

No. 21-1511

---

In the  
**Supreme Court of the United States**

---

JOY GARNER, individually and on behalf of  
THE CONTROL GROUP, *et al.*,

*Petitioners,*

v.

JOSEPH R. BIDEN, in his official capacity as  
PRESIDENT OF THE UNITED STATES OF AMERICA,

*Respondent.*

---

**On Petition for a Writ of Certiorari to the  
United States Court Appeals for the Ninth Circuit**

---

**DECLARATION OF JOY GARNER IN SUPPORT OF THE  
MOTION FOR REVIEW AND DISQUALIFICATION OF ANY  
AFFECTED HONORABLE JUSTICES WITH ACTUAL OR  
PERCEIVED CONFLICTS**

---

GREGORY J. GLASER  
California State Bar No. 226706  
4399 Buckboard Drive, #423  
Copperopolis, CA 95228  
Telephone: (925) 642-6651  
Facsimile: (209) 729-4557  
greg@gregglaser.com

RAY L. FLORES II  
California State Bar No. 233643  
11622 El Camino Real, Suite 100  
San Diego, CA 92130  
Telephone: (858) 367-0397  
Facsimile: (888) 336-4037  
rayfloreslaw@gmail.com

*COUNSEL OF RECORD for Petitioners*

---

I, Joy Garner, hereby declare:

1. I am the lead Petitioner in the above-entitled action. I have personal knowledge of the matters discussed herein, and if called as a witness could and would testify competently thereto.

### **Good Faith and Timely**

2. In the petition for writ of certiorari, my lawyer notified this Court about the previous judicial disqualifications/recusals in this case, thereby giving this Court ample notice and opportunity to make conflict disclosures and proactively recuse as needed, especially in light of the Court's internal conflicts check procedure prior to conference. However, given that this Court on October 3, 2022 denied my petition for writ of certiorari, with zero disclosures of any actual or potential conflicts, I believe it is incumbent upon me to proactively make this motion together with a request for rehearing. I do so now at my earliest opportunity, in good faith, to ensure and document this Court's compliance with 28 USC § 455.

### **Conflicted Justices**

3. To make this motion, my lawyer and I researched the backgrounds of each Justice, by examining the Justices' most recent publicly available financial disclosures, and then searching public records for context. It is a testament to the pervasive reach of Big Pharma that each Justice shows professional connections, investment, and affiliation with vaccine developers,

vaccine patent holders, and vaccine distributors. One of the sources I used is <https://www.courtlistener.com/financial-disclosures/>. Below I present the results of my research as illustrative examples, with Justices presented in alphabetical order:

**(1) Justice Alito.**

Source: <https://www.courtlistener.com/person/77/disclosure/30711/samuel-a-alito-jr/>

In 2020 (the most recent record publicly available to me), Justice Alito owned stock in multiple vaccine manufacturers, including Johnson & Johnson (manufacturer of a vaccine purchased and mandated on Petitioners by the Defendant POTUS), and Abbot Laboratories. *See e.g.*, <https://www.jnj.com/tag/vaccine> (manufacturer of multiple vaccines, including Covid-19); <https://www.abbott.com/for-healthcare-professionals/medicines.html> (flu vaccine manufacturer).

Justice Alito also earns teaching income from vaccine developer, vaccine patent holder, and vaccine distributor Duke University. *See e.g.*, <https://dhvi.duke.edu/>; <http://www.patentbuddy.com/Company/Profile/DUKE-UNIVERSITY/0>

**(2) Justice Coney-Barrett.**

Source: <https://www.courtlistener.com/person/8543/disclosure/30679/amy-coney-barrett/>

Justice Barrett earns teaching income (as adjunct professor) with vaccine developer, vaccine patent holder, and vaccine distributor University of Notre Dame. *See e.g.*, <http://www.patentbuddy.com/Company/Profile/University-of-Notre-Dame/195521>; <https://covid.nd.edu/news/fr-jenkins-notre-dame-to-serve-as-mass-vaccination-site/>; <https://law.nd.edu/news-events/news/2022-law-review-justice-amy-coney-barrett/>.

**(3) Justice Gorsuch.**

Source: <https://www.courtlistener.com/person/1250/disclosure/30680/neil-mcgill-gorsuch/>

Justice Gorsuch earns teaching income from vaccine developer, vaccine patent holder, and vaccine distributor George Mason University. *See e.g.*, <https://seerm.gmu.edu/gmu-covid-19-vaccine-clinics/schedule/>; <https://ibi.gmu.edu/>; <https://today.gmu.edu/news/2021-07/masons-michael-buschmann-and-team-start-aexerna-therapeutics-inc-pursue-patents>

**(4) Justice Jackson.**

Source: <https://www.courtlistener.com/person/1609/disclosure/34078/ketanji-brown-jackson/>

In 2020, Justice Jackson held official positions with major universities Georgetown and Harvard who are both vaccine developers, vaccine patent holders, and vaccine distributors. *See e.g.*, <https://www.harvard.edu/in-focus/vaccines/> (“Harvard faculty have been researching COVID-19 and

working to develop effective COVID-19 vaccines and therapies.”);

<https://biomedicalresearch.georgetown.edu/research/landmarks/hpv/>.

The spouse of Justice Jackson is employed by Medstar Hospital in the District of Columbia, which profits daily from vaccination, and there is reason to believe he recommends vaccines to his patients and refuses treatment to the unvaccinated. *See e.g.*, <https://www.medstarhealth.org/services/covid-19-vaccine-info>. Dr. Jackson earns income by treating multiple of the vaccine injuries identified by Petitioners in their Request for Judicial Notice Volume 1, which was referenced repeatedly in the petition for writ of certiorari.; <https://www.medstarhealth.org/doctors/patrick-graves-jackson-md>.

**(5) Justice Kagan.**

Source: <https://storage.courtlistener.com/us/federal/judicial/financial-disclosures/1691/elena-kagan-disclosure.2019.pdf>

In 2019, Justice Kagan received income from vaccine manufacturer, vaccine patent holder, and vaccine distributor Harvard University. *See e.g.*, <https://www.harvard.edu/in-focus/vaccines/>. Justice Kagan’s emails (during her tenure at the White House) indicate she actively worked to advance the same vaccination programs that are directly at issue in this case (*i.e.*, President Clinton’s vaccine initiatives), including the scientific evidence repeatedly referenced in The Control Group’s complaint against the Office of the President for its vaccination programs between 1962-present. *See e.g.*,

<https://www.politico.com/story/2010/06/kagan-emails-show-ny-state-of-mind-038749>; <https://www.archives.gov/news/elena-kagan>.

**(6) Justice Kavanaugh.**

Source: <https://www.courtlistener.com/person/1713/disclosure/30791/brett-m-kavanaugh/>

Justice Kavanaugh earns teaching income from vaccine developer, vaccine patent holder, and vaccine distributor George Mason University. *See e.g.*, <https://seerm.gmu.edu/gmu-covid-19-vaccine-clinics/schedule/>; <https://ibi.gmu.edu/>

**(7) Justice Roberts.**

Source: <https://www.courtlistener.com/person/2738/disclosure/25377/john-glover-roberts-jr/>

In 2020, Justice Roberts owned stock (valued between \$500k to \$1M) in vaccine developer Thermo Fisher Scientific, which is also an industry leader in Covid-19 testing and genetic diagnostics for conditions listed in Petitioner's Request for Judicial Notice Volume 1. *See e.g.*, <https://www.thermofisher.com/us/en/home/clinical/public-health/coronavirus-sars-cov-2-research-solutions/vaccine-development.html>

**(8) Justice Sotomayor.**

Source: <https://www.courtlistener.com/person/3045/disclosure/30671/sonia-sotomayor/>

Justice Sotomayor is an unpaid governing director of iCivics, “the nation’s largest provider of civic education curriculum,” which promotes vaccines and receives millions of dollars in annual income from the following major donors who are vaccine developers, vaccine patent holders, and vaccine distributors:

- Bill & Melinda Gates Foundation. <https://www.gatesfoundation.org/our-work/programs/global-health/vaccine-development-and-surveillance>
- Annenberg Public Policy Center (University of Pennsylvania). <https://www.annenbergpublicpolicycenter.org/misinformation-about-vaccine-safety-drives-reluctance-to-vaccinate-children/>

<https://www.icivics.org/annual-report>; [https://www.icivics.org/news/blog-post/10-years-reimagining-civic-education-fueling-movement?referer=/news&page\\_title=Our%20News](https://www.icivics.org/news/blog-post/10-years-reimagining-civic-education-fueling-movement?referer=/news&page_title=Our%20News) (“Our achievements are a direct result of the deep commitment to Justice O’Connor’s vision from our teachers, staff, Governing and Advisory Boards, and generous supporters.”);

<https://www.icivics.org/news/news-story/icivics-and-council-foreign-relations-release-new-game-teach-students-fundamentals> (“The partnership between iCivics and CFR [Council on Foreign Relations]”; <https://www.cfr.org/health/pharmaceuticals-and-vaccines>

Certain of the iCivics content is “brought to you by” organizations like the Roy Rosenzweig Center for History and New Media, operated by vaccine

developers, vaccine patent holders, and vaccine distributors at George Mason University and Indiana University. See e.g., <https://rrchnm.org/>; <https://seerm.gmu.edu/gmu-covid-19-vaccine-clinics/schedule/>; <https://ibi.gmu.edu/>; <https://news.iu.edu/stories/2022/04/iub/releases/06-researchers-developing-combination-vaccine-infants-norovirus-rotavirus.html>

Justice Sotomayor is a fellow of the American Academy of Arts & Sciences, which is heavily invested in developing, patenting, and funding vaccination. See e.g., [https://www.amacad.org/sites/default/files/publication/downloads/2022-CISP\\_Global-Connections-Emerging-Science-Partners.pdf](https://www.amacad.org/sites/default/files/publication/downloads/2022-CISP_Global-Connections-Emerging-Science-Partners.pdf) (“U.S. Collaborators for ESP Engagement ... vaccine development.”)

In researching Justice Sotomayor, recurring financial relationships appear to emerge with vaccine developer, vaccine patent holder, and vaccine distributor Yale University, and also billionaire investor in vaccines and Covid-19 subsidies David M. Rubenstein, who is also member of the Academy’s Board and Trust. <https://www.amacad.org/news/annual-david-m-rubenstein-lecture-conversation-justice-sonia-sotomayor>; <https://www.carlyle.com/our-people>; <https://news.yale.edu/2022/07/19/yale-developed-vaccine-offers-superior-protection-against-omicron-variants>.

In February 2022, Justice Sotomayor was a keynote speaker with the National Council for the Social Studies, which required proof of Covid-19

vaccination for all participants, and which publishes a journal routinely advocating for mandatory vaccination. <https://www.socialstudies.org/ncss100>.

One of Petitioners' leading evidentiary exhibits (referenced in the first paragraph of the Verified Petition) shows 10% of Americans suffer from diabetes (a condition that Justice Sotomayor publicly discusses she has), but Petitioners found zero diabetes among 1,482 unvaccinated control group participants. Statistically, that means vaccines *cause* diabetes. Statistically speaking, I would venture that Justice Sotomayor was vaccinated sometime before her first symptoms of childhood diabetes. It is unclear how Justice Sotomayor can preside over evidence proving her diabetes was caused and exacerbated by the Defendant's National Vaccine Program, and any liability for her lifelong disability should be compensated by the third parties identified in the Requests for Judicial Notice. <https://www.healthline.com/diabetesmine/justice-sonia-sotomayor-diabetes#1>

**(9) Justice Thomas.**

Source: <https://www.courtlistener.com/person/3200/disclosure/30783/clarence-thomas/>

Justice Thomas earns teaching income from vaccine developer, vaccine patent holder, and vaccine distributor George Washington University. *See e.g.*, <https://covidvaccine.gwu.edu/> ("Because of its long track record in conducting vaccine research and clinical vaccine trials, as well as its

extensive community partnerships, the university is serving as a clinical research site to test a number of potential COVID-19 vaccines.”)

### **Big Case, Big Allegations**

4. Any person who looks at this case should be able to discern very quickly that the Complaint challenges the nation-destroying alliance between Big Government and Big Pharma on the subject of vaccines. In particular, the complaint challenges governmental organizations and private companies that profit from the vaccine programs, and from the drugs sold to treat the health injuries vaccines cause. Whether or not they are mandated, vaccines have physically destroyed, and continue to destroy, most people exposed to them. These injected drug-exposures now pose a grave and imminent threat to the survival of this Nation.

5. Petitioners’ first amended Verified Petition (attached to the petition for writ of certiorari) has the following especially relevant allegations:

- ¶16. “Unlike the evidence presented herein, the government has never counted the victims of vaccination, and therefore has nothing with which to support any claim vaccines are doing less harm than good. Therefore, no branch of government can show a compelling or competing interest to that of the Petitioners here. The decimation of the American population is not a public good. Pharma profits must now take a back seat to the public good, as the survival of our Nation now hangs in the balance.”
- ¶¶1-31 (America’s immune system crisis is caused by mass vaccination, which is an imminent national security threat)

- ¶32. “Without a suspension of the National Childhood Vaccine Injury Act of 1986 (NCVIA), which shifted civil liability for injuries caused by vaccines from pharmaceutical companies to the Federal government who recommends vaccines, the Federal government is at serious risk of bankruptcy. See e.g., 42 USCS § 300aa-22.”
- ¶75. “Pharma, and the governmental bodies that protect, cultivate, and expand its powers, have now outgrown the host. If these health injuries continue to devour the American people at the present rates, this Nation will collapse. Pharma can no longer be permitted to dictate public health policy.”
- ¶88. “Human health can be protected in government policies if the precautionary principle is used in the correct format that puts the onus of proof of harmlessness on the government and pharmaceutical industry, and not the general public.”
- ¶¶91-163 (causes of action). See especially ¶112, “*Jacobson* was not intended to become an open door to unlimited technological advancements so long as a pharmaceutical company attaches its behavior to the word “vaccine”. Even before Covid-19 vaccination, according to the trade publication PHRMA, there were over 250 new vaccines in development. BigPharma is steadily increasing the quantity of vaccines mandated upon the public by government officials receiving so-called “donations” from BigPharma.” And see ¶132, “It is cruel and unusual when health officials use State powers to give pharmaceutical companies unmeasured control over individual posterity.” And see also ¶168, “The legislative and judicial branches have, thus far, primarily chosen to subjugate the health of the people of this Nation to the demands of the pharmaceutical/medical industrial complex.”

6. Petitioners’ Verified Petition repeatedly references the wrongdoing of vaccine manufacturers and expressly incorporates by reference the Requests

for Judicial Notice, which contain explicit references to vaccines developed and distributed by the Justices' income producing patrons. *See e.g.*,

- Document 4-4, page 46, “Other *players* for the pandemic exercise, included Rear Admiral Stephen C. Redd, director of the Office of Public Health Preparedness and Response at the U.S. CDC, as well as executives from pharmaceutical corporations Johnson & Johnson, Inovio, the ‘Gates-backed’ Coalition for Epidemic Preparedness Innovations (CEPI), and Lufthansa Group Airlines.” [emphasis added]
- Document 11, page 138 (“Numerous manufacturers give donations to the CDC Foundation. Janssen also contributed \$1.5m in 2012-13,1 and in 2011-12 contributors included Merck (\$915,149), Genzyme (\$762,000), Sanofi-Aventis (\$600,000), and Abbott Laboratories (\$550,000).”)
- Document 11, page 184 (“State records show that pharmaceutical companies and trade groups donated more than \$2 million to current lawmakers in 2013-2014... Johnson & Johnson, Inc. \$86,300, \$583,926... Abbott Laboratories \$173,600, \$42,500... Bristol-Myers Squibb Company, \$32,300, \$144,101.”)
- Document 12, page 280 (“Since 2000, Big Pharma has gradually seen the prices of its vaccines... Johnson & Johnson”)
- Document 14, page 8 (“Newer and more expensive vaccines are coming into the market faster than ever before. Growing concentration in OECD countries but also newcomers (Pfizer, J&J,...). Vaccine development: increasing investment.”)

7. From the Proposed Order referenced in the Verified Petition (attached to the petition for writ of certiorari) it is obvious that Petitioners requested relief that would directly impact the Justices' vaccine stock holdings and continued income from vaccine developers and vaccine distributors:

Petitioners' Control Group Survey results provide numerical evidence that vaccinations are the primary cause of America's Pandemic of injured and dysfunctional immune systems.

Because vaccinology is devoid of safety studies comparing the vaccinated to true unvaccinated controls, all vaccination is experimental. Covid-19 vaccination is openly experimental. Americans have become unknowing victims of a mass medical experiment being conducted without consent.

[...]

Accordingly, Respondent is hereby enjoined, until such time as the Court enters judgment on the Petitioners' claims for relief, as follows:

**A.** Within the United States of America and its territories, any laws, regulations, or policies, which purport to place in any branch of government or any agency thereof, whether federal, state, county, city, or otherwise the power to waive the people's right to informed consent/refusal with regard to human medical experimentation in the form of any vaccine in Stage 1-4 trial(s), or which otherwise purports to broadly authorize any form of such human medical experimentation without informed consent/refusal, is hereby declared unenforceable.

**B.** Any laws, regulations, or policies, purporting to authorize any form of discrimination against any Citizen, whether in the form of denial of educational opportunities, employment, travel, or any other common right, which is based solely upon their refusal to consent to experimental medical intervention in the form of

vaccination, are repugnant to the U.S. Constitution and are therefore unenforceable.

[...]

The legal burden has shifted to Respondent to numerically prove that benefits of vaccine exposure, at any level of exposure, currently outweigh the short-term and long-term risks associated with vaccine exposure. Until Respondent has met such burden, by calculating and publishing publicly the long-term effects of vaccine-triggered human immune-system alterations, and until it has been proven to this Court numerically that vaccines are not a material cause of the Pandemic of injured and dysfunctional immune systems, it shall be considered a false and deceptive practice to refer to vaccines as "safe" in marketing or promotion.

8. I demand that a *truly impartial judiciary*, i.e., judges with no conflicts of interest, either direct, or indirect, immediately be made available to hear this most urgent case which has now been delayed about two years for no good reason, causing further loss of life and limb to control groups.

### **Checks and Balances**

9. Judges should not be allowed to inject themselves with patented drugs, take money from institutions who make and distribute those patented drugs, and then preside over cases where the disputed issue is the danger of those patented drugs. Logic, if it be allowed, welcomes the existence of healthy unvaccinated judges who don't take the defendant's patented drug in question while presiding over that drug's litigation. This is the kind of basic 5<sup>th</sup> grader logic that this entire Control Group case is based upon. For

example, more than 60% of Americans in Group A (who injected themselves with the drug) suffer a lifelong disorder that makes life very hard and leads to early death. Group B (who do not inject the drug) is perfectly healthy for life, having only a background 2-5% chronic illness rate. Even a 5<sup>th</sup> grader wants to be in Group B. Even a 5<sup>th</sup> grader recognizes it is worse than fraud to exterminate Group B.

**10.** At every stage of this federal litigation, my impression of the judicial process has been that the courts are favoring Big Pharma's business as usual, whereby federal judges do not want to be troubled to acknowledge their own pharmaceutical connections both financially and personally.

**11.** Petitioners put years of doctoral-level labor into building the solid evidentiary record for this case, only to have it ignored and summarily dismissed by two federal courts, each suggesting the President cannot be sued because he is not mandating vaccines. Yet in plain view of all Americans the President is openly mandating federal vaccines while vaccinated Americans suffer and die from his vaccines. This is the reality under the President's gaslight "safe and effective", and that gaslight is losing oil fast with *we the people*. Are we the people not sovereign?

**12.** This Court has not even attempted to disclose any potential conflicts with vaccinators, or even to address the issue of the perception of impartiality, despite Justices owning stock and holding teaching positions

with vaccine developers, vaccine patent holders, and vaccine distributors. See Financial Disclosure Reports (required by 5 USC § 101 *et seq*). One would also think that Supreme Court Justices and their spouses, with combined centuries of professional experience navigating Washington DC, would have *something* to report regarding vaccinator conflicts. For if there were literally nothing to report in a case challenging Big Pharma's invasive vaccine alliance with POTUS, this would be an incredible feat of ethical acrobatics for nine Justices to avoid every conceivable vaccine profit entanglement in the National Vaccine Program.

**13.** Obviously it strains credibility that this Court would have zero potential conflicts of interest to report to me and the American people that the acrobatics are indeed aligned rightly. As required by 28 USC § 455(e) (“a full disclosure on the record of the basis for disqualification”), this Court should review its potential conflicts, and fully disclose to me the outcome of that review, to ensure not only the impartiality of the Court, but the perception of same. Already this Court has done nothing to prevent its Circuit courts from mandating vaccinations upon lawyers (as my lawyer experienced in the Ninth Circuit, which is chronicled in the petition for certiorari).

**14.** Petitioners alleged that vaccines are ubiquitous weapons (needles), and each of the Justice's vaccine stock companies and university

patrons is directly responsible for shooting millions of those needles into helpless Americans, causing trillions in unpaid damages, even bringing the nation itself to the verge of collapse. Vaccines are far worse than asbestos; vaccines are the equivalent to legalized human “sacrifice,” in the words of qualified experts and laymen alike.

**15.** It is only when an expert witness compares (a) the near perfect health of the unvaccinated (same near perfect health as Americans in the 1950s) to (b) national data showing the President’s 99.74% vaccinated herd is sick and dying, that (c) Petitioners’ extraordinary allegations come into focus. Without the control group proofs (a) vs. (b), above, point (c), that the nation is on the precipice could even sound frivolous. But it’s not frivolous; it’s uncontradicted raw data. And it is within a federal court’s core competency to verify such data with competing experts, adjudicate willful harm caused by the product, and issue remedies for wrongs.

## **Realities**

**16.** Americans are discussing vaccine injury today at unprecedented levels, from the moderated sea of Twitter,<sup>1</sup> through the uncensored plains of

---

<sup>1</sup> Kihara D (October 9, 2022). *Twitter blocks — and then restores — Covid-19 vaccination post from Florida's surgeon general*. Politico. <https://www.politico.com/news/2022/10/09/twitter-covid-vaccination-florida-surgeon-general-joe-ladapo-00061074>.

Substack,<sup>2</sup> to the peer-reviewed sea of PubMed.<sup>3</sup> From sea to shining sea, vaccinated America is burning in conflict. But on the plains of truth, unvaccinated America is avoiding collateral damage, their bodies a type of control group evidence, living proof of Fifth Amendment bodily integrity, if this Court is willing to acknowledge them. This case was designed to engage the judiciary to help preserve scientific evidence and thereby legally solve a real-world problem (*i.e.*, the Fifth Amendment is needed to protect control groups).

17. Petitioners clearly alleged that vaccines are destroying *most* families, such that, statistically speaking, every Justice and their family could have potentially millions of dollars in claims for vaccine injury, if this Court simply recognizes the truth of the control group evidence in this case. Like comparing smoker lungs to non-smoker lungs, vaccine control group evidence is powerfully simple (it's the same math showing Big Tobacco causes lung cancer because non-smokers have exponentially less lung cancer) and therefore the control group evidence is instantly damning to Big Pharma.

---

<sup>2</sup> Kirsch, S. (October 2022). Steve Kirsch Newsletter. <https://stevekirsch.substack.com/> (real-time updates on vaccine injury data concealed by the U.S. Government, and the nonresponsiveness of authorities to logic and the American people).

<sup>3</sup> Blaylock *RL*. *COVID UPDATE: What is the truth?* Surg Neurol Int. 2022 Apr 22;13:167. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9062939/>.

18. If the vaccine control group data is recognized as true in court (as it must be on a motion to dismiss, the posture presently before the Court), then vaccines have been utterly catastrophic to each Justice and their families, and therefore vaccination is nothing whatsoever like a Justice 'having a utility account' or potentially qualifying for a \$100 class action payment. To recognize the validity of Petitioners' evidence is to recognize the catastrophic cause of a national security emergency.

**Each Justices' Covid-19 Vaccine Was Developed, Owned, and Distributed by Defendant POTUS**

19. This Court can also take judicial notice that the President directed the development and securing of patents for Covid-19 vaccination. For example, on March 10, 2021, Joe Biden took credit yet again for the Operation Warp Speed Vaccine development and supply via the U.S. military. THE WHITE HOUSE (March 10, 2021). President Biden Hosts an Event with the CEOs of Johnson & Johnson and Merck. Press Conference. [https://youtu.be/UjH4\\_NOVtWc](https://youtu.be/UjH4_NOVtWc). The same day, President Trump responded in writing that the vaccine depended specifically on the President. Dorman, S. (March 11, 2021). Trump takes credit for 'China virus' vaccine: 'I hope everyone remembers!' FOX NEWS. <https://www.foxnews.com/politics/trump-takes-credit-vaccine>. *See also*: "As I've always said, this was a wartime effort, and every action has been on the table, including putting together

breakthrough approaches.... Here's what all this means: We're now on track to have enough vaccine supply for every adult in America by the end of May.... And today, I'm using the full authority of the federal government. I'm directing every state to do the same. My challenge to all states, territories, and the District of Columbia is this: We want every educator, school staff member, childcare worker to receive at least one shot by the end of the month of March." Biden, J. (March 2, 2021). *Remarks by President Biden on the Administration's COVID-19 Vaccination Efforts*. <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/03/02/remarks-by-president-biden-on-the-administrations-covid-19-vaccination-efforts/>.

**20.** "Under the leadership of President Trump, the U.S. Department of Health and Human Services (HHS) and Department of Defense (DoD) today announced an agreement with Moderna, Inc. to manufacture and deliver 100 million doses of the company's COVID-19 vaccine candidate. The federal government will own these vaccine doses." US Department of Defense (August 11, 2020). *Trump Administration Collaborates With Moderna to Produce 100 Million Doses of COVID-19 Investigational Vaccine*. Press Release. <https://www.defense.gov/News/Releases/Release/Article/2309561/trump-administration-collaborates-with-moderna-to-produce-100-million-doses-of/>. See also, HHS (March 2, 2021). *Biden Administration Announces Historic Manufacturing Collaboration Between Merck and Johnson &*

*Johnson to Expand Production of COVID-19 Vaccines.* Press Release.

<https://www.hhs.gov/about/news/2021/03/02/biden-administration-announces-historic-manufacturing-collaboration-between-merck-johnson-johnson-expand-production-covid-19-vaccines.html> (“To further accelerate production of the J&J vaccine, President Biden also announced he has invoked the Defense Production Act to expedite materials in vaccine production, such as equipment, machinery and supplies like single use bags, and he has directed the Department of Defense (DOD) to provide daily logistical support to strengthen J&J’s efforts. With the urging and assistance of the Administration, J&J also will begin operating its manufacturing facilities 24/7 to maximize production output.”); see also, Business Wire (May 12, 2022). *AHF Salutes President Biden’s Vow to Share Vaccine Patents.* Yahoo News.Yahoo Finance. <https://finance.yahoo.com/news/ahf-salutes-president-biden-vow-194600531.html> (“The commitment follows a speech by President Biden at the second global COVID-19 virtual summit, which concluded today. Patents for manufacturing components of highly effective mRNA vaccines, which belong to the National Institutes of Health (NIH), will be shared with the World Health Organization and the Medicines Patent Pool.”)

**21.** So, the NIH owns vaccine patents on Covid-19 and much more, and the NIH is directed by the President, especially so during declared

emergencies, as here. <https://aspr.hhs.gov/legal/Pages/Legal-Authority-of-the-Secretary.aspx>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 28, 2022.

A handwritten signature in blue ink, appearing to read "Joy Garner". The signature is fluid and cursive, with the first name "Joy" being more prominent than the last name "Garner".

Joy Garner