

1 Section 201 (relating to bribery), section 1341 (relating to mail fraud), section  
2 1343 (relating to wire fraud), section 1344 (relating to financial institution fraud),  
3 section 1503 (relating to obstruction of justice), section 1512 (relating to  
4 tampering with a witness, victim, or an informant), section 1513 (relating to  
5 retaliating against a witness, victim, or an informant), section 1951 (relating to  
6 interference with commerce, robbery, or extortion), section 1952 (relating to  
7 racketeering), 1958 (relating to use of interstate commerce facilities in the  
8 commission of murder-for-hire), sections 175–178 (relating to biological  
9 weapons), sections 229–229F (relating to chemical weapons).

10  
11 111. Specifically, at all relevant times herein, Defendant legislators, Defendants  
12 Alicia G. Rosenberg, Jonathon E. Rich, Jacquelyn Y. Young, Cara L. Jenkins and  
13 Defendant Edmund Brown on behalf of the Defendant State of California and  
14 other Co-conspirators engaged in “racketeering activity” within the meaning of  
15 18 U.S.C. § 1961(1) by engaging in Obstruction of Justice in violation of 18  
16 U.S.C. § 1503 by corruptly influencing the outcome of the house and senate  
17 hearings to pass bill SB277, and to corruptly influence the outcome of the District  
18 Court hearing; and, Perjury of their Oaths to the California and U.S.  
19 Constitutions resulting in treason and Seditious Conspiracy to overthrow the state  
20 and federal Constitutions; and, further engaged in a Conspiracy to Obstruct  
21 Justice in violation of 18 U.S.C. § 1951 relating to interference with commerce,  
22 robbery, or extortion; and, further engaged in a Conspiracy to Racketeer in  
23 violation of section 1951 of section 1961 and 1962(d).

24  
25 112. Additionally, Defendants Alicia G. Rosenberg, Jonathan E. Rich, Jacquelyn  
26 Y. Young and Cara L. Jenkins joined the conspiracy by joining their efforts to  
27 corruptly influence the outcome of the December 13, 2016 hearing to create  
28 illegitimate legal claims against Plaintiffs’ law arguments by placing on the court

1 record invalid evidence that Plaintiffs' complaint was somehow deficient  
2 requiring dismissal.

3  
4 113. Defendant Alicia G. Rosenberg's Recommendation failed to address  
5 Plaintiffs' legal claims. Defendant Rosenberg's Recommendation ignored  
6 Plaintiffs' case law with the intent to purposefully apply the wrong legal  
7 standards for a 12(b)(6) ruling to legitimize the dismissal of Plaintiffs' case.  
8 Defendant Rosenberg was intentionally playing the role of the "cat in the  
9 sandbox" and Plaintiffs were the cat's turd that needed to be buried quietly and  
10 discreetly. Defendant Rosenberg's Recommendation essentially denies Plaintiffs  
11 equal access to the court. Denies Plaintiffs due process of law and equal  
12 protection of law within the meaning of the 14<sup>th</sup> Amendment to the U.S.  
13 Constitution.

14  
15 114. Together, Defendants Jonathan E. Rich, Jacquelyn Y. Young and Cara L.  
16 Jenkins purposefully conspired with one another to introduced irrelevant and  
17 immaterial case law in support of their conspiracy to confused the legal issues  
18 and protect the legislative Defendants from their unlawful conduct, while  
19 Defendant Alicia G. Rosenberg adopted these arguments in support of her  
20 recommendation to dismiss Plaintiffs' complaint. In conspiring to de-rail  
21 Plaintiffs' case, Defendants Jonathan E. Rich, Jacquelyn Y. Young, Cara L.  
22 Jenkins and Alicia G. Rosenberg perjured their sworn oaths of office to the  
23 United States Constitution and in doing so violated: 18 U.S.C. section 1503  
24 relating to obstruction of justice; Conspiracy to Obstruct Justice in violation of 18  
25 U.S.C. § 1951 relating to interference with commerce, robbery, or extortion; and,  
26 further engaged in a Conspiracy to Racketeer in violation of section 1951 of  
27 section 1961 and 1962(d).

1 115. **Extortion of Plaintiffs' Liberty-** A conviction for extortion within the  
2 meaning of the Hobbs Act requires that the Defendants obtained "property" or  
3 "liberty" from another, with his consent, induced by wrongful use of actual or  
4 threatened force, or fear, or under color of official right. 18 U.S.C. § 1503.

5  
6 116. In furtherance of their racketeering and extortion scheme, the Defendants  
7 have used their offices, positions, influence, affiliates and sub agencies including  
8 but not limited to the Superintendent of Schools, the County Health Departments,  
9 local law enforcement, Child Protective Services and health care providers to  
10 threaten, intimidate, coerce and or incarcerate Plaintiffs (the parents of  
11 unvaccinated or partially vaccinated offspring) for bogus criminal charges  
12 including, Parental Negligence, Child Endangerment, Truancy, etc. should they  
13 fail to comply with Defendants' unconstitutional bill.

14  
15 117. The acts set forth above constitute a violation of one or more of the  
16 prohibited overt acts under 18 U.S.C. §1961 and 18 U.S.C. § 1962(c). All the  
17 Defendants and the other Co-conspirators each committed and/or aided and  
18 abetted the commission of two or more of these acts of racketeering activity.

19  
20 118. The acts of racketeering activity referred to in the previous paragraphs  
21 constituted a "pattern of racketeering activity" within the meaning of 18 U.S.C. §  
22 1961(5). The acts alleged were related to each other by virtue of common  
23 participates (all named Defendants), a common victim (Plaintiffs, Plaintiffs'  
24 offspring and others similarly situated), a common method of commission  
25 (closed door meetings and perjury of their oaths), and the common purpose and  
26 common result of extorting the constitutional rights of Plaintiffs and others  
27 similarly situated depriving said Plaintiffs or class of persons of equal protection  
28 of the laws or equal privileges and immunities under the law. The Defendant

1 legislators, Alicia G. Rosenberg, Jonathan E. Rich, Jacquelyn Y. Young, Cara L.  
2 Jenkins and other Co-conspirators did commit the overt acts as alleged in this  
3 complaint in furtherance of conspiracy to the injury of Plaintiffs' person or  
4 property and deprived Plaintiffs of Plaintiffs' rights and or privileges as citizens  
5 of the united States America.

6  
7 119. The Obstruction of Justice and Extortion of Rights scheme being  
8 committed by the Defendants have continued for over two years and threatens to  
9 continue despite the institution of this Complaint.

10  
11 120. As a result of Defendants and the other Co-conspirators' violations of 18  
12 U.S.C. § 1961 & 1962(c), Plaintiffs have lost a substantial amount of their time,  
13 money, labor and constitutional freedoms as a result of the racketeering activities  
14 conducted in the fraudulent bill passing scheme and as part of the prohibited  
15 activities herein alleged.

16  
17 121. As a result of their racketeering enterprise, Defendants are liable to the  
18 Plaintiffs for their losses in an amount to be determined at trial.

19  
20 122. Pursuant to RICO, 18 U.S.C. § 1964(c), Plaintiffs are entitled to recover  
21 threefold their damages plus costs from Defendants. The Defendants' acquisition,  
22 control and interest in this RICO enterprise were the proximate cause of damages  
23 and injury to Plaintiffs.

24  
25 **SECOND CLAIM FOR RELIEF FOR VIOLATION OF**  
26 **THE RACKETEERING INFLUENCED AND CORRUPT**  
27 **ORGANIZATIONS ACT ("RICO") 18 U.S.C. § 1962(a)(d), CONSPIRACY**  
28 **(By Plaintiffs Against All Defendants)**

1 123. Plaintiffs reallege and incorporate in this Second Claim for Relief each and  
2 every allegation set forth above, as though fully set forth herein.

3  
4 124. 18 U.S.C. § 1962(a) provides in relevant part: "It shall be unlawful for any  
5 person who has received any income derived, directly or indirectly, from a pattern  
6 of racketeering activity or .....to use or invest, directly or indirectly, any part  
7 of such income, or the proceeds of such income, in the acquisition of any interest  
8 in, or the establishment or operation of, any enterprise which is engaged in, or the  
9 activities of which affect, interstate or foreign commerce."

10  
11 125. 18 U.S.C. § 1962(d) provides in relevant part:  
12 It shall be unlawful for any person to conspire to violate any of the provisions of  
13 subsection (a), (b), or (c) of this section.

14  
15 126. Through the acquisition of the income derived from its open-ended pattern  
16 of racketeering activity, Defendants not only invest in an ever-expanding drug  
17 companies which also funds Defendants' criminal enterprise with kickbacks in  
18 the form of campaign contributions and other known and unknown perks.  
19 Defendants also use the funds for government lobbying purposes to influence  
20 local and state legislation which has a direct effect on both interstate and foreign  
21 commerce in direct violation of 18 U.S.C. § 1962(a) and Section 1961.

22  
23 127. At all relevant times herein, Defendants and the Conspirators were each a  
24 "person" within the meaning of RICO, 18 U.S.C. §§ 1961(3) and 1962(d).

25  
26 128. At all relevant times herein, Defendants and the Co-conspirators formed an  
27 association-in-fact for the specific purpose of obstructing justice and extorting the  
28

1 constitutional rights of Plaintiffs and others similarly situated. This association-in-  
2 fact was an “enterprise” within the meaning of RICO, 18 U.S.C. § 1961(4).

3  
4 129. At all times relevant herein, this enterprise was engaged in, and its activities  
5 affected, interstate and foreign commerce, within the meaning of RICO, 18 U.S.C.  
6 § 1962(c).

7  
8 130. As set forth in Plaintiffs’ First Claim For Relief, Defendants and each of the  
9 Co-conspirators associated with this enterprise conducted or participated, directly  
10 or indirectly, in the conduct of the enterprise’s affairs through a “pattern of  
11 racketeering activity” within the meaning of RICO, 18 U.S.C. § 1961(5), in  
12 violation of RICO, 18 U.S.C. § 1962(c ).

13  
14 131. At all relevant times herein, Defendants and the other Co-conspirators each  
15 were associated with the enterprise and agreed and conspired to violate 18 U.S.C. §  
16 1962( c), that is, agreed to conduct and participate, directly or indirectly, in the  
17 conduct of the affairs of the enterprise through a pattern of activity, in violation of  
18 18 U.S.C. § 1962(d).

19  
20 132. Defendants and other Co-conspirators committed and caused to be  
21 committed a series of overt acts in furtherance of the conspiracy and to affect the  
22 objects thereof, including but not limited to the acts set forth above. “A defendant  
23 can be guilty of [violation of Section 1962(d) for] conspiring to violate a law  
24 [Section 1962(c)], even if he is not among the class of persons who could commit  
25 the crime directly.”) (emphasis added) abrogated on other grounds by *Salinas v.*  
26 *United States*, 522 U.S. 52 (1997). A conspiracy may exist even if a conspirator  
27 does not agree to commit or facilitate each and every part of the substantive  
28 offense. See *United States v. Socony-Vacuum Oil Co.*, 310 U.S. 150, 253-254

1 (1940). The partners in the criminal plan must agree to pursue the same criminal  
2 objective and may divide up the work, yet each is responsible for the acts of each  
3 other. See *Pinkerton v. United States*, 328 U.S. 640, 646 (1946) (“And so long as  
4 the partnership in crime continues, the partners act for each other in carrying it  
5 forward”). If conspirators have a plan which calls for some conspirators to  
6 perpetrate the crime and others to provide support, the supporters are as guilty as  
7 the perpetrators. As Justice Holmes observed: “[P]lainly a person may conspire for  
8 the commission of a crime by a third person.” *United States v. Holte*, 236 U.S. 140,  
9 144 (1915).

10  
11 133. As a result of Defendants and the other Co-conspirators’ violations of 18  
12 U.S.C. § 1962(d), the Plaintiffs have lost hundreds of dollars in: petitioning the  
13 Defendants to not violate their rights, travel to and from the state capitol in  
14 Sacramento for the same purpose, which was to halt the criminal schemes  
15 Defendants created, organized, promoted, enacted and continue to operate and run.

16  
17 134. As a result of the Conspiracy, Defendants are liable to the Plaintiffs for their  
18 losses in an amount to be determined at trial.

19  
20 135. Pursuant to RICO, 18 U.S.C. § 1964(c), the Plaintiffs are entitled to recover  
21 threefold their damages plus costs from Defendants.

22  
23 136. Plaintiffs have been injured in their business and property in accordance  
24 with U.S.C. § 1962(a)(c)(d) as a direct and proximate result of the racketeering  
25 activities of Defendants, and each of them, in that the Defendants' criminal  
26 legislative acts were directed at Plaintiffs, Plaintiffs’ offspring, and others  
27 similarly situated.

1 137. Defendants' criminal enterprise have caused Plaintiffs to conduct legal  
2 research and incur court filing fees in federal court, and have caused Plaintiffs  
3 emotional distress, fear, anxiety and lack of sleep in having to defend themselves  
4 from Defendants' unlawful criminal activities.

5  
6 138. The exact amount of Plaintiffs' economic damages incurred as a direct and  
7 proximate result of Defendants' conduct is unknown at this time. Plaintiffs will  
8 seek leave of Court to amend this Complaint to set forth the exact amount thereof  
9 when the same is ascertained.

10  
11 139. As a direct and proximate result of the acquisition, maintenance, interest,  
12 control and income derived from the racketeering activities of the Defendants,  
13 and each of them, as described herein, Plaintiffs have suffered injuries to  
14 Plaintiffs' persons and property, and are entitled to recover treble damages for the  
15 injuries they have sustained, according to proof, as well as costs of suit and  
16 reasonable attorneys' fees, pursuant to 18 U.S.C. § 1964(c).

17  
18 140. As a direct and proximate result of the racketeering activities of the  
19 Defendants, and each of them, as described herein, Plaintiffs are entitled to an  
20 Order, pursuant to 18 U.S.C. § 1964(a), enjoining and prohibiting the  
21 Defendants, and each of them, from further engaging in the same conduct as the  
22 enterprise has engaged in.

23  
24 **THIRD CLAIM FOR RELIEF FOR VIOLATION OF 18 U.S.C. § 175,**  
25 **CHAPTER 10- CONSPIRACY TO PROMOTE THE SALE AND USE OF**  
26 **BIOLOGICAL WEAPONS ON CALIFORNIA CITIZENS**  
27 **(By Plaintiffs Against All Defendants)**  
28



1 141. Plaintiffs reallege and incorporate in this Third Claim for Relief each and  
2 every allegation set forth above, as though fully set forth herein.

3  
4 **142. Sec. 175 - Prohibitions with respect to biological weapons.**

5 (a) In General.—Whoever knowingly develops, produces, stockpiles, transfers,  
6 acquires, retains, or possesses any biological agent, toxin, or delivery system for  
7 use as a weapon, or knowingly assists a foreign state or any organization to do so,  
8 or attempts, threatens, or conspires to do the same, shall be fined under this title or  
9 imprisoned for life or any term of years, or both. There is extraterritorial Federal  
jurisdiction over an offense under this section committed by or against a national  
of the United States.

10 (b) Additional Offense.—Whoever knowingly possesses any biological agent,  
11 toxin, or delivery system of a type or in a quantity that, under the circumstances, is  
12 not reasonably justified by a prophylactic, protective, bona fide research, or other  
13 peaceful purpose, shall be fined under this title, imprisoned not more than 10 years,  
14 or both. In this subsection, the terms “biological agent” and “toxin” do not  
15 encompass any biological agent or toxin that is in its naturally occurring  
environment, if the biological agent or toxin has not been cultivated, collected, or  
otherwise extracted from its natural source.

16 (c) Definition.—For purposes of this section, the term “for use as a weapon”  
17 includes the development, production, transfer, acquisition, retention, or possession  
18 of any biological agent, toxin, or delivery system for other than prophylactic,  
protective, bona fide research, or other peaceful purposes.

19 143. The Defendants are well aware of the fact that all of the CDC scheduled  
20 vaccines are riddled with heavy metals (aluminum, formaldehyde, mercury, human  
21 DNA cells, etc.), neurotoxins and deadly Retroviruses according to Dr. Judy  
22 Mikovits, an ex-government scientist, PhD in Bio Chemistry and Molecular  
23 Biology. These chemical compounds administered as “vaccines” do not cure  
24 diseases but causes diseases including Autism, Chronic Fatigue Syndrome, HIV,  
25 Cancer and life threatening allergies.

26 **[https://www.youtube.com/watch?v=KUtIO\\_h1fRA](https://www.youtube.com/watch?v=KUtIO_h1fRA)**

1 144. All the Defendants have knowledge of these toxins and risks of exposure to  
2 the Plaintiffs and Plaintiffs' offspring. The vaccine ingredients qualify as  
3 biological weapons within the meaning of Section 175(c). Section 175(a)  
4 provides: "Whoever knowingly assists a foreign state or any organization to do so,  
5 or attempts, threatens, or conspires to do the same, shall be fined under this title or  
6 imprisoned for life or any term of years, or both". Defendant legislators have  
7 conspired with and have been bribed by the pharmaceutical companies to be the  
8 promoters of these toxic poisons to force them upon the citizenry for their own  
9 profit and gain and more specifically as alleged in Plaintiffs' First and Second  
10 claims for relief in violation of Section 175 – Conspiracy to promote and force  
11 inject Plaintiffs' offspring with these biological weapons with the specific intent to  
12 injure, maim and or kill the subject individual. As alleged herein above,  
13 Defendants have conspired to violated Section 175 Ch. 10 of U.S.C. Title 18 and is  
14 therefore liable to Plaintiffs under 18 U.S.C. 1964(a) & (c).

15  
16 **FOURTH CLAIM FOR RELIEF FOR VIOLATION OF 18 U.S.C. § 178,**  
17 **CHAPTER 11B- CONSPIRACY TO PROMOTE THE SALE AND USE OF**  
18 **CHEMICAL WEAPONS ON CALIFORNIA CITIZENS**  
19 **(By Plaintiffs Against All Defendants)**

20  
21 145. Plaintiffs reallege and incorporate in this Fourth Claim for Relief each and  
22 every allegation set forth above, as though fully set forth herein.

23 **146. Chapter 11B-Section 229, Chemical Weapons:**

24 (a) Unlawful Conduct.—Except as provided in subsection (b), it shall be unlawful  
25 for any person knowingly—

- 26 (1) to develop, produce, otherwise acquire, transfer directly or indirectly, receive,  
27 stockpile, retain, own, possess, or use, or threaten to use, any chemical weapon; or  
28 (2) to assist or induce, in any way, any person to violate paragraph (1), or to attempt  
or conspire to violate paragraph (1).

1  
2 147. All the Defendant legislators have adequate knowledge of these toxins and  
3 risks of exposure to the Plaintiffs and Plaintiffs' offspring. The vaccine ingredients  
4 qualify as chemical weapons within the meaning of Section 229 of Chapter 11B.

5  
6 148. Defendant legislators have assisted the drug companies in a conspiracy to  
7 promote and assist their agents and affiliates (the Superintendent of Schools, Child  
8 Protective Services, Local Law Enforcement Agencies, and Health Care  
9 Practitioners) in forcing these chemical weapons on Plaintiffs, Plaintiffs' offspring  
10 and others similarly situated in violation of Section 229 of Chapter 11B, and as  
11 further alleged in Plaintiffs' claims for relief in the First, Second and Third claims  
12 for relief. Defendant legislators and their Co-Conspirators qualify as domestic  
13 terrorists within the meaning of sections 229 and 175 of this title, and as such, their  
14 criminal conduct comes within the purview of the "RICO" laws. And as further  
15 alleged in the preceding paragraphs above, Defendants have violated Section 229  
16 of Ch. 11B of Title 18 of the U.S. Code and is therefore liable to Plaintiffs under  
17 18 U.S.C. 1964(a) & (c).

18  
19 149. Pursuant to the original Statutes at Large, the "RICO" laws itemized above  
20 are to be liberally construed by this honorable Court to effectuate its remedial  
21 purpose.

22  
23 **FIFTH CLAIM FOR RELIEF FOR VIOLATION OF 18 U.S.C. § 241**  
24 **(By Plaintiffs Against All Defendants)**

25 150. Plaintiffs reallege and incorporate in this Fifth Claim for Relief each and  
26 every allegation set forth above, as though fully set forth herein.

27  
28 151. **Title 18 U.S.C. § 241 provides in pertinent parts:**

1 If two or more citizens conspire to injure, oppress, threaten, or intimidate any  
2 citizen in the free exercise or enjoyment of any right or privilege secured to him by  
3 the Constitution or laws of the United States, or because of his having so exercised  
4 the same; or

5 If two or more citizens go in disguise on the highway, or on the premises of  
6 another with intent to prevent or hinder his free exercise or enjoyment of any right  
7 or privilege so secured-

8 They shall be fined not more than \$10,000 or imprisoned not more than ten years,  
9 or both;

10  
11 152. Defendants and their Co-Conspirators through a pattern of racketeering  
12 activity, and as alleged in the paragraphs 70 through 151 above and as alleged in  
13 the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> claims for relief, in passing SB277 are in violation of 18  
14 U.S.C. § 241 and are thereby liable to Plaintiffs under 18 U.S.C. § 1964(a) & (c).

15  
16 **SIXTH CLAIM FOR RELIEF FOR VIOLATION OF 18 U.S.C. § 242**  
17 **(By Plaintiffs Against All Defendants)**

18 153. Plaintiffs reallege and incorporate in this Sixth Claim for Relief each and  
19 every allegation set forth above, as though fully set forth herein.

20  
21 **154. Title 18 U.S.C. § 242 provides in pertinent parts:**

22 Any Citizen, who under color of law, statute, ordinance, regulation, or custom,  
23 willfully subjects any inhabitant of any State Territory, or District to the  
24 deprivation of any rights, privileges, or immunities secured or protected by the  
25 Constitution or laws of the United States, or to different punishments, pains or  
26 penalties, on account of such inhabitant being an alien, or by reason of his color, or  
27 race, than are prescribed for the punishment of citizens, shall be fined not more  
28 than \$1,000 or imprisoned not more than one year or both;

1  
2 155. Defendants and their Co-Conspirators through a pattern of racketeering  
3 activity, and as alleged in the paragraphs 70 through 154 above and as alleged in  
4 the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup> claims for relief, in passing SB277 are in violation of 18  
5 U.S.C. § 242 and are thereby liable to Plaintiffs under 18 U.S.C. § 1964(a) & (c).  
6

7 **SEVENTH CLAIM FOR RELIEF FOR VIOLATION OF 42 U.S.C. § 1983**  
8 **(By Plaintiffs Against All Defendant Legislators & Defendants Rosenberg,**  
9 **Rich, Young, & Jenkins)**

10 **156. CONSTITUTIONAL AND STATUTORY PROVISIONS INVOKED**  
11 **UNDER THE COMMON LAW AND UCC 1-103.6**

12 **-Judicial Notice Requested-**

13 **The Law, The Court And All Proceedings Must Be in Accordance With The**  
14 **U.S. Constitution And The Common Law.**

- 15 1. The assertion of federal rights, when plainly and reasonably made, is not to  
16 be defeated under the name of local practice. (Davis v. Wechsler, 263 US  
17 22, 24).  
18 2. The constitution is to be interpreted according to common law rules. Schick  
19 v. U.S., 195 US 65, 24 Sup. Ct. 826, 49 L. Ed. 99.  
20 3. Cohens v Virginia, 6 wheat (19 U.S.) 264, 404 (1821): Chief Justice John  
21 Marshall said "We [public servants] have no more right to decline the  
22 jurisdiction which is given, than to usurp that which is not given. The one or  
23 the other would be treason to the constitution."  
24 4. Ramsey v. Allegrie, 25 U.S. (12 Wheaton) 611, 631 (1827): "If the common  
25 law can try the cause and give full redress, that alone takes away the  
26 admiralty jurisdiction."  
27 5. Hayburn's Case. 2 Dali. (2 U.S.) 409 (1792); Article #6 Clauses 2 and 3,  
28 U.S. Constitution: "This Constitution is the supreme Law of the Land. All

1 judicial officers of the united States are bound by oath or affirmation, to  
2 support this Constitution.

- 3 6. *Boyd v. U.S.*, 116 U.S. 635 (1886): "Constitutional provisions for the  
4 security of person and property should be liberally construed. It is the duty  
5 of the courts to be watchful of constitutional rights against any stealthy  
6 encroachments thereon."
- 7 7. *Norton v. Shelby County* 118 USR 425 (1886): "An unconstitutional act is  
8 not law. It confers no rights, it imposes no duties, it affords no protections, it  
9 creates no office. It is in legal contemplation as inoperative as though it has  
10 never been passed."
- 11 8. *Miranda v. Arizona* 384 US 436 (1966): "Where rights secured by the  
12 constitution are involved, there can be no rule or law making or legislation  
13 which would abrogate or abolish them."
- 14 9. "A legislative act contrary to the Constitution is not law." *Carter v. Carter*  
15 *Coal Co.*, 298 U.S. 238.
- 16 10. "All laws which are repugnant to the Constitution are null and void."  
17 *Marbury v. Madison*, 5 U.S. 137,174,176.
- 18 11. "The claim and exercise of a Constitutional Right cannot be converted into  
19 a crime." *Miller v. US.*, 230 F, 2d 286,489.
- 20 12. "The mere chilling of a Constitutional right by a penalty on its exercise is  
21 patently unconstitutional." *Shapiro v. Thompson*, 394 U.S. 618. A law that  
22 "impinges upon a fundamental right explicitly or implicitly secured by the  
23 Constitution is presumptively unconstitutional." *Mobile v. Bolden*, 446 US  
24 55, 76; *Harris v. McRae*, 448 US 297,312.
- 25 13. A law that improperly infringes on Constitutional Rights is void from its  
26 inception and no person can be obligated to obey such a law. 16A ArnJur2d  
27 Constitutional Law, Section 203.
- 28

1 14. SB277 as amended and applied is wholly unconstitutional for the above  
2 stated lawful case law precedents.

3 15. Plaintiffs assert that SB277 and any statutory laws or state codes related  
4 thereto are not applicable, and Plaintiffs are exempt from jurisdiction of said  
5 codes except and unless said codes or statutory laws can be proven to be in  
6 harmony with the U.S. Constitution and the common law (UCC 1-103.6).  
7

8 157. Plaintiffs reallege and incorporate in this Seventh Claim for Relief each and  
9 every allegation set forth above, as though fully set forth herein.  
10

11 **173.** At all times material herein, there was in full force and effect certain  
12 provisions of the Constitution of the United States, namely, U.S. Constitution  
13 Amendment 14, § 1 that states in pertinent part as follows:  
14

15 ... nor shall any State deprive any person of life, liberty, or property, without due  
16 process of law; nor deny to any person within its jurisdiction the equal protection  
17 of the laws.  
18

19 158. At all times material herein, there was in full force and effect certain  
20 provisions of the Constitution of the United States, namely, U.S. Constitution  
21 Amendment 4, that states in pertinent part as follows:  
22

23 The right of the people to be secure in their persons, houses, papers, and effects,  
24 against unreasonable searches and seizures, shall not be violated, and no warrants  
25 shall issue, but upon probable cause, supported by oath or affirmation, and  
26 particularly describing the place to be searched, and the persons or things to be  
27 seized.  
28

1 159. At all times material herein, there was in full force and effect certain  
2 provisions of the Constitution of the United States, namely, U.S. Constitution  
3 Amendment 5, that states in pertinent part as follows:  
4

5 ... nor be deprived of life, liberty, or property, without due process of law; nor  
6 shall private property be taken for public use, without just compensation.  
7

8 160. At all times material herein, there was in full force and effect certain  
9 provisions of the Constitution of the United States, namely, U.S. Constitution  
10 Amendment 1, that states in pertinent part as follows:

11 Congress shall make no law respecting an establishment of religion, or prohibiting  
12 the free exercise thereof; or abridging the freedom of speech, or of the press; or the  
13 right of the people peaceably to assemble, and to petition the government for a  
14 redress of grievances.  
15

16 161. At all times material herein, there was also in full force and effect a certain  
17 statute of the United States known as the Civil Rights Act of 1871, 42 U.S.C.A. §  
18 1983, which provides, in pertinent part as follows:  
19

20 Every person who, under color of any statute, ordinance, regulation, custom, or  
21 usage, of any State or Territory or the District of Columbia, subjects, or causes to  
22 be subjected, any citizen of the United States or other person within the jurisdiction  
23 thereof to the deprivation of any rights, privileges, or immunities secured by the  
24 Constitution and laws shall be liable to the party injured in an action at law, suit in  
25 equity, or other proper proceeding for redress.  
26  
27  
28



1 162. At all times material herein, there was also in full force and effect a certain  
2 statute of the United States known as the Civil Rights Act of 1871, 42 U.S.C.A. §  
3 1986, which provides, in pertinent part as follows:  
4

5 Every person who, having knowledge that any of the wrongs conspired to be done,  
6 and mentioned in section 1985 of this title, are about to be committed, and having  
7 power to prevent or aid in preventing the commission of the same, neglects or  
8 refuses so to do, if such wrongful act be committed, shall be liable to the party  
9 injured, or his legal representatives, for all damages caused by such wrongful act,  
10 which such person by reasonable diligence could have prevented; and such  
11 damages may be recovered in an action on the case; and any number of persons  
12 guilty of such wrongful neglect or refusal may be joined as defendants in the  
13 action; and if the death of any party be caused by any such wrongful act and  
14 neglect, the legal representatives of the deceased shall have such action therefor,  
15 and may recover not exceeding \$5,000 damages therein, for the benefit of the  
16 widow of the deceased, if there be one, and if there be no widow, then for the  
17 benefit of the next of kin of the deceased. But no action under the provisions of this  
18 section shall be sustained which is not commenced within one year after the cause  
19 of action has accrued.  
20

21 163. In order to establish personal liability part of government official in federal  
22 civil rights law action, under Title 42 U.S.C. §1983, it is enough to show that  
23 official acting under color of law caused deprivation of Constitutional Right in  
24 contrast. Government entity is liable in official capacity suit under Title 42 U.S.C.  
25 only when entity is moving force behind deprivation. Thus requiring entity policy  
26 or custom to have played a part in violation of Federal law. Ref. Kentucky V.  
27 Graham 1985 475, US 159 85 L.Ed. 2d. 114, 105 S. Ct. 3099.  
28

1 164. Defendant legislators have long established a policy, custom and usage of  
2 violating their oaths of office to pass unconstitutional laws directed at stripping the  
3 constitutional rights of Plaintiffs and others similarly situated.  
4

5 **Count 1**

6 165. The First Amendment to the U.S. Constitution secures Plaintiffs the right to  
7 religious or personal freedoms. In passing SB277 Plaintiffs' offspring would be  
8 barred from entering public schools unless and until they have complied with ALL  
9 the required CDC scheduled vaccinations. Plaintiffs and their offspring would be  
10 required to waive their rights under their deeply held spiritual beliefs and training  
11 to comply with SB277. Defendant legislators and Defendants Alicia G. Rosenberg,  
12 Jonathan E. Rich, Jacquelyn Y. Young and Cara L. Jenkins violated Plaintiffs'  
13 protected rights under the First Amendment to the U.S. Constitution and is  
14 therefore liable to Plaintiffs under 42 U.S.C. § 1983 and the common law.  
15

16 **Count 2**

17 166. Article 1 Section 4 of the California constitution guarantees Plaintiffs' the  
18 free exercise and enjoyment of religious freedom without discrimination or  
19 preference. SB277 would preclude Plaintiffs and their offspring from invoking  
20 their rights of religious freedoms under California law to be in compliance with its  
21 mandate. In passing SB277 Defendant legislators and Defendants Alicia G.  
22 Rosenberg, Jonathan E. Rich, Jacquelyn Y. Young and Cara L. Jenkins have  
23 discriminated against Plaintiffs and their offspring with respect to Plaintiffs'  
24 protected rights under the First Amendment to the U.S. Constitution and Art. 1  
25 Sec. 4 of the California constitution and is therefore liable to Plaintiffs under 42  
26 U.S.C. § 1983 and the common law.  
27

28 **Count 3**

167. The Fourth Amendment to the U.S. constitution provides for the right of the  
people to be secure in their persons, houses, papers, and effects, against

1 unreasonable searches and seizures, shall not be violated, and no warrants shall  
2 issue, but upon probable cause, supported by oath or affirmation, and particularly  
3 describing the place to be searched, and the persons or things to be seized.

4  
5 168. SB277 would preclude Plaintiffs and their offspring from invoking their  
6 rights of privacy with respect to the disclosure of their medical information to  
7 school officials. In turn the school officials would use this information for the sole  
8 purpose of reporting this information to the local law enforcement agencies and or  
9 Child Protective Services for initiating criminal prosecutions against Plaintiffs and  
10 other parents of partially or unvaccinated offspring. Plaintiffs and their offspring  
11 would be required to waive their rights of privacy and the right to be let alone  
12 under the Fourth Amendment in order to comply with SB277. Defendant  
13 legislators in enacting SB277 have violated Plaintiffs' protected rights under the  
14 Fourth Amendment to the U.S. Constitution and is therefore liable to Plaintiffs  
15 under 42 U.S.C. § 1983 and the common law.

16 **Count 4**

17 169. SB277 violates Plaintiffs and their offspring's rights under the Fifth  
18 Amendment to the U.S. constitution in that the unwanted injections of poisons into  
19 their offspring is considered a felony assault with intent to do serious harm,  
20 including but not limited to maiming and or killing the individual. Under the Fifth  
21 Amendment, Plaintiffs and their offspring have the right not to be maimed, injured  
22 in their health or killed without due process of law.

23  
24 170. The right of self-defense and self-preservation is natural right long precedent  
25 to the U. S. Constitution.

26 Self-defense as stated by Justice Blackstone of "Blackstone's Commentaries On  
27 English Common Law":  
28

1 “The defense of one’s self, or the mutual and reciprocal defense of such as stand in  
2 the relations of husband and wife, parent and child, master and servant. In these  
3 cases, if the party himself or any of these his relations, be forcibly attacked in his  
4 person or property, it is lawful for him to repel force by force; and the breach of  
5 the peace, which happens, is chargeable upon him only who began the affray. For  
6 the law, in this case, respects the passions of the human mind; and (when external  
7 violence is offered to a man himself, or those to whom he bears a near connection)  
8 makes it lawful in him to do himself that immediate justice, to which he is  
9 prompted by nature, and which no prudential motives are strong enough to restrain.  
10 It considers that the future process of law is by no means an adequate remedy for  
11 injuries accompanied with force; since it is impossible to say to what wanton  
12 lengths of rapine or cruelty outrages of this sort might be carried, unless it were  
13 permitted a man immediately to oppose one violence with another. Self-defense,  
14 therefore, as it is justly called the primary law of nature, so it is not, neither can it  
15 be in fact, taken away by the law of society. In the English law particularly it is  
16 held an excuse for breaches of the peace, nay even for homicide itself.”

17 *-Blackstone’s Commentaries Book 2 pages 1491 & 1493.*

18  
19 171. Defendant legislators in enacting SB277 have violated Plaintiffs’ protected  
20 rights under the Fifth Amendment to the U.S. Constitution and is therefore liable to  
21 Plaintiffs under 42 U.S.C. § 1983 and the common law.

22 **Count 5**

23 172. In passing SB277 Plaintiffs’ offspring would be barred from entering public  
24 schools unless and until they have complied with ALL the required CDC  
25 scheduled vaccinations. In short, SB277 discriminates against Plaintiffs’ offspring  
26 due to the status of their vaccination schedules not their state of health at the time  
27 of entering school. This is a direct violation of the Fourteenth Amendment to the  
28 U.S. constitution is therefore actionable under 42 U.S.C. § 1983, and Defendant

1 legislators therefore liable to Plaintiffs under 42 U.S.C. § 1983 and the common  
2 law.

3 **EIGHTH CLAIM FOR RELIEF FOR VIOLATION OF 42 U.S.C. § 1986**  
4 **(By Plaintiffs Against All Defendant Legislators, Alicia G. Rosenberg,**  
5 **Jonathan E. Rich, Jacquelyn Y. Young and Cara L. Jenkins)**

6 173. Plaintiffs reallege and incorporate in this Eighth Claim for Relief each and  
7 every allegation set forth above, as though fully set forth herein

8  
9 174. 42 U.S.C.A. § 1986, which provides, in pertinent part as follows:

10 Every person who, having knowledge that any of the wrongs conspired to be done,  
11 and mentioned in section 1985 of this title, are about to be committed, and having  
12 power to prevent or aid in preventing the commission of the same, neglects or  
13 refuses so to do, if such wrongful act be committed, shall be liable to the party  
14 injured, or his legal representatives, for all damages caused by such wrongful act,  
15 which such person by reasonable diligence could have prevented; and such  
16 damages may be recovered in an action on the case; and any number of persons  
17 guilty of such wrongful neglect or refusal may be joined as defendants in the  
18 action;

19  
20 **Count 6**

21 175. Each and every Defendant legislator, Alicia G. Rosenberg, Jonathan E. Rich,  
22 Jacquelyn Y. Young and Cara L. Jenkins along with Defendant Edmund Brown on  
23 behalf of the Defendant State of California agreed to join the conspiracy and acted  
24 in concert with one another in violating the civil and constitutional rights of the  
25 Plaintiffs and their offspring, particularly as plead in paragraphs 70 through 174  
26 herein above. Defendant legislators had knowledge that the wrongs were about to  
27 occur, and having power to prevent them, neglected or refused to intervene to  
28 prevent the violations from occurring in violation of 42 U.S.C. §1986. Defendants

1 are therefore liable to Plaintiffs under 42 U.S.C. § 1983, 1986 and the common  
2 law.

3  
4 **Count 7**

5 **Violation of The Thirteenth Amendment To The U.S. Constitution by**  
6 **Defendants**

7 176. The Thirteenth Amendment provides;

8 "Neither slavery nor involuntary servitude, except as a punishment for crime  
9 whereof the party shall have been duly convicted, shall exist within the United  
10 States, or any place subject to their jurisdiction." Formally abolishing slavery in the  
11 United States, the 13th Amendment was passed by the Congress on January 31,  
12 1865, and ratified by the states on December 6, 1865.

13  
14 177. The mandatory requirement that Plaintiffs and their offspring comply with  
15 an unlawful tyrannical law puts Plaintiffs and others similarly situated in a  
16 perpetual state of civil enslavement at the whims of Defendant State of California  
17 and its agencies in violation of the 13<sup>th</sup> Amendment to the U.S. constitution. The  
18 passage of SB277 violates Plaintiffs' and their offspring's rights constitutionally,  
19 and thus Defendants are liable to Plaintiffs under 42 U.S.C. § 1983.  
20

21 **NINTH CLAIM FOR RELIEF FOR INTENTIONAL INFLICTION OF**  
22 **EMOTIOANAL DISTRESS**  
23 **(By Plaintiffs Against All Defendants)**

24 178. Plaintiffs reallege and incorporate in this Eighth Claim for Relief each and  
25 every allegation set forth above, as though fully set forth herein.

26  
27 179. As an actual and proximate cause of Defendants actions, Plaintiffs have  
28 suffered severe emotional distress, including but not limited to lack of sleep,

1 anxiety, irritability, anger and sorrow. As a result of Defendants' wrongful acts  
2 and/or omissions, Plaintiffs are entitled to various remedies including, but not  
3 limited to, reimbursement, equitable recoupment, indemnification, damages  
4 (statutory, actual, punitive and/or treble damages), attorney's fees and cost and  
5 injunctive relief for the undue emotional distress caused by the Defendants.  
6

7 **PRAYER FOR RELIEF**

8 WHEREFORE, Plaintiffs pray for judgment against the Defendants, and each  
9 of them, as follows:  
10

11 **ON THE FIRST CLAIM FOR RELIEF**

- 12 1. For treble the amount of actual damages in an amount to be determined  
13 according to proof at trial;  
14 2. For reasonable attorneys' fees pursuant to 18 U.S.C. § 1964(c);  
15 3. For an Order enjoining and prohibiting Defendants, and each of them, from  
16 further engaging in the racketeering conduct as described in this Complaint;  
17

18 **ON THE SECOND CLAIM FOR RELIEF**

- 19 4. For treble the amount of actual damages in an amount to be determined  
20 according to proof at trial;  
21 5. For reasonable attorneys' fees pursuant to 18 U.S.C. § 1964(c);  
22 6. For an Order enjoining and prohibiting Defendants, and each of them, from  
23 further engaging in the racketeering conduct as described in this Complaint;  
24

25 **ON THE THIRD CLAIM FOR RELIEF**

- 26 7. For treble the amount of actual damages in an amount to be determined  
27 according to proof at trial;  
28

- 1 8. For reasonable attorneys' fees pursuant to 18 U.S.C. § 1964(c);  
2 9. For an Order enjoining and prohibiting Defendants, and each of them, from  
3 further engaging in the racketeering conduct as described in this Complaint;  
4

5 **ON THE FOURTH CLAIM FOR RELIEF**

- 6 10. For treble the amount of actual damages in an amount to be determined  
7 according to proof at trial;  
8 11. For reasonable attorneys' fees pursuant to 18 U.S.C. § 1964(c);  
9 12. For an Order enjoining and prohibiting Defendants, and each of them, from  
10 further engaging in the racketeering conduct as described in this Complaint;  
11

12 **ON ALL CLAIMS FOR RELIEF**

- 13 13. For restitution to all Plaintiffs in an amount \$25,000 against each Defendant  
14 on each claim for relief and each count;  
15 14. For a temporary, preliminary and permanent injunction, pursuant to 28  
16 U.S.C. Section 2201, enjoining and restraining Defendants and the  
17 Defendant State of California, its employees, servants, agents, affiliates,  
18 distributors, dealers, members, attorneys, successors and/or assigns, and all  
19 persons in active concert or participation with any of them, in enforcing  
20 SB277 on Plaintiffs, Plaintiffs' offspring;  
21 15. For a declaratory Order that SB277 is void for want of lawful enactment due  
22 to its repugnance to the First, Fourth, Fifth, Ninth, and Fourteenth  
23 Amendments to the united States Constitution;  
24 16. For a declaratory Order that all named Defendants be required to take **all** of  
25 the CDC's 70 scheduled inoculations; to be completed within a 48 hour  
26 time-period, and that such shots be administered by Dr. Brian Hooker and  
27 Dr. Jim Sears.  
28 17. For reasonable attorneys' fees to the full extent permitted under "RICO".



- 1 18. That all issues so triable be tried to a 7<sup>th</sup> Amendment jury at common law;  
2 19. For costs of suit incurred herein; and  
3 20. For such other and further relief as this Court deems just and proper.  
4

5 Dated: January 9, 2017  
6

7  
8  
9 Respectfully Submitted,



10 Travis Middleton  
11 27 West Anapamu # 153  
12 Santa Barbara, California 93101  
13  
14  
15

16 **VERIFICATION**

17 We, Travis Middleton, Eric Durak, Jade Baxter, Julianna Pearce, Candace Estave,  
18 Denise Michele Derusha, Melissa Christou, Andrea Lewis, Rachil Vincent, Don  
19 Demanlevesde, Jessica Haas, Paige Murphy, Lori Strantz, Anwanur Gielow, Lisa  
20 Ostendorf, Julia Anne Whitney, Alice Tropper, Bret Nielsen, Brent Haas, Muriel  
21 Rosensweet, and Marina Read are Plaintiffs and Parties Injured in the above-titled  
22 action. We have read the foregoing Complaint and know the contents thereof. The  
23 same is true of our own knowledge, except as to those matters which are therein  
24 alleged on information and belief, and as to those matters, we believe them to be  
25 true.

26 I/we declare under penalty of perjury that the foregoing is true and correct and that  
27 this declaration was executed at Santa Barbara, California.  
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Respectfully submitted,  
*Travis Middleton*  
Travis Middleton  
Plaintiff, Pro Se

By: *[Signature]*

By: *Eric Durak*  
Eric Durak  
Plaintiff, Pro Se

By: *Jade Baxter*  
Jade Baxter  
Plaintiff, Pro Se

By: *Julianne Pearce*  
Julianne Pearce  
Plaintiff, Pro Se

By: *Candyce Estave*  
Candyce Estave  
Plaintiff, Pro Se

By: *Denise Michele Derusha*  
Denise Michele Derusha  
Plaintiff, Pro Se

By: *Melissa Christou*  
Melissa Christou  
Plaintiff, Pro Se

By: *Andrea Lewis*  
Andrea Lewis  
Plaintiff, Pro Se

By: *Rachil Vincent*  
Rachil Vincent  
Plaintiff, Pro Se

By: *Jessica Haas*  
Jessica Haas  
Plaintiff, Pro Se

By: *Paige Murphy*  
Paige Murphy  
Plaintiff, Pro Se

By: *Lori Strantz*  
Lori Strantz  
Plaintiff, Pro Se

By: *Anwanur Gielow*  
Anwanur Gielow  
Plaintiff, Pro Se

By: *Lisa Ostendorf*  
Lisa Ostendorf  
Plaintiff, Pro Se

By: *Alice Trooper*  
Alice Trooper  
Plaintiff, Pro Se

By: *Bret Nielsen*  
Bret Nielsen  
Plaintiff, Pro Se

By: *Brent Haas*  
Brent Haas  
Plaintiff, Pro se

By: *Muriel Rosensweet*  
Muriel Rosensweet  
Plaintiff, Pro Se

By: *Marina Read*  
Marina Read  
Plaintiff, Pro Se

By: *Don Deman Levasde*  
Don Deman Levasde  
plaintiff pro se

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# EXHIBIT A



OFFICE OF THE GOVERNOR

June 30, 2015

To the Members of the California State Senate:

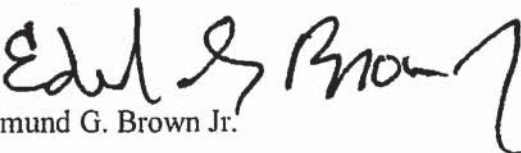
SB 277 has occasioned widespread interest and controversy – with both proponents and opponents expressing their positions with eloquence and sincerity. After carefully reviewing the materials and arguments that have been presented, I have decided to sign this bill.

The science is clear that vaccines dramatically protect children against a number of infectious and dangerous diseases. While it's true that no medical intervention is without risk, the evidence shows that immunization powerfully benefits and protects the community.

The Legislature, after considerable debate, specifically amended SB 277, to exempt a child from immunizations whenever the child's physician concludes that there are "circumstances, including but not limited to, family medical history, for which the physician does not recommend immunization..."

Thus, SB 277, while requiring that school children be vaccinated, explicitly provides an exception when a physician believes that circumstances – in the judgement and sound discretion of the physician – so warrant.

Sincerely,

  
Edmund G. Brown Jr.

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**EXHIBIT B**

### Vaccine Excipient & Media Summary Excipients Included in U.S. Vaccines, by Vaccine

This table includes not only vaccine ingredients (e.g., adjuvants and preservatives), but also substances used during the manufacturing process, including vaccine-production media, that are removed from the final product and present only in trace quantities. In addition to the substances listed, most vaccines contain Sodium Chloride (table salt).

Last Updated February 2015

All reasonable efforts have been made to ensure the accuracy of this information, but manufacturers may change product contents before that information is reflected here. If in doubt, check the manufacturer's package insert.

Vaccine	Contains	Source: Manufacturer's P.I. Dated
Adenovirus	sucrose, D-mannose, D-fructose, dextrose, potassium phosphate, plasdone C, anhydrous lactose, micro crystalline cellulose, polacrillin potassium, magnesium stearate, cellulose acetate phthalate, alcohol, acetone, castor oil, <u>FD&amp;C Yellow #6 aluminum lake dye</u> , <u>human serum albumin</u> , <u>fetal bovine serum</u> , sodium bicarbonate, <u>human-diploid fibroblast cell cultures (WI-38)</u> , <u>Dulbecco's Modified Eagle's Medium</u> , <u>monosodium glutamate</u>	March 2011
Anthrax (Biothrax)	<u>aluminum hydroxide</u> , benzethonium chloride, <u>formaldehyde</u> , amino acids, vitamins, inorganic salts and sugars	May 2012
BCG (Tice)	glycerin, asparagine, citric acid, potassium phosphate, magnesium sulfate, Iron ammonium citrate, lactose	February 2009
DT (Sanofi)	<u>aluminum potassium sulfate</u> , peptone, <u>bovine extract</u> , <u>formaldehyde</u> , <u>thimerosal (trace)</u> , modified Mueller and Miller medium, <u>ammonium sulfate</u>	December 2005
DTaP (Daptacel)	<u>aluminum phosphate</u> , <u>formaldehyde</u> , <u>glutaraldehyde</u> , 2-Phenoxyethanol, Stainer-Scholte medium, modified Mueller's growth medium, modified Mueller-Miller casamino acid medium (without beef heart infusion), dimethyl 1-beta-cyclodextrin, <u>ammonium sulfate</u>	October 2013
DTaP (Infanrix)	<u>formaldehyde</u> , <u>glutaraldehyde</u> , <u>aluminum hydroxide</u> , <u>polysorbate 80</u> , Fenton medium (containing bovine extract), modified Latham medium (derived from bovine casein), modified Stainer-Scholte liquid medium	November 2013
DTaP-IPV (Kinrix)	<u>formaldehyde</u> , <u>glutaraldehyde</u> , <u>aluminum hydroxide</u> , Vero (monkey kidney) cells, calf serum, lactalbumin hydrolysate, <u>polysorbate 80</u> , neomycin sulfate, polymyxin B, Fenton medium (containing bovine extract), modified Latham medium (derived from bovine casein), modified Stainer-Scholte liquid medium	November 2013
DTaP-HepB-IPV (Pediarix)	<u>formaldehyde</u> , <u>glutaraldehyde</u> , <u>aluminum hydroxide</u> , <u>aluminum phosphate</u> , lactalbumin hydrolysate, <u>polysorbate 80</u> , neomycin sulfate, polymyxin B, yeast protein, calf serum, Fenton medium (containing bovine extract), modified Latham medium (derived from bovine casein), modified Stainer-Scholte liquid medium, Vero (monkey kidney) cells	November 2013
DTaP-IPV/Hib (Pentacel)	<u>aluminum phosphate</u> , <u>polysorbate 80</u> , <u>formaldehyde</u> , sucrose, <u>glutaraldehyde</u> , bovine serum albumin, 2-phenoxethanol, neomycin, polymyxin B sulfate, Mueller's Growth Medium, Mueller-Miller casamino acid medium (without beef heart infusion), Stainer-Scholte medium (modified by the addition of casamino acids and dimethyl-beta-cyclodextrin), MRC-5 (human diploid) cells, CMRL 1969 medium (supplemented with calf serum), <u>ammonium sulfate</u> , and medium 199	October 2013
Hib (ActHIB)	<u>ammonium sulfate</u> , formalin, sucrose, Modified Mueller and Miller medium	January 2014
Hib (Hiberix)	<u>formaldehyde</u> , lactose, semi-synthetic medium	March 2012
Hib (PedvaxHIB)	<u>aluminum hydroxophosphate sulfate</u> , <u>ethanol</u> , enzymes, phenol, <u>detergent</u> , complex fermentation medium	December 2010

B

# Appendix B

Vaccine	Contains	Source: Manufacturer's P.I. Dated
Hib/Hep B (Comvax)	yeast (vaccine contains no detectable yeast DNA), nicotinamide adenine dinucleotide, hemin chloride, soy peptone, dextrose, mineral salts, amino acids, <u>formaldehyde</u> , <u>potassium aluminum sulfate</u> , <u>amorphous aluminum hydroxyphosphate sulfate</u> , sodium borate, phenol, <u>ethanol</u> , enzymes, <u>detergent</u>	December 2010
Hib/Mening. CY (MenHibrix)	tris (trometamol)-HCl, sucrose, <u>formaldehyde</u> , synthetic medium, semi-synthetic medium	2012
Hep A (Havrix)	<u>aluminum hydroxide</u> , amino acid supplement, <u>polysorbate 20</u> , formalin, neomycin sulfate, MRC-5 cellular proteins	December 2013
Hep A (Vaqta)	<u>amorphous aluminum hydroxyphosphate sulfate</u> , bovine albumin, <u>formaldehyde</u> , neomycin, sodium borate, <u>MRC-5 (human diploid) cells</u>	February 2014
Hep B (Engerix-B)	<u>aluminum hydroxide</u> , yeast protein, <u>phosphate buffers</u> , sodium dihydrogen phosphate dihydrate	December 2013
Hep B (Recombivax)	yeast protein, soy peptone, dextrose, amino acids, mineral salts, potassium <u>aluminum sulfate</u> , <u>amorphous aluminum hydroxyphosphate sulfate</u> , <u>formaldehyde</u> , phosphate buffer	May 2014
Hep A/Hep B (Twinrix)	formalin, yeast protein, <u>aluminum phosphate</u> , <u>aluminum hydroxide</u> , amino acids, phosphate buffer, <u>polysorbate 20</u> , neomycin sulfate, <u>MRC-5 human diploid cells</u>	August 2012
Human Papillomavirus (HPV) (Cervrix)	vitamins, amino acids, lipids, mineral salts, <u>aluminum hydroxide</u> , sodium dihydrogen phosphate dehydrate, 3-O-desacyl-4' Monophosphoryl lipid A, insect cell, bacterial, and viral protein	November 2013
Human Papillomavirus (HPV) (Gardasil)	yeast protein, vitamins, amino acids, mineral salts, carbohydrates, <u>amorphous aluminum hydroxyphosphate sulfate</u> , L-histidine, <u>polysorbate 80</u> , sodium borate	June 2014
Human Papillomavirus (HPV) (Gardasil 9)	yeast protein, vitamins, amino acids, mineral salts, carbohydrates, <u>amorphous aluminum hydroxyphosphate sulfate</u> , L-histidine, <u>polysorbate 80</u> , sodium borate	December 2014
Influenza (Afluria)	beta-propiolactone, <u>thimerosal (multi-dose vials only)</u> , monobasic sodium phosphate, dibasic sodium phosphate, monobasic potassium phosphate, potassium chloride, calcium chloride, sodium taurodeoxycholate, neomycin sulfate, polymyxin B, egg protein, sucrose	December 2013
Influenza (Agriflu)	egg proteins, <u>formaldehyde</u> , <u>polysorbate 80</u> , <u>cetyltrimethylammonium bromide</u> , neomycin sulfate, kanamycin, barium	2013
Influenza (Fluarix) Trivalent and Quadrivalent	octoxynol-10 (Triton X-100), $\alpha$ -tocopheryl hydrogen succinate, <u>polysorbate 80 (Tween 80)</u> , <u>hydrocortisone</u> , gentamicin sulfate, ovalbumin, <u>formaldehyde</u> , sodium deoxycholate, sucrose, phosphate buffer	June 2014
Influenza (Flublok)	monobasic sodium phosphate, dibasic sodium phosphate, <u>polysorbate 20</u> , <u>baculovirus and host cell proteins</u> , <u>baculovirus and cellular DNA</u> , Triton X-100, lipids, vitamins, amino acids, mineral salts	March 2014
Influenza (Flucelvax)	<u>Madin Darby Canine Kidney (MDCK) cell protein</u> , <u>MDCK cell DNA</u> , <u>polysorbate 80</u> , <u>cetyltrimethylammonium bromide</u> , $\beta$ -propiolactone, phosphate buffer	March 2014
Influenza (Fluvirin)	nonylphenol ethoxylate, thimerosal (multidose vial-trace only in prefilled syringe), polymyxin, neomycin, beta-propiolactone, egg proteins, phosphate buffer	February 2014
Influenza (Flulaval) Trivalent and Quadrivalent	<u>thimerosal</u> , <u>formaldehyde</u> , sodium deoxycholate, egg proteins, phosphate buffer	February 2013
Influenza (Fluzone: Standard (Trivalent and Quadrivalent), High-Dose, & Intradermal)	<u>formaldehyde</u> , octylphenol ethoxylate (Triton X-100), gelatin (standard trivalent formulation only), <u>thimerosal (multi-dose vial only)</u> , egg protein, phosphate buffers, sucrose	2014

**B**

Vaccine	Contains	Source: Manufacturer's P.I. Dated
Influenza (FluMist) Quadrivalent	ethylene diamine tetraacetic acid (EDTA), monosodium glutamate, hydrolyzed porcine gelatin, arginine, sucrose, dibasic potassium phosphate, monobasic potassium phosphate, gentamicin sulfate, egg protein	July 2013
Japanese Encephalitis (Ixiaro)	<u>aluminum hydroxide</u> , <u>Vero cells</u> , protamine sulfate, <u>formaldehyde</u> , <u>bovine serum albumin</u> , sodium metabisulphite, sucrose	May 2013
Meningococcal (MCV4-Menactra)	<u>formaldehyde</u> , phosphate buffers, Mueller Hinton agar, Watson Scherp media, Modified Mueller and Miller medium, <u>detergent</u> , <u>alcohol</u> , <u>ammonium sulfate</u>	April 2013
Meningococcal (MCV4-Menveo)	<u>formaldehyde</u> , amino acids, yeast extract, Franz complete medium, CY medium	August 2013
Meningococcal (MPSV4-Menomune)	<u>thimerosal</u> (multi-dose vial only), lactose, Mueller Hinton casein agar, Watson Scherp media, <u>detergent</u> , <u>alcohol</u>	April 2013
Meningococcal (MenB – Bexsero)	<u>aluminum hydroxide</u> , <u>E. coli</u> , histidine, sucrose, deoxycholate, kanomycin	2015
Meningococcal (MenB – Trumenba)	<u>polysorbate 80</u> , <u>histidine</u> , <u>E. coli</u> , fermentation growth media	October 2015
MMR (MMR-II)	Medium 199 (vitamins, amino acids, fetal bovine serum, sucrose, glutamate), Minimum Essential Medium, phosphate, <u>recombinant human albumin</u> , neomycin, sorbitol, hydrolyzed gelatin, <u>chick embryo cell culture</u> , <u>WI-38 human diploid lung fibroblasts</u>	June 2014
MMRV (ProQuad)	sucrose, hydrolyzed gelatin, sorbitol, monosodium L-glutamate, sodium phosphate dibasic, human albumin, sodium bicarbonate, potassium phosphate monobasic, potassium chloride, potassium phosphate dibasic, neomycin, <u>bovine calf serum</u> , <u>chick embryo cell culture</u> , <u>WI-38 human diploid lung fibroblasts</u> , <u>MRC-5 cells</u>	March 2014
Pneumococcal (PCV13 – Prevnar 13)	casamino acids, yeast, <u>ammonium sulfate</u> , <u>Polysorbate 80</u> , succinate buffer, <u>aluminum phosphate</u> , soy peptone broth	January 2014
Pneumococcal (PPSV-23 – Pneumovax)	phenol	May 2014
Polio (IPV – Ipol)	<u>2-phenoxyethanol</u> , <u>formaldehyde</u> , neomycin, streptomycin, polymyxin B, <u>monkey kidney cells</u> , Eagle MEM modified medium, calf serum protein, Medium 199	May 2013
Rabies (Imovax)	Human albumin, neomycin sulfate, phenol red indicator, MRC-5 human diploid cells, beta-propiolactone	April 2013
Rabies (RabAvert)	β-propiolactone, potassium glutamate, chicken protein, egg protein, neomycin, chlortetracycline, amphotericin B, human serum albumin, polygeline (processed bovine gelatin), sodium EDTA, bovine serum	March 2012
Rotavirus (RotaTeq)	sucrose, sodium citrate, sodium phosphate monobasic monohydrate, <u>sodium hydroxide</u> , <u>polysorbate 80</u> , cell culture media, fetal bovine serum, vero cells [DNA from porcine circoviruses (PCV) 1 and 2 has been detected in RotaTeq. PCV-1 and PCV-2 are not known to cause disease in humans.]	June 2013
Rotavirus (Rotarix)	amino acids, dextran, sorbitol, sucrose, calcium carbonate, xanthan, Dulbecco's Modified Eagle Medium (potassium chloride, magnesium sulfate, ferric (III) nitrate, sodium phosphate, sodium pyruvate, D-glucose, concentrated vitamin solution, L-cystine, L-tyrosine, amino acids solution, L-glutamine, calcium chloride, sodium hydrogenocarbonate, and phenol red) [Porcine circovirus type 1 (PCV-1) is present in Rotarix. PCV-1 is not known to cause disease in humans.]	May 2014
Smallpox (Vaccinia – ACAM2000)	<u>human serum albumin</u> , mannitol, neomycin, glycerin, polymyxin B, <u>phenol</u> , <u>Vero cells</u> , HEPES	September 2009

B



# Appendix B

Vaccine	Contains	Source: Manufacturer's P.I. Dated
Td (Decavac)	<u>aluminum potassium sulfate</u> , peptone, <u>formaldehyde</u> , <u>thimerosal</u> , bovine muscle tissue (US sourced), Mueller and Miller medium, ammonium sulfate	March 2011
Td (Tenivac)	<u>aluminum phosphate</u> , <u>formaldehyde</u> , modified Mueller-Miller casamino acid medium without beef heart infusion, <u>ammonium sulfate</u>	April 2013
Td (Mass Biologics)	<u>aluminum phosphate</u> , <u>formaldehyde</u> , <u>thimerosal</u> (trace), <u>ammonium phosphate</u> , modified Mueller's media (containing bovine extracts)	February 2011
Tdap (Adacel)	<u>aluminum phosphate</u> , <u>formaldehyde</u> , <u>glutaraldehyde</u> , <u>2-phenoxyethanol</u> , <u>ammonium sulfate</u> , Stainer-Scholte medium, dimethyl-beta-cyclodextrin, modified Mueller's growth medium, Mueller-Miller casamino acid medium (without beef heart infusion)	March 2014
Tdap (Boostrix)	<u>formaldehyde</u> , <u>glutaraldehyde</u> , <u>aluminum hydroxide</u> , <u>polysorbate 80</u> (Tween 80), Latham medium derived from bovine casein, Fenton medium containing a bovine extract, Stainer-Scholte liquid medium	February 2013
Typhoid (inactivated – Typhim Vi)	<u>hexadecyltrimethylammonium bromide</u> , <u>formaldehyde</u> , <u>phenol</u> , <u>polydimethylsiloxane</u> , <u>disodium phosphate</u> , <u>monosodium phosphate</u> , <u>semi-synthetic medium</u>	March 2014
Typhoid (oral – Ty21a)	yeast extract, casein, dextrose, galactose, sucrose, ascorbic acid, amino acids, lactose, magnesium stearate, gelatin	September 2013
Varicella (Varivax)	sucrose, phosphate, glutamate, gelatin, monosodium L-glutamate, sodium phosphate dibasic, potassium phosphate monobasic, potassium chloride, sodium phosphate monobasic, potassium chloride, EDTA, <u>residual components of MRC-5 cells including DNA and protein</u> , neomycin, fetal bovine serum, <u>human diploid cell cultures (WI-38)</u> , <u>embryonic guinea pig cell cultures</u> , <u>human embryonic lung cultures</u>	March 2014
Yellow Fever (YF-Vax)	sorbitol, gelatin, egg protein	May 2013
Zoster (Shingles – Zostavax)	sucrose, hydrolyzed porcine gelatin, monosodium L-glutamate, sodium phosphate dibasic, potassium phosphate monobasic, neomycin, potassium chloride, residual components of <u>MRC-5 cells including DNA and protein</u> , <u>bovine calf serum</u>	February 2014

A table listing vaccine excipients and media *by excipient* can be found in:

Grabenstein JD. *ImmunoFacts: Vaccines and Immunologic Drugs* – 2013 (38<sup>th</sup> revision). St Louis, MO: Wolters Kluwer Health, 2012.

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# EXHIBIT C



Health	3
Fire	1
Reactivity	0
Personal Protection	H

## Material Safety Data Sheet 2-Phenoxyethanol MSDS

### Section 1: Chemical Product and Company Identification

**Product Name:** 2-Phenoxyethanol

**Catalog Codes:** SLP4624, SLP1798, SLP4801

**CAS#:** 122-99-6

**RTECS:** KM0350000

**TSCA:** TSCA 8(b) inventory: 2-Phenoxyethanol

**CI#:** Not available.

**Synonym:** Ethylene glycol monophenyl ether

**Chemical Formula:** C8H10O2

**Contact Information:**

**Sciencelab.com, Inc.**

14025 Smith Rd.

Houston, Texas 77396

US Sales: **1-800-901-7247**

International Sales: **1-281-441-4400**

Order Online: ScienceLab.com

**CHEMTREC (24HR Emergency Telephone), call:**

1-800-424-9300

**International CHEMTREC, call:** 1-703-527-3887

**For non-emergency assistance, call:** 1-281-441-4400

### Section 2: Composition and Information on Ingredients

**Composition:**

Name	CAS #	% by Weight
{2-}Phenoxyethanol	122-99-6	100

**Toxicological Data on Ingredients:** 2-Phenoxyethanol: ORAL (LD50): Acute: 1260 mg/kg [Rat]. DERMAL (LD50): Acute: 5000 mg/kg [Rabbit].

### Section 3: Hazards Identification

**Potential Acute Health Effects:**

Extremely hazardous in case of eye contact (irritant). Very hazardous in case of skin contact (irritant), of ingestion, of inhalation. Inflammation of the eye is characterized by redness, watering, and itching. Skin inflammation is characterized by itching, scaling, reddening, or, occasionally, blistering.

**Potential Chronic Health Effects:**

Extremely hazardous in case of eye contact (irritant). Very hazardous in case of skin contact (irritant), of ingestion, of inhalation. CARCINOGENIC EFFECTS: Not available. MUTAGENIC EFFECTS: Not available. TERATOGENIC EFFECTS: Not available. DEVELOPMENTAL TOXICITY: Not available. The substance is toxic to kidneys, the nervous system, liver. Repeated or prolonged exposure to the substance can produce target organs damage. Repeated or prolonged inhalation of vapors may lead to chronic respiratory irritation.

### Section 4: First Aid Measures

**Eye Contact:**

Check for and remove any contact lenses. Immediately flush eyes with running water for at least 15 minutes, keeping eyelids open. Cold water may be used. Do not use an eye ointment. Seek medical attention.

**Skin Contact:**

After contact with skin, wash immediately with plenty of water. Gently and thoroughly wash the contaminated skin with running water and non-abrasive soap. Be particularly careful to clean folds, crevices, creases and groin. Cold water may be used. Cover the irritated skin with an emollient. If irritation persists, seek medical attention. Wash contaminated clothing before reusing.

**Serious Skin Contact:**

Wash with a disinfectant soap and cover the contaminated skin with an anti-bacterial cream. Seek immediate medical attention.

**Inhalation:** Allow the victim to rest in a well ventilated area. Seek immediate medical attention.

**Serious Inhalation:** Not available.

**Ingestion:**

Do not induce vomiting. Examine the lips and mouth to ascertain whether the tissues are damaged, a possible indication that the toxic material was ingested; the absence of such signs, however, is not conclusive. Loosen tight clothing such as a collar, tie, belt or waistband. If the victim is not breathing, perform mouth-to-mouth resuscitation. Seek immediate medical attention.

**Serious Ingestion:** Not available.

**Section 5: Fire and Explosion Data**

**Flammability of the Product:** May be combustible at high temperature.

**Auto-Ignition Temperature:** Not available.

**Flash Points:** CLOSED CUP: 110°C (230°F). OPEN CUP: 121.11°C (250°F).

**Flammable Limits:** LOWER: 1.4% UPPER: 9%

**Products of Combustion:** These products are carbon oxides (CO, CO2).

**Fire Hazards in Presence of Various Substances:** Not available.

**Explosion Hazards in Presence of Various Substances:**

Risks of explosion of the product in presence of mechanical impact: Not available. Risks of explosion of the product in presence of static discharge: Not available.

**Fire Fighting Media and Instructions:**

SMALL FIRE: Use DRY chemical powder. LARGE FIRE: Use water spray, fog or foam. Do not use water jet.

**Special Remarks on Fire Hazards:** Not available.

**Special Remarks on Explosion Hazards:** Not available.

**Section 6: Accidental Release Measures**

**Small Spill:**

Dilute with water and mop up, or absorb with an inert dry material and place in an appropriate waste disposal container. Finish cleaning by spreading water on the contaminated surface and dispose of according to local and regional authority requirements.

**Large Spill:**

Absorb with an inert material and put the spilled material in an appropriate waste disposal. Finish cleaning by spreading water on the contaminated surface and allow to evacuate through the sanitary system.

**Section 7: Handling and Storage**

**Precautions:**

Keep away from heat. Keep away from sources of ignition. Empty containers pose a fire risk, evaporate the residue under a fume hood. Ground all equipment containing material. Do not ingest. Do not breathe gas/fumes/ vapour/spray. In case of insufficient ventilation, wear suitable respiratory equipment. If ingested, seek medical advice immediately and show the container or the label. Avoid contact with skin and eyes

**Storage:**

Keep container dry. Keep in a cool place. Ground all equipment containing material. Keep container tightly closed. Keep in a cool, well-ventilated place. Combustible materials should be stored away from extreme heat and away from strong oxidizing agents.

**Section 8: Exposure Controls/Personal Protection**

**Engineering Controls:**

Provide exhaust ventilation or other engineering controls to keep the airborne concentrations of vapors below their respective threshold limit value. Ensure that eyewash stations and safety showers are proximal to the work-station location.

**Personal Protection:**

Splash goggles. Lab coat. Vapor respirator. Be sure to use an approved/certified respirator or equivalent. Gloves.

**Personal Protection in Case of a Large Spill:**

Splash goggles. Full suit. Vapor respirator. Boots. Gloves. A self contained breathing apparatus should be used to avoid inhalation of the product. Suggested protective clothing might not be sufficient; consult a specialist BEFORE handling this product.

**Exposure Limits:** Not available.

**Section 9: Physical and Chemical Properties**

**Physical state and appearance:** Liquid. (Oily liquid.)

**Odor:** Aromatic. (Slight.)

**Taste:** Burning. (Strong.)

**Molecular Weight:** 138.17 g/mole

**Color:** Clear Colorless.

**pH (1% soln/water):** Not available.

**Boiling Point:** 245.2°C (473.4°F)

**Melting Point:** 14°C (57.2°F)

**Critical Temperature:** Not available.

**Specific Gravity:** 1.103 (Water = 1)

**Vapor Pressure:** Not available.

**Vapor Density:** 4.8 (Air = 1)

**Volatility:** Not available.

**Odor Threshold:** Not available.

**Water/Oil Dist. Coeff.:** The product is equally soluble in oil and water;  $\log(\text{oil/water}) = 0.1$

**Ionicity (in Water):** Not available.

**Dispersion Properties:** See solubility in water.

**Solubility:** Partially soluble in cold water.

### Section 10: Stability and Reactivity Data

**Stability:** The product is stable.  
**Instability Temperature:** Not available.  
**Conditions of Instability:** Not available.  
**Incompatibility with various substances:** Not available.  
**Corrosivity:** Non-corrosive in presence of glass.  
**Special Remarks on Reactivity:** Not available.  
**Special Remarks on Corrosivity:** Not available.  
**Polymerization:** No.

### Section 11: Toxicological Information

**Routes of Entry:** Eye contact. Inhalation. Ingestion.  
**Toxicity to Animals:**  
Acute oral toxicity (LD50): 1260 mg/kg [Rat]. Acute dermal toxicity (LD50): 5000 mg/kg [Rabbit].  
**Chronic Effects on Humans:** The substance is toxic to kidneys, the nervous system, liver.  
**Other Toxic Effects on Humans:** Very hazardous in case of skin contact (irritant), of ingestion, of inhalation.  
**Special Remarks on Toxicity to Animals:** Not available.  
**Special Remarks on Chronic Effects on Humans:** Not available.  
**Special Remarks on other Toxic Effects on Humans:** Not available.

### Section 12: Ecological Information

**Ecotoxicity:** Not available.  
**BOD5 and COD:** Not available.  
**Products of Biodegradation:**  
Possibly hazardous short term degradation products are not likely. However, long term degradation products may arise.  
**Toxicity of the Products of Biodegradation:** The products of degradation are more toxic.  
**Special Remarks on the Products of Biodegradation:** Not available.

### Section 13: Disposal Considerations

**Waste Disposal:**

### Section 14: Transport Information

**DOT Classification:** Not a DOT controlled material (United States).  
**Identification:** Not applicable.  
**Special Provisions for Transport:** Not applicable.

### Section 15: Other Regulatory Information

**Federal and State Regulations:**

Pennsylvania RTK: 2-Phenoxyethanol TSCA 8(b) inventory: 2-Phenoxyethanol SARA 313 toxic chemical notification and release reporting: 2-Phenoxyethanol CERCLA: Hazardous substances.: 2-Phenoxyethanol

**Other Regulations:** OSHA: Hazardous by definition of Hazard Communication Standard (29 CFR 1910.1200).

**Other Classifications:**

**WHMIS (Canada):** CLASS D-2B: Material causing other toxic effects (TOXIC).

**DSCL (EEC):**

R38- Irritating to skin. R41- Risk of serious damage to eyes.

**HMIS (U.S.A.):**

**Health Hazard:** 3

**Fire Hazard:** 1

**Reactivity:** 0

**Personal Protection:** h

**National Fire Protection Association (U.S.A.):**

**Health:** 3

**Flammability:** 1

**Reactivity:** 0

**Specific hazard:**

**Protective Equipment:**

Gloves. Lab coat. Vapor respirator. Be sure to use an approved/certified respirator or equivalent. Wear appropriate respirator when ventilation is inadequate. Splash goggles.

### Section 16: Other Information

**References:** Not available.

**Other Special Considerations:** Not available.

**Created:** 10/10/2005 11:19 AM

**Last Updated:** 05/21/2013 12:00 PM

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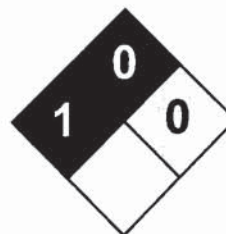
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# EXHIBIT D

2<sup>nd</sup> Amended R.I.C.O. Complaint, 7<sup>th</sup> Amendment Jury Trial Demanded- ~~73~~

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Health	1
Fire	0
Reactivity	0
Personal Protection	E

## Material Safety Data Sheet Aluminum hydroxide MSDS

### Section 1: Chemical Product and Company Identification

<p><b>Product Name:</b> Aluminum hydroxide</p> <p><b>Catalog Codes:</b> SLA3004</p> <p><b>CAS#:</b> 21645-51-2</p> <p><b>RTECS:</b> BD0940000</p> <p><b>TSCA:</b> TSCA 8(b) inventory: Aluminum hydroxide</p> <p><b>CI#:</b> Not available.</p> <p><b>Synonym:</b> Aluminum Hydroxide Powder Reagent; Aluminum Trihydroxide</p> <p><b>Chemical Name:</b> Aluminum Hydroxide Powder</p> <p><b>Chemical Formula:</b> Al(OH)<sub>3</sub></p>	<p><b>Contact Information:</b></p> <p>Sciencelab.com, Inc. 14025 Smith Rd. Houston, Texas 77396</p> <p>US Sales: <b>1-800-901-7247</b> International Sales: <b>1-281-441-4400</b></p> <p>Order Online: ScienceLab.com</p> <p><b>CHEMTREC (24HR Emergency Telephone), call:</b> 1-800-424-9300</p> <p><b>International CHEMTREC, call:</b> 1-703-527-3887</p> <p><b>For non-emergency assistance, call:</b> 1-281-441-4400</p>
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### Section 2: Composition and Information on Ingredients

**Composition:**

Name	CAS #	% by Weight
Aluminum hydroxide	21645-51-2	100

**Toxicological Data on Ingredients:** Not applicable.

### Section 3: Hazards Identification

**Potential Acute Health Effects:** Slightly hazardous in case of skin contact (irritant), of eye contact (irritant), of ingestion, of inhalation.

**Potential Chronic Health Effects:**  
 CARCINOGENIC EFFECTS: Not available. MUTAGENIC EFFECTS: Not available. TERATOGENIC EFFECTS: Not available.  
 DEVELOPMENTAL TOXICITY: Not available. Repeated or prolonged exposure is not known to aggravate medical condition.

### Section 4: First Aid Measures

**Eye Contact:**  
 Check for and remove any contact lenses. In case of contact, immediately flush eyes with plenty of water for at least 15 minutes. Get medical attention if irritation occurs.

**Skin Contact:** Wash with soap and water. Cover the irritated skin with an emollient. Get medical attention if irritation develops.

**Serious Skin Contact:** Not available.

**Inhalation:**

If inhaled, remove to fresh air. If not breathing, give artificial respiration. If breathing is difficult, give oxygen. Get medical attention.

**Serious Inhalation:** Not available.

**Ingestion:**

Do NOT induce vomiting unless directed to do so by medical personnel. Never give anything by mouth to an unconscious person. If large quantities of this material are swallowed, call a physician immediately. Loosen tight clothing such as a collar, tie, belt or waistband.

**Serious Ingestion:** Not available.

### Section 5: Fire and Explosion Data

**Flammability of the Product:** Non-flammable.

**Auto-Ignition Temperature:** Not applicable.

**Flash Points:** Not applicable.

**Flammable Limits:** Not applicable.

**Products of Combustion:** Not available.

**Fire Hazards in Presence of Various Substances:** Not applicable.

**Explosion Hazards in Presence of Various Substances:**

Risks of explosion of the product in presence of mechanical impact: Not available. Risks of explosion of the product in presence of static discharge: Not available.

**Fire Fighting Media and Instructions:** Not applicable.

**Special Remarks on Fire Hazards:**

A mixture of aluminum hydroxide and bismuth, coprecipitated and reduced by hydrogen @ 170 to 210 C is spontaneously flammable in air at ambient temperature.

**Special Remarks on Explosion Hazards:** Not available.

### Section 6: Accidental Release Measures

**Small Spill:**

Use appropriate tools to put the spilled solid in a convenient waste disposal container. Finish cleaning by spreading water on the contaminated surface and dispose of according to local and regional authority requirements.

**Large Spill:**

Use a shovel to put the material into a convenient waste disposal container. Finish cleaning by spreading water on the contaminated surface and allow to evacuate through the sanitary system. Be careful that the product is not present at a concentration level above TLV. Check TLV on the MSDS and with local authorities.

### Section 7: Handling and Storage

**Precautions:** Do not breathe dust. Keep away from incompatibles such as acids, alkalis.

**Storage:** Keep container tightly closed. Keep container in a cool, well-ventilated area. Do not store above 24°C (75.2°F).

### Section 8: Exposure Controls/Personal Protection

**Engineering Controls:**

Use process enclosures, local exhaust ventilation, or other engineering controls to keep airborne levels below recommended exposure limits. If user operations generate dust, fume or mist, use ventilation to keep exposure to airborne contaminants below the exposure limit.

**Personal Protection:** Safety glasses. Lab coat. Dust respirator. Be sure to use an approved/certified respirator or equivalent. Gloves.

**Personal Protection in Case of a Large Spill:**

Splash goggles. Full suit. Dust respirator. Boots. Gloves. A self contained breathing apparatus should be used to avoid inhalation of the product. Suggested protective clothing might not be sufficient; consult a specialist BEFORE handling this product.

**Exposure Limits:**

TWA: 3 (mg/m3) from ACGIH (TLV) [United States] Inhalation Respirable. TWA: 10 (mg/m3) from ACGIH (TLV) [United States] Inhalation Total. Consult local authorities for acceptable exposure limits.

**Section 9: Physical and Chemical Properties**

**Physical state and appearance:** Solid. (crystalline powder.)

**Odor:** Odorless.

**Taste:** Not available.

**Molecular Weight:** 78 g/mole

**Color:** White. Off-white.

**pH (1% soln/water):** Not applicable.

**Boiling Point:** Not available.

**Melting Point:** 300°C (572°F)

**Critical Temperature:** Not available.

**Specific Gravity:** 2.42 (Water = 1)

**Vapor Pressure:** Not applicable.

**Vapor Density:** Not available.

**Volatility:** Not available.

**Odor Threshold:** Not available.

**Water/Oil Dist. Coeff.:** Not available.

**Ionicity (in Water):** Not available.

**Dispersion Properties:** Not available.

**Solubility:**

Insoluble in cold water. Insoluble in alcohol. Soluble in Hydrochloric acid, Sulfuric acid, alkaline aqueous solutions, in strong acids in the presence of water.

**Section 10: Stability and Reactivity Data**

**Stability:** The product is stable.

**Instability Temperature:** Not available.

**Conditions of Instability:** Incompatible materials

**Incompatibility with various substances:** Reactive with acids, alkalis.

**Corrosivity:** Non-corrosive in presence of glass.

**Special Remarks on Reactivity:**

Forms gels on prolonged contact with water; absorbs acids, carbon dioxide. When exposed to heat aluminum trihydroxide composes forming aluminum oxide and water vapor beginning at 300 C (572 F). Aluminum trihydroxide reacts vigorously with strong acids, and will dissolve in caustic solutions.

**Special Remarks on Corrosivity:** Not available.

**Polymerization:** Will not occur.

### Section 11: Toxicological Information

**Routes of Entry:** Inhalation. Ingestion.

**Toxicity to Animals:**

LD50: Not available. LC50: Not available.

**Chronic Effects on Humans:** Not available.

**Other Toxic Effects on Humans:** Slightly hazardous in case of skin contact (irritant), of ingestion, of inhalation.

**Special Remarks on Toxicity to Animals:** Not available.

**Special Remarks on Chronic Effects on Humans:** Not available.

**Special Remarks on other Toxic Effects on Humans:**

Acute Potential Health Effects: May cause mild skin, eye and upper respiratory tract irritation. Ingestion: May cause gastrointestinal tract irritation: May affect bones (osteomalacia), metabolism, blood, behavior (muscle contraction, spasticity, change in motor activity), liver.

### Section 12: Ecological Information

**Ecotoxicity:** Not available.

**BOD5 and COD:** Not available.

**Products of Biodegradation:**

Possibly hazardous short term degradation products are not likely. However, long term degradation products may arise.

**Toxicity of the Products of Biodegradation:** The product itself and its products of degradation are not toxic.

**Special Remarks on the Products of Biodegradation:** Not available.

### Section 13: Disposal Considerations

**Waste Disposal:**

Waste must be disposed of in accordance with federal, state and local environmental control regulations.

### Section 14: Transport Information

**DOT Classification:** Not a DOT controlled material (United States).

**Identification:** Not applicable.

**Special Provisions for Transport:** Not applicable.

### Section 15: Other Regulatory Information

**Federal and State Regulations:** TSCA 8(b) inventory: Aluminum hydroxide

**Other Regulations:** EINECS: This product is on the European Inventory of Existing Commercial Chemical Substances.

**Other Classifications:**

**WHMIS (Canada):** Not controlled under WHMIS (Canada).

**DSCL (EEC):**

This product is not classified according to the EU regulations. Not applicable.

**HMIS (U.S.A.):**

**Health Hazard:** 1

**Fire Hazard:** 0

**Reactivity:** 0

**Personal Protection:** E

**National Fire Protection Association (U.S.A.):**

**Health:** 1

**Flammability:** 0

**Reactivity:** 0

**Specific hazard:**

**Protective Equipment:**

Gloves. Lab coat. Dust respirator. Be sure to use an approved/certified respirator or equivalent. Safety glasses.

### Section 16: Other Information

**References:** Not available.

**Other Special Considerations:** Not available.

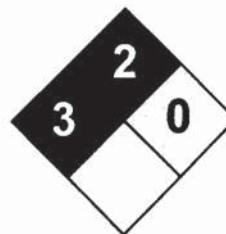
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# EXHIBIT E



Health	3
Fire	2
Reactivity	0
Personal Protection	G

## Material Safety Data Sheet Formaldehyde 37% solution MSDS

### Section 1: Chemical Product and Company Identification

<p><b>Product Name:</b> Formaldehyde 37% solution</p> <p><b>Catalog Codes:</b> SLF1426</p> <p><b>CAS#:</b> Mixture.</p> <p><b>RTECS:</b> LP8925000</p> <p><b>TSCA:</b> TSCA 8(b) inventory: Formaldehyde; Methyl alcohol; Water</p> <p><b>CI#:</b> Not applicable.</p> <p><b>Synonym:</b> Formalin</p> <p><b>Chemical Name:</b> Formaldehyde</p> <p><b>Chemical Formula:</b> HCHO</p>	<p><b>Contact Information:</b></p> <p><b>Sciencelab.com, Inc.</b> 14025 Smith Rd. Houston, Texas 77396</p> <p>US Sales: <b>1-800-901-7247</b> International Sales: <b>1-281-441-4400</b></p> <p>Order Online: ScienceLab.com</p> <p><b>CHEMTREC (24HR Emergency Telephone), call:</b> 1-800-424-9300</p> <p><b>International CHEMTREC, call:</b> 1-703-527-3887</p> <p><b>For non-emergency assistance, call:</b> 1-281-441-4400</p>
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### Section 2: Composition and Information on Ingredients

<b>Composition:</b>		
<b>Name</b>	<b>CAS #</b>	<b>% by Weight</b>
Formaldehyde	50-00-0	36.5-38
Methyl alcohol	67-56-1	10-15
Water	7732-18-5	47-53.5
<p><b>Toxicological Data on Ingredients:</b> Formaldehyde: ORAL (LD50): Acute: 100 mg/kg [Rat]. 42 mg/kg [Mouse]. 260 mg/kg [Guinea pig]. MIST (LC50): Acute: 454000 mg/m 4 hours [Mouse]. Methyl alcohol: ORAL (LD50): Acute: 5628 mg/kg [Rat]. DERMAL (LD50): Acute: 15800 mg/kg [Rabbit]. VAPOR (LC50): Acute: 64000 ppm 4 hours [Rat].</p>		

### Section 3: Hazards Identification

<p><b>Potential Acute Health Effects:</b> Very hazardous in case of eye contact (irritant), of ingestion, . Hazardous in case of skin contact (irritant, sensitizer, permeator), of eye contact (corrosive). Slightly hazardous in case of skin contact (corrosive). Severe over-exposure can result in death. Inflammation of the eye is characterized by redness, watering, and itching.</p> <p><b>Potential Chronic Health Effects:</b> Hazardous in case of skin contact (sensitizer). CARCINOGENIC EFFECTS: Classified A2 (Suspected for human.) by ACGIH, 2A (Probable for human.) by IARC [Formaldehyde]. MUTAGENIC EFFECTS: Mutagenic for mammalian somatic cells. [Formaldehyde]. Mutagenic for bacteria and/or yeast. [Formaldehyde]. Mutagenic for mammalian somatic cells. [Methyl</p>
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alcohol]. Mutagenic for bacteria and/or yeast. [Methyl alcohol]. TERATOGENIC EFFECTS: Classified POSSIBLE for human [Methyl alcohol]. DEVELOPMENTAL TOXICITY: Not available The substance may be toxic to kidneys, liver, skin, central nervous system (CNS). Repeated or prolonged exposure to the substance can produce target organs damage. Repeated exposure to a highly toxic material may produce general deterioration of health by an accumulation in one or many human organs.

#### Section 4: First Aid Measures

**Eye Contact:**

Check for and remove any contact lenses. Immediately flush eyes with running water for at least 15 minutes, keeping eyelids open. Cold water may be used. Get medical attention immediately.

**Skin Contact:**

In case of contact, immediately flush skin with plenty of water. Cover the irritated skin with an emollient. Remove contaminated clothing and shoes. Cold water may be used. Wash clothing before reuse. Thoroughly clean shoes before reuse. Get medical attention.

**Serious Skin Contact:**

Wash with a disinfectant soap and cover the contaminated skin with an anti-bacterial cream. Seek immediate medical attention.

**Inhalation:**

If inhaled, remove to fresh air. If not breathing, give artificial respiration. If breathing is difficult, give oxygen. Get medical attention immediately.

**Serious Inhalation:**

Evacuate the victim to a safe area as soon as possible. Loosen tight clothing such as a collar, tie, belt or waistband. If breathing is difficult, administer oxygen. If the victim is not breathing, perform mouth-to-mouth resuscitation. WARNING: It may be hazardous to the person providing aid to give mouth-to-mouth resuscitation when the inhaled material is toxic, infectious or corrosive. Seek immediate medical attention.

**Ingestion:**

If swallowed, do not induce vomiting unless directed to do so by medical personnel. Never give anything by mouth to an unconscious person. Loosen tight clothing such as a collar, tie, belt or waistband. Get medical attention immediately.

**Serious Ingestion:** Not available.

#### Section 5: Fire and Explosion Data

**Flammability of the Product:** Flammable.

**Auto-Ignition Temperature:** 430°C (806°F)

**Flash Points:** CLOSED CUP: 50°C (122°F). OPEN CUP: 60°C (140°F).

**Flammable Limits:** The greatest known range is LOWER: 6% UPPER: 36.5% (Methyl alcohol)

**Products of Combustion:** These products are carbon oxides (CO, CO<sub>2</sub>).

**Fire Hazards in Presence of Various Substances:**

Flammable in presence of open flames and sparks, of heat. Non-flammable in presence of shocks, of oxidizing materials, of reducing materials, of combustible materials, of organic materials, of metals, of acids, of alkalis.

**Explosion Hazards in Presence of Various Substances:** Non-explosive in presence of open flames and sparks, of shocks.

**Fire Fighting Media and Instructions:**

Flammable liquid, soluble or dispersed in water. SMALL FIRE: Use DRY chemical powder. LARGE FIRE: Use alcohol foam, water spray or fog. Cool containing vessels with water jet in order to prevent pressure build-up, autoignition or explosion.

**Special Remarks on Fire Hazards:**

Explosive in the form of vapor when exposed to heat or flame. Vapor may travel considerable distance to source of ignition and flash back. When heated to decomposition, it emits acrid smoke and irritating fumes. CAUTION: MAY BURN WITH NEAR INVISIBLE FLAME (Methyl alcohol)



**Special Remarks on Explosion Hazards:**

Reaction with peroxide, nitrogen dioxide, and permformic acid can cause an explosion. (Formaldehyde gas)

**Section 6: Accidental Release Measures**

**Small Spill:**

Dilute with water and mop up, or absorb with an inert dry material and place in an appropriate waste disposal container. If necessary: Neutralize the residue with a dilute solution of sodium carbonate.

**Large Spill:**

Flammable liquid. Poisonous liquid. Keep away from heat. Keep away from sources of ignition. Stop leak if without risk. Absorb with DRY earth, sand or other non-combustible material. Do not get water inside container. Do not touch spilled material. Use water spray to reduce vapors. Prevent entry into sewers, basements or confined areas; dike if needed. Call for assistance on disposal. Neutralize the residue with a dilute solution of sodium carbonate. Be careful that the product is not present at a concentration level above TLV. Check TLV on the MSDS and with local authorities.

**Section 7: Handling and Storage**

**Precautions:**

Keep away from heat. Keep away from sources of ignition. Ground all equipment containing material. Do not ingest. Do not breathe gas/fumes/ vapor/spray. In case of insufficient ventilation, wear suitable respiratory equipment. If ingested, seek medical advice immediately and show the container or the label. Avoid contact with skin and eyes. Keep away from incompatibles such as oxidizing agents, reducing agents, acids, alkalis, moisture.

**Storage:**

Store in a segregated and approved area. Keep container in a cool, well-ventilated area. Keep container tightly closed and sealed until ready for use. Avoid all possible sources of ignition (spark or flame).

**Section 8: Exposure Controls/Personal Protection**

**Engineering Controls:**

Provide exhaust ventilation or other engineering controls to keep the airborne concentrations of vapors below their respective threshold limit value. Ensure that eyewash stations and safety showers are proximal to the work-station location.

**Personal Protection:**

Safety glasses. Lab coat. Vapor respirator. Be sure to use an approved/certified respirator or equivalent. Gloves (impervious).

**Personal Protection in Case of a Large Spill:**

Splash goggles. Full suit. Vapor respirator. Boots. Gloves. A self contained breathing apparatus should be used to avoid inhalation of the product. Suggested protective clothing might not be sufficient; consult a specialist BEFORE handling this product.

**Exposure Limits:**

Formaldehyde gas STEL: 0.3 (ppm) from ACGIH (TLV) [United States] STEL: 0.37 (mg/m<sup>3</sup>) from ACGIH (TLV) [United States] TWA: 0.75 STEL: 2 (ppm) from OSHA (PEL) [United States] TWA: 2 STEL: 2 (ppm) [United Kingdom (UK)] TWA: 2.5 STEL: 2.5 (mg/m<sup>3</sup>) [United Kingdom (UK)] Methyl alcohol TWA: 200 from OSHA (PEL) [United States] TWA: 200 STEL: 250 (ppm) from ACGIH (TLV) [United States] [1999] STEL: 250 from NIOSH [United States] TWA: 200 STEL: 250 (ppm) from NIOSH SKIN TWA: 200 STEL: 250 (ppm) [Canada] Consult local authorities for acceptable exposure limits.

**Section 9: Physical and Chemical Properties**

**Physical state and appearance:** Liquid.

**Odor:** Pungent. Suffocating. (Strong.)

**Taste:** Not available.