

## **FOR IMMEDIATE RELEASE**

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The ***California Constitutional Rights Foundation***, in Cooperation with the ***Re-Open San Diego Small Business Coalition***, Announces the Filing of a Federal Lawsuit Challenging the Unconstitutional Covid Restrictions Imposed Upon the Businesses and the Citizenry of the State of California

On Tuesday, March 30, 2021, at 10:00 AM, at the Encore Event Center, 8253 Ronson Road, San Diego, CA, 92111, the California Constitutional Rights Foundation (CCRF) will announce the filing, on Wednesday, March 31, 2021, of a lawsuit in the United States Federal Court for the Southern District of California, on behalf of more than 40 businesses and numerous individuals located in San Diego County, California.

Among plaintiffs are restaurants, gyms, a dance studio, a martial arts studio, a hair salon, and other businesses spanning across the County of San Diego, from the mountains & deserts to the coast, from Fallbrook to the border. These plaintiffs are a microcosm – only a fraction of the devastated business community in San Diego County.

Defendants include Governor Gavin Newsom, the County of San Diego, and the City of San Diego, as well as other government entities and their governing bodies and leadership.

Among other grounds, the lawsuit will challenge whether the March 19, 2020, Emergency Proclamation by Governor Newsom met the statutory threshold for declaring a state of emergency.

Further, the lawsuit will argue that even if there were the required statutory grounds for the Emergency Proclamation, current circumstances and events require the termination of the state of emergency.

In addition, our lawsuit alleges violations of the: 1<sup>st</sup>, 5<sup>th</sup>, and 14<sup>th</sup> Amendments to, and Article 1, Section 8 of, the United States Constitution; Article 1, Sections 1, 7, and 19, and Article III, Section 3, of the California State Constitution; and, provisions of the California Government Code.

The arbitrary classification and targeting of specific industries – primarily of the “mom & pop” variety – while allowing “big box” operators to not only survive, but thrive, without even the modicum of safety and sanitation requirements deemed “necessary for health and safety” puts the lie to the restrictions. The closures and service restrictions directly pointed at our plaintiffs are the very definition of “inequitable treatment under the law.” To assure that ongoing negative impacts cease, that no further violations of our clients’ constitutional rights will be visited upon them in the future, and that all impacted California businesses and citizens will experience relief, we seek remedy through the judicial system.

Among those attending will be El Cajon City Mayor Bill Wells; former San Diego County Superior Court Judge Gary Krep, Chairman of the California Constitutional Rights Foundation; former El Dorado County Superior Court Judge Steve Bailey, Senior Legal Counsel for CCRF; Nica Knite, Chairwoman of the Re-Open San Diego Small Business Coalition, and numerous business owners damaged by the unconstitutional Covid restrictions imposed upon them.

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