

United States District Court

for the District of New Hampshire

Mary Maxwell, pro se,

Plaintiff

v

Acting United States Secretary of Defense Chris Miller, in his official capacity;
Administrator of Federal Emergency Management Peter Gaynor, in his official capacity; and
Alex Azar, Secretary of Health and Human Services, in his official capacity,

III. Background Facts

1. The US government says that a coronavirus, similar to SARS-2, first appeared in China in December 2019, and spread to the US in January 2020. It was named COVID-19 – Co for corona vi for virus, D for disease, and '19 for the year of its emergence -- per the International Committee on Taxonomy of Viruses.
2. On January 31, 2020, US Health and Human Services Secretary Alex Azar declared a public health emergency, per the Public Health Service Act, sec 319, which allows HHS to declare emergency in the case of significant infectious diseases.
3. On March 13, 2020 President Trump issued two national emergency declarations. The first was based on the Stafford Act, and thus led to creation of a National Response Framework so the efforts of states can be coordinated. The Stafford Act was also the authority for appropriation of up to \$7 billion for long-term, low interest loans to small businesses hurt by the pandemic.
4. Also on March 13, President Trump invoked the very open-ended National Emergencies Act, section 201 and 301. This in turn allowed Secretary Azar to modify certain rules of Medicare and Medicaid.
5. On March 19, President Trump named FEMA, Federal Emergency Management Agency which is part of the Homeland Security Department, as the lead agency in Covid response.
6. On March 23, 2020, the World Health Organization advised all members of the United Nations to employ certain methods of controlling the virus: wear face masks, use social distancing of 6 feet, wash hands, and stay home as much as possible.
7. Governors, mayors, and others ordered closures of schools and businesses, the quarantining of some people, restrictions on travel, border closures, etc. Under the Stafford Act the president pledged billions in aid to the states, to be coordinated by FEMA.

8. On April 1, 2020, Google and Apple announced a joint effort: “Apple and Google will be launching a comprehensive solution that includes application programming interfaces (APIs) and operating system-level technology to assist in enabling contact tracing.”
9. On May 1, 2020, Rep Bobby Rush introduced HR 6666, the “TRACE” Act – the Testing, Reaching, and Contacting Everyone Act. It would award grants for testing and tracing. The bill has not been acted on, as of December 20, 2020.
10. On May 15, 2020, President Donald Trump announced Operation Warp Speed (OWS) and on that date Moncef Slaoui was appointed chief advisor, and General Gustave Perna chief operating officer, of Operation Warp Speed. OWS will also handle the distribution of the vaccine. The President announced that he would use the military to deliver the vaccines. Under a putative emergency (or martial law), he could presumably “declare” vaccination mandatory.
11. By December 12, 2020, the pharmaceutical giant Pfizer had its vaccine approved by the FDA – Food and Drug Administration. The standard time of four-to-five years for producing a vaccine was abandoned on the basis of the pandemic being an emergency. On December 18, 2020 Moderna’s vaccine received approval from the FDA.
12. There was no published comparison of the health risks involved in getting vaccinated with the Covid vaccine versus the risk of getting Covid. This disease has 99.95% recovery rate in patients under age 70. Adverse effects of vaccination can be lifelong. Pediatrician Liz Mumper says, on a vimeo for the Children’s Health Defense, that four billion dollars have been paid out in this century at the Vaccine Injury Court, despite a very high bar for qualifying. She also noted that doctors voluntarily report adverse effects (of tested vaccines) about 45,000 per year, and DHHS estimates this to be only 1% of the actual total.
13. On December 20, 2020, the CDC recommended that the vaccine now be given to frontline workers and people over age 75. In the Netherlands, Dr Elke De Clerk says that 87,000 Dutch nurses oppose taking the vaccine. Half of New York City firefighters say they will refuse.
14. The website [defense.gov](https://www.defense.gov) (retrieved on December 18, 2020) says: “Using the resources of the federal government and the U.S. private sector, Operation Warp Speed will accelerate the testing, supply, development, and distribution of safe and effective vaccines... receives its next shipment of vaccines from Pfizer. Phase 2... will cover the second dose for everyone who received their first dose this week, and with the remainder, we will move on to administering dose number one for additional healthcare workers.”
15. Plaintiff utterly objects to any government-enforced regime of vaccination, and will refuse to take the “Covid” vaccine. She lists eight reasons: 1. The testing for Covid is unreliable. 2. Covid cases aren’t being accurately reported. 3. The purpose of the

Lockdown is apparently not for health but to terminate national economies. 4. The vaccines have evaded standard safety testing. 5. Perfectly good cures for Covid, such as Ivermectin, are withheld; this casts doubt on the need for a vaccine. 6. There is a little-understood connection between Covid vaccine and DNA. 7. There is a possible use of a “vaccine tattoo” as a passport, implying surveillance, which would defeat plaintiff’s Fourth Amendment rights. 8. Scientific criticism is being censored. These eight categories of Plaintiff’s objections are explained as follows:

Category 1: The testing for Covid is unreliable

16. Kary Mullis received the Nobel Prize in 1993 for his “polymerase chain reaction” (PCR) method of amplifying a stretch of DNA. He advised against using it for diagnosis. But that is what hospitals are doing, with results that must be considered guesswork.
17. Pascal Sacre, an emergency room doctor in Belgium, is an expert on RT-PCR (real time polymerase chain reaction). He says that the number of cases reported by government is the number of persons who “test positive,” but that no clinician ever decides on the basis of a test exclusively – one must look at the patient and know his symptoms.
18. Tanzania’s president John Magufuli said the imported Covid test kits were faulty as they had returned positive results on a goat and a pawpaw fruit. In Austria, Michael Schnedlitz, MP performed the test live in Parliament and showed that a sample of Coca-Cola tested positive for Covid. He said he was performing the test live before Parliament: “so you can see how worthless and misguided these mass tests are.”

Category 2: Covid cases aren’t being accurately reported

19. On top of that problem (of the test being inaccurate), the Centers for Disease Control and Prevention (CDC), on April 4, 2020, sent instructions to physicians, telling them to report as “death with Covid” persons who also had other illnesses, or for whom the doctor only suspected Covid. Dr Annie Bukacek of Montana was one of the first practitioners to reveal this. It leads to overreporting of Covid deaths and underreporting of the usual range of illnesses.
20. So far, the death toll in any given month in 2020 is roughly the same as the death toll for that month in, say, 2018. The website of the Vital Statistics of the state of Victoria, Australia compares, for example, the total deaths (from all causes) in 2018 and 2020. In January 2018, the figure was 3541, and almost the same in January 2020: 3464. Then Covid began and there was an increase, in the month of April, from 2868 deaths (all causes) in April 2018, to 3585 in April 2020. In May, however, the number actually fell, from 3935, in May 2018, to 3271 in May 2020.

Category 3: The purpose of the Lockdown was apparently not for health but to terminate nations’ economies

21. Klaus Schwab, director of the World Economic Forum (WEF) in Switzerland, has produced a book, with co-author Thierry Malleret, entitled “Covid-19: The Great Reset.” They reveal that the new economy – which will be global – will not care about individual sovereign nations. Their book indicates that the motive behind the pandemic hoopla was to enable the transition to one world government.
22. To lockdown businesses, for an ostensibly good reason (e.g., quarantine), has made it possible for many small companies to be put out of business, where they would not have knowingly agreed to do it for the benefit of the globalizers. Millions are already impoverished from lack of jobs.
23. In September 2019, an “Event 201” was held at Johns Hopkins Center for Health Security, laying out plans for the Lockdown before Covid had even begun. Participants in this “desktop exercise” included the World Economic Forum and the Bill and Melinda Gates Foundation. Bill Gates often speaks as though he can make decisions for the whole human race.
24. The mainstream media cooperated in all of this from the beginning, showing us how to adapt to the new normal, never asking if any other kind of future is possible. It also looks as though the media helped the pandemic “theatre,” with a barrage of advice about social distancing and masks-wearing. In Alberta, Canada, Dr Rod Hodkinson, FRCPC, said, on November 13, 2020: “There is utterly unfounded public hysteria driven by the media and politicians. It’s outrageous. [Covid] should be thought of as nothing more than a bad flu season. Masks are utterly useless. There is no evidence base for their effectiveness whatsoever.”

Category 4: The new vaccines have evaded standard safety testing

25. The website fda.gov boasts: “Today, the FDA regulates \$1 trillion worth of products a year. It ensures ... the safety and effectiveness of all drugs, biological products (including ... vaccines...).... The Federal Food, Drug, and Cosmetic Act of 1938 completely overhauled the public health system.” Plaintiff says that is unconstitutional as Congress has no grant of power for health; this belongs to the states. Nonetheless, the Covid “emergency” caused FDA to soften even its own unconstitutional power and permitted the vaccine manufacturers to evade normal safety testing.
26. As stated by attorney Robert F Kennedy, Jr for the Children’s Health Defense, “The Moderna vaccine skipped the animal testing altogether.... And it was tested on only 45 people – three people got so sick they had to be hospitalized... They are only giving these vaccines [tests] ... to the healthiest people.... You cannot be pregnant, you cannot be overweight, you must have never smoked a cigarette, you must have no respiratory problems in your family... you can’t have rheumatoid arthritis or any autoimmune disease. There has to be no history of seizure in the family. These are the people they’re testing the vaccine on.” Referring to four pharma giants, including Pfizer, RFK pointed out that “just in the last decade, those companies have paid 35 billion dollars in criminal penalties, damages, fines, for lying to doctors, for

defrauding science, for falsifying science, for killing hundreds of thousands of Americans knowingly.”

27. Dr Sucharit Bhakdi is the retired Chair of Medical Microbiology at University of Mainz, Germany. He says: “As I understand it, Mrs. Merkel has reserved 54 million doses of this gene-based vaccine from the British company [Astra Zeneca, connected with Oxford].... This study [is] published in Lancet. What the English did, in Oxford, because the side effects were so severe, from that point on, all ... were given a high dose of paracetamol. That’s a fever-reducing painkiller. In response to the vaccination? No. To prevent the reaction. That means they received the painkiller first and then the vaccination afterwards. Unbelievable.”

Category 5: Perfectly good cures for Covid, such as Ivermectin, are withheld; this casts doubt on the urgency of a vaccine

28. On May 22, 2020, Newsmax published an article entitled “Breakthrough Drug: Ivermectin Shows ‘Astounding’ Results against Corona Virus.” It says: “Physicians who participated in the study report that patients’ viral loads began declining almost immediately after they began administering ivermectin, a widely available prescription drug approved to combat parasites, scabies and head lice. Emergency medical physician Dr. Peter H. Hibberd of Florida said ‘There’s a common denominator here, this drug is salvaging people from their death bed’.... At the Broward Health Medical Center some 250 coronavirus patients were involved [in a trial] ... The blood oxygen level of the first patient treated in early April was 70% and dropped to just 50% within hours. After receiving the Ivermectin, the patient stabilized within 24 hours.... Doctors in Bangladesh administered a combination of ivermectin and doxycycline, a common antibiotic, to 60 coronavirus patients there ... and by the fourth day, they had recovered.”
29. Professor Thomas Brody, medical director of Australia’s Center for Digestive Disease spoke to Sky News on August 7, 2020 about Ivermectin. He said: “There are a number of studies that are amazingly successful. We’re talking close to 100%. In fact, we haven’t seen a result yet under 100%. It looks like corona is very simple to kill. It’s available as a prescription medication. You wouldn’t use it alone ... but you add two other things to it such as doxycycline and zinc.”
30. Ivermectin is now forbidden in Australia. It even appears to have been taken off the shelf for farmers’ use on livestock. Such an abnormal response calls into question the sincerity of the race for a Covid vaccine.
31. There is also a cure consisting of a combination of hydroxychloroquine (HCQ), zinc, and the antibiotic azithromycin. Dr Zev Zelenko, speaking to Barry Shaw on Israel National News, said “The idea is like this, and this one’s based on data that came out of the Far East, specifically South Korea, and also the work of Dr. Raoul from Marseille. France.... The main element of this treatment approach is zinc. Zinc inhibits a very important enzyme called RNA dependent RNA polymerase. It basically stops the virus from replicating or copying its genetic material, essentially reducing the

amount of virus. “However, zinc doesn't get into the cell of the viruses, they need a way to get the zinc into the cell, and that's the role of hydroxychloroquine...”

32. Harvey Risch, professor of Epidemiology at Yale, also speaking to Barry Shaw, said “there were two papers published in the New England Journal in The Lancet that were fraudulent, and this shut down the discussion about hydroxychloroquine.” He pointed out that in the AIDS crisis, Dr Tony Fauci refused to support the helpful, cheap medicine, bactrim. “And you see exactly the same pattern in the last six months of the FDA in concert with Dr. Fauci and the NIH panels that he's arranged to discuss his various drugs, remdesivir and hydroxychloroquine, and they've done exactly the same thing. The panels have had major conflicts of interest; a panel with 54 scientists on it and had 18 with financial ties to pharma manufacturers. They went and approved the patent medication and they disapproved the generic medication hydroxychloroquine.”
33. On December 8, 2020, Dr Pierre Kory, a pulmonologist, spoke at a hearing of the US Senate Homeland Security Committee. He wants clearance for the drug Ivermectin that has been used for decades to treat parasites. Kory said: "All I ask is for the NIH to review our data that we've compiled of all of the emerging data -- we have almost 30 studies. Everyone is reliably and reproducibly positive showing the dramatic impacts of Ivermectin. Please, I'm just asking that they review our manuscript. Mountains of data have emerged from many centers and countries around the world, showing the miraculous effectiveness of Ivermectin. It basically obliterates transmission of this virus. If you take it, you will not get sick.”

Category 6: There is a little-understood connection between vaccination and DNA

34. Dr Suchari Bhakdi of Germany says: “Maybe I am wrong...but as I understand it, one of vaccines is a packaged fragment of viral mRNA. This is injected into the muscle where that fragment is translated into a viral protein fragment that stimulates an antibody response and should attack the virus. Does anybody, I mean anybody, realize how many things can go wrong with this? Certainly, one possibility is a massive NONSPECIFIC autoimmune response.

“The Moderna ‘vaccine’ is designed to be a transfection vaccine, meaning it literally is meant to genetically modify your cells.... Genetic material codes for proteins in your body. That's what DNA and rNA do. Your body creates the proteins that build your body. Proteins are unique to the organism. They are also the basis for recognizing self from not self..... So when your body has foreign DNA injected into it, or when foreign particles like nano-particles (Pfizer vaccine) are introduced, there is a risk that your body will literally start to attack itself. ... Catastrophe awaits.”

Category 7. There is a possible use of a “vaccine tattoo” as a passport, implying surveillance

35. Bill Gates, the founder of Microsoft, has been involved with vaccination for a long time, particularly in the Third World, and owns patents for vaccines. Gates is the largest donor of money to the World Health Organization. Although not medically

trained, he is focused on getting all 8 billion humans vaccinated for Covid, and has declared that we won't be able to get back to normal until everyone is vaccinated.

36. On November 30, 2020, Fox News reported that the International Air Transport Association is in the process of finalizing a “digital Covid-19 passport” that will record the person's Covid tests and vaccinations.
37. The CEO of Qantas Airline has said that as of now he will not fly anyone who is not vaccinated. For decades, airlines have refused to fly persons lacking proof of vaccination if the laws of the destination country demanded it. Now we have businesspersons setting health policy and seeming to make laws. Is the authority of “law” passing into the hands of private corporations? This would be an extreme undermining of democratic government.
38. Bill Gates is working with Massachusetts Institute of Technology to develop the “Human Implantable Quantum Dot Microneedle Vaccination Delivery System.” It is also called a hand tattoo, and can be read, as it is luminescent. Quantum Materials Corp says: “quantum dots are nano-particles made up of semi-conductor materials.” Such dots could store data, and be updated by transmission of new information – such as one's bank balance.

Category 8: Scientific debate is being forbidden by censors within the media

39. In Germany, more than 500 doctors and scientists have signed up as members of a Corona Extra-Parliamentary Inquiry Committee. Their investigation, led by Dr. Heiko Schöning, is to fill a lacuna -- no government inquiry has been held or is scheduled to be held as to the validity of Covid pandemic or the proportionality of government response. But mainstream media won't cover this Inquiry group.
40. An editorial in the British Medical Journal, of November 13, 2020, says: “Politicians and governments are suppressing science. They do so in the public interest, they say, to accelerate availability of diagnostics and treatments [and] to bring products to market at unprecedented speed. Both of these reasons are partly plausible... But ... the pandemic has revealed how the medical-political complex can be manipulated in an emergency....Researchers from Public Health England and collaborating institutions sensibly pushed to publish their study findings before the government committed to buying a million of these tests but were blocked by the health department and the prime minister's office.”
41. The “Event 201” meeting discussed “controlling the narrative.” The participants, many of them scientists, stressed the importance of censoring “conspiracy theories” and even preventing debate with doctors who disagreed about Covid. Typically, scientists have published even radical ideas in journals and waited for response from peers. This new turnaround is very telling. The owners of social media further confuse the public by deleting, from Facebook and YouTube, any criticism of, or skepticism about, the pandemic – saying that it “violates community guidelines.”

42. In the foregoing eight categories, Plaintiff has shown: that the testing for Covid is unreliable, that Covid cases aren't being accurately reported, that the purpose of the Lockdown is apparently not for health but to terminate national economies, that the emergency vaccines have evaded standard safety testing, that there is a little-understood connection between vaccination and DNA, that successful cures for Covid, such as Ivermectin, are withheld, casting doubt on the sincerity of the race for a Covid vaccine, that a vaccine tattoo may be used as a "passport," and that scientific debate is being forbidden by censors.
43. Because of so many deviations from normal medical practice, Plaintiff is willing to consider that the vaccine may be related to an agenda other than health. One likely agenda behind the vaccine is surveillance. Hence, mandatory vaccination would defeat Plaintiff's Fourth Amendment rights. That is, by accepting a vaccine, she may be accepting permanent invasion of privacy, even if only in regard to her location and her health history.
44. By accepting a vaccine, Plaintiff would also be entering into a state of worry that unpredictable side-effects would appear later. In many cases where a person has received a vaccine injury, the effects did not appear for months or years.
45. By accepting mandatory vaccination, Plaintiff would feel that she is complicit in the overthrow of our legitimate constitutional government, at both state and federal level, and our highly prized Bill of Rights.
46. Plaintiff worries that mandatory vaccination smacks of military or police violence, something that is anathema to the American citizen. It was also anathema to French citizens. In August 2020, there were huge protests of the Lockdown on the streets of Paris, with police acting in a respectful manner. Then a violent crackdown on protestors began, and as of November 2020, the photographing of police violence was criminalized.
47. Plaintiff will not willingly submit to the vaccination. If it is to be done to her, it will have to be done by force.
48. There is a role for the Third Branch of government when the entire system has been upset.
49. Congress is not taking the part of the people in regard to Covid. On December 8, 2020, Dr Pierre Kory, a pulmonologist, spoke at a hearing of the US Senate Homeland Security Committee. He wants clearance for the drug Ivermectin. Kory said: "All I ask is for the NIH to review our data that we've compiled of all of the emerging data -- we have almost 30 studies. Everyone is reliably and reproducibly positive showing the dramatic impacts of Ivermectin. Please, I'm just asking that they review our manuscript. Mountains of data have emerged from many centers and countries around the world, showing the miraculous effectiveness of Ivermectin. It basically obliterates transmission of this virus. If you take it, you will not get sick."

50. Although there is at this moment no law directing Plaintiff to be mandatorily injected, events are moving quickly and, somewhat aside, there is talk of martial law. During the course of martial law, courts do not function, thus people cannot pursue their constitutional rights

IV. Prayer for Relief

Plaintiff asks the Court urgently to issue a restraining order to the Defendants to protect her from mandatory vaccination

Respectfully submitted,

Mary Maxwell, Pro se,

175 Loudon Rd, Apt 1, Concord NH 03301

E-mail address: MaxwellMaryLLb@gmail.com