



PRESS RELEASE

**Tyler & Bursch, LLP / Advocates for Faith & Freedom
Children's Health Defense/Orange County Board of Education**

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PRESS CONFERENCE INFORMATION LISTED BELOW

Orange County Board of Education and Children's Health Defense Seek to End Governor Newsom's COVID-19 State of Emergency

Los Angeles, CA – Today, Orange County Board of Education, Children's Health Defense and Children's Health Defense-California Chapter filed a new motion seeking an order to end the COVID-19 state of emergency that Governor Gavin Newsom declared more than two years ago in March 2020. The motion will be heard by Orange County Superior Court Judge Theodore Howard on August 11, 2022.

Click [here](#) for the motion.

"This motion makes an even more compelling case that Governor Newsom has acted unlawfully by extending the statewide COVID emergency indefinitely and well beyond any point that is legally justifiable," said Scott J. Street of JW Howard/Attorneys, an attorney for the Orange County Board of Education and Children's Health Defense who successfully litigated a case against the State last year after state health officials arbitrarily closed gyms. "The Governor's own expert witness said that the COVID-19 pandemic could last another five years and that it would be exceptionally difficult to determine in real-time when it ends. California law does not authorize indefinite emergency government."

The California Emergency Services Act states that a statewide emergency can be declared during conditions of "extreme peril to the safety of persons and property within the state" that exceed local governments' capacity to deal with. The Governor must terminate a state of emergency "at the earliest possible date that conditions warrant."

Orange County Board of Education and Children's Health Defense asked the California Supreme Court to review this important legal issue last summer. It declined. That led the Board and CHD to file a lawsuit in Orange County Superior Court, where the current motion is pending.

"While Governor Newsom airs television ads in Florida, Californians are hurting, especially our children," said Mari Barke, President of the Board. "Emergency rule has

been used to deprive people of many things during the COVID-19 pandemic, from jobs to in-person educational instruction. But the biggest loss has been to local control and the public's access to the political process. We filed our lawsuit to restore those things, and this motion represents a critical step toward restoring normal representative government across California."

The Board will hold a press conference about the latest motion at 4:30 pm today at the address below:

Orange County Board of Education
200 Kalmus Drive
Costa Mesa 92626

YouTube link: <https://www.youtube.com/watch?v=xnTnYz0ETg4>

For additional comments and interviews, please email Mariah Gondeiro at mgondeiro@tylerbursch.com or call (406) 899-0927.

About Tyler & Bursch, LLP (www.tylerbursch.com): *With offices in Murrieta and Irvine CA, Tyler & Bursch's attorneys have been litigating civil liberties cases for more than 25 years in federal and state court. Tyler & Bursch provides pro-bono legal support through the non-profit legal organization, **Advocates for Faith & Freedom** (www.faith-freedom.com).*

About Children's Health Defense California: *The California Chapter of Children's Health Defense is devoted to the health of people and our planet. Our mission is to end childhood health epidemics by working aggressively to eliminate harmful exposures, hold those responsible accountable, and establish safeguards so this never happens again. (ca.childrenshealthdefense.org)*

About JW Howard/Attorneys, Ltd.: *Providing superlative representation to business leaders for more than 40 years, JW Howard Attorneys are business litigators of the highest caliber. Started by renowned trial lawyer John Howard, the firm now operates out of offices in San Diego and Los Angeles.*

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