

HAMILL LAW & CONSULTING

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VIA EMAIL

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Re: Alliance of Los Angeles County Parents v. County Of Los Angeles Department Of Public Health, et al., Los Angeles County Case No. 22STCP02772 – Impending Mandate and Temporary Restraining Order

Dear Mr. Raygor, Ms. Alter, Ms. Barger, Ms. Kuehl, Ms. Hahn, Ms. Mitchell and Ms. Solis:

My office represents the Alliance of Los Angeles County Parents in the above-referenced case. We have been informed that the Los Angeles County Department of Public Health (“DPH”) intends to implement yet another universal indoor mask mandate, and continues to refuse to acknowledge the scientific realities in which we are currently operating.

DPH and the County Board of Supervisors cannot continue to pretend that covid is the same threat now as it was in 2020. The County’s leading medical doctors at the Los Angeles County USC Hospital present a weekly Town Hall to discuss the realities of covid and what impacts their hospitals. This week, Dr. Holtom, Dr. Spellberg and CEO Jorge Orozco explained that covid case numbers are spiking as expected, but that they are not seeing severe illness like they have in the past. Their hospitals are struggling with a bed shortage not due to covid, RSV or influenza, but due to a staffing shortage.

Here is the link to this week’s Town Hall briefing from the physicians at LAC+USC, which took place on November 30, 2022. Relevant discussion begins around 10 minutes:

https://www.youtube.com/watch?v=CfiGcZ_HUhs&t=1s

The contrast between the County physicians’ statements and Barbara Ferrer’s reports is shocking. Ferrer does not provide any data or reliable studies to support her dangerous assertions. Her statements keep the community in an unwarranted state of perpetual fear. She is not operating in reality, and the loss of trust in public health as a result of her behavior has become irreparable.

If DPH proceeds with issuing a new universal mask mandate, we will immediately file for a temporary restraining order. We intend to seek recovery of all fees and costs incurred in this action to date.

To avoid incurring additional fees and costs at the taxpayers' expense, the Alliance again proposes the following resolution (which was also provided to you in August):

If Defendants (1) rescind all child mask requirements and healthy kid quarantine rules, and (2) promise to refrain from reimplementing of these harmful mandates, the Alliance will dismiss the case with prejudice.

Alternatively, if the County will (1) rescind all child mask requirements and healthy kid quarantine rules, (2) conduct a public harm/benefit analysis regarding all covid policies, and (3) utilize data that accurately reflects numbers of patients hospitalized and dead *because of covid* instead of *with covid*, the Alliance will dismiss the case with prejudice.

As I have expressed from the beginning, our objective is not financial – it is solely to end the harm to children caused by Defendants' policies.

All evidence, including admissions by the County's own physicians, shows that covid is extremely widespread, and is not causing severe disease. Hospitals are not overwhelmed due to covid. There is no evidence to support that covid should be treated any differently than the flu, or as Dr. Spellberg says, "a very bad cold" at this point. Covid is endemic.

By forcing children to mask, Defendants significantly harm their social and emotional development. Forcing speech delayed children to mask is like forcing those children into isolation.

Even when covid was far more severe, children were not at high risk. There has been no analysis by Defendants regarding the age stratification of risk, and no effort made to tailor mitigation efforts in a way that reflects that stratification and attempts to minimize harms to children. There has not even been an acknowledgement by Defendants that their policies harm children.

If the County is not amenable to the Alliance's proposal, we would appreciate a reasonable proposed compromise. The Alliance would be happy to connect Defendants with physicians and data experts to conduct a public harm/benefit analysis regarding Defendants' policies.

We would very much like to avoid incurring attorney's fees and wasting taxpayer resources to litigate this matter. We would strongly prefer that such resources be allocated to programs that help restore full normalcy to children.

Very Truly Yours,

Julie Hamill
Counsel for Alliance of Los Angeles County Parents