

**EXHIBIT S**

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Conservative radio talk show host Wayne Allyn Root hosts a protest in Las Vegas, Nevada, demanding the reopening of businesses on April 24. | Ethan Miller/Getty Images

# Just 3 states meet these basic criteria to reopen and stay safe

Most states still need to reduce coronavirus cases and build up their testing capacity.

By German Lopez | @germanlopez | german.lopez@vox.com | Updated Jul 22, 2020, 1:25pm EDT

All 50 states **have moved to reopen** their economies, at least partially, after shutting down businesses and gatherings in response to the **coronavirus pandemic**.

But a Vox analysis suggests that most states haven't made the preparations needed to contain outbreaks — putting themselves at risk for a rise in Covid-19 cases and deaths should they continue to reopen, as **many states have already seen**.

Experts told me states need three things to be safe to open. State leaders, from the governor to the legislature to health departments, need to ensure the SARS-CoV-2 virus is no longer spreading unabated. They need the testing capacity to track and isolate the sick and their contacts. And they need the hospital capacity to handle a potential surge in Covid-19 cases.

More specifically, states should meet at least five basic criteria. They should see a two-week drop in coronavirus cases, indicating that the virus is actually abating. They should have fewer than four daily new cases per 100,000 people per day — to show that cases aren't just dropping but are also below dangerous levels. They need at least 150 new tests per 100,000 people per day, letting them quickly track and contain outbreaks. They need an overall positive rate for tests below 5 percent — another critical indicator for testing capacity. And states should have at least 40 percent of their ICU beds free to actually treat an influx of people stricken with Covid-19 should it be necessary.

These metrics line up with a range of expert recommendations, as well as the various policy plans put out by both independent groups and government officials to deal with the coronavirus.

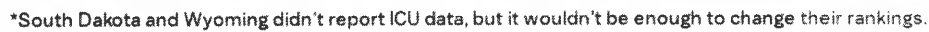
Meeting these metrics doesn't mean that a state is ready to safely reopen its economy — a process that **describes a wide range of local and state actions**. And failing them doesn't mean a state is in immediate danger of a coronavirus outbreak if it starts to reopen; with Covid-19, there's always an **element of luck** and **other factors**.

But with these metrics, states can gauge if they have repressed the coronavirus while building the capacity to contain future outbreaks should they come. In other words, the benchmarks show how ready states are for the next phase of the fight.

So far, most states are not there. As of July 22, just three states — Connecticut, New Jersey, and New York — met four or five of the goals, which demonstrates strong progress. Twenty-two states and Washington, DC, hit two or three of the benchmarks. The other 25 achieved zero or one. (South Dakota and Wyoming didn't report ICU data, but it wouldn't be enough to change their rankings.)

Each state's progress on coronavirus cases, testing, and hospital capacity as of July 22

Each state's progress on coronavirus cases, testing, and hospital capacity as of July 22



# Vox

Nor do the metrics cover everything that states should do before they can safely reopen. They don't show, for example, if states have the capacity to do **contact tracing**, in which people who came into contact with someone who's sick with Covid-19 are tracked down by "disease detectives" and quarantined. Contact tracing is key to containing an epidemic, but states don't track how many contact tracers they've hired in a standardized, readily available way.

But the map gives an idea of how much progress states have made toward containing the coronavirus and keeping it contained.



States will have to follow these kinds of metrics as they reopen. If the numbers — especially coronavirus cases — go in the wrong direction again, experts said governments should be ready to bring back restrictions. If states move too quickly to reopen or respond too slowly to a turn for the worse, they could see a renewed surge in Covid-19 cases.

“Planning for reclosing is part of planning for reopening,” Mark McClellan, a health policy expert at Duke, told me. “There will be outbreaks, and there will be needs for pauses and going back — hopefully not too much if we do this carefully.”

So this will be a work in progress, at least **until we get a Covid-19 vaccine** or the pandemic otherwise ends, whether by natural or human means. But the metrics can at least help give states an idea of how far along they are in the fight against the coronavirus.

### Goal 1: A sustained two-week drop in coronavirus cases

#### Daily coronavirus cases aren't decreasing in most states

Most states have not seen sustained drops in Covid-19 cases over two weeks as of July 22



\*Recorded changes are based on the seven-day moving average of daily new coronavirus cases.

Source: New York Times

Vox

**What's the goal?** A 10 percent drop in daily new coronavirus cases compared to two weeks ago and a 5 percent drop in cases compared to one week ago, based on data from the **New York Times**.

**Which states meet the goal?** New Jersey and Arizona — just two states.

**Why is this important?** Guidance from the **White House** and **several independent groups** emphasize that states need to see coronavirus cases drop consistently over two weeks before they can say they're ready to begin reopening. After all, nothing shows you're out of an outbreak like a sustained reduction in infections.

"The first and foremost [metric] is you want to have a continued decrease in cases," Saskia Popescu, an infectious disease epidemiologist, told me. "It's a huge piece."

A simple reduction in cases compared to two weeks prior isn't enough; it has to be a significant drop, and it has to be sustained over the two weeks. So for Vox's map, states need at least a 10 percent drop in daily new cases compared to two weeks prior and at least a 5 percent drop compared to one week prior.

Reported cases can be a reflection of testing capacity: More testing will pick up more cases, and less testing will pick up fewer. So it's important that the decrease occur while testing is either growing or already sufficient. And since states have recently boosted their testing abilities, increases in Covid-19 cases can also reflect improvements in testing.

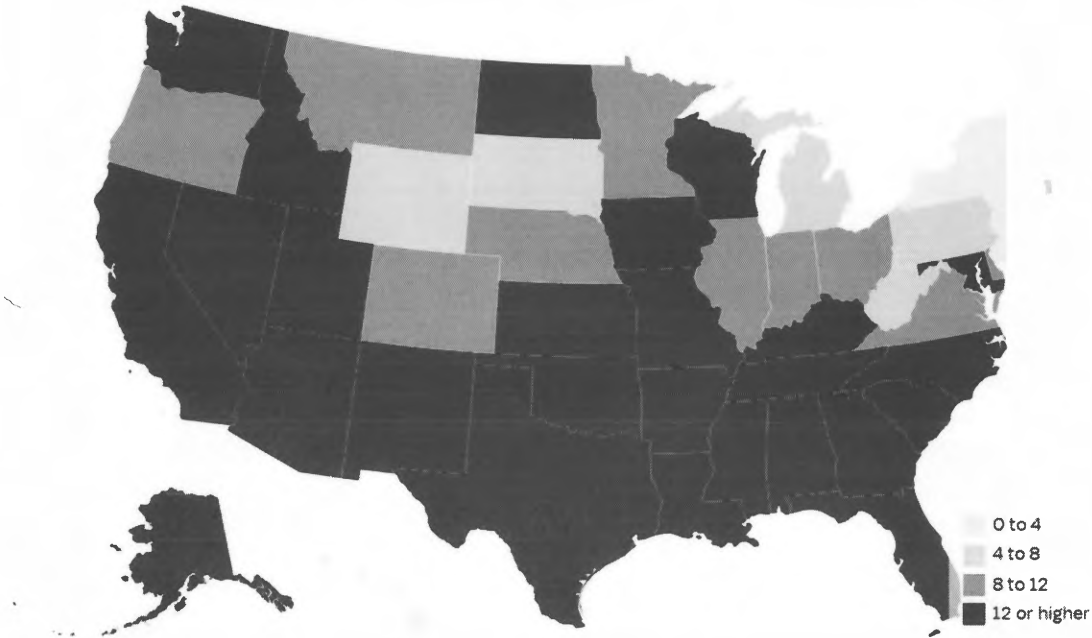
Even after meeting this benchmark, continued caution is warranted. If a state meets the goal of a reduction in cases compared to one and two weeks ago but cases seemed to go up in recent days, then perhaps it's not time to reopen just yet. And if cases have dropped but only from a very high baseline of cases, then that's less comforting than a drop from a lower baseline.

"You have to use common sense," Cyrus Shahpar, a director at the public health policy group Resolve to Save Lives, told me.

## **Goal 2: A low number of daily new Covid-19 cases**

## Most states still have too many daily cases per capita

Daily new coronavirus cases were mostly above 4 per 100,000 people as of July 22



\*Covid-19 case counts are based on the seven-day moving average of daily new coronavirus cases.

Source: New York Times and Census Bureau

Vox

**What's the goal?** Fewer than four daily new coronavirus cases per 100,000 people per day, based on data from the **New York Times** and the **Census Bureau**.

**Which states meet the goal?** Connecticut, Hawaii, Maine, Massachusetts, New Hampshire, New Jersey, New York, and Vermont — eight states.

**Why is this important?** One of the best ways to know you're getting away from a disease outbreak is to no longer see a high number of daily new infections. While there's no universally-accepted number, experts said that four daily new coronavirus cases per 100,000 people is a decent ceiling.

"If I go from one to two to three [coronavirus cases a day], it's different than going from 1,000 to 2,000 to 3,000, even though the percent difference is the same," Shahpar said. "That's why you have to take into account the overall level, too."

To put it another way, it's not enough for daily new Covid-19 cases to drop, even for weeks. Cases also should fall below a certain level before a state can be deemed truly safe.

For example, Arizona has seen its daily new cases drop over the past two weeks. But its daily new cases are still, after controlling for population, the third highest in the country.

That indicates an epidemic that remains out of control.

At the same time, if your state is now below four daily new cases per 100,000 but it's seen a recent uptick in cases, that's a reason for caution. Even the worst-hit states, after all, began with a handful of cases before they saw an exponential surge.

But if your state is below the threshold, it's in a pretty solid place relative to most states.

### Goal 3: High coronavirus testing capacity

#### Some states still don't have enough testing per capita

Daily new coronavirus tests were sometimes below 150 per 100,000 people as of July 22



\*Covid-19 test counts are based on the seven-day moving average of daily new coronavirus tests.

Source: Covid Tracking Project and Census Bureau

Vox

**What's the goal?** At least 150 tests per 100,000 people per day, based on data from the **Covid Tracking Project** and the **Census Bureau**.

**Which states meet the goal?** Alabama, Alaska, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, and Wisconsin — for a total of 40 states. Washington, DC, did as well.



**Why is this important?** Since the beginning of the coronavirus pandemic, experts have argued that the US needs the capacity for at least 500,000 Covid-19 tests a day. Controlling for population, that adds up to about 150 new tests per 100,000 people per day.

Testing is crucial to getting the coronavirus outbreak under control. When paired with **contact tracing**, testing lets officials track the scale of the outbreak, isolate the sick, quarantine those the sick came into contact with, and deploy community-wide efforts as necessary. Testing and tracing are how other countries, like **South Korea** and **Germany**, have managed to control their outbreaks and **started to reopen** their economies.

The idea, experts said, is to have enough surveillance to detect embers before they turn into full wildfires.

“States should be shoring up their testing capacity not just for what it looks like right now while everyone’s in their homes, but as people start to move more,” Jen Kates, the director of global health and HIV policy at the Kaiser Family Foundation, told me. “As people start doing more movement, you’ll have to test more, because people are going to come into contact with each other more.”

The 500,000-a-day goal is the minimum. Some experts **have recommended as many as millions of tests nationwide each day**. But 500,000 is the most often-cited goal, and it’s, at the very least, a good start.

It’s preferable if states report this number by how many people they’ve tested, not just the total number of tests. For containing an outbreak, it’s generally more useful to test 500,000 people one time than to test one person 500,000 times. But some states report the figures for total tests, not the number of tested individuals — counting tests for a single person multiple times. That could skew the numbers.

This goal is also supposed to be for diagnostic tests, not antibody tests. Diagnostic tests gauge whether a person has the virus in their system and is, therefore, sick right at the moment of the test. Antibody tests check if someone ever developed antibodies to the virus to see if they had ever been sick in the past. Since diagnostic tests give a more recent gauge of the level of infection, they’re seen as much more reliable for evaluating the current state of the Covid-19 outbreak in a state.

But some states have mixed up numbers for diagnostic and antibody tests, which could skew the data collected by the Covid Tracking Project.

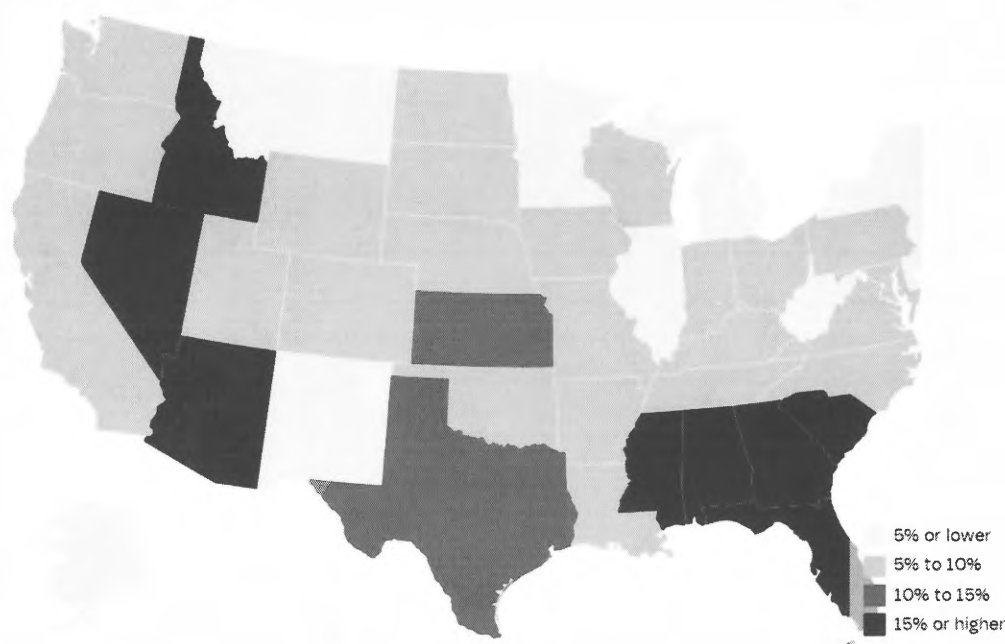
“The virus isn’t going to care whether they were manipulating the numbers or not in order to look more favorable; it’s going to continue to spread,” Crystal Watson, a senior scholar at the Johns Hopkins Center for Health Security, told me. “It’s better to really understand what’s going on and report that accurately.”

For states honestly reporting these numbers, though, they’re a critical measure of their ability to detect, control, and contain coronavirus outbreaks.

#### Goal 4: A low test positive rate

##### Most states have positive rates that are too high

Positive rates for daily new coronavirus tests were mostly above 5 percent as of July 22



\*The positive rate is based on coronavirus tests over the previous week.

Source: Covid Tracking Project

**Vox**

**What’s the goal?** Below 5 percent of coronavirus tests coming back positive over the past week, based on data from the **Covid Tracking Project**.

**Which states meet the goal?** Alaska, Connecticut, Delaware, Hawaii, Illinois, Maine, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, New Jersey, New Mexico, New York, Rhode Island, Vermont, and West Virginia — for a total of 17 states. Washington, DC, did as well.

**Why is this important?** The positive or positivity rate, which tracks how many tests come back positive for Covid-19, is another way to measure testing capacity.

Generally, a higher positive rate suggests there's not enough testing happening. An area with adequate testing should be testing lots and lots of people, many of whom don't have the disease or don't show severe symptoms. The positive testing rate in South Korea, for example, is **below 2 percent**. High positive rates indicate only people with obvious symptoms are getting tested, so there's not quite enough testing to match the scope of an outbreak.

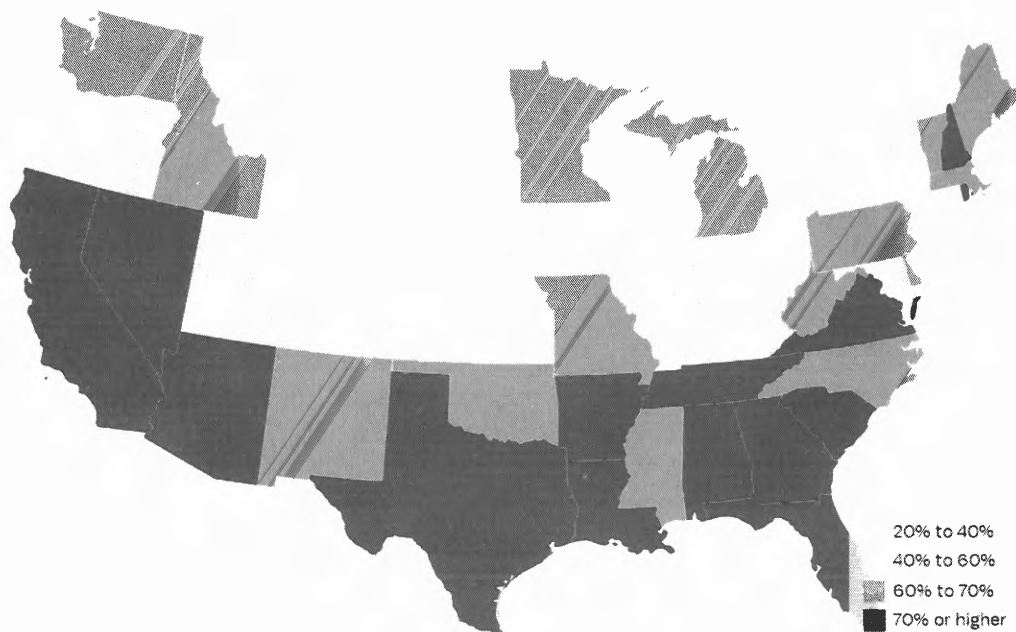
Previously, the World Health Organization (WHO) **recommended** a maximum positive rate of 10 percent. But the WHO **more recently recommended** 5 percent, which is in line with the rate for **countries that have managed to better control their outbreaks**, like Germany, New Zealand, and South Korea. "Even lower is better," Shahpar said.

The positive rate data is subject to the same limitations as the overall testing data from the Covid Tracking Project. So if a state includes antibody tests in its test count, it could skew the positive rate to look better than it is. States only risk hurting themselves if they do this.

## Goal 5: Availability of ICU beds

### Most states' hospitals aren't ready for a Covid-19 surge

Most states reported more than 60 percent of ICU beds occupied as of July 22



Source: US Department of Health and Human Services

**Vox**



**What's the goal?** Below 60 percent occupancy of ICU beds in hospitals, based on data from the **US Department of Health and Human Services**.

**Which states meet the goal?** Alaska, Colorado, Connecticut, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Montana, Nebraska, New Jersey, New York, North Dakota, Ohio, Oregon, Utah, and Wisconsin — for a total of 19 states. Washington, DC, did as well.

**Why is this important?** If a pandemic hits, the health care system needs to be ready to treat the most severe cases and potentially save lives. That's the key goal of **"flattening the curve"** and **"raising the line,"** in which social distancing helps reduce the spread of the disease so the health care system can maintain and grow its capacity to treat an influx of Covid-19 patients.

"There's this idea that in six weeks we can open more things," Amesh Adalja, a senior scholar at the Johns Hopkins Center for Health Security, told me. "But the virus is still there. It's all about making sure that the case count isn't too immense for our hospital system to deal with."

The aim is to avoid the **nightmare scenario that Italy went through** when it had more Covid-19 cases than its health care system could handle, leading to hospitals turning away even dangerously ill patients.

To gauge this, experts recommended looking at ICU capacity, with states aiming to have at most 60 percent occupancy in their ICUs.

### **Hitting the benchmarks is the beginning, not the end**

Vox's map is just one way of tracking success against the coronavirus. Other groups have come up with their own measures, including **Covid Act Now**, **Covid Exit Strategy**, and **Test and Trace**. Vox's model uses more up-to-date data than some of these other examples, while focusing not just on the state of the pandemic but also on states' readiness to contain Covid-19 outbreaks in the future.

Very few states hit all the marks recommended by experts. But even those that do shouldn't consider the pandemic over. They should continue to improve — for example, getting the positive rate below 1 percent, as in New Zealand — and look at even more granular metrics, such as at the city or county level.



Meeting the benchmarks, however, indicates a state is better equipped to contain future coronavirus outbreaks as it eases previous restrictions.

Experts emphasized that states have to keep hitting all these goals week after week and day after day — Covid-19 cases must remain low, testing ability needs to stay high, and hospital capacity should be good enough for an influx of patients — until the pandemic is truly over, whether thanks to a vaccine or other means. Otherwise, a future wave of coronavirus cases, as seen in past pandemics, could kill many more people.

“You need to have all the metrics met,” Popescu said. “This needs to be a very incremental, slow process to ensure success.”

And if the numbers do start trending in the wrong direction, states should be ready to shut down at least some parts of the economy again. Maybe not as much as before, as **we learn which places are truly at risk of increasing spread**. But experts caution that future shutdowns will likely be necessary to some extent.

“I do worry we’re going to see surges of cases and hot spots,” Watson said. “We do need to keep pushing on building those capacities. ... Otherwise, we’re just rolling the dice on the spread of the virus. It’s better if we have more control of the spread.”

That’s another reason these metrics, along with broader coronavirus surveillance, are so important: They not only help show how far along states are in dealing with their current Covid-19 outbreaks, but will help track progress to stop and prevent future crises as well.

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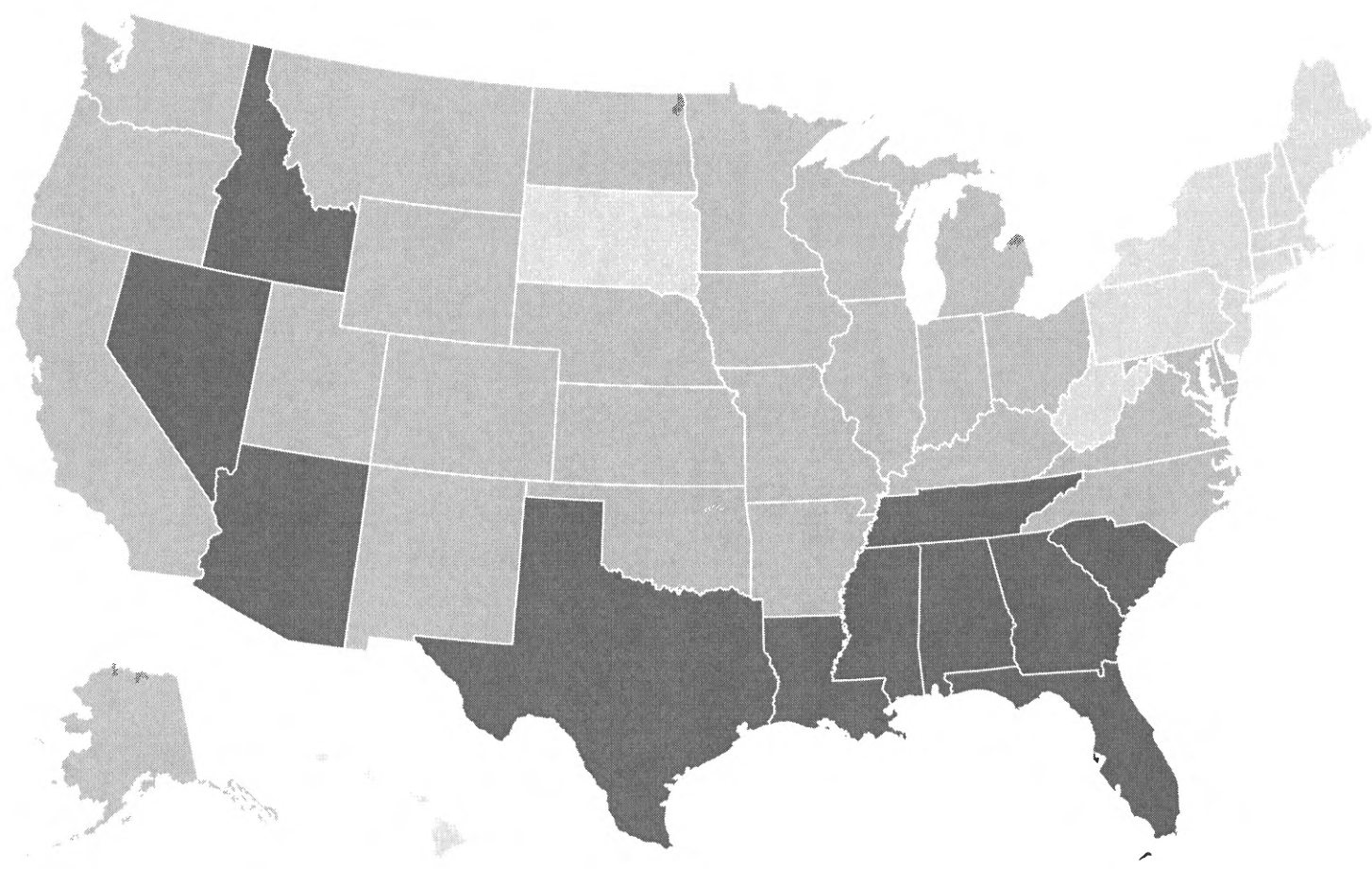
**EXHIBIT T**



# America's COVID Warning System

We use 5 key indicators to determine risk levels for **50 states** and **3,000+ counties**.

 Search for your state or county



**Click a state** to view risk details  
and county info.

## RISK LEVELS

Active or imminent outbreak

At risk

Slow disease growth

On track to contain COVID

## HOW WE DETERMINE RISK LEVELS

### Key indicators

- DAILY NEW CASES**  
How many new cases are confirmed daily?  
*New Indicator*
- INFECTION RATE**  
Is the number of infections going down?
- TEST POSITIVITY**  
Is COVID testing widespread enough to identify new cases?
- ICU HEADROOM**  
Do hospitals have capacity to treat a surge of COVID hospitalizations?
- CONTACTS TRACED**  
Are we finding and isolating most new cases before COVID spreads?

## ANNOUNCEMENTS

### Introducing our newest key indicator, “Daily New Cases Per 100K Population”

WEDNESDAY, JULY 22, 2020

Today, we are adding an important fifth metric to our COVID warning system: “daily new cases per 100K population.” The addition of this metric rounds out our warning system by incorporating a measure of how much COVID there is in each community today.



**EXHIBIT U**

## Coronavirus

# N.J. is only state in the U.S. to see COVID-19 cases drop for two weeks running

Updated Jul 23, 1:24 PM; Posted Jul 23, 8:31 AM

By [Nick Devlin | NJ Advance Media for NJ.com](#)

Nobody should be waving any victory flags in the fight against the coronavirus, but there are more positive signs showing up in our own backyard.

In comparing the week of June 28-July 5 to the following week, July 5-12, just six states saw their number of new coronavirus cases drop.

**CORONAVIRUS RESOURCES:** [Live map tracker](#) | [Businesses that are open](#) | [Homepage](#)

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Likewise, in comparing July 5-12 to July 12-19, only nine states had a new caseload below that of the prior week.

The one state on both lists? As pointed out in a tweet by [Reid Wilson](#), a correspondent for The Hill, it's New Jersey.

States where weekly #COVID19 case counts have declined 2 or more weeks in a row:  
NJ  
  
...end of list  
  
— Reid Wilson (@PoliticsReid) July 20, 2020

*Is the above tweet not displaying? Click here.*

New Jersey went from 2,220 cases the week of June 28-July 5 to 1,896 cases from July 5-12, a 15% drop, followed by an additional 22% drop the following week when the total fell to 1,485.

Compare that to the height of the outbreak in New Jersey when 25,000 new cases per week in April and May was the norm.

State officials did announce on Monday a backlog of 15,000 tests from a private lab. If the positivity rate of the past few weeks holds steady, that would add about 200 cases to New Jersey's total.

# New COVID-19 Cases, Week Over Week

In the first column, we see the change in the number of COVID-19 cases recorded in each state from the week of June 28-July 5 to the week of July 5-12. In the second column, we see the change between July 5-12 and July 12-19. New Jersey is the only state to have seen their numbers drop both weeks.

Page 1 of 5 >

| State | Week 1 Change | Week 2 Change |
|-------|---------------|---------------|
| NJ    | -15%          | -22%          |
| AK    | 34%           | 134%          |
| AL    | 13%           | 39%           |
| AR    | 32%           | -19%          |
| AZ    | 1%            | -13%          |
| CA    | 0%            | 17%           |
| CO    | 48%           | 17%           |
| CT    | 38%           | 6%            |
| DE    | -25%          | 6%            |
| FL    | 18%           | 15%           |

*Is the above table not displaying? Click here.*

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## Around the web

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## **EXHIBIT V**

**BREAKING**

Disney delays 'Mulan' indefinitely, Star Wars and Avatar movie



## ENTERTAINMENT

## These charts show why studios are likely to delay 'Tenet' and 'Mulan' again

PUBLISHED THU, JUL 16 2020•4:22 PM EDT UPDATED THU, JUL 16 2020•6:08 PM EDT

Sarah Whitten  
@SARAHWHIT10

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### KEY POINTS

Less than 17% of the 5,440 movie theater locations in the U.S. are open.

Major cinemas hope to be able to reopen by the end of July, but that depends on if studios keep their current movie release schedule.

States that have kept their indoor cinemas closed represent 24.5% of all U.S. theaters

States that are allowing movie theaters to reopen have audience caps that range from 25% to 66%.



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CNBC TV



MENU

**BREAKING** Disney delays 'Mulan' indefinitely, Star Wars and Avatar movie



A pedestrian walks past a shuttered movie theater, with the message 'Stay Safe and Healthy' displayed on the marquee, on March 19, 2020 in Los Angeles, California.

Mario Tama | Getty Images

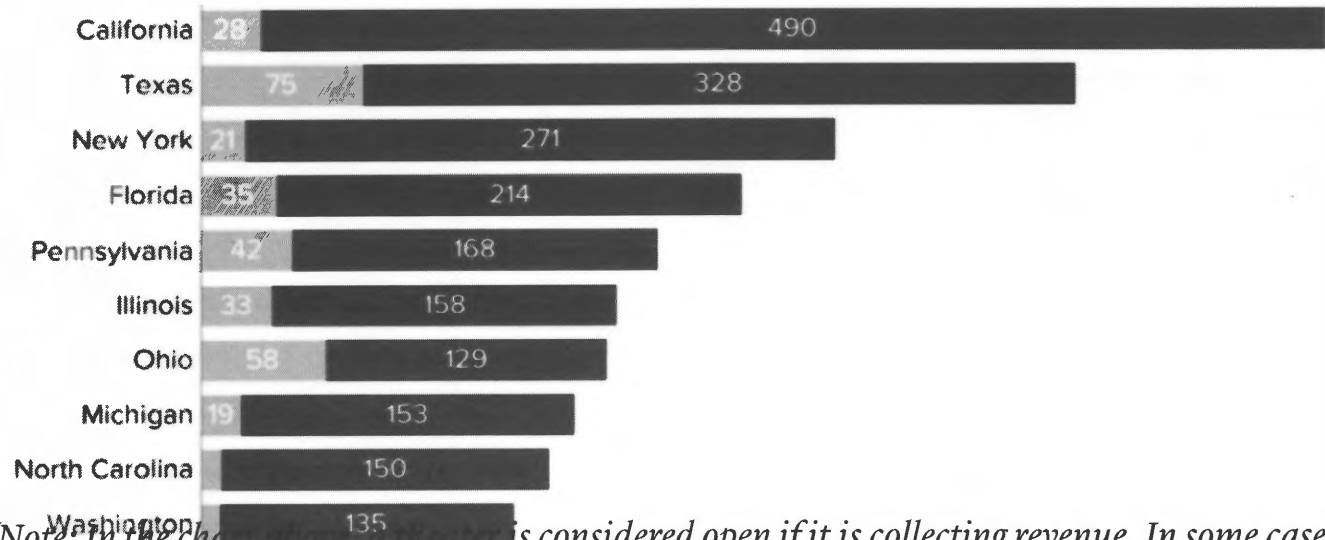
Movie theaters shut down when Covid-19 cases were topping 20,000 a day in March. Now, they are trying to reopen when cases are over 60,000 a day.

Movie theater operators are feeling the pressure to reopen as rent costs pile up. The hope for AMC, Regal, Cinemark and others is that they will be able to resume business by the end of July, but that depends on whether studios keep their current movie release schedule.

Currently, less than 17% of the 5,440 movie theater locations in the U.S. are open, according to data from Comscore. However, that number could change if more states rollback reopening plans amid growing numbers of Covid-19 cases.

**BREAKING** Disney delays 'Mulan' indefinitely, Star Wars and Avatar movie

■ Locations Open ■ Locations Closed



(Note: In the chart above, a theater is considered open if it is collecting revenue. In some cases, that revenue may come from advanced ticket sales, merchandise or providing customers with movies to stream online.)

The 915 theaters that are currently open are a combination of drive-in locations and independent cinemas. These theaters are showing library titles like “Star Wars,” “Jaws,” “Back to the Future” and “Black Panther.” But those films will only tide over audiences for a few weeks. Without fresh blockbuster content, movie theaters won’t be able to stay open for long.

For months studios have shuffled and reshuffled their film release schedules as cases in the U.S. have continued to spike. The release dates of Warner Bros.’ “Tenet” and Disney’s “Mulan” are being used as an anchor for movie theaters for reopening.

For the major movie theaters, the aim is to open between two to four weeks ahead of these releases, allowing enough time for employees to be retrained and to get customers used to new safety measures like social distancing and wearing masks. That’s why when “Tenet” and “Mulan” departed their mid-July release dates for August, movie theaters also postponed reopenings. Fear is growing that these titles, and more, will be delayed by studios again.



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of more than 62,000 new cases per day, up 21% compared with the seven-day average a week ago.

The sharp uptick in new cases has led a number of state governors to scale back reopening plans, either freezing restrictions where they are, or reimplementing new restrictions. Health experts have warned consumers against returning to movie theaters during the pandemic, calling it “too much of a risk” since it puts strangers in close proximity to one another.

Currently, the states that have kept their indoor cinemas closed represent 24.5% of all U.S. theaters, according to Comscore data.

Among those states is California, which has the largest number of theaters with 518, but has only 28 theaters that are able to make revenue during this time. New York, which has the third-largest number of theaters with 292, is also one of the states that is not permitting theaters to reopen.

Some movie theaters have said they can operate with as little as 10% attendance, but that isn't a sustainable business model for the long term. The majority of business occurs on weekends and consumers won't easily shift away from that habit.



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Texas and Florida are the states with the second- and fourth-largest number of movie theaters. Both states have experienced massive spikes in the number of reported coronavirus cases in recent weeks, but aren't banning theaters. However, if the virus worsens, they could be forced to place new restrictions on businesses. This has already happened to bars in both states.

"I don't see theaters opening in our largest states for the rest of the year," Michael Pachter, analyst at Wedbush, said. "And once Florida and Texas get religion, they will close everywhere."

Even if theaters open, it doesn't mean that moviegoers will flock there. According to a survey in mid-July conducted by Morning Consult, a global data intelligence company, only around 20% of consumers feel comfortable going to the movies right now.

States also are capping capacity at 25% to 66% of their prior levels. Analysts says this could convince studios to hold off on releasing new films until more people are able to attend.

"We now expect domestic theaters to be largely closed until mid-2021, in part because we don't think studios will be interested in releasing their largest movies into a capacity-constrained footprint," Doug Creutz, an analyst at Cowen wrote in a research note Thursday.



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Disney delays 'Mulan' indefinitely, Star Wars and Avatar movie



John David Washington and Robert Pattinson star in “Tenet,” an upcoming spy film written and directed by Christopher Nolan. Warner Bros.

Regal Cinemas are expected to reopen in the U.S. on July 31, two weeks before “Tenet” is released.

“To tell you that I am not worried would not be the truth,” said Mooky Greidinger, CEO of Cineworld, which owns U.S.-based Regal Cinemas. “I am worried.”

While Greidinger hopes that the film will not be delayed again, he noted that some states in the U.S. are “not looking good enough” for cinemas to reopen.

“The international market ... is much more ready than the U.S.,” he said.

## The cost of opening too soon

For blockbuster features like “Tenet” and “Mulan,” which are looking to recoup high production budgets and massive marketing spending, the closures aren’t very appetizing.

“Tenet” cost around \$225 million to produce and “Mulan” had a budget of \$200 million. Add on marketing costs, which are usually around half of the production budget, “Tenet” will need to achieve \$350 million in ticket sales just to break even and “Mulan” would need around \$300 million. It’s unclear if either film would be able to reap a fraction of that from the U.S.



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VIDEO 04:20

Cineworld CEO on how movie theaters plan to reopen safely amid Covid-19 pandemic

If studios opt to release films when only a portion of theaters are open, there are piracy concerns. Consumers are craving new content, and might watch illegal copies that would inevitably begin circulating.

Last year, the Global Innovation Policy Center estimated that worldwide online piracy costs the U.S. economy at least \$29.2 billion in lost revenue each year. That figure could be as high as \$71 billion, the center, which is part of the United States Chamber of Commerce, reported. That's a revenue reduction of between 11% and 24%, it said.

And that was without a global pandemic preventing people from going to movie theaters.

## No summer movie season in 2020

"My bet is that one or more films will debut and flop and the rest of the slate will be



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The delayed releases have not been an inspiring sign for the industry.

“Moving in fits and starts does not instill confidence.” Paul Dergarabedian, senior media analyst at Comscore, said. “And being very definitive and forward thinking is a smart move.”

Liu Yifei stars as Hua Mulan in Disney's "Mulan."

Disney

Sony and Universal were quick to push the majority of their film releases into 2021, while others have been forced to adapt every few weeks. In waiting so long to delay films, many of these studios may ultimately run into issues finding future release dates that aren't already occupied by competitors.

Still, with much of Hollywood's production shutdown due to the pandemic, holding off on releasing some of these films until 2021 could help fill the gaps left by projects that



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**BREAKING** Disney delays 'Mulan' indefinitely, Star Wars and Avatar movies



*Disclosure: NBCUniversal is the parent company of Universal Pictures and CNBC.*



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**EXHIBIT W**

**BREAKING** Disney delays 'Mulan' indefinitely, Star Wars and Avatar movie



HEALTH AND SCIENCE

# California closes indoor restaurants, movie theaters and all bars statewide as coronavirus cases rise

PUBLISHED MON, JUL 13 2020-3:22 PM EDT    UPDATED MON, JUL 13 2020-6:35 PM EDT

Noah Higgins-Dunn  
@HIGGINS-DUNN

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## KEY POINTS

California Gov. Gavin Newsom on Monday ordered all counties in the state to close all bars and the indoor operations of businesses including restaurants, movie theaters and museums, as Covid-19 cases continue to climb.

The businesses will be allowed to operate outdoors, if possible, except for bars, he said.

In addition to the statewide order, Newsom said he would also close indoor operations for fitness centers, worship services, personal care services, malls, offices, hair salons and barbershops for 30 counties on California's monitoring list, which represent 80% of the state's population.



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**BREAKING** Disney delays 'Mulan' indefinitely, Star Wars and Avatar movie



VIDEO 01:15

**California closing all operations for bars and other indoor businesses**

California Gov. Gavin Newsom ordered all bars and all dine-in restaurants, movie theaters, museums and other indoor businesses across the state to close Monday as Covid-19 cases continue to climb.

The affected businesses include all operations at bars and the indoor operations at restaurants, wineries and tasting rooms, movie theaters, family entertainment centers, zoos, museums and cardrooms. All except for bars will be allowed to operate outdoors, if possible, he said.

The order comes after Newsom previously ordered these businesses to close in counties on the state's "monitoring list." The new order, which will now apply across the state, is effective immediately, Newsom said.

In addition to the statewide order, Newsom also ordered the closure of indoor operations for fitness centers, worship services, personal care services, malls, offices, hair salons and barbershops for all counties that have been on California's monitoring list for three or more consecutive days, which represent 80% of the state's population. There are now 30 counties on the list, including Los Angeles, San Diego and Orange counties, Newsom said.

Newsom said the state recorded 8,358 new cases on Sunday. The state's positivity rate, or the percentage of all tests returning positive, has ticked up to 7.4%.



**BREAKING** Disney delays 'Mulan' indefinitely, Star Wars and Avatar movie

California hospitals also reported an increase in the number of coronavirus patients, growing 28% over a two-week period, he said. There were 6,485 people hospitalized with Covid-19 as of Sunday.

The Golden State governor's order on Monday marks one of the largest rollbacks any state has issued since reopening their economies. Newsom reminded residents to limit their interactions with people outside their households and encouraged them to meet outside if they do meet.

Earlier on Monday, two of California's largest school districts, Los Angeles Unified and San Diego Unified, issued a joint statement announcing that they will begin the fall school year online.

In the statement, the school districts said much of the research surrounding the coronavirus and children is still unknown and many of the guidelines for reopening are "vague and contradictory."



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**BREAKING** Disney delays 'Mulan' indefinitely, Star Wars and Avatar movie



**VIDEO** 07:50

**WHO warns against using school reopenings as a 'political football'**

*Clarification: This story has been updated to reflect the criteria for the counties where additional businesses will be closed. It has also been updated to clarify that all bar operations, including outdoor operations, have been ordered closed.*

**TRENDING NOW**



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**EXHIBIT X**



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HOME BUSINESS L.A. LOCAL

### California Coronavirus Update: Gov. Gavin Newsom Orders L.A. Restaurants, Movie Theaters To Shut Down Indoor Operations, Deploys Enforcement "Strike Team"

By Tom Tapp

July 1, 2020 12:08pm

338

COMMENTS



# DEADLINE

CA Governor Gavin Newsom

At his noon coronavirus press conference, Gov. Gavin Newsom made good on his promise to "toggle back" reopenings in California by ordering restaurants once again to shut down dine-in service. This applies to all locales on the "county monitoring list" for at least three consecutive days. There are 19 counties on that list, and Los Angeles in one of them.

Restaurants still will be allowed to offer food for pickup or delivery.

The guideline to cease indoor operations for three weeks also includes movie theaters, restaurants, indoor family entertainment businesses, card rooms and zoos. Over the weekend, the governor ordered bars and nightclubs closed.

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The state's hospitals went from slightly more than 3,000 coronavirus patients in mid-June to more than 5,000 as of the most recent update. That's a 52% increase in 14 days.

#### RELATED STORY

**Los Angeles Coronavirus Update: County Health Officials Warn Of Looming Hospital Bed Shortage**

“

#COVID19 continues to spread at an alarming rate.

Effective immediately, 19 counties must close indoors operations for the following sectors:

- Restaurants
- Wineries
- Movie theaters & family entertainment
- Zoos, museums
- Cardrooms

Bars must close ALL operations.

– Gavin Newsom (@GavinNewsom) July 1, 2020

“

This applies to the following counties:

- Contra Costa
- Fresno
- Glenn
- Imperial
- Kern
- Kings
- LA

- Merced
- Orange
- Riverside
- Sacramento
- San Bernardino
- San Joaquin
- Santa Barbara
- Santa Clara
- Solano
- Stanislaus
- Tulare
- Ventura

— Gavin Newsom (@GavinNewsom) July 1, 2020

Newsom said he is hoping that people will comply with the guidelines voluntarily. If they do not, the governor said he is deploying a “strike team” of government agencies to ensure compliance, especially where it concerns workplaces. Alcoholic Beverage Control, CalOSHA, the Department of Business Oversight, the Department of Consumer Affairs and the California Highway Patrol are among the agencies that will be enforcing the guidelines.

“We will have these agencies use their regulatory authority in six regions of the state,” a state official said at the press conference, “This will begin today.”

“We have a duty,” the governor said, to “go after” those who are not complying.

The state is not closing beaches, but is “modifying” parking operations at state beaches — meaning he’s closing them. Newsom reiterated that beaches in L.A. and Ventura will be closed this weekend.

“

NEW: All parking facilities at state beaches in Southern CA and the Bay Area will be CLOSED for the upcoming weekend. #COVID19 does not take 4th of July off. Avoid crowds. Do not gather with people you do not live with.

Wear a mask. Physically distance. Be smart. Do your part.

— Gavin Newsom (@GavinNewsom) July 1, 2020



The governor also recommended that local officials cancel fireworks shows, a measure that already has been imposed in Los Angeles.

In reference to family gatherings, particularly over the holiday weekend, Newsom said, “We’re gonna need to do more about that ... being a little bit more aggressive in regards to guidelines.”

“It’s family gatherings,” said Newsom on Tuesday, “where people let down their guard.” The governor was most concerned about people taking off masks, giving family members hugs and kisses. “Then all of a sudden, you see a spread,” he said.

He said that case tracing has indicated that family events are problematic. “I hope you’ll reconsider those gatherings,” he said.

Moving to enforcement, Newsom said, “We’re going to do our best to try and encourage people not to gather, through education” but “not to be punitive.”

“Forty million people live in the state of California,” said Newsom. He then noted that, if all those people decided to ignore the restrictions, there would be no way for the state to enforce them. As a result, he said, “I’m going to ask you to advance this notion of independence, of personal responsibility” and wear a mask.

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“The spirit of the Founding Fathers is personal responsibility,” he added.

Newsom encouraged Californians to think of wearing masks and social distancing the same way they do seat belts or motorcycle helmets: a preventative measure to keep one safe.

Referring to the Declaration of Independence, Newsom asked: “What was the first word that was consecrated in that document? It was ‘life.’”

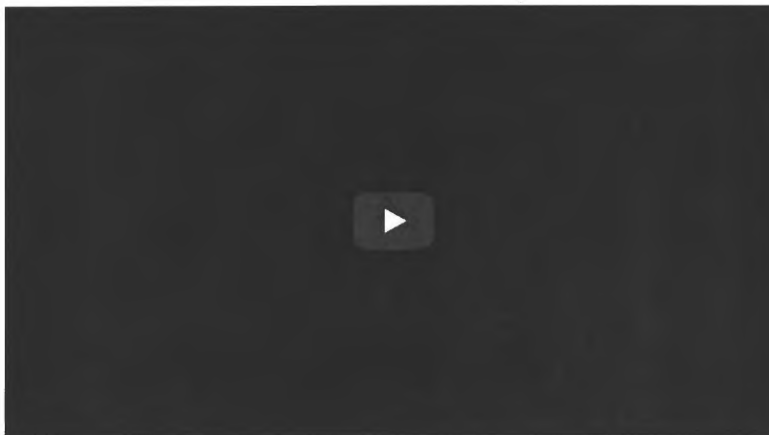
The governor announced 110 deaths due to coronavirus in the state in the past 24 ours, and a jump in the positivity rate of tests over a seven-day period.

Currently, there are nearly 5,200 hospitalizations as a result of COVID-19. The state has over 44,000 beds available, if needed.

ICU admissions have increased 47% from two weeks ago. Currently the state has 3,580 of 10,000 ICU beds in use. “ICU availability is foundational” to reminded the governor.

On Friday, Newsom had Imperial County roll back its lifting of the stay-at-home order. On Monday he hinted a that that measure might be in the future for more counties in the state.

Watch Newsom’s press conference below.



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**EXHIBIT Y**



No. 202.48

EXECUTIVE ORDER

**CONTINUING TEMPORARY SUSPENSION AND MODIFICATION OF LAWS  
RELATING TO THE DISASTER EMERGENCY**

**WHEREAS**, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

**WHEREAS**, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to continue;

**NOW, THEREFORE**, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, do hereby continue the suspensions and modifications of law, and any directives, not superseded by a subsequent directive, made by Executive Order 202 and each successor Executive Order up to and including Executive Order 202.14, as continued and contained in Executive Order 202.27, 202.28, , and 202.38, for another thirty days through August 5, 2020, except the following:

- The suspension or modification of the following statutes and regulations, and the following directives, are not continued, and such statutes, codes, and regulations are in full force and effect as of July 7, 2020:
  - The suspension of Education law section 3604(7), and any associated directives, which allowed for the Commissioner of Education to reduce instructional days, as such suspensions and directives have been superseded by statute, contained in Chapter 107 of the Laws of 2020;
  - The suspension of Section 33.17 of the Mental Hygiene Law and associated regulations to the extent necessary to permit providers to utilize staff members transport individuals receiving services from the Office of Mental Health or a program or provider under the jurisdiction of the Office of Mental Health during the emergency;
  - The suspensions of sections 2800(1)(a) and (2)(a); 2801(1) and (2); 2802(1) and (2); and 2824(2) of the Public Authorities Law, to the extent consistent and necessary to allow the director of the Authorities Budget Office to disregard such deadlines due to a failure by a state or local authority to meet the requirements proscribed within these sections during the period when a properly executed declaration of a state of emergency has been issued, are continued only insofar as they allow a state or local authority a sixty day extension from the original statutory due date for such reports;
  - Section 390-b of the Social Services Law and regulations at sections 413.4 and 415.15 of Title 18 of the NYCRR;
  - Subdivision 8 of section 8-407 of the Election Law;

- The suspension of Criminal Procedure Law to the extent it requires a personal appearance of the defendant, and there is consent, in any jurisdiction where the Court has been authorized to commence in-person appearances by the Chief Administrative Judge; provided further that the suspension or modification of the following provisions of law are continued:
      - Section 150.40 of the Criminal Procedure Law, is hereby modified to provide that the 20-day timeframe for the return date for a desk appearance ticket is extended to 90 days from receiving the appearance ticket;
      - Section 190.80 of the Criminal Procedure Law, is hereby modified to provide that the 45-day time limit to present a matter to the grand jury following a preliminary hearing or waiver continues to be suspended and is tolled for an additional 30 days;
      - Section 30.30 of the Criminal Procedure Law, is hereby modified to require that speedy trial time limitations remain suspended until such time as petit criminal juries are reconvened or thirty days, whichever is later;
      - Article 195 of the Criminal Procedure Law, is hereby suspended to the extent that it would prohibit the use of electronic appearances for certain pleas, provided that the court make a full and explicit inquiry into the waiver and voluntariness thereof;
      - Sections 190.45 and 190.50 of the Criminal Procedure Law, are hereby modified to the extent necessary to allow an incarcerated defendant to appear virtually with his or her counsel before the grand jury to waive immunity and testify in his or her own defense, provided the defendant elects to do so;
      - The suspension of Section 180.80 and 190.80 of the Criminal Procedure Law, as modified by Executive Order 202.28, is hereby continued for a period not to exceed thirty days in any jurisdiction where there is not a grand jury empaneled; and when a new grand jury is empaneled to hear criminal cases, then 180.80 and 190.80 of the criminal procedure law shall no longer be suspended beginning one week after such grand jury is empaneled;
      - The suspension of Sections 180.60 and 245.70 of the Criminal Procedure Law, as modified by Executive Order 202.28, which allowed protective orders to be utilized at preliminary hearings, is hereby continued for a period of thirty days; and
      - The suspension of Sections 182.20, in addition to the modification contained in Executive Order 202.28 of section 182.30 of the Criminal Procedure Law is hereby extended for a period of thirty days, to the extent that it would prohibit the use of electronic appearances for felony pleas, or electronic appearances for preliminary hearings or sentencing;
  - Business Corporation law sections 602, 605, and 708, as such suspensions have been superseded by statute, as contained in Chapter 122 of the Laws of 2020;
  - Banking Law Section 39 (2), as such suspension has been superseded by statute, as contained in Chapters 112 and 126 of the Laws of 2020, as well as the directives contained in Executive Order 202.9;
  - Insurance Law and Banking Law provisions suspended by virtue of Executive Order 202.13, which coincide with the expiration of the Superintendent's emergency regulations;
  - Subdivision (28) of Section 171 of the Tax Law, to the extent that the Commissioner has extended any filing deadline;
  - Sections 3216(d)(1)(c) and 4306 (g) of the Insurance Law, and any associated regulatory authority provided by directive in Executive Order 202.14, as the associated emergency regulations are no longer in effect;
  - The directive contained in Executive Order 202.28, as extended, that prohibited initiation of a proceeding or enforcement of either an eviction of any residential or commercial tenant, for nonpayment of rent or a foreclosure of any residential or commercial mortgage, for nonpayment of such mortgage, is continued only insofar as it applies to a commercial tenant or commercial mortgagor, as it has been superseded by legislation for a residential tenant, and residential mortgagor, in Chapters 112, 126, and 127 of the Laws of 2020; and
  - The directive contained in Executive Order 202.10 related to restrictions, as amended by Executive Order 202.11, related dispensing hydroxychloroquine or chloroquine, as recent findings and the U.S. Food & Drug Administration's revocation of the emergency use authorization has alleviated supply shortages for permitted FDA uses of these medications.
- The directives contained in Executive Order 202.3, that closed video lottery gaming or casino gaming, gym, fitness center or classes, and movie theaters, and the directives contained in Executive Order 202.5 that closed the indoor common portions of retail shopping malls, and all places of public amusement, whether indoors or outdoors, as amended, are hereby modified to provide that such directives remain in effect only until such time as a future Executive Order opening them is issued.

IN ADDITION, I hereby suspend or modify for thirty days through August 5, 2020:

- the provisions of Articles 11-A and 11-B of the State Finance Law, and any regulations authorized thereunder, to the extent necessary to respond to the direct and indirect economic, financial, and social effects of the COVID-19 pandemic.

IN ADDITION, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I do hereby issue the following directives for the period from the date of this Executive Order through August 5, 2020:

- The directive contained in Executive Order 202.41, that discontinued the reductions and restrictions on in-person workforce at non-essential businesses or other entities in Phase Three industries or entities, as determined by the Department of Health, in eligible regions, is hereby modified only to the extent that indoor food services and dining continue to be prohibited in New York City.



GIVEN under my hand and the Privy Seal of the  
State in the City of Albany this sixth  
day of July in the year two thousand  
twenty.

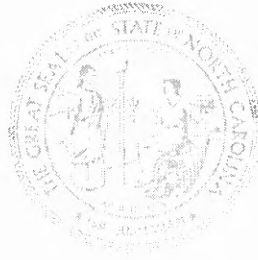
BY THE GOVERNOR

  
Secretary to the Governor





**EXHIBIT Z**



# State of North Carolina

**ROY COOPER**

GOVERNOR

July 16, 2020

**EXECUTIVE ORDER NO. 151**

## **EXTENSION OF PHASE 2 MEASURES TO SAVE LIVES IN THE COVID-19 PANDEMIC**

### **Background Statement**

#### **The COVID-19 Public Health Emergency**

**WHEREAS**, on March 10, 2020, the undersigned issued Executive Order No. 116 which declared a State of Emergency to coordinate the State's response and protective actions to address the Coronavirus Disease 2019 ("COVID-19") public health emergency and provide for the health, safety, and welfare of residents and visitors located in North Carolina; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic; and

**WHEREAS**, on March 13, 2020, the President of the United States issued an emergency declaration for all states, tribes, territories, and the District of Columbia, retroactive to March 1, 2020, and the President declared that the COVID-19 pandemic in the United States constitutes a national emergency; and

**WHEREAS**, on March 25, 2020, the President approved a Major Disaster Declaration, FEMA-4487-DR, for the State of North Carolina; and

**WHEREAS**, in responding to the COVID-19 pandemic, and for the purpose of protecting the health, safety, and welfare of the people of North Carolina, the undersigned has issued Executive Order Nos. 116-122, 124-125, 129-131, 133-136, 138-144, and 146-150; and

**WHEREAS**, more than ninety-three thousand people in North Carolina have had laboratory-confirmed cases of COVID-19, and over fifteen hundred people in North Carolina have died from the disease; and

#### **The Need to Extend Executive Order No. 141**

**WHEREAS**, hospital administrators and health care providers have expressed concerns that unless the spread of COVID-19 is limited, existing health care facilities may be insufficient to care for those who become sick; and

**WHEREAS**, slowing and controlling community spread of COVID-19 is critical to ensuring that the state's healthcare facilities remain able to accommodate those who require medical assistance; and

**WHEREAS**, in Executive Order No. 141, issued on May 20, 2020, the undersigned urged that all people in North Carolina follow social distancing recommendations, including that everyone wear a cloth face covering, wait six (6) feet apart and avoid close contact, and wash hands often or use hand sanitizer; and

**WHEREAS**, to reduce COVID-19 spread, the undersigned, in Executive Order No. 141, required safety measures in certain business settings, limited mass gatherings, and closed certain types of businesses and operations; and

**WHEREAS**, the undersigned issued Executive Order No. 147 to address troubling trends in COVID-19 metrics following the issuance of Executive Order No. 141, including increasing daily case counts of COVID-19, increasing emergency department visits for COVID-19-like illnesses, increasing hospitalizations for COVID-19, and a continued high percentage of positive COVID-19 tests; and

**WHEREAS**, Executive Order No. 147 continued the measures of Executive Order No. 141 and imposed additional measures tailored to mitigate the spread of COVID-19, including requiring face coverings in certain settings; and

**WHEREAS**, North Carolina's daily case counts of COVID-19 continue to increase, the percent of COVID-19 tests that are positive remains elevated, emergency department visits for COVID-19-like illnesses are increasing, and hospitalizations for COVID-19 are increasing; and

**WHEREAS**, these trends require the undersigned to continue the measures of Executive Order No. 141, as amended by Executive Order No. 147, to slow the spread of this virus during the pandemic and enable the reopening of the state's schools for in-person instruction in the fall, subject to applicable requirements and guidance; and

**WHEREAS**, a phased approach to reigniting the state's economy and reducing restrictions on businesses and activities, with some businesses and activities that pose an increased risk for COVID-19 spread remaining closed, is necessary to slow the spread of COVID-19, since the operation of each group of businesses and the loosening of each restriction on businesses adds incremental risk and thereby increases the aggregate risk of spread of COVID-19; and

Medical Exception for Use of Indoor Areas of Exercise Facilities, Gyms, and Fitness Facilities

**WHEREAS**, since the issuance of Executive Order No. 141, the North Carolina Department of Health & Human Services ("NCDHHS") and the North Carolina Department of Justice ("NCDOJ") have issued guidance documents and letters addressing the restrictions established by the Executive Order for exercise facilities, gyms, and fitness facilities; and

**WHEREAS**, the undersigned, in close consultation with NCDHHS and NCDOJ, has determined to make clear that these guidance documents represent an enforceable interpretation of Executive Order No. 141; and

Restrictions on Receptions and Parties

**WHEREAS**, certain types of businesses, settings, and events by their very nature present greater risks of the spread of COVID-19 because of the nature of the activity, the way that people have traditionally acted and interacted with each other in that space, and the duration of time that patrons stay in the establishment; and

**WHEREAS**, the risk of contracting and transmitting COVID-19 is higher in settings where people are less likely to maintain social distancing by staying six (6) feet apart; and

**WHEREAS**, the risk of contracting and transmitting COVID-19 is higher in settings where people are in close physical proximity for an extended period of time (more than 15 minutes); and

**WHEREAS**, the risk of contracting and transmitting COVID-19 is higher in gatherings of larger groups of people because these gatherings offer more opportunity for person-to-person contact with someone infected with COVID-19; and

**WHEREAS**, at private parties and receptions, people tend to gather together, interact socially, dance, and talk with their friends in close proximity, much as people do in bars and nightclubs; and

**WHEREAS**, therefore, the undersigned has determined that parties and receptions at restaurants must be subject to strict limits, and that these limits must be applicable whether the party or reception takes place in a restaurant, in a hotel, in a conference center, in a venue used exclusively to host parties or receptions, or in any other location currently open under this Executive Order; and

Statutory Authority and Determinations

**WHEREAS**, Executive Order No. 116 invoked the Emergency Management Act, and authorizes the undersigned to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(2), the undersigned may make, amend, or rescind necessary orders, rules, and regulations within the limits of the authority conferred upon the Governor in the Emergency Management Act; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.10(b)(3) authorizes and empowers the undersigned to delegate Gubernatorial vested authority under the Emergency Management Act and to provide for the sub-delegation of that authority; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.12(3)(e), the Division of Emergency Management must coordinate with the State Health Director to revise the North Carolina Emergency Operations Plan as conditions change, including making revisions to set “the appropriate conditions for quarantine and isolation in order to prevent the further transmission of disease,” and following this coordination, the Emergency Management Director and the State Health Director have recommended that the Governor develop and order the plan and actions identified in this Executive Order; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.23 in conjunction with N.C. Gen. Stat. §§ 75-37 and 75-38, the undersigned may issue a declaration that shall trigger the prohibitions against excessive pricing during states of disaster, states of emergency or abnormal market disruptions; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(1), the undersigned may utilize all available state resources as reasonably necessary to cope with an emergency, including the transfer and direction of personnel or functions of state agencies or units thereof for the purpose of performing or facilitating emergency services; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2), the undersigned may take such action and give such directions to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with the provisions of the Emergency Management Act and with the orders, rules, and regulations made thereunder; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(i), the undersigned has determined that local control of the emergency is insufficient to assure adequate protection for lives and property of North Carolinians because not all local authorities have enacted such appropriate ordinances or issued such appropriate declarations restricting the operation of businesses and limiting person-to-person contact, thus needed control cannot be imposed locally; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(ii), the undersigned has determined that local control of the emergency is insufficient to assure adequate protection for lives and property of North Carolinians because some but not all local authorities have taken implementing steps under such ordinances or declarations, if enacted or declared, in order to effectuate control over the emergency that has arisen; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(iii), the undersigned has determined that local control of the emergency is insufficient to assure adequate protection for lives and property of North Carolinians because the area in which the emergency exists spreads across local jurisdictional boundaries and the legal control measures of the jurisdictions are conflicting or uncoordinated to the extent that efforts to protect life and property are, or unquestionably will be, severely hampered; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(iv), the undersigned has determined that local control of the emergency is insufficient to assure adequate protection of lives and property of North Carolinians because the scale of the emergency is so great that it exceeds the capability of local authorities to cope with it; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.30(c) in conjunction with N.C. Gen. Stat. § 166A-19.31(b)(1) authorizes the undersigned to prohibit and restrict the movement of people in public places; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.30(c) in conjunction with N.C. Gen. Stat. § 166A-19.31(b)(2) authorizes the undersigned to prohibit and restrict the operation of offices, business establishments, and other places to and from which people may travel or at which they may congregate; and

**WHEREAS**, N.C. Gen. Stat. § 166A-19.30(c) in conjunction with N.C. Gen. Stat. § 166A-19.31(b)(5) authorizes the undersigned to prohibit and restrict other activities or conditions, the control of which may be reasonably necessary to maintain order and protect lives or property during a state of emergency; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(c)(1), when the undersigned imposes the prohibitions and restrictions enumerated in N.C. Gen. Stat. § 166A-19.31(b), the undersigned may amend or rescind the prohibitions and restrictions imposed by local authorities; and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(2), during a Gubernatorially declared State of Emergency, the undersigned has the power to “give such directions to State and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with the provisions of this Article.”

**NOW, THEREFORE**, by the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, and for the reasons and pursuant to the statutes listed above and in Executive Order Nos. 141 and 147, **IT IS ORDERED**:

**Section I. Extension and Amendment of Phase 2 Order.**

Executive Order No. 141 shall remain in effect, as amended by Executive Order No. 147 and this Executive Order as detailed further below, until 5:00 pm on August 7, 2020. The effective date provisions of Executive Order Nos. 141 and 147 are amended to have those orders continue in effect through the above-listed time and date.

**Section II. Clarification on Use of Indoor Areas of Exercise Facilities, Gyms and Other Fitness Facilities.**

On June 29, 2020, NCDHHS posted two guidance documents that make clear the limits of any medical exception that allows use of the indoor areas of exercise facilities, gyms, and fitness facilities that otherwise are closed under Section 8(A) of Executive Order No. 141. These documents are the Interim Guidance for Fitness Center and Gym Settings with Limited



Operations, available at [files.nc.gov/covid/documents/guidance/NCDHHS-Interim-Guidance-for-Fitness-Center-and-Gym-Settings.pdf](https://files.nc.gov/covid/documents/guidance/NCDHHS-Interim-Guidance-for-Fitness-Center-and-Gym-Settings.pdf), and the Statement Regarding June 5, 2020 Letter from the North Carolina Department of Justice, available at [files.nc.gov/covid/documents/guidance/DHHS-Statement-on-DOJ-Letter-Medical-Exception-FINAL.pdf](https://files.nc.gov/covid/documents/guidance/DHHS-Statement-on-DOJ-Letter-Medical-Exception-FINAL.pdf).

These June 29 guidance documents represent the undersigned's interpretation of Executive Order No. 141, as amended. Any medical exception to Executive Order No. 141 allowing use of the indoor areas of exercise facilities, gyms, and fitness facilities is limited as stated in the June 29 guidance documents. These limitations include the requirement that each patron using the medical exception must present to an exercise facility, gym, or fitness facility a medical or health care provider's note or other written communication to confirm that each patron's use is prescribed or directed by a medical or health care provider.

To the extent that exercise facilities, gyms, and fitness facilities are currently operating to serve patrons under the limited medical exception above, they must do so in compliance with the NCDHHS Interim Guidance for Fitness Centers and Gym Settings with Limited Operations, available at [files.nc.gov/covid/documents/guidance/NCDHHS-Interim-Guidance-for-Fitness-Center-and-Gym-Settings.pdf](https://files.nc.gov/covid/documents/guidance/NCDHHS-Interim-Guidance-for-Fitness-Center-and-Gym-Settings.pdf).

### **Section III. Clarification to Restrictions on Parties and Receptions.**

Section 7 of Executive Order No. 141 is amended to add the following subsection.

- E. **Limit on Receptions or Parties.** Parties and receptions, like all other private events or convenings which are not excepted from the prohibition on Mass Gatherings, are limited to the Mass Gathering limit of ten (10) people indoors or twenty-five (25) people outdoors. This limit applies regardless whether the event takes place in a restaurant, in a conference center, in a hotel ballroom, in a venue that is used exclusively for receptions or parties, or in some other space open under this Executive Order.

Section 8(A) of Executive Order No. 141 is amended to remove the text "Venues for Receptions or Parties." These venues may open, but they are limited to the Mass Gathering limit stated above.

### **Section IV. Extension of Price Gouging Period.**

Section 11 of Executive Order No. 141 is amended to read as follows:

Pursuant to N.C. Gen. Stat. § 166A-19.23, the undersigned extends the prohibition against excessive pricing, as provided in N.C. Gen. Stat. §§ 75-37 and 75-38, from the issuance of Executive Order No. 116 through 5:00 pm on August 7, 2020.

The undersigned further hereby encourages the North Carolina Attorney General to use all resources available to monitor reports of abusive trade practices towards consumers and make readily available opportunities to report to the public any price gouging and unfair or deceptive trade practices under Chapter 75 of the North Carolina General Statutes.

### **Section V. Effective Date.**

This Executive Order is effective at 5:00 pm on July 17, 2020. This Executive Order shall remain in effect through 5:00 pm on August 7, 2020 unless repealed, replaced, or rescinded by another applicable Executive Order. An Executive Order rescinding the Declaration of the State of Emergency will automatically rescind this Executive Order.

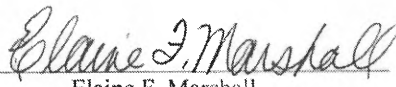
Notwithstanding any provision of this Section and Section 16 of Executive Order No. 141, any statewide standing order for COVID-19 testing issued by the State Health Director under Section 9.5 of Executive Order No. 141 (as added by Section III of Executive Order No.

147) shall remain in effect for the duration of the State of Emergency unless specifically repealed, replaced, or rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 16th day of July in the year of our Lord two thousand and twenty.

  
\_\_\_\_\_  
Roy Cooper  
Governor

ATTEST:

  
\_\_\_\_\_  
Elaine F. Marshall  
Secretary of State



**EXHIBIT AA**





Roy Cooper (Source: Roy Cooper)



By WBTV Web Staff | July 14, 2020 at 3:36 PM EDT - Updated July 14 at 10:49 PM

CHARLOTTE, N.C. (WBTV) - North Carolina Governor Roy Cooper announced that the state will remain in the "Safer at Home" Phase 2 of reopening for at least another three weeks.

When the current executive order expires this Friday, July 17, North Carolina will continue to stay paused in Safer at Home Phase 2 for three weeks.

"Our virus trends are not spiking like some other states. We have hospital capacity and our percent positive is still high but it's steady. However, our numbers are still troubling and they could jump higher in the blink of an eye," Gov. Cooper said.

The governor says easing restrictions now to allow more high-transmission activities could cause a spike that would threaten the ability to open schools.

"The most important opening is that of our classroom doors," Cooper said.

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#### RECENT CONTENT



President Donald Trump plans to throw out first pitch at Yankees game during 2020 MLB season

President Donald Trump announced Thursday night that he intends to throw out the ceremonial first pitch at an empty Yankee Stadium prior to the Aug. 15 game between the New York Yankees and the Boston Red Sox.

READ MORE >>

Cooper announced that North Carolina schools will reopen in August under "Plan B," allowing both in-person and remote learning. This plan involves some students potentially rotating schedules, with some students not coming onto campus at all.

[ [NC schools to allow both in-person and remote learning for students in August](#) ]

Schools will also be allowed the option of completely virtual learning, as laid out in N.C.'s "Plan C."

"We want to be done with this pandemic, but it's not done with us. We'll continue toward the school year & work together with everyone's safety in mind. The easiest & most effective way we can ensure our children go to school in August and ease economic restrictions: wear a mask," Cooper continued. "CDC Director Robert Redfield said that if everyone could wear a face covering over the next six weeks, we could drive this virus into the ground. Let's do that for our children, if nothing else."

In June, Cooper announced that residents are now required to wear face masks in public places, indoors or outdoors, where physical distancing of 6 feet from other people who aren't in the same household or residence isn't possible.

[ [Face masks required in public places in North Carolina as COVID-19 cases rise at alarming rate](#) ]

They are required for all employees and customers of retail businesses and restaurants as well as workers in manufacturing, construction, meat processing and agriculture settings.

You can read the updated Phase 2 Executive Order in full below:

[Phase 2 Extension by Anonymous jcl70ds on Scribd](#)



# State of North Carolina

**ROY COOPER**  
GOVERNOR

June 24, 2020

EXECUTIVE ORDER NO. 147

EXTENSION OF PHASE 2 ORDER AND  
NEW MEASURES TO SAVE LIVES IN THE COVID-19 PANDEMIC

## Background Statement

### The COVID-19 Public Health Emergency

WHEREAS on March 10, 2020, the undersigned issued Executive Order No. 116 which

6 500

1 of 9



Gov. Cooper and state health officials said on June 2, during the second week of Phase 2, that North Carolina was not yet ready to enter Phase 3 of reopening, citing statewide trends of the coronavirus.

Cooper and Department of Health and Human Services Secretary Dr. Mandy Cohen said the data analyzed was not where it should be to lift restrictions further.

[ [State leaders say N.C. is not yet ready to enter Phase 3 of reopening](#) ]

The mass gathering limits in Phase 2 are: no more than 10 people indoors or 25 people outdoors. This applies to event venues; conference centers; stadiums and sports arenas; amphitheaters; and groups at parks or beaches.



Restaurants were re-opened for dine-in customers at 50 percent capacity, with distancing and cleaning requirements.

To help the effort, NCDHHS worked with the North Carolina Restaurant and Lodging Association, NC State Extension and Visit NC to develop an online curriculum for owners, managers and employees of restaurants, hotels and other businesses called "Count on Me NC."

[ 'Count on Me NC,' program for restaurants, businesses implemented as state eases more restrictions ]

This is a free online training guide "focused on advanced cleaning, disinfection, social distancing and hygiene practices to better protect the public and employees from exposure to COVID-19," Cooper said.

For more about Count on Me NC, [visit the site here](#).

Personal care businesses like salons and barbershops can also re-open at 50 percent capacity. These businesses will have face covering and cleaning requirements while also reducing the number of people in the waiting areas.

Swimming pools can to open at 50 percent capacity, and overnight and day camps can open with safety rules. Childcare facilities remain open and are now able to enroll all children.

[GUIDANCE FOR ALL THE BUSINESSES ALLOWED TO REOPEN IN PHASE 2 CAN BE FOUND HERE.](#)

"Not every restaurant and salon will be able to open Friday evening and some may choose not to open at all. Show them the courtesy of patience as they weigh how best to serve their customers and stay safe. We owe that to them," Gov. Cooper said.

Some businesses and places remained closed in Phase 2 including bars, night clubs, gyms and indoor fitness facilities, indoor entertainment venues such as movie theaters, bowling alleys, and public playgrounds. This is because the spread of COVID-19 can be significant there, officials say.

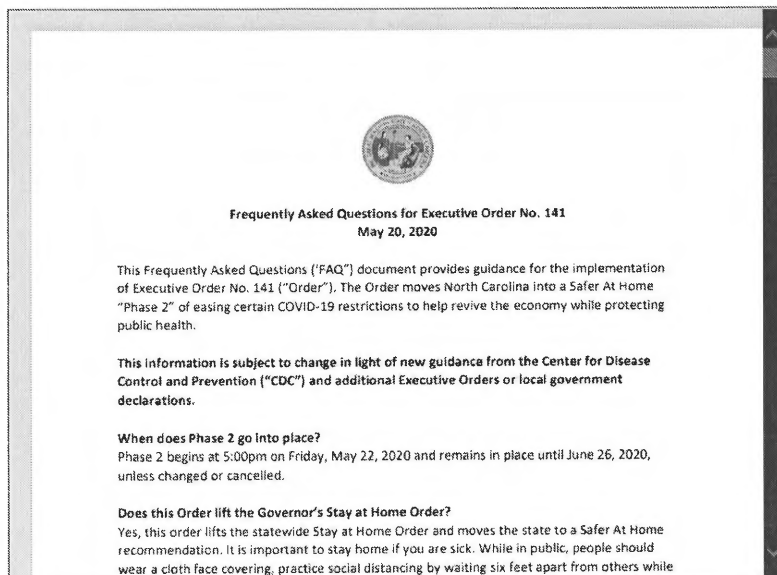
The mass gathering limit does not apply to retail businesses, restaurants, personal care and grooming businesses, pools, child care, day camps, and overnight camps. In these settings, there are other restrictions, such as 50 percent reduced occupancy or putting six feet of distance between each group at a restaurant, to ensure that there is not overcrowding.

The prohibition on mass gatherings does not include gatherings for health and safety, to look for and obtain goods and services, for work, or for receiving governmental services.

A mass gathering does not include normal operations at airports, bus and train stations or stops, medical facilities, libraries, shopping malls, and shopping centers. It also does not apply to the exercise of First Amendment rights.

However, in these settings, people are strongly encouraged to follow the Three Ws, and should avoid congregating in groups.

Answers to frequently asked questions about Phase 2 can be found below:

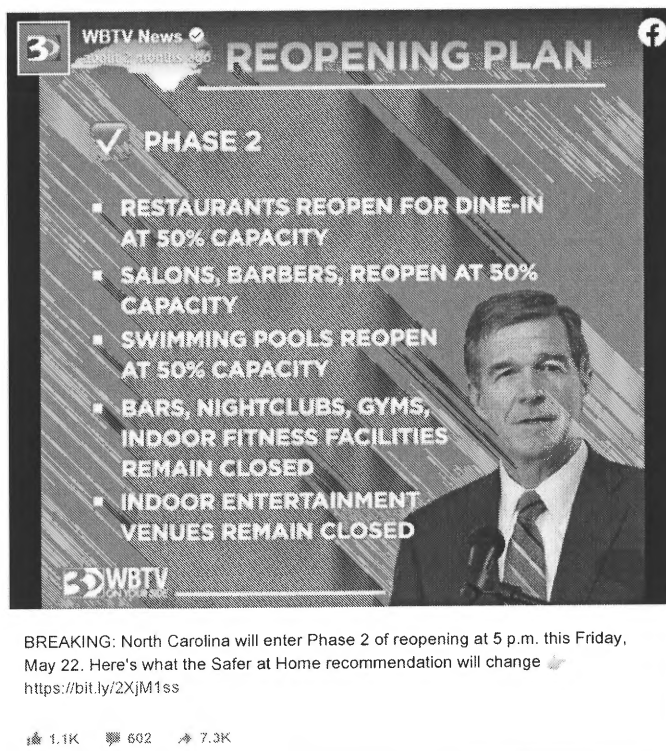


The mass gathering limit and other requirements of this Executive Order do not apply to worship, religious, and spiritual gatherings, funeral ceremonies, wedding ceremonies, and other activities constituting the exercise of First Amendment rights.

Even though there is no mass gathering cap on the people who may attend a wedding or funeral ceremony, receptions or visitations before or after weddings and funerals are subject to the mass gathering limit.

Long-term care facilities should continue to restrict visitation of all visitors and nonessential care personnel, except for certain compassionate care situations, like end-of-life situations.

The restrictions do not apply to essential health care personnel. Long-term care facilities include skilled nursing facilities, adult care homes, family care homes, mental health group homes, and intermediate care facilities for individuals with intellectual disabilities.



"As with previous orders, these restrictions are a floor. Local governments may enact more strict rules if health officials and local leaders believe it's in the best interest of their communities," Gov. Cooper said when announcing Phase 2 in May. "In Safer At Home Phase 2, the three Ws are even more important. Wash your hands frequently, wait 6 feet apart from other people and wear a face covering. The face covering is more about protecting other people from your germs in case you have the virus and just don't know it yet."

**EXHIBIT BB**



[https://www.santafenewmexican.com/news/coronavirus/lujan-grisham-delays-phase-2-of-new-mexico-reopening/article\\_c5437b10-b6ff-11ea-8bbc-cfcadc29086d.html](https://www.santafenewmexican.com/news/coronavirus/lujan-grisham-delays-phase-2-of-new-mexico-reopening/article_c5437b10-b6ff-11ea-8bbc-cfcadc29086d.html)

# Lujan Grisham delays phase 2 of New Mexico reopening

By Jens Gould [jgould@sfnewmexican.com](mailto:jgould@sfnewmexican.com)  
Jun 25, 2020



Gov. Michelle Lujan Grisham on Thursday provides an update on the coronavirus outbreak.  
Pool photo by Eddie Moore/Albuquerque Journal

Gov. Michelle Lujan Grisham put New Mexico’s reopening plans on hold Thursday after a spike in the COVID-19 transmission rate and as neighboring states reported record numbers of cases.

Officials are pausing the second phase of a reopening plan and will wait at least an additional week before making changes to public health orders originally scheduled for July 1.

While businesses that are now open can remain operational, the state will delay decisions on raising the limit on mass gatherings and allowing additional openings, Lujan Grisham said.

“We are not quite ready to go to phase two,” she said during a news conference broadcast on her Facebook page.

Since initially shutting down schools and businesses as the novel coronavirus pandemic took hold in March, New Mexico allowed some businesses to reopen, although at a slower pace than most other states.

But New Mexico’s seven-day average of new COVID-19 cases has been on the rise since the beginning of June, while its disease transmission rate has surged to 1.12, which is above the state’s target of 1.05, Human Services Secretary David Scrase said.

That spread rate has increased in four of the state’s five regions over the past week. For instance, the number dropped below 1 in the southwest part of the state, meaning the disease was considered to be receding, but since then has shot up to 1.27 in that area.

“There is absolutely no question that the trending is going up. This is an issue,” Scrase said.

Lujan Grisham attributed the trend, in part, to the limited reopenings of many businesses and parks, as well as events like the primary election this month.

But she also blamed some people’s behavior, striking a harsher tone Thursday than in previous briefings. The governor noted many state residents were failing to wear face coverings and maintaining social-distancing measures.

“New Mexicans have actually gotten really lax about wearing masks and taking this seriously,” she said.

The governor said she had seen recent photos of New Mexicans violating all the main distancing instructions by congregating in groups larger than five people, not wearing masks and not remaining 6 feet apart.

“Based on what I saw today and photos in Albuquerque, I would say I saw about a 30 percent compliance with masks,” she said. “If that rate continues, I know we’re not going to see a reduction in transmission.”



The reopening of the economy nationwide and fewer COVID-19 news conferences with White House officials and other governors also has spurred Americans to let down their guard, Lujan Grisham said.

“It gave way too many Americans a false sense of security,” she said.

As a result, the governor said she would consider reimposing harsher public health restrictions if the COVID-19 data continues to worsen.

While Lujan Grisham did not elaborate much on what that might entail, she said the state could enforce mask-wearing by issuing citations to people who don’t have face coverings in public — although she noted she didn’t want to go that far.

“Everything is back on the table about how we might enforce mask-wearing,” she said.

She also said the state could “restrict openings for the next set of businesses” if residents continue to defy the mask instructions.

She and Scrase urged New Mexicans not to regard the wearing of face coverings as a political issue but as a precaution strongly recommended by public health experts.

“Protect your fellow New Mexicans,” she said.

Lujan Grisham pointed out the state’s stay-at-home order has not been lifted, and she urged people to remain in their dwellings unless it’s necessary to go out.

The state Health Department reported 207 additional COVID-19 cases Thursday, bringing the state’s total to 11,192. There were five new coronavirus-related deaths for a total of 485.

There are currently 135 people hospitalized for COVID-19 in the state. Only 270 intensive care beds were occupied, far below the state’s threshold of 460.

New Mexico’s COVID-19 numbers are also on the rise because of the rapid spread occurring in neighboring Texas and Arizona, which opened their economies sooner and faster, officials said.

Texas is seeing an average rate of 4,195 new cases per day, and some intensive care units are close to or over their capacity, Scrase said.

Meanwhile, the total number of cases in Arizona has tripled since Memorial Day as the number of positive tests has accelerated from 5 percent to 22 percent, he added.

“In Arizona’s case, this is an absolute disaster,” Scrase said.

The trends are particularly troublesome for New Mexico because a significant number of Texas and Arizona counties close to the New Mexico border have high case rates.

El Paso County, for instance, has the sixth-highest number of cases in Texas and has recorded 4,488 cases and 120 deaths.

Additionally, many state residents travel across the border as part of their daily lives, and officials have traced significant numbers of newly confirmed cases to neighboring states.

Lujan Grisham noted one family from Hidalgo County that crossed state lines for a graduation ceremony and brought back COVID-19.

The governor said the state expects out-of-state visitors to wear masks and prefers people don’t travel to New Mexico at all.

The increase in cases could affect schools as well: Lujan Grisham said schools — which this week received a reopening plan for the Public Education Department — won’t be able to reopen in the fall if people don’t socially distance.

“We cannot go back to school unless we manage this virus and the spread of this virus better,” Lujan Grisham said. “We owe it to every single student.”

The partisan divide on the reopening issue continued Thursday, with Republicans continuing their criticism of the governor’s health policies.

Before the briefing, House Minority Whip Rod Montoya, R-Farmington, called on Lujan Grisham to allow wineries to reopen.

“For months, you and your staff have chosen winners and losers in New Mexico’s economy,” Montoya said in a statement. “With the Balloon Fiesta being canceled, and our tourism economy essentially shutdown by your orders, our state is going to face a worse than expected financial crush as our tourism economic drivers are shut out of the recovery.”

As for what happens next, Lujan Grisham said officials will continue to rely on medical data to inform their decisions.

She said the state could still continue to reopen and allow more businesses to reopen next month, but New Mexicans would have to do their part.

“I need a week’s worth of data, which is why I’m pausing,” she said. “I need to know that New Mexicans will adhere to COVID-safe practices.”

## Jens Gould

Reporter

Jens Gould covers politics for the Santa Fe New Mexican. He was a correspondent for Bloomberg News in Mexico City, a regular contributor for TIME in California, and produced the video series Bravery Tapes.

**EXHIBIT CC**

GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA  
★  
EXECUTIVE ORDER

Executive Order 2020-43

**Pausing of Arizona's Reopening  
Slowing the Spread of COVID-19**

**WHEREAS**, on March 11, 2020, pursuant to A.R.S. §§ 26-303 and 36-787, I, as Governor of the State of Arizona, issued a declaration of a Public Health State of Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19; and

**WHEREAS**, on March 30, 2020, the Director of the Arizona Department of Health Services (ADHS), based on an epidemiological assessment of Arizona specific data and in alignment with the Centers for Disease Control and Prevention (CDC) guidance, recommended the State implement enhanced mitigation strategies which are continuing; and

**WHEREAS**, on May 12, 2020, Executive Order 2020-36, *Stay Healthy, Return Smarter, Return Stronger*, was issued outlining requirements for businesses to assist in mitigating the spread of COVID-19 as they reopened and mandated that businesses adopt policies consistent with guidance from the CDC and the ADHS; and

**WHEREAS**, as of June 28, 2020, there have been 73,908 diagnosed cases of COVID-19 in Arizona including 1,588 deaths, and the State is seeing an increase in the number of cases and hospitalizations; and

**WHEREAS**, the increased case numbers and hospitalizations also necessitate the need for an increased focus on precautionary measures by both businesses and individuals; and

**WHEREAS**, data has shown that community spread continues to grow at an exponential pace and is greatest among the demographic of 20-44 year olds; and

**WHEREAS**, there has not been sufficient time for mask mandates and limiting groups to have a demonstrable effect on containing the spread and additional measures need to be taken to ensure quicker containment; and

**WHEREAS**, it is necessary to impose additional measures to protect public health and safety and mitigate the strain on our health care providers by slowing the spread of COVID-19; and

**WHEREAS**, in taking such critical measures to protect public health there will be direct economic consequences for businesses across the State of Arizona that provide employment for many Arizonans, including bars and restaurants; and

**WHEREAS**, A.R.S. § 4-203, allows "[a] spirituous liquor license...[to] be issued only after satisfactory showing of the capability, qualifications and reliability of the applicant and, with the exception of



wholesaler, producer, government or club licenses, that the public convenience requires and that the best interest of the community will be substantially served by the issuance.” ; and

**WHEREAS**, due to community spread of COVID-19, the state will not be substantially served by the issuance of certain liquor licenses; and

**WHEREAS**, Arizona is committed to containing the spread of COVID-19.

**NOW, THEREFORE**, I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this state including A.R.S. §§ 26-303 and 36-787, hereby order as follows:

1. Effective June 29, 2020, organized public events of more than 50 people are prohibited unless the city, town or county in unincorporated areas has approved the event, and only if adequate safety precautions are implemented, including physical distancing measures. A city, town or county in unincorporated areas may deny a request for an organized event due to public health concerns related to COVID-19. Any approval may be subject to certain conditions or restrictions not inconsistent with this or any other executive order. Nothing in this order shall inhibit a person from engaging in constitutionally protected activities such as speech and religion, and any legal or court process provided that such is conducted in a manner that provides appropriate physical distancing to the extent feasible.
2. The Department of Liquor Licenses and Control shall cease issuing series 15, Special Event licenses and series 16, Festival/Fair licenses for the period of June 29, 2020 through July 27, 2020.
3. Notwithstanding any other law or executive order, effective at 8:00 pm on Monday, June 29, 2020, the following establishments shall pause operations until at least July 27, 2020, unless extended:
  - a. Bars, meaning an entity who holds a series 6 or 7 liquor license from the Department of Liquor Licenses and Control and whose primary business is the sale or dispensing of alcoholic beverages. These entities may continue serving the public through pick up, delivery, and drive-thru operations as provided for series 12 liquor licenses in Executive Order 2020-09, *Limiting The Operations Of Certain Businesses To Slow The Spread Of COVID-19*.
  - b. Indoor gyms and fitness clubs or centers.
  - c. Indoor movie theaters.
  - d. Water parks and tubing operators.
4. Pools may continue to operate as follows:
  - a. Pools operated as part of a public accommodation, such as those at hotels but not those at multi-housing complexes, shall prohibit groups larger than 10 from congregating together in or near the pool.
  - b. Privately owned pools located in public areas such as those at multi-housing complexes or other privately owned facilities may continue to be open provided that signage is included at all entrances to the pool reminding people to maintain physical distance and that groups larger than 10 should not congregate.

5. To receive authorization to reopen, entities shall complete and submit a form as prescribed by the Arizona Department of Health Services that attests the entity is in compliance with guidance issued by ADHS related to COVID-19 business operations. The form shall also be posted in an easily visible public place on the entity's premises. ADHS shall provide information to the public on those entities that have submitted such attestations on its website.
6. A local governmental jurisdiction shall have the authority to take immediate action against an entity that operates without submitting the prescribed attestation to the Arizona Department of Health Services.
7. Notwithstanding any other law or executive order, this executive order allows law enforcement and any regulatory agency, pursuant to their regulatory authority, to take immediate enforcement action against any business that fails to follow this Executive Order or any guidance issued by the Arizona Department of Health Services relating to COVID-19 for the protection of the public health, safety and welfare up to and including summary suspension for any license that the business holds.
8. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.
9. This order shall remain in place until further notice, and shall be reconsidered for repeal or revision every two weeks after July 27, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.



*Douglas M. Ducey*

GOVERNOR

DONE at the Capitol in Phoenix on this twenty-ninth day of June in the year Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fourth.

ATTEST:

*[Signature]*

Secretary of State