

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that the Court grant the following relief:

- a. Assume jurisdiction of this action;
- b. Vacate and set aside the Defendant's rescission of the CDC and PADOH adherent policy, as well as any other action taken by Defendants to rescind the universal masking policy;
- c. Declare that the Defendant's Health and Safety Plan dated July 16, 2021 is void and without legal force or effect;
- d. Declare that the failure to abide by CDC or PADOH and PDE actions taken by Defendant in violation of the ADA and Section 504 are contrary to the laws of the United States;
- e. Declare that the failure to abide by CDC or PADOH and PDE actions taken by Defendant to void the universal masking policies are in violation of the United States and Pennsylvania Constitutions and contrary to the laws of the United States and Pennsylvania;
- f. Declare that the rescission of the policy of following CDC and other government entity guidelines, including the PADOH and PDE are invalid actions taken by Defendant to ignore a mask policy are arbitrary, capricious, based on ignorance due to failure to inquire into facts, otherwise not in accordance with law, and without observance of required procedures;
- g. Temporarily restrain, as well as preliminarily and permanently enjoin Defendants, their agents, servants, employees, attorneys, and all persons in active concert or participation with any of them, from implementing or enforcing a policy that violates the ADA or Section 504 and from taking any other action to enforce such policy that is not in compliance with applicable law;
- h. Temporarily restrain, as well as preliminarily and permanently enjoin Defendants, their agents, servants, employees, attorneys, and all persons in active concert or participation with any of them, from implementing or enforcing a policy contrary to the guidance of the CDC and PADOH for COVID-19 relief, including not only Orders, but also recommendations for universal masking made by the CDC, the PADOH and/or Wayne Memorial Hospital so long as the County is in the substantial or high risk categories for COVID-19 infection and from taking any other action to rescind such policy that is not in compliance with applicable law; and
- i. Award Plaintiffs their reasonable attorneys' fees, costs, and expenses pursuant to 42 U.S.C. § 1988; and