Cases. Available from <https://www.justice.gov/opa/pr/harvard-university-professor-and-two-chinese-nationals-charged-three-separate-china-related>.

1 193. Harvard University was also maintaining a concurrent partnership with the
2 Wuhan Institute of Virology. See paragraph 197, *infra*. On February 13, 2020, The
3 Harvard Crimson reported Harvard University was being investigated by the United
4 States Department of Education concerning its relationships with foreign
5 governments, including China.¹²⁰

6
7
8 194. On April 24, 2020, the United States Department of Education notified the
9 University of Texas that it was investigating the University's Medical Branch
10 (UTMB) and the "Galveston National Laboratory (GNL) under UTMB's Institute
11 for Human Infections and Immunity. GNL, in turn, has substantial contractual
12 relations with a maximum biocontainment laboratory (MCL) in Wuhan, China
13 (Wuhan MCL) (also known as the Wuhan Institute of Virology) which is upon
14 information and belief owned by the Chinese government's Chinese Academy of
15 Sciences."¹²¹

16
17
18 195. On December 22, 2020, the United States Department of Education notified
19 the University of Alabama that it was investigating the University's partnership
20 with the Wuhan Institute of Virology.¹²²

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22
23
24 ¹²⁰ The Harvard Crimson. February 13, 2020. <https://www.thecrimson.com/article/2020/2/13/doe-investigation-foreign-governments/>.

25 ¹²¹ United States Department of Education Letter to University of Texas System Dated April 24, 2020.
<https://www2.ed.gov/policy/highered/leg/ut-apr24-2020.pdf>; Breitbart News Network. May 1, 2020.
<https://www.breitbart.com/tech/2020/05/01/departement-of-education-investigating-university-of-texas-links-to-wuhan-lab-zoom/>; The International Business Times. May 2, 2020. <https://www.ibtimes.sg/us-investigating-university-texas-links-controversial-wuhan-institute-virology-china-44224>.

26
27 ¹²² United States Department of Education Letter to University of Alabama President's Office Dated
December 22, 2020. <https://www2.ed.gov/policy/highered/leg/u-alabama-wiv.pdf>.

1 196. On December 23, 2020, the University of Alabama denied having a
 2 partnership relationship with the Wuhan Institute of Virology.¹²³

3
 4 197. McCray found the University of Alabama was untruthful in its public
 5 statements made on December 23, 2020. On its official website,¹²⁴ the Wuhan
 6 Institute of Virology (“WIV”) claimed it was maintaining the following
 7 “Partnerships” with the United States, which included Defendant HHS’ NIH, the
 8 University of Alabama and Harvard University, among others, on the dates
 9 indicated as follows:
 10

| | | |
|---|---|--|
| <p>USA</p> <p>University of Alabama University of North Texas EcoHealth Alliance Harvard University The National Institutes of Health National Wildlife Federation</p> <p>January 22, 2018 to March 21, 2021</p> | <p>USA</p> <p>EcoHealth Alliance University of Alabama</p> <p>March 22, 2021</p> | <p>USA</p> <p>EcoHealth Alliance</p> <p>March 23, 2021 - Present</p> |
|---|---|--|

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 12
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 18 198. The People reserved to themselves “powers” (plural) to independently
 19 challenge the constitutionality of 42 C.F.R. § 70.1 and its unlawful amendment of
 20

21
 22
 23 ¹²³ WBRC FOX6 News Birmingham, Alabama. December 23, 2020.
 24 <https://www.wbrc.com/2020/12/23/university-alabama-says-there-was-no-partnership-with-wuhan-institute-virology/>;
 The Crimson White. December 24, 2020. <https://cw.ua.edu/72144/news/ua-denies-alleged-partnership-with-wuhan-institute-of-virology/>.

25 ¹²⁴ *Partnerships*. Wuhan Institute of Virology, Chinese Academy of Sciences. Available from WayBack
 Machine
 26 https://web.archive.org/web/20180122130751/http://english.whiov.cas.cn/International_Cooperation2016/Partnership_sl/Partnerships.
 Wuhan Institute of Virology, Chinese Academy of Sciences. WayBack Machine. Available from
 27 https://web.archive.org/web/20180101000000*/http://english.whiov.cas.cn/International_Cooperation2016/Partnership_sl/.

1 the Federal Constitution, notwithstanding the challenges by the Plaintiff States of
2 Oklahoma and Texas.

3
4 199. Bad actors are in place and are ready to execute upon the unconstitutional
5 authority that is found in 42 C.F.R. § 70.1. Declaratory and injunctive relief from
6 this Court would remedy the harm to all U.S. citizens and their constitutional
7 system without compelling the Defendants to engage in rulemaking.
8

9 **VII. PRAYER FOR RELIEF**

10 For the reasons above stated, Plaintiffs-Intervenors respectfully request the
11 following relief:
12

- 13 1. A declaration that 42 C.F.R. § 70.1 contains unconstitutional
- 14 delegations of authority to the WHO and foreign Powers;
- 15 2. Injunctive relief setting aside the unlawful definitions;
- 16 3. Judgment for costs as appropriate under 28 U.S.C. § 2412; and
- 17 4. Such other relief as the Court deems just and proper.
18

19
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