

**In the Matter Of:**

**SOUTHWELL vs MCKEE**

PC2021-05915

---

**JAMES MCDONALD M.D.**

*July 07, 2022*

---



**ESQUIRE**  
DEPOSITION SOLUTIONS

800.211.DEPO (3376)  
[EsquireSolutions.com](http://EsquireSolutions.com)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF RHODE ISLAND  
PROVIDENCE, SC. SUPERIOR COURT  
RICHARD SOUTHWELL, et al.,  
Plaintiffs,  
vs. C.A. NO. PC2021-05915  
DANIEL J. MCKEE, et al.,  
Defendants.  
~~~~~

VIDEOTAPED WEB CONFERENCE DEPOSITION OF  
JAMES MCDONALD, M.D.

July 7, 2022  
1:08 p.m.

State of New York

Nancy S. Caron, RPR

APPEARANCES OF COUNSEL

On Behalf of the Plaintiffs, Richard Southwell, et al.:

Gregory P. Piccirilli, Esquire  
SCIACCA & PICCIRILLI  
148 Atwood Avenue, #302  
Cranston, RI 02920  
(401) 578-3340  
gregory@splawri.com

On Behalf of the Defendants, Daniel J. McKee, et al.:

Chrisanne Wyrzykowski, Esquire,  
Assistant Attorney General  
Etie-Lee Schaub, Esquire  
Assistant Attorney General  
RHODE ISLAND OFFICE OF ATTORNEY GENERAL  
150 South Main Street  
Providence, RI 02903  
(401) 274-4400  
cwyrzykowski@riag.ri.gov

ALSO PRESENT:

Eden Rucker, Videographer  
Richard Southwell  
Maddalena Cirignotta  
Laurie Gaddis Barrett  
Andy Bostom  
Tim Sanzi, Intern  
Ruth Coccio, Intern

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

INDEX TO EXAMINATION

WITNESS: JAMES MCDONALD, M.D.

| EXAMINATION       | PAGE |
|-------------------|------|
| By Mr. Piccirilli | 6    |

INDEX TO EXHIBITS

| PLAINTIFFS' DESCRIPTION                                        | PAGE |
|----------------------------------------------------------------|------|
| Exhibit 1 Notice of Supplemental Authority (6 pages)           | 9    |
| Exhibit 2 Letter dated 5/20/22 (1 page)                        | 11   |
| Exhibit 3 CDC Quarantine & Isolation (9 pages)                 | 18   |
| Exhibit 4 Executive Order 22-06 (4 pages)                      | 21   |
| Exhibit 5 Memo dated 5/19/22 (2 pages)                         | 31   |
| Exhibit 6 WPRI Article (3 pages)                               | 48   |
| Exhibit 7 Portion of Court Decision (2 pages)                  | 67   |
| Exhibit 8 Transcript Excerpt (1 page)                          | 74   |
| Exhibit 9 Providence Journal Article (1 page)                  | 75   |
| Exhibit 10 Executive Order 22-27 (2 pages)                     | 93   |
| Exhibit 11 Memo dated 6/10/22 (1 page)                         | 57   |
| Exhibit 12 WPRI Article (1 page)                               | 97   |
| Exhibit 13 Memorandum in Support of Protective Order (8 pages) | 109  |
| Exhibit 14A Tweet dated 6/15/22 (1 page)                       | 109  |
| Exhibit 14B Tweet dated 6/17/22 (1 page)                       | 109  |
| Exhibit 14C Tweet dated 6/17/22 (1 page)                       | 109  |

(Exhibits 1-14C attached to original transcript.)

1 VIDEOTAPED DEPOSITION OF JAMES MCDONALD, M.D.

2 July 7, 2022

3  
4 THE VIDEOGRAPHER: Good afternoon, everyone. We  
5 are now on the record. The time is now 1:08 p.m., on  
6 Thursday, July 7, 2022. This begins the videotaped  
7 deposition of James McDonald, M.D., taken in the matter  
8 of Richard Southwell, et al., v. Daniel J. McKee, et  
9 al., filed in the State of Rhode Island, Superior Court  
10 of Providence, Case Number of which is PC2021-05915.  
11 The videographer today is Eden Rucker. The court  
12 reporter today is Nancy Caron. We are both  
13 representing Esquire Deposition Solutions.

14 Counsel, will you please announce your name and  
15 whom you represent, after which the court reporter will  
16 swear in the witness.

17 MR. PICCIRILLI: Thank you. Attorney Gregory  
18 Piccirilli, for the Plaintiffs.

19 MS. WYRZYKOWSKI: Chrisanne Wyrzykowski, on  
20 behalf of the named Defendants.

21 MS. SCHAUB: Etie-Lee Schaub, on behalf of the  
22 named Defendants.

23 COURT REPORTER: I have a stipulation for remote  
24 proceedings that I will read into the record. My name  
25 is Nancy Caron; I am the stenographer today. For the

1 record, and to ensure a valid notary and certified  
2 court reporter is present at this proceeding, I am a  
3 Registered Professional Reporter, and a notary public  
4 in Rhode Island, and my notary number is 18102. I am  
5 going to read a stipulation for remote proceedings; and  
6 if at the end, the parties could agree:

7 It is hereby stipulated and agreed by all counsel  
8 present under the Rhode Island Supreme Court Executive  
9 Order regarding (COVID-19), that this Web-based remote  
10 proceeding is being conducted by parties in separate  
11 locations; that the oath shall be administered upon the  
12 witness providing a valid form of identification,  
13 unless otherwise stipulated; that this remote  
14 proceeding is being recorded by video and audio means  
15 with prior consent of all parties; that exhibits may be  
16 presented and marked by counsel and provided to all  
17 parties prior to or at the time of questioning  
18 regarding said exhibit. All parties shall bear their  
19 own costs for this proceeding unless otherwise agreed  
20 upon.

21 Do the parties agree?

22 MR. PICCIRILLI: Yes.

23 MS. WYRZYKOWSKI: Yes.

24 (Discussion off the record.)

25 MR. PICCIRILLI: I will stipulate that the

1 witness need not produce an ID; we all know who he is.  
2 Also, that you may swear him in, even though he is not  
3 in the State of Rhode Island.

4

5

JAMES MCDONALD, M.D.,

6

having been first duly sworn, testified as follows:

7

COURT REPORTER: If you could state your full  
8 name and your present location for the record.

9

THE WITNESS: My name is Dr. James McDonald, and  
10 I am located in the State of New York right now.

11

12

EXAMINATION

13

BY MR. PICCIRILLI:

14

MR. PICCIRILLI: Thank you, Nancy. Good  
15 afternoon, Dr. McDonald. Again, thank you for taking  
16 the time to be with us today.

17

Q. Doctor, you were most recently the Interim  
18 Director of the Rhode Island Department of Health; is  
19 that correct?

20

A. Yes.

21

Q. You were appointed on January 27th of this year;  
22 is that correct?

23

A. Yes.

24

Q. When was your last day of employment in that  
25 position?

1 A. June 25th, 2022, at midnight.

2 Q. Okay. Do you still consult with or work for the  
3 Department of Health in Rhode Island in any capacity?

4 A. Yes.

5 Q. What do you do for the Department of Health now?

6 A. I am the former Interim Director of the Rhode  
7 Island Department of Health.

8 Q. Right, but my question was: Do you still remain  
9 in some kind of employment capacity with the  
10 Department, and I thought you said yes.

11 A. Yes, I did say yes.

12 Q. So what do you do now; since you left as Interim  
13 Director on June 25th, what is your current role?

14 A. Well, I was on time off, paid time off; and my  
15 current role is being on paid time off, with the  
16 exception of addressing this deposition.

17 Q. Oh, I see. So your last day of work was  
18 June 25th, but you had some leave time, so you are  
19 still being paid by the Department; is that correct?

20 A. Yes.

21 Q. When does that end, approximately?

22 A. The end of this month.

23 Q. Okay. But between June 25th and the end of  
24 July, you have no duties with the Department, other  
25 than being available for this deposition; is that



1 correct?

2 A. That is correct.

3 Q. Okay. So you are not advising the Department or  
4 acting as a consultant or anything like that; correct?

5 A. That is correct.

6 Q. All right. Doctor, did you do anything to  
7 prepare for today's deposition?

8 A. I met with the attorneys, Chrisanne, Mike Field,  
9 and Etie Schaub.

10 Q. Did you review any documents in preparation for  
11 today's deposition?

12 A. No.

13 MR. PICCIRILLI: Okay. I am going to -- I have  
14 some Exhibits that I am going to be putting up on the  
15 screen that I am going to be referring to. I have sent  
16 those to the attorneys at the Attorney General's  
17 Office.

18 Q. Have you had an opportunity to review what I  
19 have sent them; have they forwarded them to you?

20 A. No.

21 Q. Okay.

22 MS. WYRZYKOWSKI: I just want the record to  
23 reflect that the Exhibits were received at 12:17. If  
24 you would like me to forward them to him, as opposed to  
25 do the shared screen, or a combo, let me know, and I

1 can --

2 MR. PICCIRILLI: Let's try the shared screen  
3 and, hopefully, that will be sufficient.

4 Q. Doctor, I don't know; have you done a video  
5 deposition before where you have had to look at  
6 documents on a shared screen?

7 A. Yes.

8 Q. So you are familiar with the process?

9 A. Yes.

10 Q. Okay. Very good. So, Doctor, after you were  
11 appointed Interim Director, were you aware that the  
12 Defendants in this case, your Department, as well as  
13 the Governor's Office, filed a motion to have the case  
14 dismissed as moot; are you aware of that?

15 A. No.

16 Q. You weren't aware of that on, at any time as  
17 Interim Director?

18 A. No.

19 Q. Okay. First document I would like to put up --  
20 okay, come on.

21 EXHIBIT 1 FOR THE PLAINTIFFS MARKED FOR  
22 IDENTIFICATION

23 (SCREEN SHARING)

24 Q. Doctor, can you see this document on the screen?

25 A. I can see it now.

1 Q. Okay. The document is the filing. If you look  
2 up on the top, left corner, it says, "May 11, 2022"; do  
3 you see that?

4 A. Yes.

5 Q. It's an -- I think my computer might be slowing  
6 down here; sorry. Let me know if you have any problems  
7 viewing this or hearing me; okay, Doctor?

8 A. Okay.

9 Q. So it says, "Defendants' Notice of Supplemental  
10 Authority," do you see where it's captioned that?

11 A. Yes.

12 Q. I am going to scroll down to the bottom of the  
13 first page. There is a statement made in this  
14 document, the very last sentence, going over from the  
15 first page to the second page, "Most notably, because a  
16 COVID-19 vaccine is now available for school children,  
17 it is at least unlikely -- if not impossible -- that a  
18 future state school mask requirement will be reimposed  
19 based upon the unavailability of a COVID-19 vaccine for  
20 school-age children." Do you see that statement?

21 A. Yes, I see the statement.

22 Q. Have you seen that statement before today?

23 A. No, I have not seen that statement before today.

24 Q. Okay. Do you agree with that statement?

25 A. Yes, I agree with that statement.

1 Q. Now, this statement was made on May 11; correct,  
2 as I have showed it to you? Do you understand that?

3 A. Yes, I understand that.

4 Q. We are, you know, almost two months past that;  
5 are you still in agreement that, as of today, that  
6 statement is correct?

7 A. Yes, as of today, I believe that statement is  
8 still correct.

9 MR. PICCIRILLI: Okay. We are done with that  
10 one, and let's go to the next Exhibit.

11 EXHIBIT 2 FOR THE PLAINTIFFS MARKED FOR  
12 IDENTIFICATION

13 (SCREEN SHARING)

14 Q. Okay. Doctor, I've put up on the screen another  
15 Exhibit. It looks like it's on official Department of  
16 Health letterhead, dated May 20, 2022; do you see that?

17 A. Yes, I see this.

18 Q. This letter or memo was sent -- again, I'm  
19 sorry; the computer is going slow here. So I'll scroll  
20 down to the bottom of the memo, and there is a  
21 signature, and it says, "James V. McDonald, MD, MPH";  
22 is that your signature?

23 A. Yes, it is my signature.

24 Q. You sent this memo on May 20th?

25 A. I don't know who sent the memo.

1 Q. Well, it's addressed to, "Dear, Rhode Island  
2 Pre-K to 12 Families"; did you draft this letter?

3 A. No, I did not draft this letter.

4 Q. Who drafted it?

5 A. I don't know who drafted the letter.

6 Q. But you signed it?

7 A. Yes.

8 Q. Did you read it before you signed it?

9 A. Yes.

10 Q. Okay. Did you agree with everything that's in  
11 the letter or memo before you signed it?

12 A. Yes.

13 Q. Okay. Did you know who this letter was going  
14 to?

15 A. I don't know who it's going to, other than what  
16 it says. I don't know the names of all of the Rhode  
17 Island Pre K-12 families, so I don't know those people.

18 Q. Why did you draft this letter, or had it drafted  
19 on your behalf?

20 A. It's an educational letter. It's a memo.

21 Q. Why did you draft it?

22 A. It was to remind people of the recommendations  
23 that we had during the pandemic, and how they have  
24 changed as we are in the endemic state. So it was  
25 reminding people about what the recommendations are.

1 Q. Okay. Did you have an understanding of how this  
2 was going to get out to all of the families of Pre-K to  
3 12 students in Rhode Island?

4 A. I don't know how things get distributed to  
5 families from the Department, no.

6 Q. Well, it was your intention to have this memo go  
7 to every family in the State of Rhode Island that has  
8 Pre-K to 12 students; right?

9 A. Yes.

10 Q. Okay. So it was your expectation that somehow  
11 this memo would be sent through to some people who  
12 would then, ultimately, be able to forward it to all  
13 families in Rhode Island; correct?

14 A. Yes.

15 Q. So, you know, not to be cute about it, quite  
16 frankly, the way I got it, a school administrator, a  
17 principal in a public school, forwarded this to all of  
18 the e-mail addresses of all of the families in her  
19 school. So, presumably, she got the e-mail somehow  
20 from the Department of Health, sent to the school  
21 administrator, who then sent it to the families; does  
22 that make sense to you?

23 MS. WYRZYKOWSKI: Objection, compound question.  
24 Go ahead. Please answer, Doctor. I'm sorry.

25 A. Yes, it's a public document. I just don't know

1 how it gets distributed.

2 Q. Well, are you aware that one way to get  
3 information to parents of school children is to use the  
4 local school's e-mail server?

5 A. It's a possibility. I don't really get involved  
6 with how documents get distributed from my Department  
7 to anyone. That's done through different people.

8 Q. Okay. But you wanted this to get to every  
9 parent in Rhode Island of school-age children?

10 A. Yes.

11 Q. Okay. You drafted this on May 20th; correct,  
12 Doctor?

13 MS. WYRZYKOWSKI: Objection.

14 A. Yes.

15 MS. WYRZYKOWSKI: The Doctor testified that he  
16 did not draft it.

17 Q. Now, Doctor, your testimony was that the intent  
18 of this was to remind people of recommendations. Do  
19 you see the word recommendation in this memo at all?

20 A. Yes, I do.

21 Q. Where?

22 A. If you look at the -- one, two, three, four --  
23 fifth bullet, it says, "The CDC recommends an isolation  
24 period of at least 10, up to 20 days, for people who  
25 were severely ill with COVID-19 and for people with

1 weakened immune systems." I can't see the rest of the  
2 memo, so I don't know if it appears otherwise.

3 Q. Let's go back to the first sentence. It says,  
4 "We are writing to remind you of the Centers For  
5 Disease Control and Prevention's (CDC) isolation  
6 protocol for those who test positive for COVID-19."  
7 Now, by we, are you referring to the Rhode Island  
8 Department of Health?

9 A. Yes.

10 Q. Okay. It says the word protocol, not  
11 recommendation; correct?

12 A. Yes.

13 Q. Why did you use the word protocol?

14 A. Because this is a protocol.

15 Q. What is your definition of a protocol?

16 A. It's generally a path of how to do something.

17 Q. Would it be fair to say that you wanted people  
18 to think that was a requirement, not a recommendation?

19 A. No.

20 Q. So you intended parents to read the word  
21 protocol to mean this is recommended, but not required?

22 A. No.

23 Q. No, you did not -- I'm sorry. Did you want the  
24 parents to interpret the word protocol to mean  
25 recommended?



1 A. No. I wanted parents to understand the word  
2 protocol to mean protocol.

3 Q. Did you expect them to read that to mean  
4 required?

5 MS. WYRZYKOWSKI: Objection, asked and answered.  
6 Go ahead, Doctor.

7 A. No, I did not expect people to read it to mean  
8 required.

9 Q. Well, is protocol something that is recommended  
10 or required?

11 A. Well, the answer to that is it depends on what  
12 the situation you are talking about is.

13 Q. Okay. Let's go down to the first bullet point.  
14 "Anyone who tests positive for COVID-19, even if they  
15 are vaccinated, must stay home and isolate for at least  
16 five days"; correct? Is that what it says?

17 A. Yes, that's what it says.

18 Q. Do you see the word must there?

19 A. Yes, I see the word must.

20 Q. Must means required; right?

21 A. Yes.

22 Q. So your intent with this letter is to tell  
23 parents that they are required to do something?

24 A. Our intent --

25 Q. Right; is that correct?

1           A. Our intent with this letter was to do what it  
2 says in the opening sentence, which was remind people  
3 of the Centers For Disease Control and Prevention's  
4 isolation protocol for those who test positive for  
5 COVID-19.

6           Q. By the way, Doctor, the CDC's isolation  
7 protocol, they don't call it a protocol, they call it  
8 recommendations; correct?

9           A. I don't have the document in front of me.

10          Q. Okay; we will get there. But getting back to  
11 the word must, so you agree with me that you are  
12 telling parents they must do something, it's required;  
13 correct?

14          A. No, we are not saying that. What we are saying  
15 is, you have to look at the first sentence of the memo,  
16 and that these are the isolation protocol. It was  
17 standard public health practice across the United  
18 States of America that, since December of 2021, that  
19 people isolate for five days. You know, we have  
20 changed from that point. We are just reminding people  
21 about this requirement, recommendation, call it what  
22 you will, but we are trying to remind people what the  
23 Centers For Disease Control and Prevention had changed  
24 across the country.

25          Q. Doctor, the CDC doesn't issue mandates for

1 isolation; correct?

2 A. Yes; that is correct.

3 Q. The State of Rhode Island would be the entity,  
4 either through the Department of Health, or the  
5 Governor through an executive order, that could mandate  
6 someone stay home and isolate; correct?

7 A. Yes.

8 Q. In fact, there was an Executive Order mandating  
9 isolation under certain circumstances that was in  
10 existence back earlier this year; correct?

11 A. That's too vague for me to answer.

12 MR. PICCIRILLI: Let me do this; I am going to  
13 add another document here. Bear with me.

14 EXHIBIT 3 FOR THE PLAINTIFFS MARKED FOR  
15 IDENTIFICATION

16 (SCREEN SHARING)

17 MS. WYRZYKOWSKI: Gregg, I am still in the room;  
18 I am just going to get up for a second.

19 MR. PICCIRILLI: Yup.

20 MS. WYRZYKOWSKI: Gregg, don't talk. Hold on.  
21 Something bad just happened. Did I just log out? I  
22 think you are still there. Are you still here? Gregg,  
23 can you hear us?

24 MR. PICCIRILLI: I can hear you. I don't know  
25 if I can see you.

1 MS. WYRZYKOWSKI: I don't know what happened.  
2 Hold on. Okay; we are back. Got it. It must have  
3 been when you were uploading the document. We are good  
4 now.

5 MR. PICCIRILLI: Okay.

6 MS. WYRZYKOWSKI: Sorry about that.

7 Q. I'm not sure, Doctor, everyone, can you see the  
8 next Exhibit 3, CDC Quarantine and Isolation?

9 A. I can see this document.

10 Q. All right. So is this the document -- this is  
11 updated March 30, 2022 -- is this the document that you  
12 relied upon for writing your May 20, 2022, memorandum?

13 A. I don't know if this is the document that was  
14 relied upon.

15 Q. All right. Let me let you scroll through it a  
16 little bit. Tell me if I am going too fast. Does this  
17 look familiar to you?

18 A. Yes, this document does look familiar to me.

19 Q. It talks about quarantining, when you should  
20 quarantine, what a quarantine is, why you should  
21 quarantine, what to do for quarantine, after  
22 quarantine; talks about isolation, how that's different  
23 from quarantine. Again, is this the document you  
24 relied upon in drafting your May 20 memo?

25 A. I mean, this looks like the same content that we

1 would have used. I don't know if we, actually, looked  
2 at this particular document, but this is the content.

3 Q. All right. I will go back up to the beginning,  
4 I mean, it mirrors the recommendations, or the  
5 statements you make in your memo about staying home for  
6 at least five full days, wearing a well-fitting mask,  
7 things like that; right?

8 A. In late December, 2021, the Centers For Disease  
9 Control changed isolation from ten days to five days,  
10 and then day six through ten wearing a well-fitting  
11 mask. So that was the new standard, public health  
12 practice for the whole country. The content that is in  
13 the document you are showing us here, Exhibit 3, which  
14 is dated March 30, 2022, reflects the same content, I  
15 recall, from December, 2021.

16 Q. Okay. Again, this doesn't, nowhere in this  
17 document does it say this is mandated; correct?

18 MS. WYRZYKOWSKI: Objection. Doctor, please  
19 hold on so I can get my objection on the record.  
20 Objection, the Doctor stated he has not reviewed the  
21 Exhibit in its entirety. We did not receive it until  
22 12:17 today. Doctor, if you can answer, please go  
23 ahead.

24 A. I can't see every word of the document, so I  
25 don't know if the word mandated is in it.

1 MR. PICCIRILLI: Okay. Fair enough. Let me go  
2 to the next document, Exhibit 4. Okay; come on. All  
3 right.

4 EXHIBIT 4 FOR THE PLAINTIFFS MARKED FOR  
5 IDENTIFICATION

6 (SCREEN SHARING)

7 Q. Exhibit 4, this is an Executive Order, 22-06,  
8 dated January 19, 2022. Can you see this document,  
9 Doctor?

10 A. Yes, I can see this document.

11 Q. I am just going to scroll through it. Do you  
12 recognize this document?

13 A. Yes.

14 Q. All right. If we scroll down to paragraph five,  
15 you see where it talks about a student or staff member  
16 in preschool who tests positive for COVID-19, or is in  
17 close contact with a person who tested positive, must  
18 comply with the isolation or quarantine requirements,  
19 as applicable, including any Monitor to Stay Quarantine  
20 Program, regarding the duration of the isolation or  
21 quarantine period, as well as the post-isolation or  
22 post-quarantine masking requirements, in accordance  
23 with RIDOH's Guidance for COVID-19 outbreak response  
24 for Pre K-12 schools, and it has a link?

25 A. Yes, I see that.

1 Q. Back in January of 2022, this was a mandate of  
2 the Governor through an Executive Order; correct?

3 A. Yes.

4 Q. Then, ultimately, this was renewed in February,  
5 but it was allowed to expire in March of 2022; is that  
6 correct?

7 A. Yes, my understanding is it was lifted March 4,  
8 2022.

9 Q. So there is no longer a Governor's executive  
10 order mandating masking requirements under any RIDOH  
11 guidance; correct?

12 MS. WYRZYKOWSKI: Objection, time frame, please,  
13 Gregg?

14 Q. Doctor?

15 A. I am asking for the same question that Attorney  
16 Wyrzykowski asked; what is the time frame you are  
17 referring to?

18 Q. Sure. Since this Executive Order expired, there  
19 is no longer a masking requirement by a Governor's  
20 executive order for post isolation or post quarantine  
21 in accordance with RIDOH's guidance; correct?

22 A. Can you repeat that, please? I lost a little  
23 bit of it.

24 Q. Sure. This requirement in paragraph five  
25 expired in March of this year; correct?

1 A. Yes.

2 Q. Since then, since March of this year, there is  
3 no further Governor's executive order that mandates  
4 this; correct, what is in paragraph five?

5 A. Yes; that is correct.

6 Q. Okay. Is there any Rhode Island Department of  
7 Health mandate, either through regulation or some other  
8 document, that mandates masking under these guidelines?

9 MS. WYRZYKOWSKI: I'm sorry. Somebody is not  
10 muted; I am hearing a lot of background noise.

11 MR. PICCIRILLI: Anybody who is joining, you  
12 must mute and keep your video off.

13 MS. WYRZYKOWSKI: Sorry to interrupt you, Gregg.  
14 Go ahead. I apologize.

15 MR. PICCIRILLI: No, thank you for bringing that  
16 up.

17 Q. Okay. Doctor, again, since March of 2022, when  
18 this Executive Order expired, there is no Department of  
19 Health regulation which mandates the wearing of masks  
20 post isolation or post quarantine; correct?

21 A. Yes; that is correct.

22 Q. In fact, there is no Department of Health  
23 regulation mandating masks at all since March of 2022;  
24 correct?

25 A. Yes; that is correct.



1 Q. Okay. Going back to your memo, Exhibit 2, when  
2 you wrote the words, "Anyone who tests positive for  
3 COVID-19 must stay home," under what legal authority  
4 did you assert that that is a requirement, that people  
5 stay home?

6 MS. WYRZYKOWSKI: Objection. Question calls for  
7 a legal opinion, which the Doctor is not an attorney.  
8 Doctor, if you are able to answer that question,  
9 please, go ahead.

10 A. Yeah, I don't agree that this is a requirement.  
11 What this reflects is the standard public health  
12 practice across the United States issued by the Centers  
13 For Disease Control and Prevention. It's very  
14 consistent with the Exhibit 3 that you showed. These  
15 are the same concepts that have been discussed since  
16 late December of 2021 about isolation; but there  
17 doesn't -- there is no enforcement authority of this  
18 memo. It's simply a memo. There is no way to enforce  
19 it.

20 Q. Well, if I am an administrator in a school, and  
21 I get this memo, and I am told to send this to parents;  
22 and a parent says, well, I am not going to follow this,  
23 would you expect the administrator to tell the parent,  
24 well, then your child can't come to school?

25 MS. WYRZYKOWSKI: Objection, calls for

1 hypothetical. Doctor, go ahead if you can.

2 A. You know, I am not here to answer how school  
3 administrators would interpret. It's up to a school  
4 administrator to interpret how they interpret things.

5 Q. So a school administrator reading the word must  
6 would -- you would expect them to interpret that to  
7 mean they have to do this; and if they don't, they  
8 can't come back to school?

9 MS. WYRZYKOWSKI: Objection, same as the last.  
10 Doctor, go ahead.

11 A. Yeah, I have already said this is a memo. It's  
12 reflecting what was stated as a nationally accepted  
13 standard of public health practice from the Centers For  
14 Disease Control and Prevention. I think that most  
15 school administrators recognize that the Centers For  
16 Disease Control and Prevention is the nation's leading  
17 public health authority. I think they would give  
18 credible weight to what it says there; but how they  
19 actually implement this is really up to the school  
20 administrator.

21 Q. Let's go down to the third bullet where it  
22 actually talks about wearing a mask. It says, "On days  
23 six to ten of their isolation period, they," I am  
24 assuming means students, "must wear a well-fitting  
25 mask"; is that correct?

1 A. It's correct; that's what the statement says.

2 Q. Okay. Again, you have used the word must there;  
3 correct?

4 A. Yes, the word must is there.

5 Q. Then in the next bullet it says, "If students or  
6 staff are unable to wear a mask at school, they must  
7 stay at home for the full ten days following the  
8 positive test"; do you see that?

9 A. Yes, I see that statement.

10 Q. So you are telling parents, through school  
11 administrators, that they either must wear a mask; and  
12 if they can't, they must stay home; correct?

13 A. No. What I said was we are reminding parents of  
14 the Centers For Disease Control and Prevention, the  
15 nation's leading public health authority, on the  
16 isolation protocol for people that test positive for  
17 COVID-19. It's not an enforceable document from the  
18 Department of Health.

19 Q. You were just trying to mislead parents when you  
20 used the word must?

21 MS. WYRZYKOWSKI: Objection, argumentative.  
22 Doctor, go ahead if you can.

23 A. No. The Rhode Island Department of Health was  
24 not trying to mislead parents.

25 Q. Were you trying to trick them into thinking they

1 must do something, even though you had no legal  
2 authority to tell them they must do it?

3 MS. WYRZYKOWSKI: Objection, same, and compound.  
4 Go ahead, Doctor.

5 A. No. The intent of the memo is clearly stated in  
6 the first sentence. We are reminding people of the  
7 Centers For Disease Control and Prevention's isolation  
8 protocol for those that test positive for COVID-19.  
9 There is no attempt to trick or deceive or coerce  
10 anyone. It's simply just telling people what was the  
11 national standard. I think we would all agree over  
12 these last two-and-a-half years there is a lot of  
13 information for parents to process, a lot of  
14 information for parents to understand. One of the  
15 functions of the Rhode Island Department of Health is  
16 to educate the public, especially Rhode Islanders,  
17 about our national standards. That's all this memo is  
18 intending to do. It's not an enforceable document;  
19 it's simply a memo.

20 Q. Well, Doctor, you would agree with me that  
21 giving clear, understandable advice to the public is an  
22 important function of public health officials during a  
23 pandemic or an epidemic such as COVID; correct?

24 A. Yes, I agree.

25 Q. It's important to be straightforward with

1 people, not to mislead them about public health issues;  
2 correct?

3 A. Yes.

4 Q. Okay. So explain to me how it is  
5 straightforward and clear to a parent who is reading  
6 this memo that what they are being asked to do is a  
7 recommendation, it's not a mandate, because it seems to  
8 me any average parent reading this is going to read  
9 this to say, I must do this under some penalty if I  
10 don't?

11 MS. WYRZYKOWSKI: Objection, form, calls for  
12 hypothetical, compound. Doctor, go ahead if you can.

13 A. I think the intent of the memo is really clear,  
14 it's in the first sentence, rather than repeat that  
15 again. I think it's very straightforward. This is not  
16 new information. This is the same information people  
17 have been hearing for quite some time. What we simply  
18 tried to do is put it in one place, because, quite  
19 frankly, people were getting a lot of information, and  
20 make sure people knew what was the new recommendations  
21 from the Centers For Disease Control. I don't think  
22 it's confusing, I don't think it's coercive, and I  
23 don't think there's anything that's unusual about it.  
24 I think it's just reiterating the same content you  
25 showed in Exhibit 3 from the Centers For Disease

1 Control and Prevention.

2 Q. I think you just said, to make sure people do  
3 what they must do; is that what you just said?

4 A. Maybe the court reporter can read back what I  
5 just said.

6 Q. You don't recall what you just said?

7 A. I simply asked if the court reporter would be  
8 willing to read it back.

9 Q. Doctor, this is my deposition, not yours.

10 A. I understand.

11 Q. Let's move on, Doctor. So it is your testimony  
12 that a parent of average, you know, understanding and  
13 awareness, reading this memo, would understand that  
14 even though you say the word must, it really means  
15 recommended, you don't have to; is that your testimony?

16 MS. WYRZYKOWSKI: Objection, same as the last.  
17 Go ahead, Doctor.

18 A. Yes, it's clearly recommendations. There is  
19 nothing enforceable about this. It's simply a memo.  
20 It's not a rule. It's not a regulation. It's not a  
21 law. It's not an executive order.

22 Q. By the way, if you read -- on this page, I see  
23 the word must four times; do you see that?

24 A. I am looking at the memo right now to identify  
25 all of the times the word must is there. I see in the

1 first bullet, and then I am looking to see where it is  
2 again. It looks like it's in the third bullet. Looks  
3 like it's in the fourth bullet, and it's in the sixth  
4 bullet.

5 Q. Right. So you use the word must four times in  
6 this memo; correct?

7 A. At least in the part I can see. I don't know if  
8 it's used below where the screen is.

9 Q. That's it. There is nothing further. There is  
10 nothing further after that. So you used the word must  
11 four times, and it is still your testimony that what  
12 you intended to convey to parents was that this was  
13 recommended, not mandated?

14 MS. WYRZYKOWSKI: Objection, same. Go ahead,  
15 Doctor.

16 A. Yeah, as I said before, if you read the top  
17 sentence, we are simply reiterating what has been  
18 advanced by the Centers For Disease Control and  
19 Prevention. It's not a rule; it's not a regulation;  
20 it's not a law; it's not an executive order. It's  
21 simply a memo. It's simply not enforceable. This is  
22 reflecting upon people what is the nationally accepted  
23 public health practice.

24 Q. Okay. I am going to move on here. I will put  
25 up Exhibit 5.

1 EXHIBIT 5 FOR THE PLAINTIFFS MARKED FOR  
2 IDENTIFICATION

3 (SCREEN SHARING)

4 Q. Doctor, can you see this document? It says,  
5 "Memo," and it's dated May 19, 2022?

6 A. Yes, I see this memo dated May 19, 2022.

7 Q. Okay. Again, I will scroll through for your  
8 benefit. Let me know, have you seen this document  
9 before?

10 A. Yes, I have seen this document.

11 Q. Okay. It's two pages.

12 MS. WYRZYKOWSKI: Gregg, while the Doctor takes  
13 a look at that real quick, I have been advised that I  
14 am to object to the questions with respect to the  
15 May 19 memo as outside the scope. Can I have a  
16 standing objection with respect to this line of  
17 questioning, as opposed to doing it each time?

18 MR. PICCIRILLI: I prefer that.

19 MS. WYRZYKOWSKI: Okay. Just with respect to  
20 this memo. Thank you.

21 MR. PICCIRILLI: Okay. I appreciate that you  
22 don't do it every time.

23 Q. So, again, Doctor, this memo, as you see on the  
24 top, there is no signature, no one that says who from  
25 the Department of Health sent this memo; correct?



1 A. That is correct.

2 Q. If you scroll down to the bottom, again, there  
3 is no signature; correct?

4 A. That is correct.

5 Q. In fact, it does, at the bottom, if you have a  
6 question, you have to contact this generic e-mail  
7 address, RIDOH.COVIDK12Questions@health.ri.gov.

8 A. That's exactly what it says, yes.

9 Q. Do you know who monitors that e-mail address?

10 A. I do not know the names of the individuals that  
11 monitor that e-mail address.

12 Q. Do you know what department they work in?

13 A. They work at the Rhode Island Department of  
14 Health.

15 Q. Is there some special section of that Department  
16 that they work in, Communications, something?

17 A. Yes, there is a special section.

18 Q. What is that section?

19 A. It's the COVID section.

20 Q. The COVID section. Who is the head of the COVID  
21 section?

22 A. Right now, or at a different time?

23 Q. On May 19 of this year.

24 A. At that time, it would have been Kristine  
25 Campagna.

1 Q. Kristine Campagna. What is Kristine Campagna's  
2 position?

3 A. Right now, or then?

4 Q. On May 19.

5 A. She was the head of the COVID unit.

6 Q. Is it just called the COVID unit, or is there  
7 some other official name?

8 A. There might be another official name. I am just  
9 used to calling it the COVID unit.

10 Q. Okay. So is she the director of the COVID unit?

11 A. She was the head of it. I don't know what her  
12 official title was.

13 Q. Are there -- who else is in this COVID unit?

14 A. When are you referring to, what time frame?

15 Q. I'm sorry. Again, May 19.

16 A. At that time there was probably close to 3, 400  
17 people in the COVID unit, so I don't know all their  
18 names. I didn't meet everybody.

19 Q. I've got you. All right. Do you know who  
20 drafted this memo?

21 A. No, I don't know who drafted the memo.

22 Q. Were you aware that this memo went out on  
23 May 19, 2022?

24 A. Yes.

25 Q. How did you become aware of that?

1 A. I don't remember.

2 Q. Did someone have to present it to you for your  
3 approval before it went out?

4 A. No.

5 Q. So this Kristine Campagna had the authority to  
6 send this memo, or have her department send this out  
7 without running it by you first?

8 A. I don't know who is the one who approved it.

9 Q. Okay. Well, when did you become aware that this  
10 memo went out?

11 A. I don't exactly remember.

12 Q. Was it before or after May 19?

13 A. It was after May 19.

14 Q. How did you become aware of it?

15 A. It was part of this new line of litigation.

16 Q. So the first time you heard about it was when  
17 litigation started, or some legal filing that I made on  
18 behalf of the Plaintiffs, that's the first time you  
19 heard of it?

20 A. Yes. I mean, I was aware of the concept of the  
21 memo, and aware that we were communicating. You asked  
22 if I had, actually, seen the final memo; and the answer  
23 was, no, I had not.

24 Q. Okay. Since you became aware of it, did you  
25 inquire as to who in the Department of Health authored

1 this memo?

2 A. No.

3 Q. Do you know now who authored it?

4 A. No.

5 Q. I was told by an attorney at the Attorney  
6 General's Office that they communicated with Bruce  
7 Tedesco about this memo; do you know who Bruce Tedesco  
8 is?

9 A. Yes.

10 Q. Who is he?

11 A. Right now?

12 Q. Back on May 19th.

13 A. May 19th, he was one of the attorneys that  
14 worked with the Department of Health, that had many  
15 responsibilities.

16 Q. I was told that Bruce Tedesco was looking into  
17 who drafted this memo, and I was told that it was a  
18 collaboration of four different people; did you know  
19 that?

20 A. I didn't know that.

21 Q. So you don't know who these four people might  
22 be?

23 A. No.

24 Q. I was also told that I was going to get this  
25 information from the attorneys at the Attorney

1 General's Office, but then they changed their mind, and  
2 refused to tell me who these four people are; are you  
3 aware of that?

4 A. No.

5 Q. Do you think I have a right to know who wrote  
6 this memo?

7 MS. WYRZYKOWSKI: Objection, argumentative. Go  
8 ahead, Doctor.

9 A. You know, I really don't think you have a right  
10 to know who wrote the memo.

11 Q. Why not?

12 A. Because, ultimately, I am responsible for what  
13 comes out of the Department of Health during this time,  
14 because I was the Director. So I am the one who is  
15 responsible for the content. I am the leader; I accept  
16 leadership responsibility. People who work for the  
17 Department are aligned with my leadership principle.  
18 Everything in this memo comports with the leadership  
19 concepts I have talked about. The content that's in  
20 the memo simply reflects what we knew, as far as the  
21 Centers For Disease Control and Prevention, because the  
22 Centers For Disease Control and Prevention changed  
23 their guidance in the end of March, 2022, and this memo  
24 just simply refreshes that with people. So I think  
25 it's a very helpful memo. It's just meant to remind

1 people of how we are approaching, and that's what is in  
2 the subject. In other words, mitigation strategies for  
3 high COVID-19 community level, this is just an  
4 educational document meant to be helpful and to be  
5 informative, and I think it is. So I think who  
6 actually wrote it, really, quite frankly, isn't that  
7 critical for you to know.

8 Q. As part of this, the new round of litigation,  
9 you are aware that the City of Providence reinstated  
10 a mask mandate shortly after this memo came out;  
11 correct?

12 A. I learned about it through the media, that the  
13 City of Providence did this.

14 Q. Okay. You are aware that that prompted a new  
15 round of litigation, we were going to have a hearing on  
16 a temporary restraining order, you were going to have  
17 to testify at that hearing, but then that hearing got  
18 canceled; you are aware of all of that?

19 A. I am really not aware of all of that. It's the  
20 attorneys who have handled much of this, so I, quite  
21 frankly, wasn't aware there was new litigation. I  
22 wasn't aware that I was going to have to testify.

23 Q. Okay. As part of that new round of litigation,  
24 I was in communication with an attorney from the Rhode  
25 Island Department of Health, a gentleman by the name of

1 Anthony Cottone; do you know who Anthony Cottone is?

2 MS. WYRZYKOWSKI: Gregg, it's not Department of  
3 Health. I think you mean RIDE.

4 MR. PICCIRILLI: I'm sorry. Department of  
5 Education, Rhode Island Department of Education.

6 Q. He is a lawyer for the Rhode Island Department  
7 of Education; do you know who he is, Anthony Cottone?

8 A. I do not know who Anthony Cottone is. I cannot  
9 verify that he is an attorney, and I cannot verify that  
10 he works for the Rhode Island Department of Education.

11 Q. Fair enough. I was told by Attorney Cottone  
12 that there is a K to 12 working group, which includes  
13 the Rhode Island Department of Ed.'s Deputy  
14 Commissioner, Kelvin Roldan, and Associate Chief of  
15 Staff, Maureen Dizon, that meets at least once a week,  
16 and includes representatives of both RIDOH, as well as  
17 the Governor's Office. Are you aware of this K to 12  
18 working group that meets between the Department of Ed.,  
19 Department of Health, and the Governor's Office once a  
20 week?

21 A. No, I am not aware of the frequency of their  
22 meetings. It's possible it's true. I have no reason  
23 to doubt it; but, no, I don't really know. I am not  
24 that granular at the department level. As Interim  
25 Director, I really wasn't that granular about who was

1 meeting with who and how often.

2 Q. Doctor, you testified that the buck stops with  
3 you; right?

4 A. It does, but I don't micromanage. So if you are  
5 telling me that the people at the Department of Health  
6 met with the Governor's Office and Department of  
7 Education, I have no reason to doubt it; but I am not  
8 aware of these meetings, no.

9 Q. Do you happen to know who the Deputy  
10 Commissioner is, Kelvin Roldan?

11 A. No, I don't know who this person is, and I can't  
12 verify their title or their place of employment.

13 Q. So you are not aware of anything having to do  
14 with the K to 12 working group that involves the  
15 Department of Health employees?

16 A. You know, I don't really micromanage at the  
17 Department. If you are telling me people met, they may  
18 have met. I just don't know how frequently they did  
19 it, or what. It sounds like something legit, sounds  
20 like something that happened. I am not that granular;  
21 I don't micromanage. I don't know.

22 Q. Doctor, I am trying to be very specific. Are  
23 you aware of a K to 12 working group?

24 A. So I know inside the Rhode Island Department of  
25 Health there was a K through 12 working group. I just



1 don't know who they met with, or how often they met.

2 Q. Who was in this K to 12 working group in the  
3 Department of Health?

4 A. I don't know.

5 Q. Was Jamie Comella one of the people involved in  
6 this K to 12 working group?

7 A. Jamie Comella does work for the Rhode Island  
8 Department of Health; and she was involved with K-12,  
9 so she certainly could have been involved with the  
10 working group.

11 Q. Back on May 19, what was Jamie Comella's  
12 position with the Department of Health?

13 A. I don't know what Jamie Comella's position was.

14 Q. Do you know who she is; I mean, have you met  
15 with her?

16 A. I have known Jamie Comella very well. Met her  
17 numerous times. Just don't know the official title of  
18 her position.

19 Q. If I told you her title, as related to me, is  
20 Director of Epidemiological Operations at the RIDOH'S  
21 COVID-19 Unit, does that refresh your recollection as  
22 to what her title might be?

23 A. It's possible that is her title. I just don't  
24 know what her title is.

25 Q. I was also told by Attorney Cottone that it was

1 Jamie Comella who was most responsible for  
2 communicating to RIDE about this May 19 memo; were you  
3 aware of that?

4 A. No, I am not aware of that. It doesn't surprise  
5 me. It could very well be true.

6 Q. So today is the first time that you have heard  
7 that?

8 A. I really don't know who authored the memo, as I  
9 said previously.

10 Q. That's not the question I asked, Doctor. I  
11 said, I was told that Jamie Comella is the person most  
12 responsible for communicating to RIDE about this May 19  
13 memo. I am asking you: Did you know that on May 19?

14 A. No, I did not know that on May 19.

15 Q. When is the first time you learned that since  
16 May 19?

17 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
18 Doctor.

19 A. You just said it a few minutes ago. As I said  
20 before, I really didn't know who wrote the memo.

21 Q. So before I just said it to you right now, you  
22 did not know whether or not Jamie Comella was the  
23 person most responsible for communicating to RIDE about  
24 this memo?

25 A. That is correct. I mean, I am assuming what you

1 are telling me is true; but, no, I didn't know.

2 Q. All right. Well, you don't have any reason to  
3 doubt that an attorney, the head attorney for the  
4 Department of Education, would tell me something that's  
5 not true?

6 A. I have no reason to believe that he wouldn't be  
7 saying something that is true.

8 Q. He also wrote to me that this memo, this May  
9 19th memo, should be interpreted as recommending that  
10 school districts located in high-tier communities  
11 mandate the wearing of face masks while in school.

12 MS. WYRZYKOWSKI: Gregg, is there a way to  
13 identify when this was? Is this something that we were  
14 copied on? I am trying to get a time frame here, and  
15 if I knew about it.

16 MR. PICCIRILLI: It's in my memo to the Court  
17 demanding this deposition that you objected to.

18 MS. WYRZYKOWSKI: Okay. So it's that  
19 attachment. Thank you. Just wanted to clarify.  
20 Didn't have it in front of me.

21 MR. PICCIRILLI: I quoted the e-mail verbatim in  
22 at least one of my legal filings in the last couple of  
23 weeks.

24 MS. WYRZYKOWSKI: Thank you. Just didn't recall  
25 it. Thank you.

1 Q. Let's get back to it again. Doctor, I was told  
2 by Mr. Cottone, Anthony Cottone, the attorney for RIDE,  
3 that Ms. Comella stated to RIDE that this memo, this  
4 May 19 memo, should be interpreted as recommending that  
5 school districts located in high-tier communities  
6 mandate the wearing of face masks while in school.  
7 Were you aware of that on May 19, that Ms. Comella was  
8 telling RIDE that statement?

9 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
10 Doctor.

11 A. No, I have no way to verify the veracity of your  
12 statement.

13 Q. Would it be within Ms. Comella's power to  
14 communicate to RIDE that school districts should be  
15 mandating masks?

16 A. No.

17 Q. So she would have to get the approval of someone  
18 else in the Department of Health to make that statement  
19 to someone at RIDE?

20 A. Yes.

21 Q. Would that person be you?

22 A. This is -- it would have to be me. It would  
23 have to be more than me, quite frankly. If we are  
24 going to mandate something, it would have to be a  
25 regulation, so it would have to be done through the

1 Director of Health and the Governor's Office. So I,  
2 alone, don't have that authority.

3 Q. Just to be clear, she is not saying that the  
4 Department of Health will be mandating masks. What I  
5 have been told is that she was telling school districts  
6 that they should mandate masks; do you understand the  
7 difference?

8 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
9 Doctor.

10 A. I am -- I really don't understand the difference  
11 because, quite frankly, this is a memo. There is  
12 nothing in this memo that looks like it's a  
13 requirement. So, quite frankly, I'm not sure how to  
14 respond to what you are suggesting here.

15 Q. Well, let's look at this memo, and let's look at  
16 the first bullet point -- and, actually, the sentence  
17 right before it. It says, "In line with CDC  
18 recommendations, as outlined in the Pre-K to 12  
19 Outbreak Response Playbook, RIDOH recommends that  
20 schools in counties in CDC's 'high' tier take the  
21 following mitigation steps," and the first one is,  
22 "Implement universal indoor masking policies." Do you  
23 see that?

24 A. Yes, I see the statement you just referred to.

25 Q. Again, a person of average intelligence reading

1 that -- I would read that to say implement a mask  
2 mandate, would you say -- would you agree with that?

3 MS. WYRZYKOWSKI: Objection, form, calls for  
4 speculation. Go ahead, Doctor.

5 A. No, I don't interpret it the same way you  
6 interpreted it. It's clear, very clear.

7 Q. What is clear about it? What is a universal  
8 indoor masking policy?

9 A. It's the sentence before it that's clear.

10 Q. Doctor, what is a universal indoor masking  
11 policy?

12 MS. WYRZYKOWSKI: Gregg, Gregg, you just cut  
13 out. Can you please restate that question, or have the  
14 steno read it back. You completely cut out on our end.

15 MR. PICCIRILLI: I will start again. I may have  
16 been talking over the Doctor. I apologize if I was.  
17 Let me start again.

18 Q. How do you define universal indoor masking  
19 policy?

20 A. So the sentence above it is clear, it says, "In  
21 line with CDC recommendations, as outlined in the Pre-K  
22 to 12 Outbreak Response Playbook, RIDOH recommends that  
23 schools in counties in CDC's 'high' tier take the  
24 following mitigation steps: Implement universal indoor  
25 masking policies," is what it says. This is simply

1 reiterating what the Centers For Disease Control came  
2 out with at the end of March of 2022. The CDC came out  
3 with community levels, it's referenced in the hyperlink  
4 in the two paragraphs above. These are clearly  
5 recommendations. I don't see anything here that looks  
6 like the word mandate or anything that says the word  
7 requirement here. So it's simply recommendations.

8 Q. So if the Providence School Department, and the  
9 Commissioner of Education who is running the Providence  
10 School Department, interpreted universal indoor masking  
11 policy to mean mask mandates, they would be wrong?

12 MS. WYRZYKOWSKI: Objection, compound, calls for  
13 speculation. Doctor, go ahead.

14 A. I don't know how -- you know, schools require a  
15 lot of things, and schools interpret our guidance  
16 through the lens of how they see the school district  
17 they have there. So a school superintendent can  
18 interpret our guidance and decide how to implement it  
19 as best they see fit. That's up to the school  
20 administrator. It's not up to us.

21 Q. I will ask the question again, Doctor: The  
22 Superintendent of Schools in Providence, and the  
23 Commissioner of Education who runs the Providence  
24 School Department, if they interpreted universal indoor  
25 masking policies to mean mask mandate, would they be

1 right, or would they be wrong?

2 MS. WYRZYKOWSKI: Objection, form, calls for  
3 speculation. Doctor, go ahead.

4 A. Yeah, you know, as I just said, it's really up  
5 to --

6 Q. Doctor, don't. Just answer the question. Would  
7 they be right, or would they be wrong?

8 MS. WYRZYKOWSKI: Objection, same as last.

9 MR. PICCIRILLI: You know, we have two-and-a-  
10 half hours that we have agreed to here. I don't want  
11 to waste time going over and over this. It's going to  
12 cut into that two-and-a-half hours unfairly. I haven't  
13 brought that up yet, but I am going to bring it up now.

14 Q. I am going to ask you again, Doctor: Would the  
15 Superintendent and the Commissioner of Education be  
16 right or wrong in interpreting universal indoor masking  
17 policy to mean mask mandate?

18 MS. WYRZYKOWSKI: Objection, same. Doctor, if  
19 you can.

20 A. It's clearly not a mask mandate.

21 Q. Okay. They would be wrong; correct?

22 A. It's not a mask mandate. You are correct; it is  
23 not a mask mandate. Absolutely right; it is not a mask  
24 mandate.

25 Q. Thank you, Doctor. Thank you. Thank you. So



1 if Jamie Comella had told anyone at the Department of  
2 Ed., or any school superintendent, that you should  
3 interpret that statement, universal indoor masking  
4 policy, to mean mask mandate, Jamie Comella would be  
5 wrong?

6 MS. WYRZYKOWSKI: Objection, same as last.  
7 Gregg, you cut out again. Doctor, if you can answer.

8 A. It's clearly not a mask mandate.

9 Q. By the way, is Jamie Comella still working at  
10 the Department of Health?

11 A. Yes, as far as I know.

12 Q. Okay. Have you had any discussions with her  
13 between May of this year and today?

14 A. Not that I recall.

15 MR. PICCIRILLI: Okay. All right. I am going  
16 to switch now to Exhibit 6. I have to go through some  
17 of the other Exhibits. I apologize; my computer is  
18 going slow. I am trying to get Exhibit 6 up. Here it  
19 is.

20 EXHIBIT 6 FOR THE PLAINTIFFS MARKED FOR  
21 IDENTIFICATION

22 (SCREEN SHARING)

23 Q. Doctor, who is Dr. Philip Chan?

24 A. Dr. Philip Chan has many roles, one of them is a  
25 consulting medical director to the Rhode Island

1 Department of Health.

2 Q. So is he, technically, not an employee of the  
3 Department of Health?

4 A. Dr. Chan is a contractor with a Rhode Island  
5 Department of Health.

6 Q. So, like, a 1099 contractor, not a W-9 employee?

7 A. I don't, actually, know the difference well  
8 enough to say the difference between 1099 and employee.  
9 I just know he is referred to as a contractor. I don't  
10 know how much he gets paid, or how often he gets paid.

11 Q. Okay; fair enough. Has his position changed at  
12 all since May 19th, as far as you know?

13 A. Not as far as I know.

14 Q. Okay. Does Dr. Chan have the authority to make  
15 statements publicly on Department of Health policy?

16 A. Sometimes he does represent the Department,  
17 sometimes he represents himself.

18 Q. For example, Doctor, do you recall when the  
19 Governor made his announcement that the mask mandates  
20 were ending, that was around March 4th of this year; is  
21 that correct, to the best you recollect?

22 A. Actually, if I recall, it was, actually, before  
23 then, because I was at a press conference with Governor  
24 McKee, and I believe it was, actually, at the  
25 Statehouse. I want to say it was a week before he made

1 that announcement.

2 Q. Okay. Do you recall that there was another  
3 press conference around March 4th that Dr. Chan stood  
4 in for you, because you couldn't make it, talking about  
5 cases and hospitalizations and the new tiered, the new  
6 tiered levels, and what they meant?

7 A. That may have been the case. I don't recall  
8 specifically, but it sounds like something that could  
9 have happened. Sure.

10 Q. Okay. By the way, Doctor, what happened around  
11 that time, February, March, of this year, in terms of  
12 the CDC guidance regarding masking? There was a  
13 change; correct?

14 A. Yes, there was a change.

15 Q. Correct me if I am wrong, but as I understand  
16 it, the change was instead of just looking at cases,  
17 the new metric was to look at hospitalizations; is that  
18 right?

19 A. That's, actually, not right.

20 Q. Correct me. I'm sorry.

21 A. It was not until the end of March, 2022, that  
22 the Centers For Disease Control and Prevention came out  
23 with the community levels of transmission. So we were  
24 in this situation before, where they had substantial --  
25 you know, low, substantial, moderate, and high, and

1 then that changed officially, if I recall correctly,  
2 March 24, 2022, where they went to a low, medium, and  
3 high community levels of transmission, and that refers  
4 to what you are talking about where it was a certain  
5 case count per hundred thousand per population, but  
6 also, number of people being admitted, and then how  
7 many people in your household due to COVID.

8 Q. All right. So the low and medium and high tier,  
9 what information goes into determining whether you are  
10 in the low, medium, or high?

11 A. One of the metrics is number of cases per  
12 hundred thousand per week. If you were more that 200  
13 cases per hundred thousand a week, that's one of the  
14 metrics. A second metric is what percentage of, you  
15 know, number of people being admitted based on the  
16 population, and the third metric is the percentage of  
17 your hospital beds that are occupied by people with  
18 COVID.

19 Q. Okay. Now, on May, around May 23, 2022, Exhibit  
20 6, there was a story on WPRI, I believe -- it's not on  
21 this Exhibit; I couldn't get it to print from the  
22 Internet -- but I believe it's an article written by a  
23 Melanie Dasilva, from WPRI, and in this article, she  
24 quotes Dr. Chan. This article is about Central Falls  
25 reinstituting a mask mandate for their schools.

1 MS. WYRZYKOWSKI: Excuse me, Gregg, before you  
2 proceed, do you have the title of this Exhibit and/or  
3 the date?

4 MR. PICCIRILLI: Yeah, so it's May 23, 2022.

5 MS. WYRZYKOWSKI: Thank you.

6 MR. PICCIRILLI: Article on WPRI's website. The  
7 author of the article, again, doesn't appear on here,  
8 but her name is Melanie Dasilva.

9 MS. WYRZYKOWSKI: Yes. Is there a title?

10 MR. PICCIRILLI: I'm sorry?

11 MS. WYRZYKOWSKI: Is there a title?

12 MR. PICCIRILLI: Title of the article?

13 MS. WYRZYKOWSKI: Yeah, it's not on here.

14 MR. PICCIRILLI: I'm sorry. Central Falls -- I  
15 thought it was on there. It's Central Falls  
16 Reinststitutes Mask Mandate, I think, something like  
17 that.

18 MS. WYRZYKOWSKI: Go ahead, Gregg. I'm sorry.

19 MR. PICCIRILLI: Again, I cite this in my brief,  
20 my legal brief.

21 MS. WYRZYKOWSKI: Thank you.

22 Q. So about, you know, partway down this article,  
23 there is an interview with Dr. Chan, or a statement  
24 from Dr. Chan, and I have scrolled down. Do you see  
25 where it says, "Dr. Philip Chan, the consulting medical

1 director of the Rhode Island Department of Health, told  
2 12 News last week that at this time RIDOH is aligned  
3 with CDC guidance"; do you see that?

4 A. Yes, I see that.

5 Q. Then he goes on to say, and this is quoted, I  
6 haven't taken Dr. Chan's deposition yet to confirm  
7 whether he agrees that he said this, but for now let's  
8 assume that he did. Okay? He says, "We certainly  
9 agree with it, that when our community levels are high  
10 like they are now, that people should mask when they're  
11 indoors, but we are not going to be mandating it. We  
12 strongly recommend it, but at this point in the  
13 pandemic, certainly as we learn to live with the virus,  
14 it's really up to people to make their own personal  
15 decisions." Do you see that statement?

16 A. Yes, I see that statement.

17 Q. Do you agree with that statement?

18 A. Yes, I agree with that statement.

19 Q. Did you agree with it back on May 23?

20 A. Yes.

21 Q. Okay. Do you agree with it today?

22 A. Yes.

23 Q. All right. Doctor, let's see now -- how do I  
24 get this back to normal? There we go. So, Doctor,  
25 since you became the Interim Director of Health toward

1 the end of January of this year, have you had any  
2 discussions with anyone at either the Department of  
3 Health or in the Governor's Office regarding reimposing  
4 mask mandates once they expired in March?

5 A. No.

6 Q. Okay. Can you think of any circumstances under  
7 which you would recommend that the Department of Health  
8 or the Governor reimpose a mask mandate in the state?

9 MS. WYRZYKOWSKI: Objection, calls for  
10 speculation. Doctor, go ahead.

11 A. Yes.

12 Q. What would those circumstance be?

13 A. If there is a new disease that was spread  
14 primarily through respiratory droplets, and it was  
15 highly contagious, and caused significant morbidity and  
16 mortality, then I would recommend to the Governor that  
17 he consider that.

18 Q. I think, Doctor, you recall at the very  
19 beginning of this case you testified at a preliminary  
20 injunction hearing back in October of last year; do you  
21 recall that?

22 A. Yes, I do recall that.

23 Q. I recall your testimony at the time that the  
24 reason COVID-19 was a pandemic was, basically, three  
25 things: One, that it was novel, nobody had ever had

1 the disease before; two, that there were no treatments,  
2 known treatments at the time; and three, that there was  
3 a fear that hospitals would be overrun with sick  
4 people, and that could have a very bad health impact on  
5 the population. Do you recall that?

6 A. Yes, I do.

7 Q. Do you agree that those were the three factors  
8 that made COVID-19 a unique pandemic or a novel  
9 pandemic?

10 A. Yes.

11 Q. Okay. Would you agree with me that COVID-19 is  
12 no longer a novel pandemic?

13 A. Yes.

14 Q. And because, A, many people have now gotten the  
15 disease, probably over three-quarters of the  
16 population; correct?

17 A. Yes.

18 Q. Two, we have some very effective treatments, be  
19 it the vaccine or other therapeutics; correct?

20 A. Yes.

21 Q. And, in fact, as of just recently, at least in  
22 the United States, anyone can take the vaccine, a child  
23 as young as six months old can take it; correct?

24 A. Yes.

25 Q. And third, there has never been an overwhelming



1 of hospitals in Rhode Island; correct?

2 A. That's false.

3 Q. When was there an overwhelming of hospitals to  
4 the point where people were not being treated and  
5 dying?

6 A. Martin Luther King Day weekend 2022.

7 Q. So there were people who were not being treated  
8 in hospitals and dying because of COVID-19 back in  
9 January of this year?

10 A. You asked if the hospitals were overwhelmed. I  
11 answered they were overwhelmed Martin Luther King Day  
12 weekend 2022. I don't know how many people may have  
13 suffered adverse health consequences or may have passed  
14 away because of that, I don't know. What I do know is  
15 the hospitals were overwhelmed Martin Luther King Day  
16 weekend 2022.

17 Q. Were they overwhelmed because of COVID patients,  
18 or for some other reason?

19 A. Yes.

20 Q. What percentage of patients were COVID patients  
21 on Martin Luther King weekend?

22 A. I don't know, but that Martin Luther King Day  
23 weekend was by far the highest number of cases we've  
24 had in the state during the entire pandemic.

25 Q. Well, just because there are cases -- what about

1 hospitalizations, was it highest number of  
2 hospitalizations?

3 A. Yes.

4 Q. All right. But since then, hospitalizations for  
5 COVID have gone way down; right?

6 A. Yes.

7 Q. In fact --

8 MR. PICCIRILLI: This is going to be a new  
9 Exhibit I did not send out earlier; we are going to  
10 mark it as 11. It's an e-mail from Annemarie  
11 Beardsworth, dated June 10, 2022, to Dr. Andy Bostom.  
12 Hold on; let me see if I can share it.

13 EXHIBIT 11 FOR THE PLAINTIFFS MARKED FOR  
14 IDENTIFICATION

15 (SCREEN SHARING)

16 Q. Okay. Does everybody see it?

17 MS. WYRZYKOWSKI: Not yet, Gregg, give it a  
18 second. Got it up.

19 Q. Doctor, can you see it?

20 A. Yes, I can see it.

21 Q. So Annemarie Beardsworth, is she someone who  
22 works in the Communications for RIDOH?

23 A. Yes.

24 Q. She works with Joseph Wendelken?

25 A. Yes.

1 Q. So she had the authority to send this e-mail out  
2 on behalf of the Department to someone from the public  
3 who was asking for information; correct?

4 A. Yes.

5 Q. In this e-mail, the request was by Dr. Bostom to  
6 get information regarding hospitalizations from  
7 February 13 to June 4 of this year, a 16-week period;  
8 do you see that?

9 A. I see that.

10 Q. And he asks that it be broken down -- I am not  
11 going to get into how he wanted it more granular than  
12 this -- but, ultimately, what he was provided was a  
13 breakdown under 18 and over 18; do you see that?

14 A. Yes.

15 Q. For this 16-week period, do you see where the  
16 under-18 group, 0 to 17, there were 43 COVID  
17 hospitalizations over a 16-week period; do you see  
18 that?

19 A. Yes.

20 Q. Hospitalizations where it was, COVID was primary  
21 and contributing was 21; do you see that?

22 A. Yes.

23 Q. So that would mean that in the 16-week period,  
24 under two hospitalizations per week in Rhode Island for  
25 pediatric COVID infections; right?

1 A. Yes.

2 Q. Okay. Over 18, the primary and contributing  
3 hospitalizations were 592 over that 16-week period;  
4 correct?

5 A. Yes.

6 Q. That's about 37 a week. I did the math. Do you  
7 trust me?

8 A. Sure.

9 Q. Okay. So 37 -- do you know how many hospital  
10 beds there are in Rhode Island during that period of  
11 time?

12 A. I don't know off the top of my head, no.

13 Q. Do you remember when you were testifying back in  
14 October, you had a whole bunch of dashboards and  
15 documents that showed overcrowding of hospitals; do you  
16 remember all of that?

17 A. Yes.

18 Q. I recall that there were about 2,000 hospital  
19 beds in Rhode Island back then; does that sound about  
20 right?

21 A. It does sound about right.

22 Q. Okay. So 37 in a week, that's less than 2  
23 percent of hospital beds being occupied by COVID  
24 patients during this 16-week period; would you agree  
25 with that?

1 A. Yes.

2 Q. Okay.

3 MR. PICCIRILLI: We will get that -- I will get  
4 that document to you, Chrisanne.

5 MS. WYRZYKOWSKI: Thank you.

6 Q. So let's get back to when you might think there  
7 would be a mask mandate reimposed. Would you agree  
8 then that there is no circumstance under which you  
9 would be recommending a mask mandate for COVID-19 going  
10 forward from today?

11 A. Oh, yes, I would agree, regarding COVID-19, I  
12 would agree. I mean, unless we get a variant of high  
13 consequence, then that would be something we would have  
14 to evaluate if that happened.

15 Q. As I understand it, again, I am just a layperson  
16 here, but reading what I see on the Internet, which is  
17 always risky, there is some variants of Omicron, B2,  
18 B3, B4; is that right?

19 A. There are subvariants of Omicron. The  
20 predominant one in the United States right now is B5.

21 Q. We are already to B5; okay. Do you envision a  
22 circumstance where one of these variants of Omicron  
23 could be serious enough that you would be recommending  
24 mask mandates going forward?

25 MS. WYRZYKOWSKI: Objection, form, calls for

1 speculation. Doctor, go ahead.

2 A. If we are limiting the question to known  
3 variants of Omicron, then I don't foresee a situation  
4 where we recommend a mask mandate to the Governor.

5 Q. Well, are there variants that may occur that you  
6 will -- that you would recommend mask mandates be  
7 reimposed if a new variant came along?

8 MS. WYRZYKOWSKI: Objection, form, calls for  
9 speculation. Doctor, go ahead.

10 A. Yeah, so what I alluded to earlier, if there is  
11 a new disease that happens, related to COVID or not, or  
12 a variant of high consequence, then it would be  
13 something we would have to think about.

14 Q. Okay. So, again, there could be an Omega  
15 variant of COVID, which could lead to a situation where  
16 you would be recommending the reimposition of a mask  
17 mandate?

18 A. Not to put too fine a point, but when I talk  
19 about a variant of high consequence, it has a specific  
20 meaning according to the Centers For Disease Control  
21 and Prevention. It means it's a variant of high  
22 consequence that the vaccine doesn't work and treatment  
23 doesn't work, and you're really back to starting with a  
24 brand-new system. So that's what a variant of high  
25 consequence means. So I am trying to explain that I

1 think this is extremely unlikely. I don't think it's  
2 going to happen; but if we are in a situation like we  
3 were in in the beginning, then that would be when I  
4 would say we would have to recommend something to the  
5 Governor to consider.

6 Q. Now, would you -- have you thought about what  
7 the process would be to reimposing a mask mandate?

8 MS. WYRZYKOWSKI: Objection, form. I mean,  
9 Gregg, you are asking these all in hypotheticals, since  
10 the Doctor is not working for the State anymore?

11 MR. PICCIRILLI: Sure.

12 MS. WYRZYKOWSKI: So if we can have a running  
13 objection with respect to that?

14 MR. PICCIRILLI: Certainly.

15 MS. WYRZYKOWSKI: Great. Thank you. Go ahead.

16 A. No, I haven't thought about it, because I think  
17 it's highly unlikely that we are going to have a mask  
18 mandate again, so I haven't given it any thought.

19 Q. Well, Doctor, I mean, you don't think there is  
20 going to be a mask mandate for COVID-19, but you  
21 admitted that there could be a variant immune to the  
22 vaccine, or there could be another, COVID-22 could come  
23 along, or some other disease could come along that  
24 would require the imposition of a mask mandate; right?

25 A. Yeah, what I said was if there is a new disease

1 that, quite frankly, masking would be an effective  
2 public health strategy, then that would be something we  
3 would have to consider, a mask mandate. Like I said  
4 before, I think it's highly unlikely; so, no, we  
5 haven't given any thought to how we would implement a  
6 new mask mandate.

7 Q. So what would be the process by which the  
8 Department of Health should go about implementing a  
9 mask mandate if one was needed in the future?

10 A. You are speaking about hypothetical situations  
11 that haven't occurred, and presumably, it would be  
12 something novel and new, and if it required a state of  
13 emergency, then so be it. It would go through the same  
14 process as the pandemic did. But you are asking me to  
15 speculate on something that, one, isn't foreseen, and  
16 certainly isn't expected. So this was sometimes  
17 referred to as a once-in-a-hundred-year pandemic, so  
18 quite frankly, it's hard to speculate about what this  
19 would look like.

20 Q. Well, Doctor, I mean, it's hard to speculate,  
21 but do you recall during the hearing back in October, I  
22 asked you why the Department of Health didn't go  
23 through its normal regulatory process in mandating  
24 masks; do you recall that?

25 A. Yes.



1 Q. Okay. Because at the time you were operating  
2 under an emergency regulation that the Department of  
3 Health had issued; correct?

4 A. Yes.

5 Q. By the way, that Department -- that emergency  
6 regulation was separate and apart, independent of the  
7 Governor's Executive Order; correct?

8 A. I don't know the exact nuances. I am not one of  
9 the attorneys, and I wasn't the director at the time.

10 Q. Okay. But as I recall, you said at the time the  
11 reason the Department of Health didn't go through the  
12 normal regulatory process was because there just wasn't  
13 enough time; do you recall that?

14 A. Yes, I do.

15 Q. You said it could take 120 days to go through  
16 the process; right?

17 A. At least. At least 120 days. Far more likely  
18 it would take much longer.

19 Q. Right. So if now in the future, however  
20 unlikely it may be, but there might be another  
21 respiratory virus that comes along, wouldn't it be  
22 prudent for public health officials in this state to  
23 convene the regulatory process now, so that you have  
24 plenty of time to address the issues, and issue a  
25 regulation?

1 MS. WYRZYKOWSKI: Objection, form, and then the  
2 ongoing one of speculation. Go ahead, Doctor.

3 A. You're in the realm of hypothetical, and quite  
4 frankly, it's really hard to answer this. In my humble  
5 opinion, right now it's hard for me to see a scenario  
6 where this could happen; but if it were to happen, I  
7 would think I would need to know the specifics about  
8 this previously unimagined, new pathogen that you are  
9 describing here. So I really don't think there is a  
10 lot of good use of resources in trying to plan for  
11 something that may not ever occur. We already know  
12 what we have learned. We certainly would draw on that  
13 knowledge; but I don't know what value there would be  
14 in going through the regular public health process,  
15 which could take a year easily, about some imagined  
16 catastrophe that may never occur.

17 Q. Well, Doctor, you are aware that there are  
18 public health officials and political figures in this  
19 country who want to have a mask mandate for schools  
20 starting in the fall; are you aware of that?

21 A. No, I am not aware of that.

22 Q. Are you aware that the teachers' union, the NEA,  
23 as part of their platform they are voting on this week  
24 in Chicago, are asking that mandatory masking be in  
25 place in schools, in communities of medium- and

1 high-tier spread; were you aware of that?

2 A. No, I am not aware of that.

3 Q. Okay. Well, if that's true, if politicians and  
4 teachers' unions and public health officials are  
5 thinking that it would be a good idea to have a mask  
6 mandate in the fall in schools in communities with  
7 medium- and high-tier spread, do you think it would be  
8 important to go through a regulatory process  
9 beforehand, before those mandates were put in place?

10 A. Yes. If you're planning on doing a mask mandate  
11 in the fall of '22, then that clearly is not an  
12 emergency; and if that was the case, then you would go  
13 through the regular process to establish a regulation.  
14 I agree.

15 Q. Okay. Now, Doctor, as part of our, my clients'  
16 case against the State was their concern of the  
17 potential harm to their children by mandating masks --  
18 you are aware that's the motivating factor in this  
19 lawsuit; right?

20 A. Yes.

21 Q. You are aware that Judge Lanphear issued a  
22 decision back in November of last year in which he  
23 considered the harm to students and their parents;  
24 correct?

25 A. Yes.

1 MR. PICCIRILLI: Okay. I am going to share with  
2 you a page, Exhibit 7, just two pages of that Decision.  
3 It's a long Decision. I didn't want to put the whole  
4 thing in the record. It starts on page 15 and 16 of  
5 that Decision.

6 EXHIBIT 7 FOR THE PLAINTIFFS MARKED FOR  
7 IDENTIFICATION

8 (SCREEN SHARING)

9 Q. Can you see this document?

10 A. Yes, I can see the document.

11 Q. As part of his analysis, the Judge addressed  
12 what he calls irreparable harm, what the law calls  
13 irreparable harm; do you see that?

14 A. I do.

15 Q. You became very familiar with what the concept  
16 of irreparable harm is sitting through those hearings;  
17 right?

18 A. Yes.

19 Q. So the Judge wrote, you know, after pointing out  
20 what the legal standard is, he says, the Court, "This  
21 Court heard credible testimony from multiple Plaintiffs  
22 that their children were suffering adverse effects from  
23 the requirement that they wear masks throughout the  
24 school day. These adverse effects include physical and  
25 emotional discomfort and interference with the

1 children's ability to interact with teachers and peers.  
2 Plaintiffs themselves experienced the distress of  
3 witnessing their children's discomfort, and some  
4 Plaintiffs made the difficult decision to homeschool  
5 their children rather than to send them to school with  
6 masks." Did you read that statement that the Judge  
7 wrote back in November of last year?

8 A. No, I did not read the statement back in  
9 November of last year.

10 Q. You didn't read the Decision at all?

11 A. No, I didn't read the Decision. The attorneys  
12 represent the Department; the attorneys read the  
13 Decision. The attorneys informed me what the Decision  
14 said.

15 Q. Well, did you become aware in November of last  
16 year that the Judge had ruled or had stated that he did  
17 find parents were suffering harm, parents and students?

18 A. Yes, the attorneys informed me of this.

19 MS. WYRZYKOWSKI: Just --

20 MR. PICCIRILLI: Again, Doctor, I don't want to  
21 get into any discussions that you had with the  
22 attorneys. You understand that; right? You are not  
23 going to tell me, the attorneys told me this is a good  
24 ruling or a bad ruling, or anything like that. I don't  
25 want you to get into that.

1 Q. I am just trying to get to the point where, at  
2 some point you became aware of what the Judge wrote;  
3 correct?

4 MS. WYRZYKOWSKI: Thank you, Gregg.

5 Q. However you became aware of that.

6 A. Yes.

7 Q. Okay. Now the Judge went on to say, "While not  
8 disputing Plaintiffs' testimony on those facts,  
9 Defendants point to a lack of medical evidence on the  
10 health risks of wearing masks and state that the  
11 Plaintiffs were attempting to shift their burden of  
12 proof on the issue." Then on the next page it says,  
13 "Regardless of the uncertainty surrounding the  
14 potential of long-term medical problems resulting from  
15 mask wearing, this Court finds that Plaintiffs'  
16 testimony regarding the ongoing impact of the mask  
17 mandate on their children suffices to establish a  
18 finding of irreparable harm." Now I am going to ask  
19 you this question, Doctor: After you became aware of  
20 the Judge's ruling on this issue, what steps did you or  
21 the Department of Health take to investigate this  
22 finding of irreparable harm because of wearing,  
23 mandating masks on these children?

24 A. We did what we said we would do. We looked for  
25 scientific literature that supported this finding.

1 Q. Who is we?

2 A. Myself and the medical staff.

3 Q. Okay. So after you found this ruling from the  
4 Judge, you met with the medical staff?

5 A. As I said in this preliminary injunction  
6 hearing, we had been looking all along. We didn't stop  
7 looking, and I am still open to it to this day.

8 Q. So since November of last year, you continued to  
9 look at medical journals to see if there is anything  
10 about harm from masking; is that your testimony?

11 A. Yes.

12 Q. Did you do anything other than look for medical  
13 journals?

14 A. No.

15 Q. Do you recall the medical journals that you  
16 looked at?

17 A. We have an open mind; we looked at all medical  
18 journals. I was open to anything I could find.

19 Q. All right. How recently did you look at medical  
20 journals?

21 A. I constantly review the literature. It's part  
22 of my usual functions as a public health physician, so  
23 I am constantly looking for new articles.

24 Q. Do you know who a Tracy Beth Hoeg is, Dr. Hoeg?  
25 I don't know if I am pronouncing that right, H-O-E-G.

1 A. No, I do not know this person.

2 Q. You are not aware that she did a study using CDC  
3 data about masking of children in schools?

4 A. I am not aware of this study.

5 Q. How about a study by -- hold on a second.

6 Forgive me. How about a study from this year about  
7 face masks disrupting the holistic processing and face  
8 perception of school-age children; did you read that  
9 study?

10 A. No, I am not familiar with it.

11 Q. Did you read a study about fungal mask  
12 contamination in the COVID-19 era, Doctor?

13 A. No, I am not familiar with this study.

14 Q. Okay. Are you aware of any studies that talk  
15 about the ineffectiveness of cloth masks compared to,  
16 say, N95 masks?

17 A. Yes.

18 Q. What have you learned about effectiveness of  
19 cloth masks to stop the spread of COVID?

20 A. They are not as effective as surgical masks or  
21 procedure masks or N95 masks or KN95 masks.

22 Q. In fact, practically useless; correct?

23 A. No, I don't agree with that.

24 Q. Do you have any idea what the percentage of  
25 effectiveness is of cloth masks?



1           A. We discussed this in the trial, you know, that  
2 cloth masks have been studied. Some of those articles  
3 are referenced in the science from the Centers For  
4 Disease Control and Prevention. It was last updated  
5 this year. So I don't know the exact number of  
6 effectiveness, but they are not as effective, as I  
7 said, of procedure masks or surgical masks or N95 or  
8 KN95 masks.

9           Q. I am looking at a study on the physics of fluids  
10 that was published in January of this year, so after  
11 our trial, after our hearing, and it talks about  
12 modeling the filtration efficiency of a woven fabric  
13 mask, and it seems to conclude the efficiency rate is  
14 between 2-and-a-half and 10 percent; were you aware of  
15 this study?

16           A. No. As I said, I'm not aware of this study.  
17 These are studies you are talking about that seem to be  
18 in really poorly-known journals. I guess I am not  
19 familiar with these poorly-known journals.

20           Q. All right. Well, can you give me one study that  
21 you have looked at that has studied the efficacy of  
22 masks in schools?

23           A. Since --

24           Q. -- November of last year.

25           A. So as I said during the preliminary injunction

1 hearing, I find great credibility in the Centers For  
2 Disease Control Science Brief. It's been updated.  
3 It's got over 80 difference articles referenced in  
4 there, and, you know, it does talk about the value of  
5 cloth masks and other masks; and that's a guidance  
6 document that I find persuasive, and that's something I  
7 have found to be useful. So that's the basis for my  
8 opinion.

9 Q. So the only basis you looked at is what CDC  
10 says?

11 A. I have looked for other articles. I haven't  
12 seen credible articles in other reputable journals,  
13 like, I haven't seen any in the New England Journal or  
14 any of the journals of the American Medical  
15 Association, or in the combined medicine journals, or  
16 in the American Journal of Public Health, or in other  
17 nationally-known credible journals, I haven't seen  
18 articles address this. There certainly are hundreds of  
19 articles published weekly on the pandemic.

20 Q. Doctor, I am going to now ask you about your  
21 personal views of wearing masks. Do you recall during  
22 our hearing back in October of last year, the Judge  
23 asked you a question about whether wearing masks by  
24 Americans was a substantial change from past practice?

25 A. Yes.

1 Q. I am going to pull up -- this is Exhibit 8 -- if  
2 I can figure out how to share this thing.

3 EXHIBIT 8 FOR THE PLAINTIFFS MARKED FOR  
4 IDENTIFICATION

5 (SCREEN SHARING)

6 MS. WYRZYKOWSKI: You have it up, Gregg.

7 MR. PICCIRILLI: I do. All of these things have  
8 been popping up, and I didn't even know. Sorry about  
9 that.

10 Q. I am going to go to line 6, it says, "The  
11 Court," that's Judge Lanphear, he is asking you --  
12 you're the witness; correct? I mean, well, let me put  
13 the question and answer, then you tell me if you agree  
14 you were the witness who was answering this. Okay?

15 A. Okay.

16 Q. So the Court says, "Well, so you do agree then  
17 that masks are a substantial change from past practice  
18 for many people in American society today?" And the  
19 witness says, "Of course it is, yeah. It's not part of  
20 our culture. It's part of other cultures but not part  
21 of ours." Were you the witness that said that?

22 A. Yes.

23 Q. Now, is that still your opinion?

24 A. Yes.

25 Q. But you think that wearing masks should be part

1 of our culture; right?

2 A. I think there is a role for masks in our future,  
3 yes.

4 Q. What is that role?

5 A. It's a public health intervention. There are  
6 going to be times when it would be helpful for people  
7 to wear masks to not spread disease to other people.

8 Q. I am going to show you, this is Exhibit 9. It  
9 looks like -- you can't see it, but it's way up in the  
10 left, it says, "March 6, 2022," I think it was a Sunday  
11 Providence Journal article by Wayne Miller. Do you  
12 know who Wayne Miller is?

13 A. I do.

14 Q. Okay. Did you give him an interview around the  
15 beginning of March of this year?

16 A. I don't recall. I might have.

17 EXHIBIT 9 FOR THE PLAINTIFFS MARKED FOR  
18 IDENTIFICATION

19 (SCREEN SHARING)

20 Q. It looks like he wrote an article about The Road  
21 Ahead, "Entering year three of life with COVID, six  
22 Rhode Islanders speculate about what normal might look  
23 like." In this, he writes something which he  
24 attributes to you. He says, "Masking may also be  
25 recommended in certain situations at certain times if

1 COVID, like the flu, experiences upticks, McDonald  
2 said." Do you see that?

3 A. Yes.

4 Q. Now, you didn't say if it's -- I forget the  
5 exact wording -- a new strain of COVID that the  
6 vaccines don't work on; you just said if there is an  
7 uptick in COVID; right?

8 A. Right.

9 Q. So that's different from saying you're only  
10 going to be recommending masks in the very, very  
11 unlikely event that there is some novel COVID-19  
12 variant? That's what you testified just previously;  
13 right?

14 A. No, you're misrepresenting what I said.

15 Q. Let me be clear, Doctor --

16 MR. PICCIRILLI: I'm sorry. You want to make an  
17 objection, Chrisanne?

18 MS. WYRZYKOWSKI: Yes, objection to form. Go  
19 ahead.

20 Q. Doctor, as I recall, you testified just  
21 previously that it seemed highly unlikely that you  
22 would be recommending a mask mandate unless there was  
23 some novel respiratory virus that there was no  
24 treatment for, that the vaccines didn't work for; isn't  
25 that what you testified previously?

1           A. Yeah, you're either intentionally  
2 misrepresenting me, or you're misrepresenting the  
3 current article you have in front of you. I really  
4 can't tell which right now.

5           Q. Tell me how I am misrepresenting --

6           A. Please, stop. Please stop interrupting me; I am  
7 trying to answer your question. What you talked about  
8 earlier was would I recommend to the Governor mask  
9 mandates, and I answered that question. You were  
10 asking me about whether I would recommend to the  
11 Governor, specifically, mask mandates. This article,  
12 which is a newspaper article, said, "Masking may also  
13 be recommended in certain situations." It just talks  
14 about the general public; there is no use of the word  
15 mandate there. It's a media article. It doesn't  
16 mention the Governor. It simply talks about  
17 recommending. These are clearly, and I mean, clearly,  
18 different situations here. This is about a  
19 recommendation to the general public. Yes, absolutely,  
20 I would recommend to the general public in certain  
21 situations that they do wear masks to protect their  
22 health and the health of others.

23           I am sort of surprised that you draw that  
24 conclusion from this. I will just ask you, can you  
25 please remember what you are asking of me, because

1 you're clearly misrepresenting me in the past there.  
2 You did that a lot during the preliminary injunction  
3 hearing, and I believe we did stipulate to that.  
4 Please stick with the truth. This is a deposition; I  
5 am going to be honest, and I ask the same of you.

6 Q. Okay. Well, again, just being a person of  
7 average intelligence in the medical field, if I read a  
8 statement, masking may also be recommended in certain  
9 situations, and this being said by the Director of  
10 Health, I would interpret that to mean you are going to  
11 be recommending mask mandates, not recommending the  
12 wearing of masks. Do you understand the difference  
13 between those two?

14 MS. WYRZYKOWSKI: Objection, form, speculation.  
15 Doctor, go ahead, answer.

16 A. You are clearly misrepresenting what I am  
17 saying. You are clearly --

18 Q. Doctor, I am not talking about what you are -- I  
19 am not. You may have meant something different. What  
20 I am saying is: Do you understand how someone could  
21 interpret that to mean you are going to be recommending  
22 mask mandates in the future?

23 MS. WYRZYKOWSKI: Objection, form, calls for  
24 speculation. Doctor, go ahead.

25 A. I disagree with you. I think you're just being

1 argumentative at this point. Clearly, we are not  
2 talking about mandates. Clearly, mandates are not  
3 mentioned in this article; and, clearly, this is  
4 different from what you are talking about. I just  
5 think you are being argumentative and difficult.  
6 Please move on.

7 Q. Okay. You don't get to tell me to move on, but  
8 I will. You also said that you envision a possible  
9 change in culture when people who are coughing or  
10 sneezing routinely mask up when leaving their homes; do  
11 you see that?

12 A. Yes, I did.

13 Q. Then you referenced your experience of living in  
14 Japan. Did you live in Japan for a period of time?

15 A. Yes, I lived there for two years when I was with  
16 the United States Navy. I was in Okinawa, Japan,  
17 serving as an active-duty naval officer, specifically,  
18 a pediatrician at Camp Lester, U.S. Naval Hospital  
19 Lester.

20 Q. All right. Apparently, while you were in Japan,  
21 you would notice that people would wear masks if they  
22 had a cold, and they went outside; is that what you  
23 witnessed?

24 A. It's very common in the Orient.

25 Q. Okay. Well, are you saying all of the Orient,



1 or just Japan?

2 A. It was very common in Japan, very common in  
3 China, and very common in other parts of the Orient.  
4 Very common in cultures that value others more than  
5 individuals.

6 Q. That's interesting. So people who don't want to  
7 wear a mask don't value others; they only value  
8 themselves?

9 MS. WYRZYKOWSKI: Objection, form, speculation.

10 A. Mr. Piccirilli, you did this a lot during the  
11 preliminary injunction hearing. You are clearly  
12 mischaracterizing what I am saying here. You are  
13 clearly just trying to be argumentative and  
14 antagonistic. Quite frankly, it's not appropriate, and  
15 it's unbecoming of your profession. It's not what I  
16 said.

17 Q. So now you are going to tell me how to do my  
18 profession; okay.

19 A. I am just simply asking to adhere to some  
20 ethical standards here.

21 Q. You know what would be ethical, would be for a  
22 medical director in the State of Rhode Island to be  
23 forthright and honest with his public statements.

24 MS. WYRZYKOWSKI: Objection.

25 Q. What would be ethical would be the head of

1 COVID, Director in Rhode Island, not lying to the  
2 public about three pediatric deaths due to COVID. Do  
3 you recall lying about that on the stand, Doctor? And  
4 you are talking to me about ethics.

5 MS. WYRZYKOWSKI: Objection, form.

6 Q. You want to talk to me about ethics, Doctor.

7 MS. WYRZYKOWSKI: Again, the same.

8 MR. PICCIRILLI: I apologize. That was  
9 inappropriate, and I will ask it be stricken from the  
10 record. I'm sorry. I shouldn't have said that. I am  
11 going to move on, Doctor, unless you want to make a  
12 response. I shouldn't have said that. Go ahead.

13 MS. WYRZYKOWSKI: Gentlemen, why don't we take a  
14 few minutes, please. Everyone, hold on. It would not  
15 cut into the two-and-a-half-hour time frame. Is that  
16 agreeable to all parties?

17 MR. PICCIRILLI: That sounds very good. Thank  
18 you.

19 MS. WYRZYKOWSKI: What do you recommend? I  
20 would like to use the rest room. Does ten minutes  
21 sound okay?

22 MR. PICCIRILLI: Ten minutes is agreeable. Now  
23 I will ask the reporter, can we just stay on and just  
24 mute ourselves; is that what we should do?

25 THE VIDEOGRAPHER: You want to stay on the

1 record?

2 MR. PICCIRILLI: No, we are off the record now.

3 THE VIDEOGRAPHER: If there is no objection, we  
4 can go off the record. Give me one moment. We are  
5 going off the record at 2:52 p.m.

6 (A break was taken from 2:52 to 3:03 p.m.)

7 THE VIDEOGRAPHER: We are now back on the video  
8 record. The time is 3:03 p.m.

9 MR. PICCIRILLI: Thank you.

10 Q. (By Mr. Piccirilli) Doctor, I want to get back  
11 to this article from March 6 of this year. At the end  
12 of this brief paragraph, paragraphs, you make this  
13 statement, and I just want to ask if this is an  
14 accurate statement that you made: "I think recognizing  
15 that if people have a cold they should -- really should  
16 be wearing" -- yeah, start again. "I think recognizing  
17 that if people have a cold they really should be  
18 wearing a mask is something that will become part of  
19 our culture." Did you say that to this reporter?

20 A. Yes.

21 Q. All right. You believe that; right?

22 A. Yes.

23 Q. Now, as the Director of Health at the time you  
24 made this statement, would it be fair to say that you  
25 wanted to use your position as the Director of Health

1 to change the culture of Rhode Island, in essence, to  
2 accept masking as normal, like it is in Japan?

3 MS. WYRZYKOWSKI: Objection, speculative, form.  
4 Go ahead, Doctor.

5 A. No, that's not a fair assessment.

6 Q. So you were saying this as a private citizen,  
7 not as the Director of Health?

8 A. No, I didn't say that, either.

9 Q. Well, again, you were being interviewed  
10 presumably because you're -- you were the Interim  
11 Director of Health. You weren't just Joe Smith off the  
12 street, I mean, there was a reason why they interviewed  
13 you; right?

14 A. Yes.

15 Q. They wanted your take on what the new normal  
16 will be going forward; right?

17 A. Yes.

18 Q. What normal would look like?

19 A. Yes.

20 Q. That's what you were being asked to comment on?

21 A. Yes.

22 Q. What you want normal to be in the future is that  
23 people wear a mask if they have a cold, in the future?

24 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
25 Doctor.

1           A. What I am referring to is I think masks are  
2 going to be part of our culture and be more liked in  
3 our culture. I think they are part of our culture now,  
4 and they will say that way for a long time.

5           Q. So you are happy that it's become part of our  
6 culture?

7           A. It's not a matter of being happy or sad. It's a  
8 matter of this is a public health intervention that  
9 people avail themselves to. It is common in health  
10 care now. There is no requirement in health care, but  
11 it's common in health care. You see in other settings,  
12 too. Everywhere you go, you see people wearing masks.  
13 It is now part of our culture. I was out hiking this  
14 weekend, and saw people wearing masks even outside.  
15 It's just part of the culture.

16          Q. You consider that a positive thing?

17          A. It's a public health intervention that's  
18 effective for people. So in health care, it's  
19 definitely got some benefits. When it comes to other  
20 settings, it has benefit, as well. Quite frankly, if  
21 someone is wearing a mask outside hiking in the woods,  
22 I wonder why they are doing that. Maybe it's because  
23 they have allergies and don't want to have a problem  
24 with the pollen; I don't know. People will wear masks  
25 in our future; it's just part of our culture now.

1 Q. Now, are you drawing a distinction between  
2 people who are doing it voluntarily versus being  
3 mandated to do it?

4 A. There is nothing in this interview that talks  
5 about a mandate.

6 Q. Okay. So you are making these statements that  
7 this should become part of our culture, something we  
8 do, but without being coerced into doing it?

9 A. Yes --

10 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
11 Doctor. Sorry.

12 A. Yes, this is something that has occurred, and  
13 it's something that will be part of our future. I am  
14 not suggesting there be a mandate.

15 Q. Doctor, you are aware that there was a vaccine  
16 mandate, obviously, for health care workers, back last  
17 October; correct?

18 A. Yes.

19 Q. While that vaccine mandate was in place -- well,  
20 it was put in place under an emergency regulation;  
21 correct?

22 A. Yes.

23 Q. So you had 180 days to come up with a new  
24 regulation before that emergency regulation expired;  
25 correct?

1 MS. WYRZYKOWSKI: Objection, relevance. Go  
2 ahead, Doctor.

3 A. Yes.

4 Q. During that period of time while that emergency  
5 regulation was in place, the Department of Health did a  
6 cost/benefit analysis regarding the vaccine mandate for  
7 health care workers; correct?

8 MS. WYRZYKOWSKI: Objection, same. Gregg, can I  
9 have a running objection to this line of questioning?

10 MR. PICCIRILLI: Sure.

11 MS. WYRZYKOWSKI: Thank you.

12 A. I don't know when the cost/benefit analysis was  
13 done.

14 Q. But you are aware that one was done; correct?

15 A. Yes.

16 Q. Okay. You are aware that as a result of that  
17 cost/benefit analysis, the vaccine mandate for health  
18 care workers was eliminated; correct?

19 A. No, that's incorrect. There is still a  
20 requirement for people to either vaccinate or wear a  
21 mask in health care settings. There is a regular  
22 regulation that addresses that.

23 Q. Right. Well, you can either be vaccinated or  
24 wear a mask, but you are not going to be fired if you  
25 are refusing to get vaccinated; correct?

1 A. I can't speak to human resource decisions from  
2 any employer.

3 Q. Again, Doctor, we want to be clear; right? You  
4 want people to hear you clearly, so let's be clear.  
5 Before the new regulation that came out regarding  
6 vaccines for health care workers, it was mandated you  
7 must be vaccinated to work in the health care field;  
8 correct?

9 A. No, it depended on what you did. If you did not  
10 have patient contact, you were not required to have a  
11 vaccine. So that's not true, what you said.

12 Q. If you did have patient contact, you had to be  
13 vaccinated, or you were prohibited from doing that;  
14 correct?

15 A. The language in the regulation is specific. It  
16 was patient contact with a high likely -- it was some  
17 kind of likelihood of transmission.

18 Q. Okay. Doctor, let me do it this way. I don't  
19 want to get too far afield. Why did the Rhode Island  
20 Department of Health not conduct a cost/benefit  
21 analysis regarding masking in schools?

22 A. Because there was no plan to make it a permanent  
23 regulation.

24 Q. But you did testify that it's possible it could  
25 become a mandate in the future; right?



1           A. No, and I think I have covered this several  
2 times. You asked hypothetical situations. I answered  
3 your question of hypothetical situations. I also said  
4 numerous times there is no plans in Rhode Island to  
5 mandate masks in Rhode Island for schools.

6           Q. Well, Doctor, are you aware that some school  
7 districts may, on their own, try to implement a mask  
8 mandate separate and apart from the Department of  
9 Health or the Governor?

10          A. No, I am not aware of that.

11          Q. You are not aware that Providence instituted a  
12 mask mandate at the end of May of this year for  
13 schools?

14          A. I am aware of that. That's not what you asked  
15 me. You asked if I was aware of future mask mandates,  
16 and I have said I am not aware of that.

17          Q. Well, if a school district wanted to implement a  
18 mask mandate coming in September, would you advise  
19 against that?

20               MS. WYRZYKOWSKI: Objection, form, no longer  
21 with DOH, speculation. Go ahead, Doctor.

22          A. Right now I see no reason for a mask mandate in  
23 schools.

24          Q. So you would advise school districts who are  
25 thinking about implementing a mask mandate next

1 September not to do it?

2 MS. WYRZYKOWSKI: Objection, same. Go ahead.

3 A. I am not being asked by schools to advise them  
4 of anything. So, I mean, I don't have a voice when it  
5 comes to what schools require. Schools require lots of  
6 things.

7 Q. But if you were asked, Doctor, if you were  
8 asked, what would you advise them?

9 MS. WYRZYKOWSKI: Objection, same speculation.  
10 Go ahead, Doctor.

11 A. I think I have answered this numerous times. I  
12 don't see any reason right now in Rhode Island for a  
13 mask mandate this fall.

14 Q. What about if the -- again, I forget exactly the  
15 wording -- the high tier, you have low, medium, and  
16 high-tier spread, or is that -- what is that; what is  
17 the phrasing of that?

18 A. I think you are referring to the Centers For  
19 Disease Control and Prevention's community levels of  
20 transmission, which came out in March of 2022. I am  
21 just trying to reflect what I think you are trying to  
22 refer to. Is that what you are trying to refer to?

23 Q. Well, again, I think the reason Providence  
24 reinstated its mask mandate was because they were in  
25 a high-tier community. That's the reason they gave;

1 right?

2 A. I don't know the reason Providence gave, because  
3 I didn't talk to them about this, and they didn't ask  
4 my opinion on this. What I know is that this community  
5 level of transmission, which is what the Centers For  
6 Disease Control and Prevention has, is what Rhode  
7 Island adopted as our way forward. Yes, there is low,  
8 medium, and high rates of transmission. We have  
9 already talked about what the criteria are for that;  
10 but I don't know if schools are going to use that to  
11 decide whether or not they are going to require masks,  
12 or not.

13 Q. Again, would you advise them not to mandate  
14 masks even if they are in a high-tier community?

15 MS. WYRZYKOWSKI: Objection, form, speculation,  
16 no longer employed. Go ahead, Doctor.

17 A. I am advising everybody to follow the  
18 recommendations from the Centers For Disease Control  
19 and Prevention. When you look at the Centers For  
20 Disease Control and Prevention, what it says is when  
21 you're in high transmission, indoor masking is  
22 recommended. That's recommended. You know, if schools  
23 want to do that, that's up to schools. They can decide  
24 what they want to do.

25 Q. Well, Doctor, you are aware that schools in this

1 state do not have their own public health directors,  
2 but they rely upon the Department of Health for advice  
3 on things like masking; correct?

4 A. I don't know that that's correct. Schools do  
5 have their own physicians, and they have their own  
6 nurses, and they have their own people. If they ask  
7 the Department of Health for advice, we will give it.

8 Q. Okay. The advice would be even if you are in a  
9 high-tier community, you should be recommending masks,  
10 but you should not be mandating; correct?

11 MS. WYRZYKOWSKI: Objection, same. Go ahead,  
12 Doctor.

13 A. Yeah, I don't support any mask mandate, you  
14 know, for schools this fall based on what I know right  
15 now.

16 Q. But if -- you are trying to wriggle out of this,  
17 Doctor. You said you were going to try to be honest  
18 here. If a community is a high-tier community, next  
19 September, if Providence County is a high-tier  
20 community September 1 of this year, will you recommend  
21 that school districts implement a mandatory mask  
22 policy, yes or no?

23 MS. WYRZYKOWSKI: Objection, form, hypothetical,  
24 calls for speculation. Go ahead, Doctor.

25 A. Just to be clear, I am not working for the

1 Department of Health after this month. So to be clear,  
2 I am not recommending mask mandates, but what I will be  
3 recommending people do is follow the guidance from the  
4 Centers For Disease Control and Prevention and  
5 Prevention. Now, to put a fine point, because I am not  
6 wriggling out of anything, what the Centers For Disease  
7 Control and Prevention guidance says is if we get into  
8 high transmission -- and it's high transmission, not  
9 high-tier, but high transmission -- that means our  
10 cases are high, hospitals have a lot of patients, and  
11 there is more people being admitted, then universal  
12 indoor masking is recommended. Since school occurs  
13 indoors, then universal masking indoors is recommended;  
14 but if you are asking me if we should ask the schools  
15 to mandate it, the answer is no. I am not interested  
16 in mandating anybody to do anything. Quite frankly, I  
17 didn't even know the schools in Providence and Central  
18 Falls did this. I don't know if the other schools did  
19 this, and the State didn't; that's up to them. The  
20 schools made their own decisions.

21 Q. It's going to be very interesting when I take  
22 the depositions of people at the Department of  
23 Education, when they tell me that they looked to the  
24 Department of Health for guidance on this, and what  
25 they were told in May was, you should implement a mask

1 mandate. That's going to be very interesting when they  
2 testify to that, don't you think?

3 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
4 Doctor.

5 A. Mr. Piccirilli, I didn't tell anyone in the  
6 Department of Education to have a mask mandate, you  
7 know --

8 Q. Respectfully, apparently, Jamie Comella did  
9 without your authority; that's what your testimony is.

10 MS. WYRZYKOWSKI: Objection, form, speculation.

11 A. Yeah, as I said earlier, I don't know what  
12 conversations Jamie Comella had with the Department of  
13 Education.

14 MR. PICCIRILLI: I am going to put up Exhibit  
15 10. Where is Exhibit 10?

16 MS. WYRZYKOWSKI: Sorry, Gregg, did you say 10?

17 MR. PICCIRILLI: Yes.

18 MS. WYRZYKOWSKI: Got it. Thanks.

19 EXHIBIT 10 FOR THE PLAINTIFFS MARKED FOR  
20 IDENTIFICATION

21 (SCREEN SHARING)

22 Q. So, Doctor, this is an Executive Order that was  
23 issued by the Governor on June 7 extending the  
24 declaration of emergency due to COVID that was  
25 originally instituted on March 9 of 2020; correct?

1 A. I see what you have in front of me, yes; that's  
2 what it says.

3 Q. All right. Now, this was done on June 7, and  
4 you were still the Interim Director; correct?

5 A. Yes.

6 Q. Did you advise anyone in the Governor's Office  
7 on whether or not to extend that emergency declaration?

8 A. No.

9 Q. Do you know; was anybody in the Department of  
10 Health advising the Governor's Office on whether or not  
11 to extend this emergency regulation?

12 A. I don't know.

13 Q. Do you know why he extended it?

14 A. No, I don't. I wasn't consulted on this.

15 Q. Do you think -- did you agree that he should  
16 have extended it?

17 MS. WYRZYKOWSKI: Objection, form, speculation.  
18 Go ahead, Doctor.

19 A. I can't speak for the Governor on this.

20 Q. Do you have any idea why he would have done  
21 this?

22 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
23 Doctor.

24 A. I would be speculating.

25 Q. Well, speculate. You get to do that in

1 depositions, Doctor.

2 A. There might be some federal funding requirement  
3 to have some state of emergency. I just simply don't  
4 know; I wasn't consulted.

5 Q. Do you think we are still in a state of  
6 emergency for COVID?

7 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
8 Doctor.

9 A. If there is an executive order that says we are,  
10 then that's up to the Governor to decide.

11 Q. No. I am asking you, in your position as the  
12 Interim Director of the Department of Health on June 7  
13 of this year, did you think we were still in a state of  
14 emergency?

15 A. You know, as far as the effect on our health  
16 care system and the cases, no, I don't; but I don't  
17 know the rationale for this, and I don't know why it  
18 was ordered. There are other reasons why people do  
19 things. I wasn't consulted on it.

20 Q. Are you aware that other states have dropped  
21 their declaration of emergencies months, if not years,  
22 ago? For example, Massachusetts dropped it over a year  
23 ago; correct?

24 A. I don't know when Massachusetts dropped their  
25 state of emergency.



1 Q. You don't care what other states are doing about  
2 declarations of emergency?

3 MS. WYRZYKOWSKI: Objection, form,  
4 argumentative. Go ahead, Doctor.

5 A. So the statement you made was you asked me if I  
6 was aware that Massachusetts dropped their state of  
7 emergency a year ago. What I responded was: I don't  
8 know when Massachusetts dropped their state of  
9 emergency. Then you said, I don't care when other  
10 states dropped --

11 Q. I'm sorry. I guess I misunderstood or misheard  
12 your answer. So you are aware that Massachusetts  
13 dropped their state of emergency; you just don't know  
14 when that happened?

15 A. I am aware that they dropped their state of  
16 emergency; I agree with you. I don't know when it  
17 happened, and I don't know about other states, when  
18 they dropped theirs. Certainly other states have done  
19 other things; I understand that.

20 Q. Doctor, do you know who the new Director of the  
21 Department of Health is? Is it Utpala Bandy?

22 A. Yes, I do know Dr. Utpala Bandy.

23 Q. Have you known her long?

24 A. I have known Dr. Bandy for over ten years.

25 Q. Did she work in the Department of Health before

1 she was made Director?

2 A. Yes.

3 Q. Where did she work in the Department?

4 A. She works in the Division of Epidemiology.

5 Q. Okay. Are you aware of an interview that she  
6 gave on July 5 of this year at the Thundermist Health  
7 Center in West Warwick?

8 A. No.

9 MR. PICCIRILLI: Okay. Let me pull up Exhibit  
10 12, which I will send out, Chrisanne.

11 EXHIBIT 12 FOR THE PLAINTIFFS MARKED FOR  
12 IDENTIFICATION

13 (SCREEN SHARING)

14 Q. This is, again, another WPRI article. I believe  
15 this was -- I will get the author of it. It indicates  
16 that on July 5, Governor McKee and Dr. Bandy were at  
17 the Thundermist Health Center talking about the  
18 importance of getting children under five immunized.  
19 Dr. Bandy made a statement, which I found kind of  
20 remarkable, and I want you to comment on. She is  
21 quoted as saying, "Preschool-age children are vectors  
22 of many respiratory viral infections, so if you can  
23 corral them and get them vaccinated and lower the  
24 burden of any kind of respiratory virus in that  
25 population, you are going to save the grandparents, the

1 parents, and extended family from catching the disease,  
2 as well." Did you know -- before I just read that to  
3 you, had you heard that statement before?

4 A. No.

5 Q. I think it's quite a remarkable statement. Do  
6 you agree with the statement?

7 A. Yes, I agree with the statement.

8 Q. So you agree in calling preschool-age children  
9 vectors? It seems pretty dehumanizing, doesn't it?

10 MS. WYRZYKOWSKI: Objection, form. Go ahead.

11 A. Preschool-age children do spread disease. A  
12 term that is used sometimes is vectors; in other words,  
13 it is common knowledge that preschool children do  
14 spread disease from themselves to their grandparents.  
15 What Dr. Bandy said is accurate. There are other viral  
16 infections and other respiratory infections, which can  
17 have serious morbidity and mortality effects on  
18 grandparents.

19 Q. Doctor, I want to focus on the word vector. Do  
20 you think that's an appropriate word to use to describe  
21 human beings, particularly young children?

22 MS. WYRZYKOWSKI: Objection, form, and  
23 argumentative. Go ahead, Doctor.

24 A. It's simply a public health term. I haven't  
25 used this term to describe children, but what it means

1 is children do spread disease to other people. That's  
2 a true statement.

3 Q. So you are saying that the term vector is a  
4 public health term to refer to human beings?

5 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
6 Doctor.

7 A. A vector is any individual or any organism or  
8 any, you know, living creature that spreads disease.  
9 Mosquitoes are vectors, you know, other --

10 Q. So children are like mosquitoes?

11 MS. WYRZYKOWSKI: Objection, form,  
12 argumentative.

13 Q. I mean, are they like rats? I mean, do you  
14 understand -- I mean, Doctor, do you know who Dr. Andy  
15 Bostom is?

16 A. Mr. Piccirilli, I am just trying to process that  
17 you just referred to children as rats, and I am, quite  
18 frankly, offended by that, to be quite honest with you.

19 Q. I am, too. Doctor, I am not referring to them  
20 as rats. What I am suggesting is the word vector --  
21 you talked to them about -- you called them mosquitoes.

22 A. No.

23 MS. WYRZYKOWSKI: Objection, argumentative.  
24 That's not what he said.

25 Q. You said they are like mosquitoes. You said

1 mosquitoes are vectors, children are vectors. You  
2 equated children with mosquitoes.

3 A. No, Mr. Piccirilli. Again, this gets to the  
4 issue which I find troubling with you, which is that --

5 Q. I am limited on time, so I am not going to let  
6 you go off --

7 A. I'm not --

8 Q. You're going to answer my questions, Doctor, and  
9 stick to answering my questions.

10 A. I would love to answer your question if you'd  
11 stop interrupting.

12 Q. Do you know who Dr. Andy Bostom is?

13 A. Yes, he was at the temporary injunction hearing.

14 Q. Do you know that Dr. Andy Bostom is of Jewish  
15 extraction; did you know that?

16 A. No, I do not know that at all.

17 Q. Do you understand that someone of Jewish, you  
18 know -- of the Jewish faith, might be offended by  
19 referring to young children as vectors of a disease?

20 MS. WYRZYKOWSKI: Objection, form,  
21 argumentative, speculative, compound. Go ahead,  
22 Doctor.

23 A. No, I don't understand why anybody would be  
24 offended by this.

25 Q. Do you know that Nazis referred to Jews as

1 vectors of disease back in the '30s?

2 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
3 Doctor.

4 A. No.

5 Q. You didn't know that?

6 A. No.

7 Q. How about corralling them, that seems, again,  
8 dehumanizing. You corral animals. You don't corral  
9 humans; right?

10 MS. WYRZYKOWSKI: Same objection. Go ahead,  
11 Doctor.

12 A. Yes, that is true; you do not corral human  
13 beings.

14 Q. So Dr. Bandy using the term corral, that was not  
15 an appropriate term for a health official to use,  
16 particularly the head of the Health Department in Rhode  
17 Island?

18 A. It's not a term I have used in the past, nor is  
19 it a term I would use. It's a matter of opinion  
20 whether it's appropriate or not. The larger point she  
21 is trying to get across in this quote is that children  
22 spread disease to other people, some of them are their  
23 grandparents. That's her point.

24 Q. Do you have any evidence that children spread  
25 diseases in any significant way to their grandparents;

1 is there any medical literature on that?

2 A. It's common knowledge that children spread  
3 disease. I can testify as an expert in pediatrics that  
4 children spread disease to their parents, to their  
5 grandparents. In other words, because children --

6 Q. I am saying at any greater --

7 A. If you would please let me finish. Most viral  
8 infections are spread by respiratory droplets or spread  
9 by contact. Since children are often in proximity to  
10 their parents or grandparents, children do spread  
11 disease. This is commonly reported with influenza. It  
12 was the main rationale for why children were  
13 recommended to be vaccinated against influenza.  
14 Children do spread disease; that's my expert opinion on  
15 that.

16 Q. Do children spread the disease any more so than  
17 other people in the population?

18 A. Yes. My expert opinion is children spread the  
19 disease more so because children need to be cared for.  
20 In other words, infants, in particular, are not able to  
21 care for themselves; therefore, their parents need to  
22 be in proximity to them, or their grandparents or other  
23 caretakers, to do activities of daily living, like  
24 feeding the child, hygiene for the child, and other  
25 matters of safety for the child. So because other

1 adults are in close proximity to children, they are  
2 more likely to spread the disease than other people.  
3 So yes, children, infants, in particular, do spread  
4 disease at a higher rate than adults.

5 Q. Doctor, you know that this deposition is being  
6 video recorded; correct?

7 A. I do.

8 Q. All right. Are you concerned that this will  
9 become public, this deposition?

10 A. I don't know how to answer that. I mean, a lot  
11 of things I do have become public.

12 Q. Doctor, there is nothing you've said here today  
13 in this deposition that you would be concerned would  
14 become public; correct?

15 A. No, there is nothing I have said today I am  
16 concerned with becoming public.

17 Q. Okay. You know that the State has filed a  
18 motion, just today, to try to prevent my clients from  
19 making this deposition public?

20 MS. WYRZYKOWSKI: Objection, form,  
21 misrepresentation. Go ahead, Dr. -- my gosh; I'm  
22 sorry -- Dr. McDonald. I apologize.

23 A. Yes, I was aware an objection was being filed.  
24 My understanding is a concern of how things can be  
25 taken out of context to mislead the public. That's my



1 understanding for why there was a motion for protective  
2 order.

3 Q. Are you concerned that your statements here  
4 today could be taken out of context in some way?

5 MS. WYRZYKOWSKI: Objection, form, calls for  
6 speculation. Go ahead, Doctor.

7 A. Yes.

8 Q. How would they be taken out of context?

9 A. I don't know how they would be taken out of  
10 context, but things are taken out of context.

11 Q. Okay. Are you concerned about any personal  
12 embarrassment because of this deposition?

13 A. No.

14 Q. In this memo, it's referenced that Dr. Bostom --  
15 you say you know him, obviously -- has made a number of  
16 postings about this litigation; correct?

17 MS. WYRZYKOWSKI: Objection. Gregg, this memo  
18 was not shared with the Doctor before today.

19 MR. PICCIRILLI: Oh, I'm sorry.

20 Q. Are you aware that Dr. Bostom has made postings  
21 about the case on his personal blog?

22 A. I, actually, don't follow Dr. Bostom at all.

23 Q. I am just asking if you knew about it.

24 A. I don't know what he is posting. I, quite  
25 frankly, don't follow him.

1 Q. So somebody else must have told the Attorney  
2 General about this. Somebody else is following  
3 Dr. Bostom, not you?

4 MS. WYRZYKOWSKI: Objection, argumentative. Go  
5 ahead.

6 Q. That's good to know. Well, apparently, someone  
7 told the Attorney General that Dr. Bostom posted your  
8 home address and cell phone number. Did you -- are you  
9 aware that Dr. Bostom has done that?

10 A. No, I am not aware he has done that.

11 Q. You don't know whether or not Dr. Bostom  
12 released your home address where, until a few weeks  
13 ago, you resided with your family, and released your  
14 personal cell phone number?

15 MS. WYRZYKOWSKI: Objection.

16 Q. I'm sorry. The cell phone number was of another  
17 -- so you are not aware as to whether or not Dr. Bostom  
18 released your home address, your prior home address?

19 MS. WYRZYKOWSKI: Gregg, I am going to object  
20 just based upon form, that this was a legal filing, but  
21 go ahead.

22 A. I am not aware of it. Like I said before, I  
23 really don't follow Dr. Bostom at all. I don't know  
24 what he does.

25 Q. By the way, your home address that you lived in

1 in Rhode Island, that wasn't secret, was it? Anybody,  
2 theoretically, could find out what that is, just like  
3 any of us. People's home address is often public  
4 records; right?

5 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
6 Doctor.

7 A. Yes, my home address is a public record.  
8 However, I have to admit I am quite curious why someone  
9 like Dr. Bostom would feel the need to release my home  
10 address.

11 MR. PICCIRILLI: He denies, by the way,  
12 Dr. McDonald, he denies that he did that.

13 THE WITNESS: I certainly hope so.

14 Q. I am just reading what the State's attorneys,  
15 your attorneys -- by the way, these are your attorneys,  
16 Dr. McDonald. You understand that; right?

17 MS. WYRZYKOWSKI: Objection, argumentative. Go  
18 ahead.

19 Q. When these attorneys file things, making  
20 assertions, they are making them oftentimes on your  
21 behalf; right, Dr. McDonald?

22 MS. WYRZYKOWSKI: Objection, form, legal  
23 conclusion. Go ahead, Doctor.

24 A. Yes.

25 MR. PICCIRILLI: So maybe in the future, it

1 would be a good idea to review anything that the State  
2 Attorney General files on your behalf before they do it  
3 to make sure it's accurate.

4 MS. WYRZYKOWSKI: Objection, form.

5 MR. PICCIRILLI: Just a bit of advice there.

6 MS. WYRZYKOWSKI: Objection, form,  
7 argumentative.

8 Q. So does the Department of Health monitor the  
9 social media accounts of people?

10 A. Not that I am aware of.

11 Q. The Department of Health does have a social  
12 media account; right?

13 A. The Department of Health has a Facebook account  
14 and a Twitter account, as far as I am aware of. If  
15 they have others, I am just not aware of them.

16 Q. Right; and that Twitter account, do you know who  
17 runs it?

18 A. Are you talking about the Rhode Island  
19 Department of Health Twitter account?

20 Q. Correct.

21 A. No, I don't know who runs it.

22 Q. Is it @rihealth, is that the Twitter account?

23 A. I don't know what our Twitter account is.

24 Q. Does anybody who runs this Twitter account have  
25 to report to you, or when you were the Director, about

1 what they post on that Twitter account?

2 A. There are people who are in the Communications  
3 Department who reply to messages, and they do not need  
4 my approval to reply.

5 Q. So who in that Communications Department has the  
6 authority to make these replies publicly?

7 A. I don't know. I don't know all of the  
8 Communication staff.

9 Q. So it could be some 20-year-old intern that is  
10 just writing things on this Twitter account, and you  
11 would have no idea what they are writing?

12 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
13 Doctor.

14 A. I am not aware of any 20-year-old interns that  
15 work for the Rhode Island Department of Health, and it  
16 would be highly unlikely that anybody who would be  
17 replying on behalf of the Department of Health wouldn't  
18 have to run it by their supervisor. My assumption is  
19 that it is the Communications lead that approves the  
20 content that goes out.

21 Q. Is that Joseph Wendelken?

22 A. No, that would be Andrea Bagnall-Degos.

23 Q. I'm sorry, Andrea --

24 A. -- Bagnall-Degos.

25 Q. Could you spell that, please?

1 A. A-N-D-R-E-A.

2 Q. Yes.

3 A. B-A-G-N-A-L-L, hyphen, D-E-G-O-S.

4 Q. She is the head of the social media  
5 communications?

6 A. She is the head of our communications area.

7 Q. Oh, does Mr. Wendelken work in that same area --

8 A. Yes --

9 Q. -- or is that a different area? So she is his  
10 superior?

11 A. Yes.

12 Q. Okay. So she would be the person to ask who  
13 runs your Twitter account?

14 A. Yes.

15 Q. All right. So do you know whether or not -- now  
16 I am going to show you -- do you see this document?  
17 This is going to be Exhibits 14A, B, and C.

18 EXHIBITS 13, 14A, 14B, 14C FOR THE  
19 PLAINTIFFS MARKED FOR IDENTIFICATION

20 Q. Can you see this? This is a picture, there is a  
21 name, "Maddalena, 6/15/22," a very nice picture of one  
22 of my clients, Maddalena Cirignotta -- I hope I  
23 pronounced it right. I should; I am Italian, too. You  
24 are aware she is one of the Plaintiffs in this case;  
25 correct?

1 A. I am not familiar with all of the Plaintiffs.

2 Q. All right. Well, do you recall her testifying  
3 at one of the preliminary injunction hearings?

4 A. I do not recall her testimony.

5 Q. Okay. All right. Well, on 6/15 of this year,  
6 she, apparently, was tweeting a reply to your  
7 Department's official Twitter account. You were still  
8 the Director at the time, and she was talking about the  
9 issue of the vaccine for young children, and says  
10 something about, you know, "A product that doesn't  
11 prevent illness, doesn't stop transmission, doesn't  
12 have any long-term safety data." By the way, you agree  
13 with all of that; right?

14 A. No, I don't agree with this statement.

15 MS. WYRZYKOWSKI: Excuse me, Gregg, can you  
16 reduce the size so we can see the tweet. My screen is  
17 only showing a couple of lines. The plus and minus  
18 arrows next to the 1:15.

19 MR. PICCIRILLI: Is that better?

20 MS. WYRZYKOWSKI: Yes. Now we can see the whole  
21 thing. Thank you.

22 Q. So it then goes on to talk about, "Over a  
23 million reports of injuries to VAERS." You know what  
24 VAERS is?

25 A. Yes, I do.

1 Q. What is VAERS?

2 A. Vaccine Adverse Event Reporting System.

3 Q. What does that mean? What do they do? What is  
4 VAERS?

5 A. Anybody can report any potential side effect to  
6 a vaccine. Anybody can make a report.

7 Q. It's been around for a long time; right?

8 A. Yes.

9 Q. Are you aware that prior to COVID, the reports  
10 of injuries from vaccines were pretty consistent, but  
11 that since the COVID vaccine, those reports have gone  
12 up exponentially; are you aware of that?

13 A. Yeah, these are reports, doesn't mean there is  
14 any credibility to them. Simply anybody can report to  
15 VAERS. The number, itself, can refer to a lot of  
16 different things.

17 Q. So, apparently, someone at the Rhode Island  
18 Department of Health Twitter account was monitoring  
19 Maddalena, because two days later they send this text  
20 -- or tweet. I'm sorry.

21 MS. WYRZYKOWSKI: Make it smaller. Thank you.

22 Q. "Hi," exclamation point. You see why I am  
23 thinking it's a 20-year-old intern that's writing this.  
24 Who writes hi, exclamation point? Nobody of our  
25 generation, Doctor, would write that; you would agree?



1 A. I don't agree. I am sure you have a point here;  
2 I would love it if you would get to it, though.

3 Q. So someone from your Department of Health  
4 Twitter account felt the need to respond to Maddalena  
5 and challenge her on this VAERS, just the way you just  
6 did; right?

7 A. Yes, the response from the Rhode Island  
8 Department of Health is accurate.

9 Q. You think that's appropriate, that they are  
10 responding to somebody like Maddalena, who is a  
11 Plaintiff in this case?

12 A. I don't know that the person --

13 MS. WYRZYKOWSKI: Objection, form. Go ahead,  
14 Doctor. Thank you.

15 A. I don't know the beginning part of this. Is  
16 there something about this --

17 Q. This is a response.

18 A. What --

19 Q. Response to this. Maddalena wrote this --  
20 Maddalena was writing a tweet back at the Rhode Island  
21 Department of Health.

22 A. What is she replying to? What is Maddalena  
23 replying to?

24 Q. I think it was a tweet promoting the vaccine for  
25 under five-year-olds.

1 A. You think? Couldn't you have clarity on that?  
2 You were the one that brought this Exhibit in; I would  
3 like a little certainty here. What is she replying to?

4 Q. The point of this, Doctor, isn't what she wrote.  
5 The point is that someone from the Department of Health  
6 is monitoring her Twitter account. Do you think that's  
7 appropriate?

8 MS. WYRZYKOWSKI: Objection, form, calls for  
9 speculation.

10 A. Yes.

11 Q. So you do, you admit that the Department of  
12 Health has been monitoring the Twitter accounts of my  
13 clients in this case?

14 MS. WYRZYKOWSKI: Objection,  
15 mischaracterization, form, speculation. Go ahead,  
16 Doctor.

17 A. No, no, I mean -- you are many things,  
18 Mr. Piccirilli, but you are consistent. I asked for  
19 what was the original posting. You admitted you don't  
20 know what it is. Miss Maddalena replied to the Rhode  
21 Island Department of Health. Someone from the  
22 Department of the Health replied to her. This is  
23 simply a courtesy. It's a very courteous response.  
24 It's accurate. It looks like a response that we  
25 probably replied many times before. As far as who

1 wrote it, I don't know. It's probably something they  
2 replied hundreds of times before to anybody. It looks  
3 like, you know, kind of canned language, is my guess  
4 here. I don't think there is anything untoward about  
5 this one bit. I think they are just trying to engage  
6 in conversation, which is what social media is about.  
7 Again, if you had the original posting, which you  
8 don't, I could give you more context.

9 Q. You think it's appropriate for the Department of  
10 Health to be responding -- or monitoring the Plaintiffs  
11 in this case?

12 MS. WYRZYKOWSKI: Objection, form,  
13 mischaracterization -- sorry. Objection, form,  
14 mischaracterization of evidence, compound. Go ahead,  
15 Doctor.

16 A. So, Mr. Piccirilli, one, you don't have the  
17 original post; two, there is nowhere that identifies in  
18 this post that this woman is a Plaintiff in this case.  
19 What you see is a response; in other words, yes, the  
20 Rhode Island Department of Health has a Twitter  
21 account. Yes, there are people who respond to people;  
22 that's called courtesy. Part of using social media is  
23 to have conversation. Yes, Maddalena asked a question  
24 of the Department of Health. She asked a question; my  
25 team responded to her. Yes, it's appropriate; but you

1 are mischaracterizing that somehow a Plaintiff was  
2 targeted. That's not the case at all. This is what  
3 social media is.

4 Q. Doctor, you know, you seem so confident that  
5 this just happens to be a response to one of the  
6 Plaintiffs in this case. You know, you are trying to  
7 deny without denying that the Department of Health is  
8 monitoring the social media accounts of my clients; but  
9 in this memo that was just filed today by your lawyers,  
10 they admit that they have been following Dr. Boston's  
11 social media account. So you're monitoring, your  
12 Department, or the attorneys in the Attorney General's  
13 Office, on behalf of your Department, have been  
14 monitoring the social media accounts of my clients and  
15 my expert in this case; and I am asking you if you  
16 think that's appropriate?

17 MS. WYRZYKOWSKI: Objection, form,  
18 mischaracterization of evidence, speculation, compound.  
19 Go ahead, Doctor.

20 A. Mr. Piccirilli, I don't agree with your  
21 conclusion. Quite frankly, it looks like here is what  
22 happened: The Department of Health put a posting on  
23 Twitter, probably some kind of health promotion thing.  
24 Maddalena, out of her free will and her own choice,  
25 chose on her own to engage in conversation. There was

1 no one soliciting her as far as I know to respond to  
2 that. She chose to do that. Quite frankly, if your  
3 client doesn't want the Department of Health to respond  
4 to her, I would say why is she reposting on our Twitter  
5 feed? She chose to -- because she chose to. I doubt  
6 anyone at the Department of Health, myself included,  
7 know who the Plaintiffs are in this case. Quite  
8 frankly, the Department of Health has a lot going on.  
9 I don't know that anyone is paying attention to this  
10 case, other than those who are directly involved in it.  
11 The Department of Health simply responded to a Twitter  
12 feed. This is just called being courteous. So, yes,  
13 it's very appropriate that the employees of the  
14 Department of Health would be courteous and respond to  
15 people and are just trying to do their jobs.

16 Q. The fact that somebody in the Attorney General's  
17 Office wrote a memo where they cite three instances of  
18 postings by Dr. Bostom, your testimony is that you know  
19 of no one at the Department of Health that has been  
20 involved in this?

21 MS. WYRZYKOWSKI: Objection, form, compound. Go  
22 ahead, Doctor.

23 A. Mr. Piccirilli, I have answered this as many  
24 times as I can think. I don't know of anyone that is  
25 following Dr. Bostom. I certainly am not following

1 him. I don't pay attention to him at all. Quite  
2 frankly, I don't know why this is even coming up. I  
3 don't know what to tell you. I don't pay attention to  
4 Dr. Boston.

5 MR. PICCIRILLI: Okay. I am going to take a  
6 brief break now, Chrisanne. I might be done.

7 MS. WYRZYKOWSKI: Thank you very much. I am  
8 going to turn off audio and video until you tell me to  
9 turn it back on.

10 MR. PICCIRILLI: I will. Okay.

11 THE VIDEOGRAPHER: Are we going off the record?  
12 We are going off the video record at 3:44 p.m.

13 (A break was taken from 3:44 to 3:51 p.m.)

14 MR. PICCIRILLI: Chrisanne, if you are ready.

15 THE VIDEOGRAPHER: The time is now 3:51 p.m. we  
16 are now back on the video record.

17 MS. WYRZYKOWSKI: Thank you.

18 MR. PICCIRILLI: Doctor, just one last area of  
19 questions.

20 Q. (By Mr. Piccirilli) This gets back to children  
21 being a driver of the pandemic. I just want to be  
22 clear, maybe the use of the language previously was a  
23 little poor on my part, so let me be clear. Do you  
24 have any evidence that in the last two years of this  
25 pandemic that children are key drivers of the pandemic?

1 A. Yes.

2 Q. Are you aware of the Pediatric Infectious  
3 Disease Journal?

4 A. Yes.

5 Q. Are you aware that in April of 2022, they  
6 published a study, The Role of Children and Young  
7 People in the Transmission of SARS-CoV-2?

8 A. I am not aware of this study.

9 Q. Are you aware that in that study they concluded,  
10 quote, "There is no convincing evidence to date," two  
11 years into the pandemic, "that children are key drivers  
12 of the pandemic"? That would seem to directly  
13 contradict what you just said, Doctor.

14 A. I don't agree with that assessment.

15 Q. You don't; okay. But you do know this journal,  
16 and it's a reputable journal?

17 A. It's a peer-reviewed journal, and I know it.

18 MR. PICCIRILLI: Maybe you should go back and  
19 take a look at it before you start accusing children of  
20 being vectors and need to be corralled. I have no  
21 further questions.

22 THE WITNESS: I am --

23 MS. WYRZYKOWSKI: Gentlemen, stop. Objection,  
24 form, argumentative. I need to get it on the record.  
25 Objection, form, argumentative. Gregg, thank you for

1 your time today. Are we done with the questions?

2 MR. PICCIRILLI: Yes. Let's go off the record,  
3 but -- excuse me -- can you just stay on for a minute,  
4 off the record? The Doctor can go. Everybody else can  
5 go.

6 THE VIDEOGRAPHER: The Doctor is free to leave,  
7 but I do need to get the video order.

8 (Discussion off the record.)

9 THE VIDEOGRAPHER: This concludes today's  
10 deposition of James McDonald, M.D. We are going off  
11 the record on Thursday, July 7, 2022, at 3:55 p.m.

12 COURT REPORTER: If you can hold on one more  
13 second for me to get the transcript orders.

14 MS. WYRZYKOWSKI: I know I can do a transcript,  
15 so, yes, please, electronic.

16 MR. PICCIRILLI: Same, original and electronic.

17 (The Deposition concluded at 3:55 p.m.)  
18  
19  
20  
21  
22  
23  
24  
25

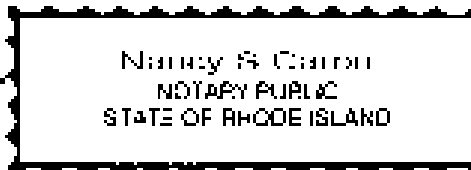
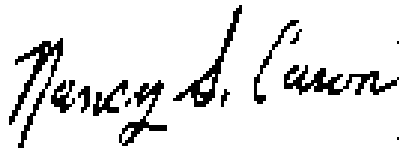


C E R T I F I C A T E

I, Nancy S. Caron, R.P.R., a Notary Public, do hereby certify that I am expressly approved as a person qualified and authorized to take depositions pursuant to the Rules of Civil Procedure of the Superior Court, especially but without restrictions thereto, under Rule 28 of said Rules; that the witness was first sworn by me; that the transcript contains a true record of proceeding to the best of my ability. This proceeding was done remotely via web conference and may result in some inaccuracies and/or dropped words created by audio conflicts that may arise during any web-based event.

Reading and signing of the transcript was not requested by the parties involved upon completion of the deposition.

IN WITNESS WHEREOF, I have hereunto set my hand this\_18th day of July, 2022.



NANCY S. CARON, R.P.R., NOTARY PUBLIC,  
NUMBER 18102  
MY COMMISSION EXPIRES: 07/30/2025

DATE: July 7, 2022  
IN RE: Southwell, et al. V. McKee, et al.  
WITNESS NAME: James McDonald, M.D.

1 Reference No.: 8400581

2

3 Case: SOUTHWELL vs MCKEE

4

DECLARATION UNDER PENALTY OF PERJURY

5

6 I declare under penalty of perjury that  
7 I have read the entire transcript of my Depo-  
8 sition taken in the captioned matter or the  
9 same has been read to me, and the same is  
10 true and accurate, save and except for  
11 changes and/or corrections, if any, as indi-  
12 cated by me on the DEPOSITION ERRATA SHEET  
13 hereof, with the understanding that I offer  
14 these changes as if still under oath.

10

11

\_\_\_\_\_

12

James McDonald M.D.

13

14

NOTARIZATION OF CHANGES

15

(If Required)

16

17

Subscribed and sworn to on the \_\_\_\_\_ day of

18

19

\_\_\_\_\_, 20\_\_\_\_ before me,

20

21

(Notary Sign) \_\_\_\_\_

22

23

(Print Name) \_\_\_\_\_ Notary Public,

24

25

in and for the State of \_\_\_\_\_

1 Reference No.: 8400581  
Case: SOUTHWELL vs MCKEE

2  
3 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_  
4 \_\_\_\_\_

5 Reason for change: \_\_\_\_\_

6 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_  
7 \_\_\_\_\_

8 Reason for change: \_\_\_\_\_

9 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_  
10 \_\_\_\_\_

11 Reason for change: \_\_\_\_\_

12 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_  
13 \_\_\_\_\_

14 Reason for change: \_\_\_\_\_

15 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_  
16 \_\_\_\_\_

17 Reason for change: \_\_\_\_\_

18 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_  
19 \_\_\_\_\_

20 Reason for change: \_\_\_\_\_

21 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_  
22 \_\_\_\_\_

23 Reason for change: \_\_\_\_\_

24 SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_  
25 James McDonald M.D.

1 Reference No.: 8400581  
Case: SOUTHWELL vs MCKEE

2

3 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_

4

5 Reason for change: \_\_\_\_\_

6 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_

7

8 Reason for change: \_\_\_\_\_

9 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_

10

11 Reason for change: \_\_\_\_\_

12

12 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_

13

14 Reason for change: \_\_\_\_\_

15

15 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_

16

17 Reason for change: \_\_\_\_\_

18

18 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_

19

20 Reason for change: \_\_\_\_\_

21

21 Page No. \_\_\_\_\_ Line No. \_\_\_\_\_ Change to: \_\_\_\_\_

22

23 Reason for change: \_\_\_\_\_

24

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

25

James McDonald M.D.

|                 |                  |                   |            |             |
|-----------------|------------------|-------------------|------------|-------------|
|                 | 8400581 Jam      | 57:13             | 91:20      | 58:7, 15,   |
| <b>Exhibits</b> | <b>es.</b>       |                   |            | 17, 23      |
|                 | McDonald,        | 8400581 Jam       | 10         | 59:3, 24    |
|                 | M.D..            | <b>es.</b>        | 14:24      |             |
| 8400581 Jam     | <b>EXHIBIT6</b>  | McDonald,         | 57:11      | 17          |
| <b>es.</b>      | 3:15             | M.D..             | 72:14      | 58:16       |
| McDonald,       | 48:16, 18,       | <b>EXHIBIT12</b>  | 93:15, 16, | 18          |
| M.D..           | 20 51:19,        | 3:19              | 19         | 58:13       |
| <b>EXHIBIT1</b> | 20               | 97:9, 10,         | 1099       | 59:2        |
| 3:12 9:21       |                  | 11                | 49:6, 8    | 180         |
| 8400581 Jam     | 8400581 Jam      | 8400581 Jam       | 11         | 85:23       |
| <b>es.</b>      | <b>es.</b>       | <b>es.</b>        | 10:2 11:1  | 18102       |
| McDonald,       | McDonald,        | McDonald,         | 57:10, 13  | 5:4         |
| M.D..           | M.D..            | M.D..             |            |             |
| <b>EXHIBIT2</b> | <b>EXHIBIT7</b>  | <b>EXHIBIT13</b>  | 12         | 19          |
| 3:13            | 3:16             | 3:20              | 12:2       | 21:8        |
| 11:11           | 67:2, 6          | 8400581 Jam       | 13:3, 8    | 31:5, 6, 15 |
| 24:1            | 8400581 Jam      | <b>es.</b>        | 38:12, 17  | 32:23       |
| 8400581 Jam     | <b>es.</b>       | McDonald,         | 39:14, 23, | 33:4, 15,   |
| <b>es.</b>      | McDonald,        | M.D..             | 25 40:2, 6 | 23 34:12,   |
| McDonald,       | M.D..            | <b>EXHIBIT14A</b> | 44:18      | 13 40:11    |
| M.D..           | <b>EXHIBIT8</b>  | 3:21              | 45:22      | 41:2, 12,   |
| <b>EXHIBIT3</b> | 3:17             | 8400581 Jam       | 53:2       | 13, 14, 16  |
| 3:13            | 74:1, 3          | <b>es.</b>        | 97:10, 11  | 43:4, 7     |
| 18:14           | 8400581 Jam      | 120               |            | 19th        |
| 19:8            | <b>es.</b>       | McDonald,         | 64:15, 17  | 35:12, 13   |
| 20:13           | McDonald,        | M.D..             |            | 42:9        |
| 24:14           | M.D..            | <b>EXHIBIT14B</b> | 12:17      | 49:12       |
| 28:25           | <b>EXHIBIT9</b>  | 3:21              | 8:23       |             |
| 8400581 Jam     | 3:17             | 8400581 Jam       | 20:22      | 1:08        |
| <b>es.</b>      | 75:8, 17         | <b>es.</b>        | 13         | 4:5         |
| McDonald,       | 8400581 Jam      | McDonald,         | 58:7       | 1:15        |
| M.D..           | <b>es.</b>       | M.D..             | 109:18     | 110:18      |
| <b>EXHIBIT4</b> | McDonald,        | <b>EXHIBIT14C</b> | 14A        |             |
| 3:14            | M.D..            | 3:22              | 109:17, 18 | 2           |
| 21:2, 4, 7      | <b>EXHIBIT10</b> |                   | 14B        |             |
| 8400581 Jam     | 3:18             | 0                 | 109:18     | 2           |
| <b>es.</b>      | 93:14, 15,       | 0                 | 14C        | 11:11       |
| McDonald,       | 19               | 58:16             | 109:18     | 24:1        |
| M.D..           | 8400581 Jam      |                   | 15         | 59:22       |
| <b>EXHIBIT5</b> | <b>es.</b>       |                   | 67:4       | 2,000       |
| 3:15            | McDonald,        | 1                 | 16         | 59:18       |
| 30:25           | M.D..            |                   | 67:4       | 2-and-a-    |
| 31:1            | <b>EXHIBIT11</b> | 1                 | 16-week    | half        |
|                 | 3:19             | 9:21              |            |             |

|                    |              |                |                    |                    |
|--------------------|--------------|----------------|--------------------|--------------------|
| 72:14              | <b>22</b>    | <b>3:55</b>    | 4:2,6              | <b>accordance</b>  |
| <b>20</b>          | 66:11        | 119:11,17      | 67:2,6             | 21:22              |
| 11:16              | <b>22-06</b> | _____          | 93:23              | 22:21              |
| 14:24              | 21:7         | <b>4</b>       | 94:3               | <b>account</b>     |
| 19:12,24           | <b>23</b>    | _____          | 95:12              | 107:12,            |
| <b>20-year-old</b> | 51:19        | <b>4</b>       | 119:11             | 13,14,16,          |
| 108:9,14           | 52:4         | 21:2,4,7       | _____              | 19,22,23,          |
| 111:23             | 53:19        | 22:7 58:7      | <b>8</b>           | 24 108:1,          |
| <b>200</b>         | <b>24</b>    | <b>400</b>     | _____              | 10 109:13          |
| 51:12              | 51:2         | 33:16          | <b>8</b>           | 110:7              |
| <b>2020</b>        | <b>25th</b>  | <b>43</b>      | 74:1,3             | 111:18             |
| 93:25              | 7:1,13,      | 58:16          | <b>80</b>          | 112:4              |
| <b>2021</b>        | 18,23        | <b>4th</b>     | 73:3               | 113:6              |
| 17:18              | <b>27th</b>  | 49:20          | _____              | 114:21             |
| 20:8,15            | 6:21         | 50:3           | <b>9</b>           | 115:11             |
| 24:16              | <b>2:52</b>  | _____          | _____              | <b>accounts</b>    |
| <b>2022</b>        | 82:5,6       | <b>5</b>       | <b>9</b>           | 107:9              |
| 4:2,6 7:1          | _____        | _____          | 75:8,17            | 113:12             |
| 10:2               | <b>3</b>     | <b>5</b>       | 93:25              | 115:8,14           |
| 11:16              | _____        | 30:25          | _____              | <b>accurate</b>    |
| 19:11,12           | <b>3</b>     | 31:1           | <b>@</b>           | 82:14              |
| 20:14              | 18:14        | 97:6,16        | _____              | 98:15              |
| 21:8               | 19:8         | <b>592</b>     | <b>@rihealth</b>   | 107:3              |
| 22:1,5,8           | 20:13        | 59:3           | 107:22             | 112:8              |
| 23:17,23           | 24:14        | _____          | _____              | 113:24             |
| 31:5,6             | 28:25        | <b>6</b>       | <b>A</b>           | <b>accusing</b>    |
| 33:23              | 33:16        | _____          | _____              | 118:19             |
| 36:23              | <b>30</b>    | <b>6</b>       | <b>A-N-D-R-E-A</b> | <b>acting</b>      |
| 46:2               | 19:11        | 48:16,18,      | 109:1              | 8:4                |
| 50:21              | 20:14        | 20 51:20       | <b>ability</b>     | <b>active-duty</b> |
| 51:2,19            | <b>30s</b>   | 74:10          | 68:1               | 79:17              |
| 52:4               | 101:1        | 75:10          | <b>absolutely</b>  | <b>activities</b>  |
| 56:6,12,           | <b>37</b>    | 82:11          | 47:23              | 102:23             |
| 16 57:11           | 59:6,9,22    | <b>6/15</b>    | 77:19              | <b>add</b>         |
| 75:10              | <b>3:03</b>  | 110:5          | <b>accept</b>      | 18:13              |
| 89:20              | 82:6,8       | <b>6/15/22</b> | 36:15              | <b>address</b>     |
| 118:5              | <b>3:44</b>  | 109:21         | 83:2               | 32:7,9,11          |
| 119:11             | 117:12,13    | _____          | <b>accepted</b>    | 64:24              |
| <b>20th</b>        | <b>3:51</b>  | <b>7</b>       | 25:12              | 73:18              |
| 11:24              | 117:13,15    | _____          | 30:22              | 105:8,12,          |
| 14:11              |              | <b>7</b>       |                    | 18,25              |
| <b>21</b>          |              |                |                    | 106:3,7,           |
| 58:21              |              |                |                    | 10                 |

|                    |                  |                  |                  |                    |
|--------------------|------------------|------------------|------------------|--------------------|
| <b>addressed</b>   | 111:2            | 115:20           | 91:11, 24        | <b>Andy</b>        |
| 12:1               |                  | 118:14           | 93:3             | 57:11              |
| 67:11              | <b>advice</b>    |                  | 94:18, 22        | 99:14              |
|                    | 27:21            | <b>agreeable</b> | 95:7 96:4        | 100:12, 14         |
| <b>addresses</b>   | 91:2, 7, 8       | 81:16, 22        | 98:10, 23        | <b>animals</b>     |
| 13:18              | 107:5            |                  | 99:5             | 101:8              |
| 86:22              | <b>advise</b>    | <b>agreed</b>    | 100:21           |                    |
|                    | 88:18, 24        | 5:7, 19          | 101:2, 10        | <b>Annemarie</b>   |
| <b>addressing</b>  | 89:3, 8          | 47:10            | 103:21           | 57:10, 21          |
| 7:16               | 90:13            | <b>agreement</b> | 104:6            |                    |
| <b>adhere</b>      | 94:6             | 11:5             | 105:5, 21        | <b>announce</b>    |
| 80:19              |                  | <b>agrees</b>    | 106:5, 18,       | 4:14               |
|                    | <b>advised</b>   | 53:7             | 23 108:12        | <b>announcemen</b> |
| <b>administere</b> | 31:13            | <b>ahead</b>     | 112:13           | <b>t</b>           |
| <b>d</b>           |                  | 13:24            | 113:15           | 49:19              |
| 5:11               | <b>advising</b>  | 16:6             | 114:14           | 50:1               |
|                    | 8:3 90:17        | 20:23            | 115:19           | <b>answering</b>   |
| <b>administrat</b> | 94:10            | 23:14            | 116:22           | 74:14              |
| <b>or</b>          |                  | 24:9             |                  | 100:9              |
| 13:16, 21          | <b>afield</b>    | 25:1, 10         | <b>aligned</b>   |                    |
| 24:20, 23          | 87:19            | 26:22            | 36:17            | <b>antagonisti</b> |
| 25:4, 5, 20        | <b>afternoon</b> | 27:4             | 53:2             | <b>c</b>           |
| 46:20              | 4:4 6:15         | 28:12            | <b>allergies</b> | 80:14              |
|                    |                  | 29:17            | 84:23            | <b>Anthony</b>     |
| <b>administrat</b> | <b>age</b>       | 30:14            | <b>allowed</b>   | 38:1, 7, 8         |
| <b>ors</b>         | 105:13           | 36:8             | 22:5             | 43:2               |
| 25:3, 15           | <b>agree</b>     | 41:17            | <b>alluded</b>   | <b>anymore</b>     |
| 26:11              | 5:6, 21          | 43:9 44:8        | 61:10            | 62:10              |
| <b>admit</b>       | 10:24, 25        | 45:4             | <b>America</b>   | <b>apologize</b>   |
| 106:8              | 12:10            | 46:13            | 17:18            | 23:14              |
| 113:11             | 17:11            | 47:3             | <b>American</b>  | 45:16              |
| 115:10             | 24:10            | 52:18            | 73:14, 16        | 48:17              |
|                    | 27:11, 20,       | 54:10            | 74:18            | 81:8               |
| <b>admitted</b>    | 24 45:2          | 61:1, 9          |                  | 103:22             |
| 51:6, 15           | 53:9, 17,        | 62:15            | <b>Americans</b> | <b>apparently</b>  |
| 62:21              | 18, 19, 21       | 65:2             | 73:24            | 79:20              |
| 92:11              | 55:7, 11         | 75:21            | <b>analysis</b>  | 93:8               |
| 113:19             | 59:24            | 76:19            | 67:11            | 105:6              |
|                    | 60:7, 11,        | 78:15, 24        | 86:6, 12,        | 110:6              |
| <b>adopted</b>     | 12 66:14         | 81:12            | 17 87:21         | 111:17             |
| 90:7               | 71:23            | 83:4, 24         |                  |                    |
|                    | 74:13, 16        | 85:10            | <b>and/or</b>    | <b>appears</b>     |
| <b>adults</b>      | 94:15            | 86:2             | 52:2             | 15:2               |
| 103:1, 4           | 96:16            | 88:21            | <b>Andrea</b>    | <b>applicable</b>  |
|                    | 98:6, 7, 8       | 89:2, 10         | 108:22, 23       | 21:19              |
| <b>advanced</b>    | 110:12, 14       | 90:16            |                  |                    |
| 30:18              | 111:25           |                  |                  |                    |
|                    | 112:1            |                  |                  |                    |
| <b>adverse</b>     |                  |                  |                  |                    |
| 56:13              |                  |                  |                  |                    |
| 67:22, 24          |                  |                  |                  |                    |

|                    |                    |                   |                |                   |
|--------------------|--------------------|-------------------|----------------|-------------------|
| <b>appointed</b>   | 12, 15             | 22:15             | <b>avail</b>   | 118:2, 5,         |
| 6:21 9:11          | 79:3               | 24:7              | 84:9           | 8, 9              |
| <b>approaching</b> | 82:11              | 35:5, 25          | <b>average</b> | <b>awareness</b>  |
| 37:1               | 97:14              | 37:24             | 28:8           | 29:13             |
| <b>approval</b>    | <b>articles</b>    | 38:9, 11          | 29:12          |                   |
| 34:3               | 70:23              | 40:25             | 44:25          |                   |
| 43:17              | 72:2               | 42:3 43:2         | 78:7           | <hr/>             |
| 108:4              | 73:3, 11,          | 105:1, 7          |                | <b>B</b>          |
|                    | 12, 18, 19         | 107:2             | <b>aware</b>   | <hr/>             |
| <b>approved</b>    | <b>asks</b>        | 115:12            | 9:11, 14,      | <b>B-A-G-N-A-</b> |
| 34:8               | 58:10              | 116:16            | 16 14:2        | <b>L-L</b>        |
| <b>approves</b>    |                    | <b>attorneys</b>  | 33:22, 25      | 109:3             |
| 108:19             | <b>assert</b>      | 8:8, 16           | 34:9, 14,      | <b>B2</b>         |
|                    | 24:4               | 35:13, 25         | 20, 21, 24     | 60:17             |
| <b>approximate</b> | <b>assertions</b>  | 37:20             | 36:3           | <b>B3</b>         |
| <b>ly</b>          | 106:20             | 64:9              | 37:9, 14,      | 60:18             |
| 7:21               | <b>assessment</b>  | 68:11, 12,        | 18, 19, 21,    | <b>B4</b>         |
| <b>April</b>       | 83:5               | 13, 18, 22,       | 22 38:17,      | 60:18             |
| 118:5              | 118:14             | 23                | 21 39:8,       |                   |
| <b>area</b>        | <b>Associate</b>   | 106:14,           | 13, 23         | <b>B5</b>         |
| 109:6, 7, 9        | 38:14              | 15, 19            | 41:3, 4        | 60:20, 21         |
| 117:18             | <b>Association</b> | 115:12            | 43:7           | <b>back</b>       |
| <b>argumentati</b> | 73:15              | <b>attributes</b> | 65:17, 20,     | 15:3              |
| <b>ve</b>          | <b>assume</b>      | 75:24             | 21, 22         | 17:10             |
| 26:21              | 53:8               | <b>audio</b>      | 66:1, 2,       | 18:10             |
| 36:7               | <b>assuming</b>    | 5:14              | 18, 21         | 19:2 20:3         |
| 79:1, 5            | 25:24              | 117:8             | 68:15          | 22:1 24:1         |
| 80:13              | 41:25              | <b>author</b>     | 69:2, 5, 19    | 25:8              |
| 96:4               | <b>assumption</b>  | 52:7              | 71:2, 4, 14    | 29:4, 8           |
| 98:23              | 108:18             | 97:15             | 72:14, 16      | 35:12             |
| 99:12, 23          | <b>attachment</b>  | <b>authored</b>   | 85:15          | 40:11             |
| 100:21             | 42:19              | 34:25             | 86:14, 16      | 43:1              |
| 105:4              | <b>attempt</b>     | 35:3 41:8         | 88:6, 10,      | 45:14             |
| 106:17             | 27:9               | <b>authority</b>  | 11, 14, 15,    | 53:19, 24         |
| 107:7              | <b>attempting</b>  | 10:10             | 16 90:25       | 54:20             |
| 118:24, 25         | 69:11              | 24:3, 17          | 95:20          | 56:8              |
| <b>arrows</b>      | <b>attention</b>   | 25:17             | 96:6, 12,      | 59:13, 19         |
| 110:18             | 116:9              | 26:15             | 15 97:5        | 60:6              |
| <b>article</b>     | 117:1, 3           | 27:2 34:5         | 103:23         | 61:23             |
| 51:22, 23,         | <b>attorney</b>    | 44:2              | 104:20         | 63:21             |
| 24 52:6,           | 4:17 8:16          | 49:14             | 105:9, 10,     | 66:22             |
| 7, 12, 22          |                    | 58:1 93:9         | 17, 22         | 68:7, 8           |
| 75:11, 20          |                    | 108:6             | 107:10,        | 73:22             |
| 77:3, 11,          |                    |                   | 14, 15         | 82:7, 10          |
|                    |                    |                   | 108:14         | 85:16             |
|                    |                    |                   | 109:24         | 101:1             |
|                    |                    |                   | 111:9, 12      |                   |



|                    |                 |                  |                   |                    |
|--------------------|-----------------|------------------|-------------------|--------------------|
| 112:20             | <b>begins</b>   | <b>bottom</b>    | 17:7,21           | 96:1,9             |
| 117:9,16,          | 4:6             | 10:12            | <b>called</b>     | 102:21             |
| 20 118:18          | <b>behalf</b>   | 11:20            | 33:6              | <b>cared</b>       |
| <b>background</b>  | 4:20,21         | 32:2,5           | 99:21             | 102:19             |
| 23:10              | 12:19           | <b>brand-new</b> | 114:22            | <b>caretakers</b>  |
| <b>bad</b>         | 34:18           | 61:24            | 116:12            | 102:23             |
| 18:21              | 58:2            | <b>break</b>     | <b>calling</b>    | <b>Caron</b>       |
| 55:4               | 106:21          | 82:6             | 33:9 98:8         | 4:12,25            |
| 68:24              | 107:2           | 117:6,13         | <b>calls</b>      | <b>case</b>        |
| <b>Bagnall-</b>    | 108:17          | <b>breakdown</b> | 24:6,25           | 4:10               |
| <b>degos</b>       | 115:13          | 58:13            | 28:11             | 9:12,13            |
| 108:22,24          | <b>beings</b>   | <b>bring</b>     | 45:3              | 50:7 51:5          |
| <b>Bandy</b>       | 98:21           | 47:13            | 46:12             | 54:19              |
| 96:21,22,          | 99:4            | <b>bringing</b>  | 47:2 54:9         | 66:12,16           |
| 24 97:16,          | 101:13          | 23:15            | 60:25             | 104:21             |
| 19 98:15           | <b>benefit</b>  | <b>broken</b>    | 61:8              | 109:24             |
| 101:14             | 31:8            | 58:10            | 67:12             | 112:11             |
| <b>based</b>       | 84:20           | <b>brought</b>   | 78:23             | 113:13             |
| 10:19              | <b>benefits</b> | 47:13            | 91:24             | 114:11,18          |
| 51:15              | 84:19           | 113:2            | 104:5             | 115:2,6,           |
| 91:14              | <b>Beth</b>     | <b>Bruce</b>     | 113:8             | 15 116:7,          |
| 105:20             | 70:24           | 35:6,7,16        | <b>Camp</b>       | 10                 |
| <b>basically</b>   | <b>bit</b>      | <b>buck</b>      | 79:18             | <b>cases</b>       |
| 54:24              | 19:16           | 39:2             | <b>Campagna</b>   | 50:5,16            |
| <b>basis</b>       | 22:23           | <b>bullet</b>    | 32:25             | 51:11,13           |
| 73:7,9             | 107:5           | 14:23            | 33:1 34:5         | 56:23,25           |
| <b>bear</b>        | 114:5           | 16:13            | <b>Campagna's</b> | 92:10              |
| 5:18               | <b>blog</b>     | 25:21            | 33:1              | 95:16              |
| 18:13              | 104:21          | 26:5             | <b>canceled</b>   | <b>catastrophe</b> |
| <b>Beardsworth</b> | <b>Bostom</b>   | 30:1,2,3,        | 37:18             | 65:16              |
| 57:11,21           | 57:11           | 4 44:16          | <b>canned</b>     | <b>catching</b>    |
| <b>beds</b>        | 58:5            | <b>bunch</b>     | 114:3             | 98:1               |
| 51:17              | 99:15           | 59:14            | <b>capacity</b>   | <b>caused</b>      |
| 59:10,19,          | 100:12,14       | <b>burden</b>    | 7:3,9             | 54:15              |
| 23                 | 104:14,         | 69:11            | <b>captioned</b>  | <b>CDC</b>         |
| <b>beginning</b>   | 20,22           | 97:24            | 10:10             | 14:23              |
| 20:3               | 105:3,7,        | <hr/>            | <b>care</b>       | 15:5               |
| 54:19              | 9,11,17,        | <hr/>            | 84:10,11,         | 17:25              |
| 62:3               | 23 106:9        | <b>C</b>         | 18 85:16          | 19:8               |
| 75:15              | 116:18,25       | <hr/>            | 86:7,18,          | 44:17              |
| 112:15             | 117:4           | <b>call</b>      | 21 87:6,7         | 45:21              |
| <b>Bostom's</b>    | <b>Bostom's</b> |                  | 95:16             | 46:2               |
| 115:10             | 115:10          |                  |                   | 50:12              |

|                       |                                           |                    |                       |                       |
|-----------------------|-------------------------------------------|--------------------|-----------------------|-----------------------|
| 53:3 71:2             | 51:24                                     | 103:1,3            | <b>clear</b>          | <b>combo</b>          |
| 73:9                  | 52:23,24,<br>25                           | 110:9              | 27:21                 | 8:25                  |
| <b>CDC's</b>          |                                           | 117:20,25          | 28:5,13               | <b>Comella</b>        |
| 17:6                  | <b>Chan's</b>                             | 118:6,11,<br>19    | 44:3                  | 40:5,7,16             |
| 44:20                 | 53:6                                      |                    | 45:6,7,9,<br>20 76:15 | 41:1,11,<br>22 43:3,7 |
| 45:23                 | <b>change</b>                             | <b>children's</b>  | 87:3,4                | 48:1,4,9              |
| <b>cell</b>           | 50:13,14,<br>16 73:24                     | 68:1,3             | 91:25                 | 93:8,12               |
| 105:8,14,<br>16       | 74:17                                     | <b>China</b>       | 92:1                  |                       |
|                       | 79:9 83:1                                 | 80:3               | 117:22,23             | <b>Comella's</b>      |
| <b>Center</b>         |                                           | <b>choice</b>      | <b>client</b>         | 40:11,13<br>43:13     |
| 97:7,17               | <b>changed</b>                            | 115:24             | 116:3                 |                       |
|                       | 12:24                                     | <b>chose</b>       | <b>clients</b>        | <b>comment</b>        |
| <b>Centers</b>        | 17:20,23                                  | 115:25             | 103:18                | 83:20                 |
| 15:4                  | 20:9                                      | 116:2,5            | 109:22                | 97:20                 |
| 17:3,23               | 36:1,22                                   | <b>Chrisanne</b>   | 113:13                | <b>Commissione</b>    |
| 20:8                  | 49:11                                     | 4:19 8:8           | 115:8,14              | <b>r</b>              |
| 24:12                 | 51:1                                      | 60:4               | <b>clients'</b>       | 38:14                 |
| 25:13,15              | <b>Chicago</b>                            | 76:17              | 66:15                 | 39:10                 |
| 26:14                 | 65:24                                     | 97:10              | <b>close</b>          | 46:9,23               |
| 27:7                  | <b>Chief</b>                              | 117:6,14           | 21:17                 | 47:15                 |
| 28:21,25              | 38:14                                     | <b>circumstanc</b> | 33:16                 | <b>common</b>         |
| 30:18                 | <b>child</b>                              | <b>e</b>           | 103:1                 | 79:24                 |
| 36:21,22              | 24:24                                     | 54:12              | <b>cloth</b>          | 80:2,3,4              |
| 46:1                  | 55:22                                     | 60:8,22            | 71:15,19,<br>25 72:2  | 84:9,11               |
| 50:22                 | 102:24,25                                 | <b>circumstanc</b> | 73:5                  | 98:13                 |
| 61:20                 | <b>children</b>                           | <b>es</b>          | <b>coerce</b>         | 102:2                 |
| 72:3 73:1             | 10:16,20                                  | 18:9 54:6          | 27:9                  | <b>commonly</b>       |
| 89:18                 | 14:3,9                                    | <b>Cirignotta</b>  | 109:22                | 102:11                |
| 90:5,18,<br>19 92:4,6 | 66:17                                     | 109:22             | <b>coerced</b>        | <b>communicate</b>    |
| <b>Central</b>        | 67:22                                     | <b>cite</b>        | 85:8                  | 43:14                 |
| 51:24                 | 68:5                                      | 52:19              | <b>coercive</b>       | <b>communicate</b>    |
| 52:14,15              | 69:17,23                                  | 116:17             | 28:22                 | <b>d</b>              |
| 92:17                 | 71:3,8                                    | <b>citizen</b>     | <b>cold</b>           | 35:6                  |
| <b>certainty</b>      | 97:18,21                                  | 83:6               | 79:22                 | <b>communicati</b>    |
| 113:3                 | 98:8,11,<br>13,21,25                      | <b>City</b>        | 82:15,17              | <b>ng</b>             |
| <b>certified</b>      | 99:1,10,<br>17 100:1,<br>2,19             | 37:9,13            | 83:23                 | 34:21                 |
| 5:1                   | 101:21,24                                 | <b>clarify</b>     | <b>collaborati</b>    | 41:2,12,<br>23        |
| <b>challenge</b>      | 102:2,4,<br>5,9,10,<br>12,14,16,<br>18,19 | 42:19              | <b>on</b>             | <b>communicati</b>    |
| 112:5                 |                                           | <b>clarity</b>     | 35:18                 | <b>on</b>             |
| <b>Chan</b>           |                                           | 113:1              | <b>combined</b>       | 37:24                 |
| 48:23,24              |                                           |                    | 73:15                 | 108:8                 |
| 49:4,14               |                                           |                    |                       |                       |
| 50:3                  |                                           |                    |                       |                       |

|                       |                    |                    |                    |                   |
|-----------------------|--------------------|--------------------|--------------------|-------------------|
| <b>communications</b> | 67:15              | 22,25              | 10 114:8           | 118:10            |
| 32:16                 | <b>concepts</b>    | <b>consequence</b> | <b>continued</b>   | <b>copied</b>     |
| 57:22                 | 24:15              | <b>s</b>           | 70:8               | 42:14             |
| 108:2,5,              | 36:19              | 56:13              | <b>contractor</b>  | <b>corner</b>     |
| 19 109:5,             | <b>concern</b>     | <b>considered</b>  | 49:4,6,9           | 10:2              |
| 6                     | 66:16              | 66:23              | <b>contradict</b>  | <b>corral</b>     |
| <b>communities</b>    | 103:24             | <b>consistent</b>  | 118:13             | 97:23             |
| 42:10                 | <b>concerned</b>   | 24:14              | <b>contributin</b> | 101:8,12,         |
| 43:5                  | 103:8,13,          | 111:10             | <b>g</b>           | 14                |
| 65:25                 | 16 104:3,          | 113:18             | 58:21              | <b>corralled</b>  |
| 66:6                  | 11                 | <b>constantly</b>  | 59:2               | 118:20            |
| <b>community</b>      | <b>conclude</b>    | 70:21,23           | <b>Control</b>     | <b>corralling</b> |
| 37:3 46:3             | 72:13              | <b>consult</b>     | 15:5               | 101:7             |
| 50:23                 | <b>concluded</b>   | 7:2                | 17:3,23            | <b>correct</b>    |
| 51:3 53:9             | 118:9              | <b>consultant</b>  | 20:9               | 6:19,22           |
| 89:19,25              | 119:17             | 8:4                | 24:13              | 7:19 8:1,         |
| 90:4,14               | <b>concludes</b>   | <b>consulted</b>   | 25:14,16           | 2,4,5             |
| 91:9,18,              | 119:9              | 94:14              | 26:14              | 11:1,6,8          |
| 20                    | <b>conclusion</b>  | 95:4,19            | 27:7               | 13:13             |
| <b>compared</b>       | 77:24              | <b>consulting</b>  | 28:21              | 14:11             |
| 71:15                 | 106:23             | 48:25              | 29:1               | 15:11             |
| <b>completely</b>     | 115:21             | 52:25              | 30:18              | 16:16,25          |
| 45:14                 | <b>conduct</b>     | <b>contact</b>     | 36:21,22           | 17:8,13           |
| <b>comply</b>         | 87:20              | 21:17              | 46:1               | 18:1,2,6,         |
| 21:18                 | <b>conducted</b>   | 32:6               | 50:22              | 10 20:17          |
| <b>comports</b>       | 5:10               | 87:10,12,          | 61:20              | 22:2,6,           |
| 36:18                 | <b>conference</b>  | 16 102:9           | 72:4 73:2          | 11,21,25          |
| <b>compound</b>       | 49:23              | <b>contagious</b>  | 89:19              | 23:4,5,           |
| 13:23                 | 50:3               | 54:15              | 90:6,18,           | 20,21,24,         |
| 27:3                  | <b>confident</b>   | <b>contaminati</b> | 20 92:4,7          | 25 25:25          |
| 28:12                 | 115:4              | <b>on</b>          | <b>convene</b>     | 26:1,3,12         |
| 46:12                 | <b>confirm</b>     | 71:12              | 64:23              | 27:23             |
| 100:21                | 53:6               | <b>content</b>     | <b>conversatio</b> | 28:2 30:6         |
| 114:14                | <b>confusing</b>   | 19:25              | <b>n</b>           | 31:25             |
| 115:18                | 28:22              | 20:2,12,           | 114:6,23           | 32:1,3,4          |
| 116:21                | <b>consent</b>     | 14 28:24           | 115:25             | 37:11             |
| <b>computer</b>       | 5:15               | 36:15,19           | <b>conversatio</b> | 41:25             |
| 10:5                  | <b>consequence</b> | 108:20             | <b>ns</b>          | 47:21,22          |
| 11:19                 | 60:13              | <b>context</b>     | 93:12              | 49:21             |
| 48:17                 | 61:12,19,          | 103:25             | <b>convey</b>      | 50:13,15,         |
| <b>concept</b>        |                    | 104:4,8,           | 30:12              | 20 55:16,         |
| 34:20                 |                    |                    | <b>convincing</b>  | 19,23             |
|                       |                    |                    |                    | 56:1 58:3         |
|                       |                    |                    |                    | 59:4              |

|                  |                  |                    |                   |                    |
|------------------|------------------|--------------------|-------------------|--------------------|
| 64:3,7           | <b>County</b>    | 14:25              | <b>curious</b>    | 56:6,11,           |
| 66:24            | 91:19            | 15:6               | 106:8             | 15,22              |
| 69:3             | <b>couple</b>    | 16:14              | <b>current</b>    | 67:24              |
| 71:22            | 42:22            | 17:5               | 7:13,15           | 70:7               |
| 74:12            | 110:17           | 21:16,23           | 77:3              | <b>days</b>        |
| 85:17,21,        | <b>court</b>     | 24:3               | <b>cut</b>        | 14:24              |
| 25 86:7,         | 4:9,11,          | 26:17              | 45:12,14          | 16:16              |
| 14,18,25         | 15,23            | 27:8 37:3          | 47:12             | 17:19              |
| 87:8,14          | 5:2,8 6:7        | 40:21              | 48:7              | 20:6,9             |
| 91:3,4,10        | 29:4,7           | 54:24              | 81:15             | 25:22              |
| 93:25            | 42:16            | 55:8,11            | <b>cute</b>       | 26:7               |
| 94:4             | 67:20,21         | 56:8               | 13:15             | 64:15,17           |
| 95:23            | 69:15            | 60:9,11            | _____             | 85:23              |
| 103:6,14         | 74:11,16         | 62:20              | <b>D</b>          | 111:19             |
| 104:16           | 119:12           | 71:12              | <b>Dear</b>       |                    |
| 107:20           | <b>courteous</b> | 76:11              | 12:1              |                    |
| 109:25           | 113:23           | <b>COVID-22</b>    | <b>D-E-G-O-S</b>  | <b>deaths</b>      |
| <b>correctly</b> | 116:12,14        | 62:22              | 109:3             | 81:2               |
| 51:1             | <b>courtesy</b>  | <b>creature</b>    | <b>daily</b>      | <b>deceive</b>     |
| <b>cost/</b>     | 113:23           | 99:8               | 102:23            | 27:9               |
| <b>benefit</b>   | 114:22           | <b>credibility</b> | <b>Daniel</b>     | <b>December</b>    |
| 86:6,12,         | <b>covered</b>   | 73:1               | 4:8               | 17:18              |
| 17 87:20         | 88:1             | 111:14             | <b>dashboards</b> | 20:8,15            |
| <b>costs</b>     | <b>COVID</b>     | <b>credible</b>    | 59:14             | 24:16              |
| 5:19             | 27:23            | 25:18              | <b>Dasilva</b>    | <b>decide</b>      |
| <b>Cottone</b>   | 32:19,20         | 67:21              | 51:23             | 46:18              |
| 38:1,7,8,        | 33:5,6,9,        | 73:12,17           | 52:8              | 90:11,23           |
| 11 40:25         | 10,13,17         | <b>criteria</b>    | <b>data</b>       | 95:10              |
| 43:2             | 51:7,18          | 90:9               | 71:3              | <b>decision</b>    |
| <b>coughing</b>  | 56:17,20         | <b>critical</b>    | 110:12            | 66:22              |
| 79:9             | 57:5             | 37:7               | <b>date</b>       | 67:2,3,5           |
| <b>counsel</b>   | 58:16,20,        | <b>culture</b>     | 52:3              | 68:4,10,           |
| 4:14 5:7,        | 25 59:23         | 74:20              | 118:10            | 11,13              |
| 16               | 61:11,15         | 75:1 79:9          | <b>dated</b>      | <b>decisions</b>   |
| <b>count</b>     | 71:19            | 82:19              | 11:16             | 53:15              |
| 51:5             | 75:21            | 83:1               | 20:14             | 87:1               |
| <b>counties</b>  | 76:1,5,7         | 84:2,3,6,          | 21:8              | 92:20              |
| 44:20            | 81:1,2           | 13,15,25           | 31:5,6            | <b>declaration</b> |
| 45:23            | 93:24            | 85:7               | 57:11             | 93:24              |
| <b>country</b>   | 95:6             | <b>cultures</b>    | <b>day</b>        | 94:7               |
| 17:24            | 111:9,11         | 74:20              | 6:24 7:17         | 95:21              |
| 20:12            | <b>COVID-19</b>  | 80:4               | 20:10             |                    |
| 65:19            | 5:9              |                    |                   |                    |
|                  | 10:16,19         |                    |                   |                    |

|                      |              |                      |                    |                    |
|----------------------|--------------|----------------------|--------------------|--------------------|
| <b>declaration</b>   | 38:2, 4, 5,  | <b>Department 's</b> | 6:18 7:6,          | 27:7               |
| <b>s</b>             | 6, 10, 13,   |                      | 13 9:11,           | 28:21, 25          |
| 96:2                 | 18, 19, 24   | 110:7                | 17 33:10           | 30:18              |
| <b>Defendants</b>    | 39:5, 6,     | <b>depended</b>      | 36:14              | 36:21, 22          |
| 4:20, 22             | 15, 17, 24   | 87:9                 | 38:25              | 46:1               |
| 9:12 69:9            | 40:3, 8, 12  | <b>depends</b>       | 40:20              | 50:22              |
|                      | 42:4         | 16:11                | 44:1               | 54:13              |
| <b>Defendants 's</b> | 43:18        |                      | 48:25              | 55:1, 15           |
| 10:9                 | 44:4         | <b>deposition</b>    | 53:1, 25           | 61:11, 20          |
| <b>define</b>        | 46:8, 10,    | 4:1, 7, 13           | 64:9 78:9          | 62:23, 25          |
| 45:18                | 24 48:1,     | 7:16, 25             | 80:22              | 72:4 73:2          |
| <b>definition</b>    | 10 49:1,     | 8:7, 11              | 81:1               | 75:7               |
| 15:15                | 3, 5, 15, 16 | 9:5 29:9             | 82:23, 25          | 89:19              |
|                      | 53:1         | 42:17                | 83:7, 11           | 90:6, 18,          |
| <b>dehumanizin</b>   | 54:2, 7      | 53:6 78:4            | 94:4               | 20 92:4, 6         |
| <b>g</b>             | 58:2         | 103:5, 9,            | 95:12              | 98:1, 11,          |
| 98:9                 | 63:8, 22     | 13, 19               | 96:20              | 14 99:1, 8         |
| 101:8                | 64:2, 5, 11  | 104:12               | 97:1               | 100:19             |
| <b>demanding</b>     | 68:12        | 119:10, 17           | 107:25             | 101:1, 22          |
| 42:17                | 69:21        | <b>depositions</b>   | 110:8              | 102:3, 4,          |
| <b>denies</b>        | 86:5         | 92:22                |                    | 11, 14, 16,        |
| 106:11, 12           | 87:20        | 95:1                 | <b>directors</b>   | 19 103:2,          |
|                      | 88:8         |                      | 91:1               | 4 118:3            |
| <b>deny</b>          | 91:2, 7      | <b>Deputy</b>        | <b>disagree</b>    | <b>diseases</b>    |
| 115:7                | 92:1, 22,    | 38:13                | 78:25              | 101:25             |
| <b>denying</b>       | 24 93:6,     | 39:9                 | <b>discomfort</b>  | <b>dismissed</b>   |
| 115:7                | 12 94:9      | <b>describe</b>      | 67:25              | 9:14               |
|                      | 95:12        | 98:20, 25            | 68:3               | <b>disputing</b>   |
| <b>department</b>    | 96:21, 25    | <b>describing</b>    | <b>discussed</b>   | 69:8               |
| 6:18 7:3,            | 97:3         | 65:9                 | 24:15              | <b>disrupting</b>  |
| 5, 7, 10,            | 101:16       | <b>determining</b>   | 72:1               | 71:7               |
| 19, 24 8:3           | 107:8, 11,   | 51:9                 | <b>discussion</b>  | <b>distinction</b> |
| 9:12                 | 13, 19       | <b>difference</b>    | 5:24               | 85:1               |
| 11:15                | 108:3, 5,    | 44:7, 10             | 119:8              | <b>distress</b>    |
| 13:5, 20             | 15, 17       | 49:7, 8              | <b>discussions</b> | 68:2               |
| 14:6 15:8            | 111:18       | 73:3                 | 48:12              | <b>distributed</b> |
| 18:4                 | 112:3, 8,    | 78:12                | 54:2               | 13:4               |
| 23:6, 18,            | 21 113:5,    | <b>difficult</b>     | 68:21              | 14:1, 6            |
| 22 26:18,            | 11, 21, 22   | 68:4 79:5            | <b>disease</b>     | <b>district</b>    |
| 23 27:15             | 114:9, 20,   | <b>directly</b>      | 15:5               | 46:16              |
| 31:25                | 114:9, 20,   | 116:10               | 17:3, 23           | 88:17              |
| 32:12, 13,           | 24 115:7,    | 118:12               | 20:8               | <b>districts</b>   |
| 15 34:6,             | 12, 13, 22   | <b>director</b>      | 24:13              | 42:10              |
| 25 35:14             | 116:3, 6,    |                      | 25:14, 16          |                    |
| 36:13, 17            | 8, 11, 14,   |                      | 26:14              |                    |
| 37:25                | 19           |                      |                    |                    |

|                 |                 |                  |                  |                    |
|-----------------|-----------------|------------------|------------------|--------------------|
| 43:5,14         | 61:1,9          | 13:25            | 85:1             | <b>easily</b>      |
| 44:5            | 62:10,19        | 17:9             | <b>driver</b>    | 65:15              |
| 88:7,24         | 63:20           | 18:13            | 117:21           | <b>Ed</b>          |
| 91:21           | 65:2,17         | 19:3,9,          | <b>drivers</b>   | 38:18              |
| <b>Division</b> | 66:15           | 10,11,13,        | 117:25           | 48:2               |
| 97:4            | 68:20           | 18,23            | 118:11           | <b>Ed. 's</b>      |
| <b>Dizon</b>    | 69:19           | 20:2,13,         | <b>droplets</b>  | 38:13              |
| 38:15           | 71:12           | 17,24            | 54:14            | <b>Eden</b>        |
| <b>Doctor</b>   | 73:20           | 21:2,8,          | 102:8            | 4:11               |
| 6:17 8:6        | 76:15,20        | 10,12            | <b>dropped</b>   | <b>educate</b>     |
| 9:4,10,24       | 78:15,18,       | 23:8             | 95:20,22,        | 27:16              |
| 10:7            | 24 81:3,        | 26:17            | 24 96:6,         | <b>Education</b>   |
| 11:14           | 6,11            | 27:18            | 8,10,13,         | 38:5,7,10          |
| 13:24           | 82:10           | 31:4,8,10        | 15,18            | 39:7 42:4          |
| 14:12,15,       | 83:4,25         | 37:4 60:4        | <b>due</b>       | 46:9,23            |
| 17 16:6         | 85:11,15        | 67:9,10          | 51:7 81:2        | 47:15              |
| 17:6,25         | 86:2            | 73:6             | 93:24            | 92:23              |
| 19:7            | 87:3,18         | 109:16           | <b>documents</b> | 93:6,13            |
| 20:18,20,       | 88:6,21         | <b>documents</b> | 8:10 9:6         | <b>duly</b>        |
| 22 21:9         | 89:7,10         | 14:6             | 59:15            | 6:6                |
| 22:14           | 90:16,25        | 14:6             | <b>DOH</b>       | <b>duration</b>    |
| 23:17           | 91:12,17,       | 59:15            | 88:21            | 21:20              |
| 24:7,8          | 24 93:4,        | <b>doubt</b>     | <b>duties</b>    | <b>effect</b>      |
| 25:1,10         | 22 94:18,       | 38:23            | 7:24             | 95:15              |
| 26:22           | 23 95:1,8       | 39:7 42:3        | <b>dying</b>     | 111:5              |
| 27:4,20         | 96:4,20         | 116:5            | 56:5,8           | <b>effective</b>   |
| 28:12           | 98:19,23        | <b>draft</b>     | _____            | 55:18              |
| 29:9,11,        | 99:6,14,        | 12:2,3,          | <b>E</b>         | 63:1               |
| 17 30:15        | 19 100:8,       | 18,21            | _____            | 71:20              |
| 31:4,12,        | 22 101:3,       | 14:16            | <b>e-mail</b>    | 72:6               |
| 23 36:8         | 11 103:5,       | <b>drafted</b>   | 13:18,19         | 84:18              |
| 39:2,22         | 12 104:6,       | 12:4,5,18        | 14:4             | <b>effectivene</b> |
| 41:10,18        | 18 106:6,       | 14:11            | 32:6,9,11        | <b>ss</b>          |
| 43:1,10         | 23 108:13       | 33:20,21         | 42:21            | 71:18,25           |
| 44:9            | 111:25          | 35:17            | 57:10            | 72:6               |
| 45:4,10,        | 112:14          | <b>drafting</b>  | 58:1,5           | <b>effects</b>     |
| 16 46:13,       | 113:4,16        | 19:24            | <b>earlier</b>   | 67:22,24           |
| 21 47:3,        | 114:15          | <b>draw</b>      | 18:10            | 98:17              |
| 6,14,18,        | 115:4,19        | 65:12            | 57:9             | <b>efficacy</b>    |
| 25 48:7,        | 116:22          | 77:23            | 61:10            | 72:21              |
| 23 49:18        | 117:18          | <b>drawing</b>   | 77:8             | <b>efficiency</b>  |
| 50:10           | 118:13          |                  | 93:11            | 72:12,13           |
| 53:23,24        | 119:4,6         | <b>document</b>  |                  |                    |
| 54:10,18        | <b>document</b> | 9:19,24          |                  |                    |
| 57:19           | 10:1,14         |                  |                  |                    |

|                    |                    |                    |                    |                    |
|--------------------|--------------------|--------------------|--------------------|--------------------|
| <b>electronic</b>  | 54:1               | <b>Epidemiolog</b> | <b>EXAMINATION</b> | 8:14, 23           |
| 119:15, 16         | 82:11              | <b>y</b>           | 6:12               | 48:17              |
|                    | 88:12              | 97:4               | <b>exception</b>   | 109:17, 18         |
| <b>eliminated</b>  |                    | <b>equated</b>     | 7:16               | <b>existence</b>   |
| 86:18              | <b>endemic</b>     | 100:2              | <b>exclamation</b> | 18:10              |
| <b>embarrassme</b> | 12:24              | <b>era</b>         | 111:22, 24         | <b>expect</b>      |
| <b>nt</b>          | <b>ending</b>      | 71:12              | <b>excuse</b>      | 16:3, 7            |
| 104:12             | 49:20              | <b>Esquire</b>     | 52:1               | 24:23              |
| <b>emergencies</b> | <b>enforce</b>     | 4:13               | 110:15             | 25:6               |
| 95:21              | 24:18              | <b>essence</b>     | 119:3              | <b>expectation</b> |
| <b>emergency</b>   | <b>enforceable</b> | 83:1               | <b>executive</b>   | 13:10              |
| 63:13              | 26:17              | <b>establish</b>   | 5:8 18:5,          | <b>expected</b>    |
| 64:2, 5            | 27:18              | 66:13              | 8 21:7             | 63:16              |
| 66:12              | 29:19              | 69:17              | 22:2, 9,           | <b>experience</b>  |
| 85:20, 24          | 30:21              | <b>et al</b>       | 18, 20             | 79:13              |
| 86:4               | <b>enforcement</b> | 4:8                | 23:3, 18           | <b>experienced</b> |
| 93:24              | 24:17              | <b>ethical</b>     | 29:21              | 68:2               |
| 94:7, 11           | <b>engage</b>      | 80:20, 21,         | 30:20              | <b>experiences</b> |
| 95:3, 6,           | 114:5              | 25                 | 64:7               | 76:1               |
| 14, 25             | 115:25             | <b>ethics</b>      | 93:22              | <b>expert</b>      |
| 96:2, 7, 9,        | <b>England</b>     | 81:4, 6            | 95:9               | 102:3, 14,         |
| 13, 16             | 73:13              | <b>Etie</b>        | <b>exhibit</b>     | 18 115:15          |
| <b>emotional</b>   | <b>ensure</b>      | 8:9                | 5:18 9:21          | <b>expire</b>      |
| 67:25              | 5:1                | <b>Etie-lee</b>    | 11:10, 11,         | 22:5               |
| <b>employed</b>    | <b>Entering</b>    | 4:21               | 15 18:14           | <b>expired</b>     |
| 90:16              | 75:21              | <b>evaluate</b>    | 19:8               | 22:18, 25          |
| <b>employee</b>    | <b>entire</b>      | 60:14              | 20:13, 21          | 23:18              |
| 49:2, 6, 8         | 56:24              | <b>event</b>       | 21:2, 4, 7         | 54:4               |
| <b>employees</b>   | <b>entirety</b>    | 76:11              | 24:1, 14           | 85:24              |
| 39:15              | 20:21              | 111:2              | 28:25              | <b>explain</b>     |
| 116:13             | <b>entity</b>      | <b>evidence</b>    | 30:25              | 28:4               |
| <b>employer</b>    | 18:3               | 69:9               | 31:1               | 61:25              |
| 87:2               | <b>envision</b>    | 101:24             | 48:16, 18,         | <b>exponential</b> |
| <b>employment</b>  | 60:21              | 114:14             | 20 51:19,          | <b>ly</b>          |
| 6:24 7:9           | 79:8               | 115:18             | 21 52:2            | 111:12             |
| 39:12              | <b>epidemic</b>    | 117:24             | 57:9, 13           | <b>extend</b>      |
| <b>end</b>         | 27:23              | 118:10             | 67:2, 6            | 94:7, 11           |
| 5:6 7:21,          | <b>Epidemiolog</b> | <b>exact</b>       | 74:1, 3            | <b>extended</b>    |
| 22, 23             | <b>ical</b>        | 64:8 72:5          | 75:8, 17           | 94:13, 16          |
| 36:23              | 40:20              | 76:5               | 93:14, 15,         | 98:1               |
| 45:14              |                    | <b>exhibits</b>    | 19 97:9,           |                    |
| 46:2               |                    | 5:15               | 11 113:2           |                    |
| 50:21              |                    |                    |                    |                    |

|                   |                 |                   |                   |                   |
|-------------------|-----------------|-------------------|-------------------|-------------------|
| <b>extending</b>  | 66:6, 11        | <b>field</b>      | 102:7             | 83:3, 24          |
| 93:23             | 89:13           | 8:8 78:7          | <b>fired</b>      | 85:10             |
| <b>extraction</b> | 91:14           | 87:7              | 86:24             | 88:20             |
| 100:15            | <b>Falls</b>    | <b>figure</b>     | <b>fit</b>        | 90:15             |
| <b>extremely</b>  | 51:24           | 74:2              | 46:19             | 91:23             |
| 62:1              | 52:14, 15       | <b>figures</b>    | <b>five-year-</b> | 93:3, 10          |
|                   | 92:18           | 65:18             | <b>olds</b>       | 94:17, 22         |
|                   | <b>false</b>    | <b>file</b>       | 112:25            | 95:7 96:3         |
| <b>F</b>          | 56:2            | 106:19            | <b>flu</b>        | 98:10, 22         |
|                   | <b>familiar</b> | <b>filed</b>      | 76:1              | 99:5, 11          |
| <b>fabric</b>     | 9:8             | 4:9 9:13          | <b>fluids</b>     | 100:20            |
| 72:12             | 19:17, 18       | 103:17, 23        | 72:9              | 101:2             |
| <b>face</b>       | 67:15           | 115:9             | <b>focus</b>      | 103:20            |
| 42:11             | 71:10, 13       | <b>files</b>      | 98:19             | 104:5             |
| 43:6 71:7         | 72:19           | 107:2             | <b>follow</b>     | 105:20            |
| <b>Facebook</b>   | 110:1           | <b>filing</b>     | 24:22             | 106:5, 22         |
| 107:13            | <b>families</b> | 10:1              | 90:17             | 107:4, 6          |
| <b>fact</b>       | 12:2, 17        | 34:17             | 92:3              | 108:12            |
| 18:8              | 13:2, 5,        | 105:20            | 104:22, 25        | 112:13            |
| 23:22             | 13, 18, 21      | <b>filings</b>    | 105:23            | 113:8, 15         |
| 32:5              | <b>family</b>   | 42:22             | <b>foresee</b>    | 114:12, 13        |
| 55:21             | 13:7 98:1       | <b>filtration</b> | 61:3              | 115:17            |
| 57:7              | 105:13          | 72:12             | <b>foreseen</b>   | 116:21            |
| 71:22             | <b>fast</b>     | <b>final</b>      | 63:15             | 118:24, 25        |
| 116:16            | 19:16           | 34:22             | <b>forget</b>     | <b>forthright</b> |
| <b>factor</b>     | <b>fear</b>     | <b>find</b>       | 76:4              | 80:23             |
| 66:18             | 55:3            | 68:17             | 89:14             | <b>forward</b>    |
| <b>factors</b>    | <b>February</b> | 70:18             | <b>Forgive</b>    | 8:24              |
| 55:7              | 22:4            | 73:1, 6           | 71:6              | 13:12             |
| <b>facts</b>      | 50:11           | 100:4             | <b>form</b>       | 60:10, 24         |
| 69:8              | 58:7            | 106:2             | 5:12              | 83:16             |
| <b>fair</b>       | <b>federal</b>  | <b>finding</b>    | 28:11             | 90:7              |
| 15:17             | 95:2            | 69:18, 22,        | 41:17             | <b>forwarded</b>  |
| 21:1              | <b>feed</b>     | 25                | 43:9 44:8         | 8:19              |
| 38:11             | 116:5, 12       | <b>finds</b>      | 45:3 47:2         | 13:17             |
| 49:11             | <b>feeding</b>  | 69:15             | 60:25             | <b>found</b>      |
| 82:24             | 102:24          | <b>fine</b>       | 61:8 62:8         | 70:3 73:7         |
| 83:5              | <b>feel</b>     | 61:18             | 65:1              | 97:19             |
| <b>faith</b>      | 106:9           | 92:5              | 76:18             | <b>fourth</b>     |
| 100:18            | <b>felt</b>     | <b>finish</b>     | 78:14, 23         | 30:3              |
| <b>fall</b>       | 112:4           | 80:9 81:5         | 80:9 81:5         | <b>frame</b>      |
| 65:20             |                 |                   |                   | 22:12, 16         |
|                   |                 |                   |                   | 33:14             |
|                   |                 |                   |                   | 42:14             |



|                   |                      |                    |                 |                      |
|-------------------|----------------------|--------------------|-----------------|----------------------|
| 81:15             | 63:9                 | 114:8              | <b>great</b>    | <b>guidelines</b>    |
| <b>frankly</b>    | 64:19                | <b>giving</b>      | 62:15           | 23:8                 |
| 13:16             | 75:2                 | 27:21              | 73:1            |                      |
| 28:19             | 78:22                |                    | <b>greater</b>  | <hr/> <b>H</b> <hr/> |
| 37:6,21           | 83:22,23             | <b>good</b>        | 102:6           |                      |
| 43:23             | 84:25                | 4:4 6:14           | <b>Gregg</b>    | <b>H-O-E-G</b>       |
| 44:11,13          | 85:13                | 9:10 19:3          | 18:17,20,       | 70:25                |
| 63:1,18           | 87:25                | 65:10              | 22 22:13        | <b>half</b>          |
| 65:4              | 88:15                | 66:5               | 23:13           | 47:10                |
| 80:14             | 106:25               | 68:23              | 31:12           | <b>handled</b>       |
| 84:20             |                      | 81:17              | 38:2            | 37:20                |
| 92:16             | <hr/> <b>G</b> <hr/> | 105:6              | 42:12           |                      |
| 99:18             |                      | 107:1              | 45:12           | <b>happen</b>        |
| 104:25            | <b>gave</b>          | <b>gosh</b>        | 48:7            | 39:9 62:2            |
| 115:21            | 89:25                | 103:21             | 52:1,18         | 65:6                 |
| 116:2,8           | 90:2 97:6            | <b>Governor</b>    | 57:17           | <b>happened</b>      |
| 117:2             |                      | 18:5 22:2          | 62:9 69:4       | 18:21                |
| <b>free</b>       | <b>general</b>       | 49:19,23           | 74:6 86:8       | 19:1                 |
| 115:24            | 77:14,19,            | 54:8,16            | 93:16           | 39:20                |
| 119:6             | 20 105:2,            | 61:4 62:5          | 104:17          | 50:9,10              |
|                   | 7 107:2              | 77:8,11,           | 105:19          | 60:14                |
| <b>frequency</b>  | <b>General's</b>     | 16 88:9            | 110:15          | 96:14,17             |
| 38:21             | 8:16 35:6            | 93:23              | 118:25          | 115:22               |
| <b>frequently</b> | 36:1                 | 94:19              | <b>Gregory</b>  | <b>happy</b>         |
| 39:18             | 115:12               | 95:10              | 4:17            | 84:5,7               |
| <b>front</b>      | 116:16               | 97:16              | <b>group</b>    | <b>hard</b>          |
| 17:9              | <b>generally</b>     | <b>Governor's</b>  | 38:12,18        | 63:18,20             |
| 42:20             | 15:16                | 9:13               | 39:14,23,       | 65:4,5               |
| 77:3 94:1         | <b>generation</b>    | 22:9,19            | 25 40:2,        |                      |
| <b>full</b>       | 111:25               | 23:3               | 6,10            | <b>harm</b>          |
| 6:7 20:6          | <b>generic</b>       | 38:17,19           | 58:16           | 66:17,23             |
| 26:7              | 32:6                 | 39:6 44:1          | <b>guess</b>    | 67:12,13,            |
| <b>function</b>   | <b>gentleman</b>     | 54:3 64:7          | 72:18           | 16 68:17             |
| 27:22             | 37:25                | 94:6,10            | 96:11           | 69:18,22             |
| <b>functions</b>  | <b>Gentlemen</b>     | <b>grandparent</b> | 114:3           | 70:10                |
| 27:15             | 81:13                | <b>s</b>           | <b>guidance</b> | <b>head</b>          |
| 70:22             | 118:23               | 97:25              | 21:23           | 32:20                |
| <b>funding</b>    | <b>give</b>          | 98:14,18           | 22:11,21        | 33:5,11              |
| 95:2              | 25:17                | 101:23,25          | 36:23           | 42:3                 |
| <b>fungal</b>     | 57:17                | 102:5,10,          | 46:15,18        | 59:12                |
| 71:11             | 72:20                | 22                 | 50:12           | 80:25                |
| <b>future</b>     | 75:14                | <b>granular</b>    | 53:3 73:5       | 101:16               |
| 10:18             | 82:4 91:7            | 38:24,25           | 92:3,7,24       | 109:4,6              |
|                   |                      | 39:20              |                 |                      |
|                   |                      | 58:11              |                 |                      |

|               |                |                  |                    |                    |
|---------------|----------------|------------------|--------------------|--------------------|
| <b>health</b> | 18 85:16       | 78:3             | 84:13,21           | 20,24              |
| 6:18 7:3,     | 86:5,7,        | 80:11            | <b>Hoeg</b>        | 59:3               |
| 5,7 11:16     | 17,21          | 100:13           | 70:24              | <b>hospitals</b>   |
| 13:20         | 87:6,7,20      | <b>hearings</b>  | <b>hold</b>        | 55:3               |
| 15:8          | 88:9           | 67:16            | 18:20              | 56:1,3,8,          |
| 17:17         | 91:1,2,7       | 110:3            | 19:2               | 10,15              |
| 18:4          | 92:1,24        | <b>helpful</b>   | 20:19              | 59:15              |
| 20:11         | 94:10          | 36:25            | 57:12              | 92:10              |
| 23:7,19,      | 95:12,15       | 37:4 75:6        | 71:5               | <b>hours</b>       |
| 22 24:11      | 96:21,25       | <b>high</b>      | 81:14              | 47:10,12           |
| 25:13,17      | 97:6,17        | 37:3             | 119:12             | <b>household</b>   |
| 26:15,18,     | 98:24          | 44:20            | <b>holistic</b>    | 51:7               |
| 23 27:15,     | 99:4           | 45:23            | 71:7               | <b>human</b>       |
| 22 28:1       | 101:15,16      | 50:25            | <b>home</b>        | 87:1               |
| 30:23         | 107:8,11,      | 51:3,8,10        | 16:15              | 98:21              |
| 31:25         | 13,19          | 53:9             | 18:6 20:5          | 99:4               |
| 32:14         | 108:15,17      | 60:12            | 24:3,5             | 101:12             |
| 34:25         | 111:18         | 61:12,19,        | 26:7,12            | <b>humans</b>      |
| 35:14         | 112:3,8,       | 21,24            | 105:8,12,          | 101:9              |
| 36:13         | 21 113:5,      | 87:16            | 18,25              | <b>humble</b>      |
| 37:25         | 12,21,22       | 89:15            | 106:3,7,9          | 65:4               |
| 38:3,19       | 114:10,        | 90:8,21          | <b>homes</b>       | <b>hundred</b>     |
| 39:5,15,      | 20,24          | 92:8,9,10        | 79:10              | 51:5,12,           |
| 25 40:3,      | 115:7,22,      | <b>high-tier</b> | <b>homeschool</b>  | 13                 |
| 8,12          | 23 116:3,      | 42:10            | 68:4               | <b>hundreds</b>    |
| 43:18         | 6,8,11,        | 43:5             | <b>honest</b>      | 73:18              |
| 44:1,4        | 14,19          | 66:1,7           | 78:5               | 114:2              |
| 48:10         | <b>hear</b>    | 89:16,25         | 80:23              | <b>hygiene</b>     |
| 49:1,3,5,     | 18:23,24       | 90:14            | 91:17              | 102:24             |
| 15 53:1,      | 87:4           | 91:9,18,         | 99:18              | <b>hyperlink</b>   |
| 25 54:3,7     | <b>heard</b>   | 19 92:9          | <b>hope</b>        | 46:3               |
| 55:4          | 34:16,19       | <b>higher</b>    | 106:13             | <b>hyphen</b>      |
| 56:13         | 41:6           | 103:4            | 109:22             | 109:3              |
| 63:2,8,22     | 67:21          | <b>highest</b>   | <b>hospital</b>    | <b>hypothetica</b> |
| 64:3,11,      | 98:3           | 56:23            | 51:17              | <b>l</b>           |
| 22 65:14,     | <b>hearing</b> | 57:1             | 59:9,18,           | 25:1               |
| 18 66:4       | 10:7           | <b>highly</b>    | 23 79:18           | 28:12              |
| 69:10,21      | 23:10          | 54:15            | <b>hospitaliza</b> | 63:10              |
| 70:22         | 28:17          | 62:17            | <b>tions</b>       | 65:3               |
| 73:16         | 37:15,17       | 63:4             | 50:5,17            | 88:2,3             |
| 75:5          | 54:20          | 76:21            | 57:1,2,4           | 91:23              |
| 77:22         | 63:21          | 108:16           | 58:6,17,           |                    |
| 78:10         | 70:6           | <b>hiking</b>    |                    |                    |
| 82:23,25      | 72:11          |                  |                    |                    |
| 83:7,11       | 73:1,22        |                  |                    |                    |
| 84:8,9,       |                |                  |                    |                    |
| 10,11,17,     |                |                  |                    |                    |

|                                                                                                                                       |                                                                 |                                                                               |                                                          |                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------------------------------------|
| <b>hypotheticals</b><br>62:9                                                                                                          | <b>immunized</b><br>97:18                                       | <b>independent</b><br>64:6                                                    | <b>informative</b><br>37:5                               | <b>intentionally</b><br>77:1                                                           |
| <b>I</b>                                                                                                                              | <b>impact</b><br>55:4<br>69:16                                  | <b>individual</b><br>99:7                                                     | <b>informed</b><br>68:13,18                              | <b>interact</b><br>68:1                                                                |
| <b>ID</b><br>6:1                                                                                                                      | <b>implement</b><br>25:19<br>44:22<br>45:1,24                   | <b>individuals</b><br>32:10<br>80:5                                           | <b>injunction</b><br>54:20<br>70:5<br>72:25              | <b>interested</b><br>92:15                                                             |
| <b>idea</b><br>66:5<br>71:24<br>94:20<br>107:1<br>108:11                                                                              | <b>importance</b><br>46:18<br>63:5<br>88:7,17<br>91:21<br>92:25 | <b>indoor</b><br>44:22<br>45:8,10,<br>18,24<br>46:10,24<br>47:16<br>48:3      | <b>injuries</b><br>100:13<br>110:3<br>110:23<br>111:10   | <b>interesting</b><br>80:6<br>92:21<br>93:1                                            |
| <b>identification</b><br>5:12 9:22<br>11:12<br>18:15<br>21:5 31:2<br>48:21<br>57:14<br>67:7 74:4<br>75:18<br>93:20<br>97:12<br>109:19 | <b>implementing</b><br>63:8<br>88:25                            | <b>indoors</b><br>53:11<br>92:13                                              | <b>inquire</b><br>34:25                                  | <b>interference</b><br>67:25                                                           |
| <b>identifies</b><br>114:17                                                                                                           | <b>important</b><br>27:22,25<br>66:8                            | <b>ineffective<br/>ness</b><br>71:15                                          | <b>instances</b><br>116:17                               | <b>Interim</b><br>6:17 7:6,<br>12 9:11,<br>17 38:24<br>53:25<br>83:10<br>94:4<br>95:12 |
| <b>identify</b><br>29:24<br>42:13                                                                                                     | <b>imposition</b><br>62:24                                      | <b>infants</b><br>102:20<br>103:3                                             | <b>instituted</b><br>88:11<br>93:25                      | <b>intern</b><br>108:9<br>111:23                                                       |
| <b>ill</b><br>14:25                                                                                                                   | <b>impossible</b><br>10:17                                      | <b>infections</b><br>58:25<br>97:22<br>98:16<br>102:8                         | <b>intelligence</b><br>44:25<br>78:7                     | <b>Internet</b><br>51:22<br>60:16                                                      |
| <b>illness</b><br>110:11                                                                                                              | <b>inappropriate</b><br>81:9                                    | <b>Infectious</b><br>118:2                                                    | <b>intended</b><br>15:20<br>30:12                        | <b>interns</b><br>108:14                                                               |
| <b>imagined</b><br>65:15                                                                                                              | <b>include</b><br>67:24                                         | <b>influenza</b><br>102:11,13                                                 | <b>intending</b><br>27:18                                | <b>interpret</b><br>15:24<br>25:3,4,6<br>45:5<br>46:15,18<br>48:3<br>78:10,21          |
| <b>immune</b><br>15:1<br>62:21                                                                                                        | <b>included</b><br>116:6                                        | <b>information</b><br>14:3<br>27:13,14<br>28:16,19<br>35:25<br>51:9<br>58:3,6 | <b>intent</b><br>14:17<br>16:22,24<br>17:1 27:5<br>28:13 | <b>interpreted</b><br>42:9 43:4<br>45:6<br>46:10,24                                    |

|                    |                  |                      |                 |                      |
|--------------------|------------------|----------------------|-----------------|----------------------|
| <b>interpretin</b> | 37:25            | <b>issue</b>         | <b>Jews</b>     | 93:23                |
| <b>g</b>           | 38:5, 6,         | 17:25                | 100:25          | 94:3                 |
| 47:16              | 10,13            | 64:24                | <b>jobs</b>     | 95:12                |
| <b>interrupt</b>   | 39:24            | 69:12,20             | 116:15          |                      |
| 23:13              | 40:7             | 100:4                |                 | <hr/> <b>K</b> <hr/> |
|                    | 48:25            | 110:9                | <b>Joe</b>      |                      |
| <b>interruptin</b> | 49:4 53:1        | <b>issued</b>        | 83:11           |                      |
| <b>g</b>           | 56:1             | 24:12                | <b>joining</b>  | <b>K-12</b>          |
| 77:6               | 58:24            | 64:3                 | 23:11           | 12:17                |
| 100:11             | 59:10,19         | 66:21                | <b>Joseph</b>   | 21:24                |
| <b>interventio</b> | 80:22            | 93:23                | 57:24           | 40:8                 |
| <b>n</b>           | 81:1 83:1        | <b>issues</b>        | 108:21          | <b>Kelvin</b>        |
| 75:5               | 87:19            | 28:1                 | <b>journal</b>  | 38:14                |
| 84:8,17            | 88:4,5           | 64:24                | 73:13,16        | 39:10                |
|                    | 89:12            | <b>Italian</b>       | 75:11           | <b>key</b>           |
| <b>interview</b>   | 90:7             | 109:23               | 118:3,15,       | 117:25               |
| 52:23              | 101:17           |                      | 16,17           | 118:11               |
| 75:14              | 106:1            |                      | <b>journals</b> | <b>kind</b>          |
| 85:4 97:5          | 107:18           |                      | 70:9,13,        | 7:9 87:17            |
| <b>interviewed</b> | 108:15           | <hr/> <b>J</b> <hr/> | 15,18,20        | 97:19,24             |
| 83:9,12            | 111:17           | <b>James</b>         | 72:18,19        | 114:3                |
|                    | 112:7,20         | 4:1,7                | 73:12,14,       | 115:23               |
| <b>investigate</b> | 113:21           | 6:5,9                | 15,17           | <b>King</b>          |
| 69:21              | 114:20           | 11:21                | <b>Judge</b>    | 56:6,11,             |
| <b>involved</b>    | <b>Islanders</b> | 119:10               | 66:21           | 15,21,22             |
| 14:5               | 27:16            | <b>Jamie</b>         | 67:11,19        | <b>KN95</b>          |
| 40:5,8,9           | 75:22            | 40:5,7,              | 68:6,16         | 71:21                |
| 116:10,20          | <b>isolate</b>   | 11,13,16             | 69:2,7          | 72:8                 |
| <b>involves</b>    | 16:15            | 41:1,11,             | 70:4            | <b>knew</b>          |
| 39:14              | 17:19            | 22 48:1,             | 73:22           | 28:20                |
| <b>irreparable</b> | 18:6             | 4,9 93:8,            | 74:11           | 36:20                |
| 67:12,13,          | <b>isolation</b> | 12                   | <b>Judge's</b>  | 42:15                |
| 16 69:18,          | 14:23            | <b>January</b>       | 69:20           | 104:23               |
| 22                 | 15:5             | 6:21 21:8            | <b>July</b>     | <b>knowledge</b>     |
| <b>Island</b>      | 17:4,6,16        | 22:1 54:1            | 4:2,6           | 65:13                |
| 4:9 5:4,8          | 18:1,9           | 56:9                 | 7:24            | 98:13                |
| 6:3,18             | 19:8,22          | 72:10                | 97:6,16         | 102:2                |
| 7:3,7              | 20:9             | <b>Japan</b>         | 119:11          | <b>Kristine</b>      |
| 12:1,17            | 21:18,20         | 79:14,16,            | <b>June</b>     | 32:24                |
| 13:3,7,13          | 22:20            | 20 80:1,2            | 7:1,13,         | 33:1 34:5            |
| 14:9 15:7          | 23:20            | 83:2                 | 18,23           |                      |
| 18:3 23:6          | 24:16            | <b>Jewish</b>        | 57:11           |                      |
| 26:23              | 25:23            | 100:14,              | 58:7            |                      |
| 27:15              | 26:16            | 17,18                |                 |                      |
| 32:13              | 27:7             |                      |                 |                      |

|                   |                   |                   |                  |                  |
|-------------------|-------------------|-------------------|------------------|------------------|
| <hr/>             | <b>learn</b>      | <b>levels</b>     | <b>located</b>   | 116:8            |
| <b>L</b>          | 53:13             | 46:3              | 6:10             | <b>lots</b>      |
|                   | <b>learned</b>    | 50:6,23           | 42:10            | 89:5             |
| <b>lack</b>       | 37:12             | 51:3 53:9         | 43:5             | <b>love</b>      |
| 69:9              | 41:15             | 89:19             | <b>location</b>  | 100:10           |
| <b>language</b>   | 65:12             | <b>life</b>       | 6:8              | 112:2            |
| 87:15             | 71:18             | 75:21             | <b>locations</b> | <b>low</b>       |
| 114:3             | <b>leave</b>      | <b>lifted</b>     | 5:11             | 50:25            |
| 117:22            | 7:18              | 22:7              | <b>log</b>       | 51:2,8,10        |
| <b>Lanphear</b>   | 119:6             | <b>likelihood</b> | 18:21            | 89:15            |
| 66:21             | <b>leaving</b>    | 87:17             | <b>long</b>      | 90:7             |
| 74:11             | 79:10             | <b>limited</b>    | 67:3 84:4        | <b>lower</b>     |
| <b>larger</b>     | <b>left</b>       | 100:5             | 96:23            | 97:23            |
| 101:20            | 7:12 10:2         | <b>limiting</b>   | 111:7            | <b>Luther</b>    |
| <b>late</b>       | 75:10             | 61:2              | <b>long-term</b> | 56:6,11,         |
| 20:8              | <b>legal</b>      | <b>lines</b>      | 69:14            | 15,21,22         |
| 24:16             | 24:3,7            | 110:17            | 110:12           | <b>lying</b>     |
| <b>law</b>        | 27:1              | <b>link</b>       | <b>longer</b>    | 81:1,3           |
| 29:21             | 34:17             | 21:24             | 22:9,19          | <hr/>            |
| 30:20             | 42:22             | <b>literature</b> | 55:12            | <b>M</b>         |
| 67:12             | 52:20             | 69:25             | 64:18            | <hr/>            |
| <b>lawsuit</b>    | 67:20             | 70:21             | 88:20            | <b>M.D.</b>      |
| 66:19             | 105:20            | 102:1             | 90:16            | 4:1,7 6:5        |
| <b>lawyer</b>     | 106:22            | <b>litigation</b> | <b>looked</b>    | 119:10           |
| 38:6              | <b>legit</b>      | 34:15,17          | 20:1             | <b>Maddalena</b> |
| <b>lawyers</b>    | 39:19             | 37:8,15,          | 69:24            | 109:21,22        |
| 115:9             | <b>lens</b>       | 21,23             | 70:16,17         | 111:19           |
| <b>layperson</b>  | 46:16             | 104:16            | 72:21            | 112:4,10,        |
| 60:15             | <b>Lester</b>     | <b>live</b>       | 73:9,11          | 19,20,22         |
| <b>lead</b>       | 79:18,19          | 53:13             | 92:23            | 113:20           |
| 61:15             | <b>letter</b>     | 79:14             | <b>lost</b>      | 114:23           |
| 108:19            | 11:18             | <b>lived</b>      | 22:22            | 115:24           |
| <b>leader</b>     | 12:2,3,5,         | 79:15             | <b>lot</b>       | <b>made</b>      |
| 36:15             | 11,13,18,         | 105:25            | 23:10            | 10:13            |
| <b>leadership</b> | 20 16:22          | <b>living</b>     | 27:12,13         | 11:1             |
| 36:16,17,         | 17:1              | 79:13             | 28:19            | 34:17            |
| 18                | <b>letterhead</b> | 99:8              | 46:15            | 49:19,25         |
| <b>leading</b>    | 11:16             | 102:23            | 65:10            | 55:8 68:4        |
| 25:16             | <b>level</b>      | <b>local</b>      | 78:2             | 82:14,24         |
| 26:15             | 37:3              | 14:4              | 80:10            | 92:20            |
|                   | 38:24             |                   | 92:10            | 96:5             |
|                   | 90:5              |                   | 103:10           | 97:1,19          |
|                   |                   |                   | 111:15           |                  |

|                |                  |               |                |                    |
|----------------|------------------|---------------|----------------|--------------------|
| 104:15,20      | 76:22            | <b>March</b>  | 52:16          | 87:21              |
| <b>main</b>    | 77:15            | 19:11         | 53:10          | 90:21              |
| 102:12         | 85:5,14,         | 20:14         | 54:4,8         | 91:3               |
| <b>make</b>    | 16,19            | 22:5,7,25     | 60:7,9,24      | 92:12,13           |
| 13:22          | 86:6,17          | 23:2,17,      | 61:4,6,16      | <b>masks</b>       |
| 20:5           | 87:25            | 23 36:23      | 62:7,17,       | 23:19,23           |
| 28:20          | 88:5,8,          | 46:2          | 20,24          | 42:11              |
| 29:2           | 12,18,22,        | 49:20         | 63:3,6,9       | 43:6,15            |
| 43:18          | 25 89:13,        | 50:3,11,      | 65:19          | 44:4,6             |
| 49:14          | 24 90:13         | 21 51:2       | 66:5,10        | 63:24              |
| 50:4           | 91:13            | 54:4          | 69:15,16       | 66:17              |
| 53:14          | 92:15            | 75:10,15      | 71:11          | 67:23              |
| 76:16          | 93:1,6           | 82:11         | 72:13          | 68:6               |
| 81:11          | <b>mandated</b>  | 89:20         | 76:22          | 69:10,23           |
| 82:12          | 20:17,25         | 93:25         | 77:8,11        | 71:7,15,           |
| 87:22          | 30:13            | <b>mark</b>   | 78:11,22       | 16,19,20,          |
| 107:3          | 85:3 87:6        | 57:10         | 79:10          | 21,25              |
| 108:6          | <b>mandates</b>  | <b>marked</b> | 80:7           | 72:2,7,8,          |
| 111:6,21       | 17:25            | 5:16 9:21     | 82:18          | 22 73:5,           |
| <b>making</b>  | 23:3,8,19        | 11:11         | 83:23          | 21,23              |
| 85:6           | 46:11            | 18:14         | 84:21          | 74:17,25           |
| 103:19         | 49:19            | 21:4 31:1     | 86:21,24       | 75:2,7             |
| 106:19,20      | 54:4             | 48:20         | 88:7,12,       | 76:10              |
| <b>mandate</b> | 60:24            | 57:13         | 15,18,22,      | 77:21              |
| 18:5 22:1      | 61:6 66:9        | 67:6 74:3     | 25 89:13,      | 78:12              |
| 23:7 28:7      | 77:9,11          | 75:17         | 24 91:13,      | 79:21              |
| 37:10          | 78:11,22         | 93:19         | 21 92:2,       | 84:1,12,           |
| 42:11          | 79:2             | 97:11         | 25 93:6        | 14,24              |
| 43:6,24        | 88:15            | 109:19        | <b>masking</b> | 88:5               |
| 44:6 45:2      | 92:2             | <b>Martin</b> | 21:22          | 90:11,14           |
| 46:6,25        | <b>mandating</b> | 56:6,11,      | 22:10,19       | 91:9               |
| 47:17,20,      | 18:8             | 15,21,22      | 23:8           | <b>Massachuset</b> |
| 22,23,24       | 22:10            | <b>mask</b>   | 44:22          | <b>ts</b>          |
| 48:4,8         | 23:23            | 10:18         | 45:8,10,       | 95:22,24           |
| 51:25          | 43:15            | 20:6,11       | 18,25          | 96:6,8,12          |
| 52:16          | 44:4             | 25:22,25      | 46:10,25       | <b>math</b>        |
| 54:8           | 53:11            | 26:6,11       | 47:16          | 59:6               |
| 60:7,9         | 63:23            | 37:10         | 48:3           | <b>matter</b>      |
| 61:4,17        | 66:17            | 45:1          | 50:12          | 4:7 84:7,          |
| 62:7,18,       | 69:23            | 46:11,25      | 63:1           | 8 101:19           |
| 20,24          | 91:10            | 47:17,20,     | 65:24          | <b>matters</b>     |
| 63:3,6,9       | 92:16            | 22,23         | 70:10          | 102:25             |
| 65:19          | <b>mandatory</b> | 48:4,8        | 71:3           | <b>Maureen</b>     |
| 66:6,10        | 65:24            | 49:19         | 75:24          | 38:15              |
| 69:17          | 91:21            | 51:25         | 77:12          |                    |
|                |                  |               | 78:8 83:2      |                    |

|                 |                 |                    |                    |                    |
|-----------------|-----------------|--------------------|--------------------|--------------------|
| <b>Mcdonald</b> | 80:22           | 31:5,6,            | <b>Mike</b>        | 78:1,16            |
| 4:1,7           | 102:1           | 15,20,23,          | 8:8                | <b>misundersto</b> |
| 6:5,9,15        | <b>medicine</b> | 25 33:20,          | <b>Miller</b>      | <b>od</b>          |
| 11:21           | 73:15           | 21,22              | 75:11,12           | 96:11              |
| 76:1            | <b>medium</b>   | 34:6,10,           | <b>million</b>     | <b>mitigation</b>  |
| 103:22          | 51:2,8,10       | 21,22              | 110:23             | 37:2               |
| 106:12,         | 89:15           | 35:1,7,17          | <b>mind</b>        | 44:21              |
| 16,21           | 90:8            | 36:6,10,           | 36:1               | 45:24              |
| 119:10          | <b>medium-</b>  | 18,20,23,          | 70:17              | <b>modeling</b>    |
| <b>Mckee</b>    | 65:25           | 25 37:10           | <b>minus</b>       | 72:12              |
| 4:8 49:24       | 66:7            | 41:2,8,            | 110:17             | <b>moderate</b>    |
| 97:16           | <b>meet</b>     | 13,20,24           | <b>minute</b>      | 50:25              |
| <b>MD</b>       | 33:18           | 42:8,9,16          | 119:3              | <b>moment</b>      |
| 11:21           | <b>meeting</b>  | 43:3,4             | <b>minutes</b>     | 82:4               |
| <b>meaning</b>  | 39:1            | 44:11,12,          | 41:19              | <b>monitor</b>     |
| 61:20           | <b>meetings</b> | 15                 | 81:14,20,          | 21:19              |
| <b>means</b>    | 38:22           | 104:14,17          | 22                 | 32:11              |
| 5:14            | 39:8            | 115:9              | <b>mirrors</b>     | 107:8              |
| 16:20           | <b>meets</b>    | 116:17             | 20:4               | <b>monitoring</b>  |
| 25:24           | 38:15,18        | <b>memorandum</b>  | <b>mischaracte</b> | 111:18             |
| 29:14           | <b>Melanie</b>  | 19:12              | <b>rization</b>    | 113:6,12           |
| 61:21,25        | 51:23           | <b>mention</b>     | 113:15             | 114:10             |
| 92:9            | 52:8            | 77:16              | 114:13,14          | 115:8,11,          |
| 98:25           | <b>member</b>   | <b>mentioned</b>   | 115:18             | 14                 |
| <b>meant</b>    | 21:15           | 79:3               | <b>messages</b>    | <b>monitors</b>    |
| 36:25           | <b>memo</b>     | <b>messages</b>    | 108:3              | 32:9               |
| 37:4 50:6       | 11:18,20,       | <b>met</b>         | <b>mischaracte</b> | <b>month</b>       |
| 78:19           | 24,25           | 8:8 39:6,          | <b>rizing</b>      | 7:22 92:1          |
| <b>media</b>    | 12:11,20        | 17,18              | 80:12              | <b>months</b>      |
| 37:12           | 13:6,11         | 40:1,14,           | 115:1              | 11:4               |
| 77:15           | 14:19           | 16 70:4            | <b>misheard</b>    | 55:23              |
| 107:9,12        | 15:2            | <b>metric</b>      | 96:11              | 95:21              |
| 109:4           | 17:15           | 50:17              | <b>mislead</b>     | <b>moot</b>        |
| 114:6,22        | 19:24           | 51:14,16           | 26:19,24           | 9:14               |
| 115:3,8,        | 20:5            | <b>metrics</b>     | 28:1               | <b>mortality</b>   |
| 11,14           | 24:1,18,        | 51:11,14           | 103:25             | 54:16              |
| <b>medical</b>  | 21 25:11        | <b>micromanage</b> | <b>misrepresen</b> | 98:17              |
| 48:25           | 27:5,17,        | 39:4,16,           | <b>tation</b>      | <b>mortality</b>   |
| 52:25           | 19 28:6,        | 21                 | 103:21             | 54:16              |
| 69:9,14         | 13 29:13,       | <b>midnight</b>    | <b>misrepresen</b> | 98:17              |
| 70:2,4,9,       | 19,24           | 7:1                | <b>ting</b>        | 76:14              |
| 12,15,17,       | 30:6,21         |                    | 77:2,5             |                    |
| 19 73:14        |                 |                    |                    |                    |
| 78:7            |                 |                    |                    |                    |

|                                   |                                                   |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------|---------------------------------------------------|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>mosquitoes</b>                 | 26:15                                             | 79:21                                                                                                   | 28:11                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 51:17                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 99:9,10,<br>21,25<br>100:1,2      | <b>national</b><br>27:11,17                       | <b>November</b><br>66:22<br>68:7,9,15<br>70:8<br>72:24                                                  | 29:16<br>30:14<br>31:16<br>36:7<br>41:17<br>43:9 44:8<br>45:3<br>46:12<br>47:2,8,18<br>48:6 54:9<br>60:25<br>61:8<br>62:8,13<br>65:1<br>76:17,18<br>78:14,23<br>80:9,24<br>81:5 82:3<br>83:3,24<br>85:10<br>86:1,8,9<br>88:20<br>89:2,9<br>90:15<br>91:11,23<br>93:3,10<br>94:17,22<br>95:7 96:3<br>98:10,22<br>99:5,11,<br>23 100:20<br>101:2,10<br>103:20,23<br>104:5,17<br>105:4,15<br>106:5,17,<br>22 107:4,<br>6 108:12<br>112:13<br>113:8,14<br>114:12,13<br>115:17<br>116:21<br>118:23,25 | 59:23<br><b>occur</b><br>61:5<br>65:11,16<br><b>occurred</b><br>63:11<br>85:12<br><b>occurs</b><br>92:12<br><b>October</b><br>54:20<br>59:14<br>63:21<br>73:22<br>85:17<br><b>offended</b><br>99:18<br>100:18,24<br><b>Office</b><br>8:17 9:13<br>35:6 36:1<br>38:17,19<br>39:6 44:1<br>54:3<br>94:6,10<br>115:13<br>116:17<br><b>officer</b><br>79:17<br><b>official</b><br>11:15<br>33:7,8,12<br>40:17<br>101:15<br>110:7<br><b>officially</b><br>51:1<br><b>officials</b><br>27:22<br>64:22<br>65:18 |
| <b>motion</b>                     | 25:12<br>30:22                                    | <b>nuances</b><br>64:8                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 9:13<br>103:18<br>104:1           | <b>nationally-</b><br><b>known</b><br>73:17       | <b>number</b><br>4:10 5:4<br>51:6,11,<br>15 56:23<br>57:1 72:5<br>104:15<br>105:8,14,<br>16 111:15      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>motivating</b>                 | 73:17                                             |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 66:18                             | <b>naval</b><br>79:17,18                          |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>move</b>                       |                                                   |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 29:11<br>30:24<br>79:6,7<br>81:11 | <b>Navy</b><br>79:16                              |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                   | <b>Nazis</b><br>100:25                            |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>MPH</b>                        |                                                   |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 11:21                             | <b>NEA</b><br>65:22                               | <b>numerous</b><br>40:17<br>88:4<br>89:11                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>multiple</b>                   | 65:22                                             |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 67:21                             | <b>needed</b><br>63:9                             |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>mute</b>                       | 63:9                                              | <b>nurses</b><br>91:6                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 23:12<br>81:24                    | <b>News</b><br>53:2                               |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>muted</b>                      |                                                   |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 23:10                             | <b>newspaper</b><br>77:12                         |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                   |                                                   |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>N</b>                          | <b>nice</b><br>109:21                             | <b>oath</b><br>5:11                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                   |                                                   |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>N95</b>                        | <b>noise</b><br>23:10                             | <b>object</b><br>31:14<br>105:19                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 71:16,21<br>72:7                  | <b>normal</b><br>53:24<br>63:23<br>64:12<br>75:22 | <b>objected</b><br>42:17                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>named</b>                      | 63:23<br>64:12<br>75:22                           | <b>objection</b><br>13:23<br>14:13<br>16:5<br>20:18,19,<br>20 22:12<br>24:6,25<br>25:9<br>26:21<br>27:3 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 4:20,22                           | 64:12<br>75:22                                    |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>names</b>                      | 75:22<br>83:2,15,<br>18,22                        |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12:16<br>32:10<br>33:18           | <b>notably</b><br>10:15                           |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Nancy</b>                      | 10:15                                             |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 4:12,25<br>6:14                   | <b>notary</b><br>5:1,3,4                          |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>nation's</b>                   |                                                   |                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 25:16                             | <b>notice</b><br>10:9                             |                                                                                                         | <b>occupied</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



|                    |                    |                    |                |                    |
|--------------------|--------------------|--------------------|----------------|--------------------|
| 66:4               | 8 21:7             | <b>overwhelmin</b> | <b>parents</b> | 74:17              |
| <b>oftentimes</b>  | 22:2,10,           | <b>g</b>           | 14:3           | 78:1               |
| 106:20             | 18,20              | 55:25              | 15:20,24       | 101:18             |
| <b>Okinawa</b>     | 23:3,18            | 56:3               | 16:1,23        | <b>path</b>        |
| 79:16              | 29:21              |                    | 17:12          | 15:16              |
| <b>Omega</b>       | 30:20              |                    | 24:21          | <b>pathogen</b>    |
| 61:14              | 37:16              | <b>P</b>           | 26:10,13,      | 65:8               |
| <b>Omicron</b>     | 64:7               |                    | 19,24          | <b>patient</b>     |
| 60:17,19,          | 93:22              | <b>p.m.</b>        | 27:13,14       | 87:10,12,          |
| 22 61:3            | 95:9               | 4:5 82:5,          | 30:12          | 16                 |
| <b>once-in-a-</b>  | 104:2              | 6,8                | 66:23          | <b>patients</b>    |
| <b>hundred-</b>    | 119:7              | 117:12,            | 68:17          | 56:17,20           |
| <b>year</b>        | <b>ordered</b>     | 13,15              | 98:1           | 59:24              |
| 63:17              | 95:18              | 119:11,17          | 102:4,10,      | 92:10              |
| <b>ongoing</b>     | <b>orders</b>      | <b>pages</b>       | 21             | <b>part</b>        |
| 65:2               | 119:13             | 31:11              | 30:7           | <b>pay</b>         |
| 69:16              | <b>organism</b>    | 67:2               | 34:15          | 117:1,3            |
| <b>open</b>        | 99:7               | <b>paid</b>        | 37:8,23        | <b>paying</b>      |
| 70:7,17,           | <b>Orient</b>      | 7:14,15,           | 65:23          | 116:9              |
| 18                 | 79:24,25           | 19 49:10           | 66:15          | <b>PC2021-</b>     |
| <b>opening</b>     | 80:3               | <b>pandemic</b>    | 67:11          | <b>05915</b>       |
| 17:2               | <b>original</b>    | 12:23              | 70:21          | 4:10               |
| <b>operating</b>   | 113:19             | 27:23              | 74:19,20,      | <b>pediatric</b>   |
| 64:1               | 114:7,17           | 53:13              | 25 82:18       | 58:25              |
| <b>Operations</b>  | 119:16             | 54:24              | 84:2,3,5,      | 81:2               |
| 40:20              | <b>originally</b>  | 55:8,9,12          | 13,15,25       | 118:2              |
| <b>opinion</b>     | 93:25              | 56:24              | 85:7,13        | <b>pediatricia</b> |
| 24:7 65:5          | <b>outbreak</b>    | 63:14,17           | 112:15         | <b>n</b>           |
| 73:8               | 21:23              | 73:19              | 114:22         | 79:18              |
| 74:23              | 44:19              | 117:21,25          | 117:23         | <b>parties</b>     |
| 90:4               | 45:22              | 118:11,12          | <b>parties</b> | 5:6,10,            |
| 101:19             | <b>outlined</b>    | <b>paragraph</b>   | 15,17,18,      | 21 81:16           |
| 102:14,18          | 44:18              | 21:14              | <b>parts</b>   | <b>peer-</b>       |
| <b>opportunity</b> | 45:21              | 22:24              | 80:3           | <b>reviewed</b>    |
| 8:18               | <b>overcrowdin</b> | 23:4               | <b>partway</b> | 118:17             |
| <b>opposed</b>     | <b>g</b>           | 82:12              | 52:22          | <b>peers</b>       |
| 8:24               | 59:15              | <b>paragraphs</b>  | <b>passed</b>  | 68:1               |
| 31:17              | <b>overrun</b>     | 46:4               | 56:13          | <b>penalty</b>     |
| <b>order</b>       | 55:3               | <b>parent</b>      | <b>past</b>    | 28:9               |
| 5:9 18:5,          | <b>overwhelmed</b> | 14:9               | 11:4           | <b>people</b>      |
| 56:10,11,          | 56:10,11,          | 24:22,23           | 73:24          | 12:17,22,          |
| 15,17              | 15,17              | 28:5,8             |                | 25 13:11           |
|                    |                    | 29:12              |                |                    |

|             |                   |                   |                   |                    |
|-------------|-------------------|-------------------|-------------------|--------------------|
| 14:7, 18,   | <b>People's</b>   | 105:8, 14,        | 99:16             | 115:6              |
| 24, 25      | 106:3             | 16                | 100:3             | 116:7              |
| 15:17       |                   |                   | 104:19            |                    |
| 16:7        | <b>percent</b>    | <b>phrasing</b>   | 106:11, 25        | <b>Plaintiffs'</b> |
| 17:2, 19,   | 59:23             | 89:17             | 107:5             | 69:8, 15           |
| 20, 22      | 72:14             |                   | 110:19            | <b>plan</b>        |
| 24:4        | <b>percentage</b> | <b>physical</b>   | 113:18            | 65:10              |
| 26:16       | 51:14, 16         | 67:24             | 114:16            | 87:22              |
| 27:6, 10    | 56:20             | <b>physician</b>  | 115:20            | <b>planning</b>    |
| 28:1, 16,   | 71:24             | 70:22             | 116:23            | 66:10              |
| 19, 20      |                   | <b>physicians</b> | 117:5, 10,        |                    |
| 29:2        | <b>perception</b> | 91:5              | 14, 18, 20        | <b>plans</b>       |
| 30:22       | 71:8              |                   | 118:18            | 88:4               |
| 33:17       | <b>period</b>     | <b>physics</b>    | 119:2, 16         | <b>platform</b>    |
| 35:18, 21   | 14:24             | 72:9              |                   | 65:23              |
| 36:2, 16,   | 21:21             | <b>Piccirilli</b> | <b>picture</b>    |                    |
| 24 37:1     | 25:23             | 4:17, 18          | 109:20, 21        | <b>Playbook</b>    |
| 39:5, 17    | 58:7, 15,         | 5:22, 25          |                   | 44:19              |
| 40:5        | 17, 23            | 6:13, 14          | <b>place</b>      | 45:22              |
| 51:6, 7,    | 59:3, 10,         | 8:13 9:2          | 28:18             |                    |
| 15, 17      | 24 79:14          | 11:9              | 39:12             | <b>plenty</b>      |
| 53:10, 14   | 86:4              | 18:12, 19,        | 65:25             | 64:24              |
| 55:4, 14    |                   | 24 19:5           | 66:9              |                    |
| 56:4, 7, 12 | <b>permanent</b>  | 21:1              | 85:19, 20         | <b>point</b>       |
| 74:18       | 87:22             | 23:11, 15         | 86:5              | 16:13              |
| 75:6, 7     |                   | 31:18, 21         |                   | 17:20              |
| 79:9, 21    | <b>person</b>     | 38:4              | <b>Plaintiff</b>  | 44:16              |
| 80:6        | 21:17             | 42:16, 21         | 112:11            | 53:12              |
| 82:15, 17   | 39:11             | 45:15             | 114:18            | 56:4               |
| 83:23       | 41:11, 23         | 47:9              | 115:1             | 61:18              |
| 84:9, 12,   | 43:21             | 48:15             |                   | 69:1, 2, 9         |
| 14, 18, 24  | 44:25             | 52:4, 6,          | <b>Plaintiffs</b> | 79:1 92:5          |
| 85:2        | 71:1 78:6         | 10, 12, 14,       | 4:18 9:21         | 101:20, 23         |
| 86:20       | 109:12            | 19 57:8           | 11:11             | 111:22, 24         |
| 87:4 91:6   | 112:12            | 60:3              | 18:14             | 112:1              |
| 92:3, 11,   |                   | 62:11, 14         | 21:4 31:1         | 113:4, 5           |
| 22 95:18    | <b>personal</b>   | 67:1              | 34:18             |                    |
| 99:1        | 53:14             | 68:20             | 48:20             | <b>pointing</b>    |
| 101:22      | 73:21             | 74:7              | 57:13             | 67:19              |
| 102:17      | 104:11, 21        | 76:16             | 67:6, 21          |                    |
| 103:2       | 105:14            | 80:10             | 68:2, 4           | <b>policies</b>    |
| 107:9       |                   | 81:8, 17,         | 69:11             | 44:22              |
| 108:2       | <b>persuasive</b> | 22 82:2,          | 74:3              | 45:25              |
| 114:21      | 73:6              | 9, 10             | 75:17             | 46:25              |
| 116:15      | <b>Philip</b>     | 86:10             | 93:19             |                    |
| 118:7       | 48:23, 24         | 93:5, 14,         | 97:11             | <b>policy</b>      |
|             | 52:25             | 17 97:9           | 109:19, 24        | 45:8, 11,          |
|             |                   |                   | 110:1             | 19 46:11           |
|             | <b>phone</b>      |                   | 114:10            | 47:17              |
|             |                   |                   |                   | 48:4               |

|                    |                    |                    |                    |                    |
|--------------------|--------------------|--------------------|--------------------|--------------------|
| 49:15              | <b>post-</b>       | <b>prefer</b>      | 50:22              | 52:2               |
| 91:22              | <b>isolation</b>   | 31:18              | 61:21              | <b>proceeding</b>  |
| <b>political</b>   | 21:21              | <b>preliminary</b> | 72:4               | 5:2,10,            |
| 65:18              | <b>post-</b>       | 54:19              | 90:6,19,           | 14,19              |
| <b>politicians</b> | <b>quarantine</b>  | 70:5               | 20 92:4,           | <b>proceedings</b> |
| 66:3               | 21:22              | 72:25              | 5,7                | 4:24 5:5           |
| <b>pollen</b>      | <b>posted</b>      | 78:2               | <b>Prevention'</b> | <b>process</b>     |
| 84:24              | 105:7              | 80:11              | <b>s</b>           | 9:8 27:13          |
| <b>poor</b>        | <b>posting</b>     | 110:3              | 15:5 17:3          | 62:7               |
| 117:23             | 104:24             | <b>preparation</b> | 27:7               | 63:7,14,           |
| <b>poorly-</b>     | 113:19             | 8:10               | 89:19              | 23 64:12,          |
| <b>known</b>       | 114:7              | <b>prepare</b>     | <b>previously</b>  | 16,23              |
| 72:18,19           | 115:22             | 8:7                | 41:9 65:8          | 65:14              |
| <b>popping</b>     | <b>postings</b>    | <b>preschool</b>   | 76:12,21,          | 66:8,13            |
| 74:8               | 104:16,20          | 21:16              | 25 117:22          | 99:16              |
| <b>population</b>  | 116:18             | 98:13              | <b>primarily</b>   | <b>processing</b>  |
| 51:5,16            | <b>potential</b>   | <b>preschool-</b>  | 54:14              | 71:7               |
| 55:5,16            | 66:17              | <b>age</b>         | <b>primary</b>     | <b>produce</b>     |
| 97:25              | 69:14              | 97:21              | 58:20              | 6:1                |
| 102:17             | 111:5              | 98:8,11            | 59:2               | <b>product</b>     |
| <b>position</b>    | <b>power</b>       | <b>present</b>     | <b>principal</b>   | 110:10             |
| 6:25 33:2          | 43:13              | 5:2,8 6:8          | 13:17              | <b>profession</b>  |
| 40:12,13,          | <b>practically</b> | 34:2               | <b>principle</b>   | 80:15,18           |
| 18 49:11           | 71:22              | <b>presented</b>   | 36:17              | <b>Professiona</b> |
| 82:25              | <b>practice</b>    | 5:16               | <b>print</b>       | <b>l</b>           |
| 95:11              | 17:17              | <b>press</b>       | 51:21              | 5:3                |
| <b>positive</b>    | 20:12              | 49:23              | <b>prior</b>       | <b>Program</b>     |
| 15:6               | 24:12              | 50:3               | 5:15,17            | 21:20              |
| 16:14              | 25:13              | <b>pretty</b>      | 105:18             | <b>prohibited</b>  |
| 17:4               | 30:23              | 98:9               | 111:9              | 87:13              |
| 21:16,17           | 73:24              | 111:10             | <b>private</b>     | <b>promoting</b>   |
| 24:2               | 74:17              | <b>prevent</b>     | 83:6               | 112:24             |
| 26:8,16            | <b>Pre</b>         | 103:18             | <b>problem</b>     | <b>promotion</b>   |
| 27:8               | 12:17              | 110:11             | 84:23              | 115:23             |
| 84:16              | 21:24              | <b>Prevention</b>  | <b>problems</b>    | <b>prompted</b>    |
| <b>possibility</b> | <b>Pre-k</b>       | 17:23              | 10:6               | 37:14              |
| 14:5               | 12:2               | 24:13              | 69:14              | <b>pronounced</b>  |
| <b>post</b>        | 13:2,8             | 25:14,16           | <b>procedure</b>   | 109:23             |
| 22:20              | 44:18              | 26:14              | 71:21              | <b>pronouncing</b> |
| 23:20              | 45:21              | 29:1               | 72:7               | 70:25              |
| 108:1              | <b>predominant</b> | 30:19              | <b>proceed</b>     |                    |
| 114:17,18          | 60:20              | 36:21,22           |                    |                    |

|                   |                     |                    |                 |                 |
|-------------------|---------------------|--------------------|-----------------|-----------------|
| <b>proof</b>      | 27:16, 21,<br>69:12 |                    | <b>quoted</b>   | <b>real</b>     |
|                   | 22 28:1             | <hr/>              | 42:21           | 31:13           |
|                   | 30:23               | <b>Q</b>           | 53:5            |                 |
| <b>protect</b>    | 58:2 63:2           | <hr/>              | 97:21           | <b>realm</b>    |
| 77:21             | 64:22               | <b>quarantine</b>  |                 | 65:3            |
|                   | 65:14, 18           | 19:8, 20,          | <b>quotes</b>   | <b>reason</b>   |
| <b>protective</b> | 66:4                | 21, 22, 23         | 51:24           | 38:22           |
| 104:1             | 70:22               | 21:18, 19,         | <hr/>           | 39:7            |
|                   | 73:16               | 21 22:20           | <b>R</b>        | 42:2, 6         |
| <b>protocol</b>   | 75:5                | 23:20              | <hr/>           | 54:24           |
| 15:6, 10,         | 77:14, 19,          | <b>quarantinin</b> | <b>rate</b>     | 56:18           |
| 13, 14, 15,       | 20 80:23            | <b>g</b>           | 72:13           | 64:11           |
| 21, 24            | 81:2                | 19:19              | 103:4           | 83:12           |
| 16:2, 9           | 84:8, 17            | <b>question</b>    | <b>rates</b>    | 88:22           |
| 17:4, 7, 16       | 91:1                | 7:8 13:23          | 90:8            | 89:12, 23,      |
| 26:16             | 98:24               | 22:15              |                 | 25 90:2         |
| 27:8              | 99:4                | 24:6, 8            | <b>rational</b> | <b>reasons</b>  |
| <b>provided</b>   | 103:9, 11,          | 32:6               | 95:17           | 95:18           |
| 5:16              | 14, 16, 19,         | 41:10              | 102:12          |                 |
| 58:12             | 25 106:3,           | 45:13              | <b>rats</b>     | <b>recall</b>   |
| <b>Providence</b> | 7                   | 46:21              | 99:13, 17,      | 20:15           |
| 4:10              |                     | 47:6 61:2          | 20              | 29:6            |
| 37:9, 13          | <b>publicly</b>     | 69:19              | <b>read</b>     | 42:24           |
| 46:8, 9,          | 49:15               | 73:23              | 4:24 5:5        | 48:14           |
| 22, 23            | 108:6               | 74:13              | 12:8            | 49:18, 22       |
| 75:11             |                     | 77:7, 9            | 15:20           | 50:2, 7         |
| 88:11             | <b>published</b>    | 88:3               | 16:3, 7         | 51:1            |
| 89:23             | 72:10               | 100:10             | 28:8            | 54:18, 21,      |
| 90:2              | 73:19               | 114:23, 24         | 29:4, 8, 22     | 22, 23          |
| 91:19             | 118:6               | <b>questioning</b> | 30:16           | 55:5            |
| 92:17             | <b>pull</b>         | 5:17               | 45:1, 14        | 59:18           |
| <b>providing</b>  | 74:1 97:9           | 31:17              | 68:6, 8,        | 63:21, 24       |
| 5:12              | <b>put</b>          | 86:9               | 10, 11, 12      | 64:10, 13       |
|                   | 9:19                | <b>questions</b>   | 71:8, 11        | 70:15           |
| <b>proximity</b>  | 11:14               | 31:14              | 78:7 98:2       | 73:21           |
| 102:9, 22         | 28:18               | 100:8, 9           | <b>reading</b>  | 75:16           |
| 103:1             | 30:24               | 117:19             | 25:5            | 76:20           |
|                   | 61:18               | 118:21             | 28:5, 8         | 81:3            |
| <b>prudent</b>    | 66:9 67:3           | 119:1              | 29:13           | 110:2, 4        |
| 64:22             | 74:12               | <b>quick</b>       | 44:25           | <b>receive</b>  |
|                   | 85:20               | 31:13              | 60:16           | 20:21           |
| <b>public</b>     | 92:5                | <b>quote</b>       | 106:14          | <b>received</b> |
| 5:3               | 93:14               | 101:21             | <b>ready</b>    | 8:23            |
| 13:17, 25         | 115:22              | 118:10             | 117:14          | <b>recently</b> |
| 17:17             | <b>putting</b>      |                    |                 | 6:17            |
| 20:11             | 8:14                |                    |                 | 55:21           |
| 24:11             |                     |                    |                 |                 |
| 25:13, 17         |                     |                    |                 |                 |
| 26:15             |                     |                    |                 |                 |

|                    |                     |                   |                    |                   |
|--------------------|---------------------|-------------------|--------------------|-------------------|
| 70:19              | 77:13               | <b>referenced</b> | <b>regular</b>     | 46:1              |
| <b>recognize</b>   | 78:8                | 46:3 72:3         | 65:14              | <b>related</b>    |
| 21:12              | 90:22               | 73:3              | 66:13              | 40:19             |
| 25:15              | 92:12,13            | 79:13             | 86:21              | 61:11             |
|                    | 102:13              | 104:14            | <b>regulation</b>  | <b>release</b>    |
| <b>recognizing</b> | <b>recommending</b> | <b>referred</b>   | 23:7,19,           | 106:9             |
| 82:14,16           |                     | 44:24             | 23 29:20           | <b>released</b>   |
| <b>recollect</b>   | 42:9 43:4           | 49:9              | 30:19              | 105:12,           |
| 49:21              | 60:9,23             | 63:17             | 43:25              | 13,18             |
| <b>recollectio</b> | 61:16               | 99:17             | 64:2,6,25          | <b>relevance</b>  |
| <b>n</b>           | 76:10,22            | 100:25            | 66:13              | 86:1              |
| 40:21              | 77:17               | <b>referring</b>  | 85:20,24           | <b>relied</b>     |
| <b>recommend</b>   | 78:11,21            | 8:15 15:7         | 86:5,22            | 19:12,14,         |
| 53:12              | 91:9                | 22:17             | 87:5,15,           | 24                |
| 54:7,16            | 92:2,3              | 33:14             | 23 94:11           | <b>rely</b>       |
| 61:4,6             | <b>recommends</b>   | 84:1              | <b>regulatory</b>  | 91:2              |
| 62:4               | 14:23               | 89:18             | 63:23              | <b>remain</b>     |
| 77:8,10,           | 44:19               | 99:19             | 64:12,23           | 7:8               |
| 20 81:19           | 45:22               | 100:19            | 66:8               | <b>remarkable</b> |
| 91:20              | <b>record</b>       | <b>refers</b>     | <b>reimpose</b>    | 97:20             |
| <b>recommendat</b> | 4:5,24              | 51:3              | 54:8               | 98:5              |
| <b>ion</b>         | 5:1,24              | <b>reflect</b>    | <b>reimposed</b>   | <b>remember</b>   |
| 14:19              | 6:8 8:22            | 8:23              | 10:18              | 34:1,11           |
| 15:11,18           | 20:19               | 89:21             | 60:7 61:7          | 59:13,16          |
| 17:21              | 67:4                | <b>reflecting</b> | <b>reimposing</b>  | 77:25             |
| 28:7               | 81:10               | 25:12             | 54:3 62:7          | <b>remind</b>     |
| 77:19              | 82:1,2,4,           | 30:22             | <b>reimpositio</b> | 12:22             |
| <b>recommendat</b> | 5,8 106:7           | <b>reflects</b>   | <b>n</b>           | 14:18             |
| <b>ions</b>        | 117:11,             | 20:14             | 61:16              | 15:4              |
| 12:22,25           | 12,16               | 24:11             | <b>reinstitute</b> | 17:2,22           |
| 14:18              | 118:24              | 36:20             | <b>d</b>           | 36:25             |
| 17:8 20:4          | 119:2,4,            | <b>refresh</b>    | 37:9               | <b>reminding</b>  |
| 28:20              | 8,11                | 40:21             | 89:24              | 12:25             |
| 29:18              | <b>recorded</b>     | <b>refreshes</b>  | <b>Reinstitute</b> | 17:20             |
| 44:18              | 5:14                | 36:24             | <b>s</b>           | 26:13             |
| 45:21              | 103:6               | <b>refused</b>    | 52:16              | 27:6              |
| 46:5,7             | <b>records</b>      | 36:2              | <b>reinstituti</b> | <b>remote</b>     |
| 90:18              | 106:4               | <b>refusing</b>   | <b>ng</b>          | 4:23 5:5,         |
| <b>recommended</b> | <b>reduce</b>       | 86:25             | 51:25              | 9,13              |
| 15:21,25           | 110:16              | <b>Registered</b> | <b>reiterating</b> | <b>renewed</b>    |
| 16:9               | <b>refer</b>        | 5:3               | 28:24              | 22:4              |
| 29:15              | 89:22               | <b>referenced</b> | 30:17              |                   |
| 30:13              | 99:4                |                   |                    |                   |
| 75:25              | 111:15              |                   |                    |                   |

|                                                                                    |                                                                               |                                                                                                        |                                                                                                                                                                                                          |                                                                           |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <b>repeat</b><br>22:22<br>28:14                                                    | <b>representat<br/>ives</b><br>38:16                                          | <b>resource</b><br>87:1                                                                                | <b>responsibil<br/>ity</b><br>36:16                                                                                                                                                                      | 58:24<br>59:10,19<br>75:22                                                |
| <b>replied</b><br>113:20,<br>22,25<br>114:2                                        | <b>representin<br/>g</b><br>4:13                                              | <b>resources</b><br>65:10                                                                              | <b>responsible</b><br>36:12,15                                                                                                                                                                           | 80:22<br>81:1 83:1<br>87:19                                               |
| <b>replies</b><br>108:6                                                            | <b>represents</b><br>49:17                                                    | <b>respect</b><br>31:14,16,<br>19 62:13                                                                | 41:1,12,<br>23                                                                                                                                                                                           | 88:4,5<br>89:12                                                           |
| <b>reply</b><br>108:3,4<br>110:6                                                   | <b>reputable</b><br>73:12<br>118:16                                           | <b>Respectfull<br/>y</b><br>93:8                                                                       | <b>rest</b><br>15:1<br>81:20                                                                                                                                                                             | 90:6<br>101:16<br>106:1                                                   |
| <b>replying</b><br>108:17<br>112:22,23<br>113:3                                    | <b>request</b><br>58:5                                                        | <b>respiratory</b><br>54:14                                                                            | <b>restate</b><br>45:13                                                                                                                                                                                  | 107:18<br>108:15<br>111:17                                                |
| <b>report</b><br>107:25<br>111:5,6,<br>14                                          | <b>require</b><br>46:14<br>62:24<br>89:5<br>90:11                             | 64:21<br>76:23<br>97:22,24<br>98:16<br>102:8                                                           | <b>restraining</b><br>37:16                                                                                                                                                                              | 112:7,20<br>113:20<br>114:20                                              |
| <b>reported</b><br>102:11                                                          | <b>required</b><br>15:21<br>16:4,8,<br>10,20,23<br>17:12                      | <b>respond</b><br>44:14<br>112:4<br>114:21<br>116:1,3,<br>14                                           | <b>result</b><br>86:16                                                                                                                                                                                   | <b>Richard</b><br>4:8                                                     |
| <b>reporter</b><br>4:12,15,<br>23 5:2,3<br>6:7 29:4,<br>7 81:23<br>82:19<br>119:12 | 63:12<br>87:10                                                                | <b>responded</b><br>96:7<br>114:25<br>116:11                                                           | <b>resulting</b><br>69:14                                                                                                                                                                                | <b>RIDE</b><br>38:3<br>41:2,12,<br>23 43:2,<br>3,8,14,19                  |
| <b>Reporting</b><br>111:2                                                          | <b>requirement</b><br>10:18<br>15:18<br>17:21<br>22:19,24<br>24:4,10<br>44:13 | <b>responding</b><br>112:10<br>114:10                                                                  | <b>review</b><br>8:10,18<br>70:21<br>107:1                                                                                                                                                               | <b>RIDOH</b><br>22:10<br>38:16<br>44:19<br>45:22<br>53:2<br>57:22         |
| <b>reports</b><br>110:23<br>111:9,11,<br>13                                        | 67:23<br>84:10<br>86:20<br>95:2                                               | <b>response</b><br>21:23<br>44:19<br>45:22<br>81:12<br>112:7,17,<br>19<br>113:23,24<br>114:19<br>115:5 | <b>reviewed</b><br>20:20                                                                                                                                                                                 | <b>RIDOH's</b><br>21:23<br>22:21<br>40:20                                 |
| <b>reposting</b><br>116:4                                                          | <b>requirement<br/>s</b><br>21:18,22<br>22:10                                 | <b>responsibil<br/>ities</b><br>35:15                                                                  | <b>Rhode</b><br>4:9 5:4,8<br>6:3,18<br>7:3,6<br>12:1,16<br>13:3,7,13<br>14:9 15:7<br>18:3 23:6<br>26:23<br>27:15,16<br>32:13<br>37:24<br>38:5,6,<br>10,13<br>39:24<br>40:7<br>48:25<br>49:4 53:1<br>56:1 | <b>Ridoh.<br/>covidk12que<br/>stions@<br/>health.ri.<br/>gov.</b><br>32:7 |
| <b>represent</b><br>4:15<br>49:16<br>68:12                                         | <b>resided</b><br>105:13                                                      |                                                                                                        |                                                                                                                                                                                                          | <b>risks</b><br>69:10                                                     |

|                  |                       |                        |                        |                       |
|------------------|-----------------------|------------------------|------------------------|-----------------------|
| <b>risky</b>     | 107:17,<br>60:17      | 10:20<br>14:9 71:8     | 31:7 32:2              | 14:25                 |
| <b>Road</b>      | 109:13                | <b>schools</b>         | 52:24                  | <b>share</b>          |
| 75:20            |                       | 21:24                  |                        | 57:12                 |
| <b>Roldan</b>    | <b>S</b>              | 44:20                  | <b>secret</b>          | 67:1 74:2             |
| 38:14            |                       | 45:23                  | 106:1                  | <b>shared</b>         |
| 39:10            | <b>sad</b>            | 46:14,15,<br>22 51:25  | <b>section</b>         | 8:25 9:2,<br>6 104:18 |
| <b>role</b>      | 84:7                  | 65:19,25               | 32:15,17,<br>18,19,20, | <b>SHARING</b>        |
| 7:13,15          | <b>safety</b>         | 66:6 71:3              | 21                     | 9:23                  |
| 75:2,4           | 102:25                | 72:22                  | <b>send</b>            | 11:13                 |
| 118:6            | 110:12                | 87:21                  | 24:21                  | 18:16                 |
| <b>roles</b>     | <b>SARS-COV-2</b>     | 88:5,13,<br>23 89:3,5  | 34:6 57:9              | 21:6 31:3             |
| 48:24            | 118:7                 | 90:10,22,<br>23,25     | 58:1 68:5              | 48:22                 |
| <b>room</b>      | <b>save</b>           | 91:4,14                | 97:10                  | 57:15                 |
| 18:17            | 97:25                 | 92:14,17,<br>18,20     | 111:19                 | 67:8 74:5             |
| 81:20            | <b>scenario</b>       |                        | <b>sense</b>           | 75:19                 |
| <b>round</b>     | 65:5                  | <b>science</b>         | 13:22                  | 93:21                 |
| 37:8,15,<br>23   | <b>Schaub</b>         | 72:3 73:2              | <b>sentence</b>        | 97:13                 |
| <b>routinely</b> | 4:21 8:9              | <b>scientific</b>      | 10:14                  | <b>shift</b>          |
| 79:10            | <b>school</b>         | 69:25                  | 15:3                   | 69:11                 |
| <b>Rucker</b>    | 10:16,18              | <b>scope</b>           | 17:2,15                | <b>shortly</b>        |
| 4:11             | 13:16,17,<br>19,20    | 31:15                  | 27:6                   | 37:10                 |
| <b>rule</b>      | 14:3                  | <b>screen</b>          | 28:14                  | <b>show</b>           |
| 29:20            | 24:20,24              | 8:15,25                | 30:17                  | 75:8                  |
| 30:19            | 25:2,3,5,<br>8,15,19  | 9:2,6,23,<br>24 11:13, | 44:16                  | 109:16                |
| <b>ruled</b>     | 26:6,10               | 14 18:16               | 45:9,20                | <b>showed</b>         |
| 68:16            | 42:10,11              | 21:6 30:8              | <b>separate</b>        | 11:2                  |
| <b>ruling</b>    | 43:5,6,14             | 31:3                   | 5:10 64:6              | 24:14                 |
| 68:24            | 44:5                  | 48:22                  | 88:8                   | 28:25                 |
| 69:20            | 46:8,10,<br>16,17,19, | 57:15                  | <b>September</b>       | 59:15                 |
| 70:3             | 24 48:2               | 67:8 74:5              | 88:18                  | <b>showing</b>        |
| <b>run</b>       | 67:24                 | 75:19                  | 89:1                   | 20:13                 |
| 108:18           | 68:5                  | 93:21                  | 91:19,20               | 110:17                |
| <b>running</b>   | 88:6,17,<br>24 91:21  | 97:13                  | <b>server</b>          | <b>sick</b>           |
| 34:7 46:9        | 92:12                 | 110:16                 | 14:4                   | 55:3                  |
| 62:12            | <b>school's</b>       | <b>scroll</b>          | <b>serving</b>         | <b>side</b>           |
| 86:9             | 14:4                  | 10:12                  | 79:17                  | 111:5                 |
| <b>runs</b>      | <b>school-age</b>     | 11:19                  | <b>settings</b>        | <b>signature</b>      |
| 46:23            |                       | 19:15                  | 84:11,20               | 11:21,22,<br>23 31:24 |
|                  |                       | 21:11,14               | 86:21                  | 32:3                  |
|                  |                       |                        | <b>severely</b>        |                       |

|                                                                                                                                                                  |                                                                     |                                                                                                                                                                                |                                                                       |                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>signed</b><br>12:6,8,11                                                                                                                                       | <b>smaller</b><br>111:21                                            | <b>specificall<br/>y</b><br>50:8<br>77:11<br>79:17                                                                                                                             | 101:22,24<br>102:2,4,<br>8,10,14,<br>16,18<br>103:2,3                 | 12:24<br>13:7 18:3<br>54:8<br>56:24<br>62:10<br>63:12<br>64:22<br>66:16<br>69:10<br>80:22<br>91:1<br>92:19<br>95:3,5,<br>13,25<br>96:6,8,<br>13,15<br>103:17<br>107:1                                    |
| <b>significant</b><br>54:15<br>101:25                                                                                                                            | <b>Smith</b><br>83:11                                               | <b>specifics</b><br>65:7                                                                                                                                                       | <b>spreads</b><br>99:8                                                |                                                                                                                                                                                                          |
| <b>simply</b><br>24:18<br>27:10,19<br>28:17<br>29:7,19<br>30:17,21<br>36:20,24<br>45:25<br>46:7<br>77:16<br>80:19<br>95:3<br>98:24<br>111:14<br>113:23<br>116:11 | <b>sneezing</b><br>79:10                                            | <b>speculate</b><br>63:15,18,<br>20 75:22<br>94:25                                                                                                                             | <b>staff</b><br>21:15<br>26:6<br>38:15<br>70:2,4<br>108:8             |                                                                                                                                                                                                          |
|                                                                                                                                                                  | <b>social</b><br>107:9,11<br>109:4<br>114:6,22<br>115:3,8,<br>11,14 | <b>speculating</b><br>94:24                                                                                                                                                    | <b>stand</b><br>81:3                                                  | <b>State's</b><br>106:14                                                                                                                                                                                 |
|                                                                                                                                                                  | <b>society</b><br>74:18                                             | <b>speculation</b><br>45:4<br>46:13<br>47:3<br>54:10<br>61:1,9<br>65:2<br>78:14,24<br>80:9<br>88:21<br>89:9<br>90:15<br>91:24<br>93:10<br>94:17<br>104:6<br>113:9,15<br>115:18 | <b>standard</b><br>17:17<br>20:11<br>24:11<br>25:13<br>27:11<br>67:20 | <b>stated</b><br>20:20<br>25:12<br>27:5 43:3<br>68:16                                                                                                                                                    |
| <b>sitting</b><br>67:16                                                                                                                                          | <b>soliciting</b><br>116:1                                          |                                                                                                                                                                                | <b>standards</b><br>27:17<br>80:20                                    | <b>Statehouse</b><br>49:25                                                                                                                                                                               |
| <b>situation</b><br>16:12<br>50:24<br>61:3,15<br>62:2                                                                                                            | <b>Solutions</b><br>4:13                                            |                                                                                                                                                                                | <b>standing</b><br>31:16                                              | <b>statement</b><br>10:13,20,<br>21,22,23,<br>24,25<br>11:1,6,7<br>26:1,9<br>43:8,12,<br>18 44:24<br>48:3<br>52:23<br>53:15,16,<br>17,18<br>68:6,8<br>78:8<br>82:13,14,<br>24 96:5<br>97:19<br>98:3,5,6, |
|                                                                                                                                                                  | <b>sort</b><br>77:23                                                |                                                                                                                                                                                | <b>start</b><br>45:15,17<br>82:16<br>118:19                           |                                                                                                                                                                                                          |
| <b>situations</b><br>63:10<br>75:25<br>77:13,18,<br>21 78:9<br>88:2,3                                                                                            | <b>sound</b><br>59:19,21<br>81:21                                   | <b>speculative</b><br>83:3<br>100:21                                                                                                                                           | <b>started</b><br>34:17                                               |                                                                                                                                                                                                          |
|                                                                                                                                                                  | <b>sounds</b><br>39:19<br>50:8<br>81:17                             | <b>spell</b><br>108:25                                                                                                                                                         | <b>starting</b><br>61:23<br>65:20                                     |                                                                                                                                                                                                          |
| <b>sixth</b><br>30:3                                                                                                                                             | <b>Southwell</b><br>4:8                                             | <b>spread</b><br>54:13<br>66:1,7<br>71:19<br>75:7<br>89:16<br>98:11,14<br>99:1                                                                                                 | <b>starts</b><br>67:4                                                 |                                                                                                                                                                                                          |
| <b>size</b><br>110:16                                                                                                                                            | <b>speak</b><br>87:1<br>94:19                                       |                                                                                                                                                                                | <b>state</b><br>4:9 6:3,<br>7,10<br>10:18                             |                                                                                                                                                                                                          |
| <b>slow</b><br>11:19<br>48:18                                                                                                                                    | <b>speaking</b><br>63:10                                            |                                                                                                                                                                                |                                                                       |                                                                                                                                                                                                          |
| <b>slowing</b><br>10:5                                                                                                                                           | <b>special</b><br>32:15,17                                          |                                                                                                                                                                                |                                                                       |                                                                                                                                                                                                          |
|                                                                                                                                                                  | <b>specific</b><br>39:22<br>61:19<br>87:15                          |                                                                                                                                                                                |                                                                       |                                                                                                                                                                                                          |



|                    |                    |                    |                    |                    |
|--------------------|--------------------|--------------------|--------------------|--------------------|
| 7 99:2             | 5:7,13             | <b>studied</b>     | 109:10             | 6:15               |
| 110:14             | <b>stipulation</b> | 72:2,21            | <b>supervisor</b>  | <b>talk</b>        |
| <b>statements</b>  | 4:23 5:5           | <b>studies</b>     | 108:18             | 18:20              |
| 20:5               | <b>stood</b>       | 71:14              | <b>Supplementa</b> | 61:18              |
| 49:15              | 50:3               | 72:17              | <b>l</b>           | 71:14              |
| 80:23              | <b>stop</b>        | <b>study</b>       | 10:9               | 73:4 81:6          |
| 85:6               | 70:6               | 71:2,4,5,          | <b>support</b>     | 90:3               |
| 104:3              | 71:19              | 6,9,11,13          | 91:13              | 110:22             |
| <b>states</b>      | 77:6               | 72:9,15,           | <b>supported</b>   | <b>talked</b>      |
| 17:18              | 100:11             | 16,20              | 69:25              | 36:19              |
| 24:12              | 110:11             | 118:6,8,9          | <b>Supreme</b>     | 77:7 90:9          |
| 55:22              | 118:23             | <b>subject</b>     | 5:8                | 99:21              |
| 60:20              | <b>stops</b>       | 37:2               | <b>surgical</b>    | <b>talking</b>     |
| 79:16              | 39:2               | <b>substantial</b> | 71:20              | 16:12              |
| 95:20              | <b>story</b>       | 50:24,25           | 72:7               | 45:16              |
| 96:1,10,           | 51:20              | 73:24              | <b>surprise</b>    | 50:4 51:4          |
| 17,18              | <b>straightfor</b> | 74:17              | 41:4               | 72:17              |
| <b>stay</b>        | <b>ward</b>        | <b>subvariants</b> | <b>surprised</b>   | 78:18              |
| 16:15              | 27:25              | 60:19              | 77:23              | 79:2,4             |
| 18:6               | 28:5,15            | <b>suffered</b>    | <b>surrounding</b> | 81:4               |
| 21:19              | <b>strain</b>      | 56:13              | 69:13              | 97:17              |
| 24:3,5             | 76:5               | <b>suffering</b>   | <b>talks</b>       | 107:18             |
| 26:7,12            | <b>strategies</b>  | 67:22              | 19:19,22           | 110:8              |
| 81:23,25           | 37:2               | 68:17              | 21:15              |                    |
| 119:3              | <b>strategy</b>    | <b>suffices</b>    | <b>switch</b>      | 25:22              |
| <b>staying</b>     | 63:2               | 69:17              | 48:16              | 72:11              |
| 20:5               | <b>street</b>      | <b>sufficient</b>  | <b>sworn</b>       | 77:13,16           |
| <b>steno</b>       | 83:12              | 9:3                | 6:6                | 85:4               |
| 45:14              | <b>stricken</b>    | <b>suggesting</b>  | <b>system</b>      | <b>targeted</b>    |
| <b>stenographe</b> | 81:9               | 44:14              | 61:24              | 115:2              |
| <b>r</b>           | <b>strongly</b>    | 85:14              | 95:16              | <b>teachers</b>    |
| 4:25               | 53:12              | 99:20              | 111:2              | 68:1               |
| <b>steps</b>       | <b>student</b>     | <b>Sunday</b>      | <b>systems</b>     | <b>teachers'</b>   |
| 44:21              | 21:15              | 75:10              | 15:1               | 65:22              |
| 45:24              | <b>students</b>    | <b>superintend</b> | <b>T</b>           | 66:4               |
| 69:20              | 13:3,8             | <b>ent</b>         |                    | <b>team</b>        |
| <b>stick</b>       | 25:24              | 46:17,22           |                    | 114:25             |
| 78:4               | 26:5               | 47:15              | <b>takes</b>       | <b>technically</b> |
| 100:9              | 66:23              | 48:2               | 31:12              | 49:2               |
| <b>stipulate</b>   | 68:17              | <b>superior</b>    | <b>taking</b>      | <b>Tedesco</b>     |
| 5:25 78:3          |                    | 4:9                |                    |                    |
| <b>stipulated</b>  |                    |                    |                    |                    |

|                   |                    |                    |              |                    |
|-------------------|--------------------|--------------------|--------------|--------------------|
| 35:7,16           | 59:13              | 113:17             | 47:11        | 103:12,            |
| <b>telling</b>    | 110:2              | <b>thinking</b>    | 50:11        | 15,18              |
| 17:12             | <b>testimony</b>   | 26:25              | 53:2         | 104:4,18           |
| 26:10             | 14:17              | 66:5               | 54:23        | 115:9              |
| 27:10             | 29:11,15           | 88:25              | 55:2         | 119:1              |
| 39:5,17           | 30:11              | 111:23             | 59:11        | <b>today's</b>     |
| 42:1 43:8         | 54:23              | <b>thought</b>     | 64:1,9,      | 8:7,11             |
| 44:5              | 67:21              | 7:10               | 10,13,24     | 119:9              |
| <b>temporary</b>  | 69:8,16            | 52:15              | 79:14        | <b>told</b>        |
| 37:16             | 70:10              | 62:6,16,           | 81:15        | 24:21              |
| 100:13            | 93:9               | 18 63:5            | 82:8,23      | 35:5,16,           |
| <b>ten</b>        | 110:4              | <b>thousand</b>    | 84:4 86:4    | 17,24              |
| 20:9,10           | 116:18             | 51:5,12,           | 100:5        | 38:11              |
| 25:23             | <b>tests</b>       | 13                 | 110:8        | 40:19,25           |
| 26:7              | 16:14              | <b>three-</b>      | 111:7        | 41:11              |
| 81:20,22          | 21:16              | <b>quarters</b>    | 117:15       | 43:1 44:5          |
| 96:24             | 24:2               | 55:15              | 119:1        | 48:1 53:1          |
| <b>term</b>       | <b>text</b>        | <b>Thundermist</b> | <b>times</b> | 68:23              |
| 98:12,24,         | 111:19             | 97:6,17            | 29:23,25     | 92:25              |
| 25 99:3,4         | <b>theoretical</b> | <b>Thursday</b>    | 30:5,11      | 105:1,7            |
| 101:14,           | <b>ly</b>          | 4:6                | 40:17        | <b>top</b>         |
| 15,18,19          | 106:2              | 119:11             | 75:6,25      | 10:2               |
| <b>terms</b>      | <b>therapeutic</b> | <b>tier</b>        | 88:2,4       | 30:16              |
| 50:11             | <b>s</b>           | 44:20              | 89:11        | 31:24              |
| <b>test</b>       | 55:19              | 45:23              | 113:25       | 59:12              |
| 15:6 17:4         | <b>thing</b>       | 51:8               | 114:2        | <b>Tracy</b>       |
| 26:8,16           | 67:4 74:2          | 89:15              | 116:24       | 70:24              |
| 27:8              | 84:16              | <b>tiered</b>      | <b>title</b> | <b>transcript</b>  |
| <b>tested</b>     | 110:21             | 50:5,6             | 33:12        | 119:13,14          |
| 21:17             | 115:23             | <b>time</b>        | 39:12        | <b>transmissio</b> |
| <b>testified</b>  | <b>things</b>      | 4:5 5:17           | 40:17,19,    | <b>n</b>           |
| 6:6 14:15         | 13:4 20:7          | 6:16               | 22,23,24     | 50:23              |
| 39:2              | 25:4               | 7:14,15,           | 52:2,9,      | 51:3               |
| 54:19             | 46:15              | 18 9:16            | 11,12        | 87:17              |
| 76:12,20,         | 54:25              | 22:12,16           | <b>today</b> | 89:20              |
| 25                | 74:7 89:6          | 28:17              | 4:11,12,     | 90:5,8,21          |
| <b>testify</b>    | 91:3               | 31:17,22           | 25 6:16      | 92:8,9             |
| 37:17,22          | 95:19              | 32:22,24           | 10:22,23     | 110:11             |
| 87:24             | 96:19              | 33:14,16           | 11:5,7       | 118:7              |
| 93:2              | 103:11,24          | 34:16,18           | 20:22        | <b>treated</b>     |
| 102:3             | 104:10             | 36:13              | 41:6         | 56:4,7             |
| <b>testifying</b> | 106:19             | 41:6,15            | 48:13        | <b>treatment</b>   |
|                   | 108:10             | 42:14              | 53:21        | 61:22              |
|                   | 111:16             |                    | 60:10        |                    |
|                   |                    |                    | 74:18        |                    |

|                   |                    |                    |                   |                 |
|-------------------|--------------------|--------------------|-------------------|-----------------|
| 76:24             | 116:4,11           | 96:19              | <b>untoward</b>   | <b>vaccines</b> |
| <b>treatments</b> | <b>two-and-a-</b>  | 99:14              | 114:4             | 76:6,24         |
| 55:1,2,18         | 47:9               | 100:17,23          | <b>unusual</b>    | 87:6            |
| <b>trial</b>      | <b>two-and-a-</b>  | 106:16             | 28:23             | 111:10          |
| 72:1,11           | <b>half</b>        | <b>understanda</b> | <b>updated</b>    | <b>VAERS</b>    |
| <b>trick</b>      | 27:12              | <b>ble</b>         | 19:11             | 110:23,24       |
| 26:25             | 47:12              | 27:21              | 72:4 73:2         | 111:1,4,        |
| 27:9              | <b>two-and-a-</b>  | <b>understandi</b> | <b>uploading</b>  | 15 112:5        |
| <b>troubling</b>  | <b>half-hour</b>   | <b>ng</b>          | 19:3              | <b>vague</b>    |
| 100:4             | 81:15              | 13:1 22:7          | <b>uptick</b>     | 18:11           |
| <b>true</b>       | <hr/>              | 29:12              | 76:7              | <b>valid</b>    |
| 38:22             | <b>U</b>           | 103:24             | <b>upticks</b>    | 5:1,12          |
| 41:5              | <hr/>              | 104:1              | 76:1              | <b>variant</b>  |
| 42:1,5,7          | <b>U.S.</b>        | <b>unfairly</b>    | <b>useless</b>    | 60:12           |
| 66:3              | 79:18              | 47:12              | 71:22             | 61:7,12,        |
| 87:11             | <b>ultimately</b>  | <b>unimagined</b>  | <b>usual</b>      | 15,19,21,       |
| 99:2              | 13:12              | 65:8               | 70:22             | 24 62:21        |
| 101:12            | 22:4               | <b>union</b>       | <b>Utpala</b>     | 76:12           |
| <b>trust</b>      | 36:12              | 65:22              | 96:21,22          | <b>variants</b> |
| 59:7              | 58:12              | <b>unions</b>      | <hr/>             | 60:17,22        |
| <b>truth</b>      | <b>unable</b>      | 66:4               | <b>V</b>          | 61:3,5          |
| 78:4              | 26:6               | <b>unique</b>      | <hr/>             | <b>vector</b>   |
| <b>turn</b>       | <b>unavailabil</b> | 55:8               |                   | 98:19           |
| 117:8,9           | <b>ity</b>         | <b>unit</b>        | <b>vaccinate</b>  | 99:3,7,20       |
| <b>tweet</b>      | 10:19              | 33:5,6,9,          | 86:20             | <b>vectors</b>  |
| 110:16            | <b>unbecoming</b>  | 10,13,17           | <b>vaccinated</b> | 97:21           |
| 111:20            | 80:15              | 40:21              | 16:15             | 98:9,12         |
| 112:20,24         | <b>uncertainty</b> | <b>United</b>      | 86:23,25          | 99:9            |
| <b>tweeting</b>   | 69:13              | 17:17              | 87:7,13           | 100:1,19        |
| 110:6             | <b>under-18</b>    | 24:12              | 97:23             | 101:1           |
| <b>Twitter</b>    | 58:16              | 55:22              | 102:13            | 118:20          |
| 107:14,           | <b>understand</b>  | 60:20              | <b>vaccine</b>    | <b>veracity</b> |
| 16,19,22,         | 11:2,3             | 79:16              | 10:16,19          | 43:11           |
| 23,24             | 16:1               | <b>universal</b>   | 55:19,22          | <b>verbatim</b> |
| 108:1,10          | 27:14              | 44:22              | 61:22             | 42:21           |
| 109:13            | 29:10,13           | 45:7,10,           | 62:22             | <b>verify</b>   |
| 110:7             | 44:6,10            | 18,24              | 85:15,19          | 38:9            |
| 111:18            | 50:15              | 46:10,24           | 86:6,17           | 39:12           |
| 112:4             | 60:15              | 47:16              | 87:11             | 43:11           |
| 113:6,12          | 68:22              | 48:3               | 110:9             | <b>versus</b>   |
| 114:20            | 78:12,20           | 92:11,13           | 111:2,6,          | 85:2            |
| 115:23            |                    |                    | 11 112:24         |                 |

|                    |                  |                   |                |                    |
|--------------------|------------------|-------------------|----------------|--------------------|
| <b>video</b>       | <b>waste</b>     | 56:6,12,          | 99:20          | <b>WPRI 's</b>     |
| 5:14 9:4           | 47:11            | 16,21,23          |                | 52:6               |
| 23:12              | <b>Wayne</b>     | 84:14             | <b>wording</b> |                    |
| 82:7               | 75:11,12         | <b>weekly</b>     | 76:5           | <b>wriggle</b>     |
| 103:6              | <b>weakened</b>  | 73:19             | 89:15          | 91:16              |
| 117:8,12,          | 15:1             | <b>weeks</b>      | <b>words</b>   | <b>wriggling</b>   |
| 16 119:7           | <b>wear</b>      | 42:23             | 24:2 37:2      | 92:6               |
| <b>viewing</b>     | 25:24            | 105:12            | 98:12          | <b>write</b>       |
| 10:7               | 26:6,11          | <b>weight</b>     | 102:5,20       | 111:25             |
| <b>views</b>       | 67:23            | 25:18             | 114:19         | <b>writes</b>      |
| 73:21              | 75:7             | <b>well-</b>      | <b>work</b>    | 75:23              |
| <b>viral</b>       | 77:21            | <b>fitting</b>    | 7:2,17         | 111:24             |
| 97:22              | 79:21            | 20:6,10           | 32:12,13,      | <b>writing</b>     |
| 98:15              | 80:7             | 25:24             | 16 36:16       | 15:4               |
| 102:7              | 83:23            | <b>Wendelken</b>  | 40:7           | 19:12              |
| <b>virus</b>       | 84:24            | 57:24             | 61:22,23       | 108:10,11          |
| 53:13              | 86:20,24         | 108:21            | 76:6,24        | 111:23             |
| 64:21              | <b>wearing</b>   | 109:7             | 87:7           | 112:20             |
| 76:23              | 20:6,10          | <b>West</b>       | 96:25          | <b>written</b>     |
| 97:24              | 23:19            | 97:7              | 97:3           | 51:22              |
| <b>voice</b>       | 25:22            | <b>witnessed</b>  | 108:15         | <b>wrong</b>       |
| 89:4               | 42:11            | 79:23             | 109:7          | 46:11              |
| <b>voluntarily</b> | 43:6             | <b>witnessing</b> | <b>worked</b>  | 47:1,7,            |
| 85:2               | 69:10,15,        | 68:3              | 35:14          | 16,21              |
| <b>voting</b>      | 22 73:21,        | <b>woman</b>      | <b>workers</b> | 48:5               |
| 65:23              | 23 74:25         | 114:18            | 85:16          | 50:15              |
|                    | 78:12            | <b>woods</b>      | 86:7,18        | <b>wrote</b>       |
|                    | 82:16,18         | 84:21             | 87:6           | 24:2               |
|                    | 84:12,14,        | <b>word</b>       | <b>working</b> | 36:5,10            |
|                    | 21               | 14:19             | 38:12,18       | 37:6               |
| <b>W</b>           | <b>Web-based</b> | 15:10,13,         | 39:14,23,      | 41:20              |
|                    | 5:9              | 20,24             | 25 40:2,       | 42:8               |
| <b>W-9</b>         | <b>website</b>   | 16:1,18,          | 6,10 48:9      | 67:19              |
| 49:6               | 52:6             | 19 17:11          | 62:10          | 68:7 69:2          |
| <b>wanted</b>      | <b>week</b>      | 20:24,25          | 91:25          | 75:20              |
| 14:8               | 38:15,20         | 25:5              | <b>works</b>   | 112:19             |
| 15:17              | 49:25            | 26:2,4,20         | 38:10          | 113:4              |
| 16:1               | 51:12,13         | 29:14,23,         | 57:22,24       | 114:1              |
| 42:19              | 53:2             | 25 30:5,          | 97:4           | 116:17             |
| 58:11              | 58:24            | 10 46:6           | <b>woven</b>   | <b>Wyrzykowski</b> |
| 82:25              | 59:6,22          | 77:14             | 72:12          | 4:19 5:23          |
| 83:15              | 65:23            | 98:19,20          | <b>WPRI</b>    | 8:22               |
| 88:17              | <b>weekend</b>   |                   | 51:20,23       | 13:23              |
| <b>Warwick</b>     |                  |                   | 97:14          | 14:13,15           |
| 97:7               |                  |                   |                |                    |

|           |                      |              |
|-----------|----------------------|--------------|
| 16:5      | 94:17,22             | 91:20        |
| 18:17,20  | 95:7 96:3            | 95:13,22     |
| 19:1,6    | 98:10,22             | 96:7 97:6    |
| 20:18     | 99:5,11,             | 110:5        |
| 22:12,16  | 23 100:20            |              |
| 23:9,13   | 101:2,10             | <b>years</b> |
| 24:6,25   | 103:20               | 27:12        |
| 25:9      | 104:5,17             | 79:15        |
| 26:21     | 105:4,15,            | 95:21        |
| 27:3      | 19 106:5,            | 96:24        |
| 28:11     | 17,22                | 117:24       |
| 29:16     | 107:4,6              | 118:11       |
| 30:14     | 108:12               | <b>York</b>  |
| 31:12,19  | 110:15,20            | 6:10         |
| 36:7 38:2 | 111:21               | <b>young</b> |
| 41:17     | 112:13               | 55:23        |
| 42:12,18, | 113:8,14             | 98:21        |
| 24 43:9   | 114:12               | 100:19       |
| 44:8      | 115:17               | 110:9        |
| 45:3,12   | 116:21               | 118:6        |
| 46:12     | 117:7,17             |              |
| 47:2,8,18 | 118:23               | <b>Yup</b>   |
| 48:6      | 119:14               | 18:19        |
| 52:1,5,9, |                      |              |
| 11,13,18, |                      |              |
| 21 54:9   | <hr/> <b>y</b> <hr/> |              |
| 57:17     |                      |              |
| 60:5,25   | <b>year</b>          |              |
| 61:8      | 6:21                 |              |
| 62:8,12,  | 18:10                |              |
| 15 65:1   | 22:25                |              |
| 68:19     | 23:2                 |              |
| 69:4 74:6 | 32:23                |              |
| 76:18     | 48:13                |              |
| 78:14,23  | 49:20                |              |
| 80:9,24   | 50:11                |              |
| 81:5,7,   | 54:1,20              |              |
| 13,19     | 56:9 58:7            |              |
| 83:3,24   | 65:15                |              |
| 85:10     | 66:22                |              |
| 86:1,8,11 | 68:7,9,16            |              |
| 88:20     | 70:8 71:6            |              |
| 89:2,9    | 72:5,10,             |              |
| 90:15     | 24 73:22             |              |
| 91:11,23  | 75:15,21             |              |
| 93:3,10,  | 82:11                |              |
| 16,18     | 88:12                |              |