

<b>Description</b>	Judge: Jason Lidyard Court Monitor: Michael Roybal		
<b>Date</b>	10/14/2021	<b>Location</b>	FTR COURTROOM 11
<b>Time</b>	<b>Speaker</b>	<b>Note</b>	
<a href="#">8:02:32 AM</a>		Andrew Sterling Butters, et al. v. Thomas Mason, et al. D-132-CV-2021-00084 Hearing: Appearances: DeNiro// Jonathan Niener// Sarah Sanchez/ Michael Weil	
<a href="#">8:03:41 AM</a>	Court	Calls case and appearances	
<a href="#">8:06:24 AM</a>		Did review the complaint and read it.	
<a href="#">8:06:46 AM</a>	DeNiro	In the event the court needs more time happy to know the court will continue later today. If no order today, would like a temporary order today until the parties can have an evidentiary hearing.	
<a href="#">8:08:14 AM</a>	Court	Will decide on the pleading that were submitted. Was planning on giving more time to argue. The court is prepared to address the issue at this time.	
<a href="#">8:09:20 AM</a>	Parties	Available at 4:00 pm	
<a href="#">8:09:38 AM</a>	DeNiro	An August 23, 2021 Deft Triad and Thomas Mason and Dr. Pasquainoni began to enforce a vaccine mandate. It is not fully organize and prepared to get the reponse that they did. As presented there was no opportunity for medical exemption or religious exemption. Mason Thomas stated medical exemptions would be reviewed and approved according to law. A few days later, they decided to review religious exemptions. A lot of people were recently hired in July and was not advised of the mandate. One client came all the way from Germany. They have proceeded in rolling out the exemption exam. Dr. Pasquaioni was the only one reviewing the exemption. Several local doctors were contacted by Dr. P asking them not to approve the medical exemptions. These are serious conditions, and would take a specialist to determine this. She reviewed hundred in a months of time and stated she did her due diligence and reviewed it. She denied all but two of them. If their exemption was not approved they were going to be terminated. Some did appeal but many were denied.	
<a href="#">8:16:08 AM</a>		Many submitted religious exemptions, they had no interest in taking the vaccine. Many people did not want to take this experimental vaccine. Many did not agree to in the vaccine as it went against everything they believed in. It wasnt until September 20, 2021 that they learned the directors presented them with Memo stating if they were approved it would be leave without pay. September 27, 2021 clients learned leave without pay would only be for 30 days. To say there was reasonable accomidation, according to the law there needs to be an individual assessment of each case. For all purposes the plaintiffs have reiewed this as constructive termination. The deft's do not want the plaintiffs to return. Now deft have sent out a memo stating and giving them a named plaintiffs and asking them to preserve all evidence and not shred anything and to keep an eye out on them. This is starting a retaliation against them.	
<a href="#">8:22:59 AM</a>		This is retaliation while they are leave without pay. One client was fired	

		<p>on Monday, after finding communication with HR and used cuss words. From that it appears they are going back to find documentation to fire the deft. It is going to impact not just them but also their families. Los Alamos National Labs and Sandia Labs are known to be well paid with striving employees. Its more than losing a job, these are specialty jobs and skills that can not be used anywhere else. This is going to have harm to the parties and to the labs. There are 80 people on this meeting right now. There are several that are unnamed and that is due to the retaliation. This as caused much fear. Would like to seal their name if possible.</p>
<a href="#">8:27:20 AM</a>		<p>There was no need to do the follow up, and the exemption questions where if they had tattoos, if they have vaccinated their children and even if they went to private school. Managers went above and beyond to try and vaccinate their employees. Some managers really wanted their employees to stay on board while others were just harassing. One client had an allergic reaction from the shot and that was documented. She was pressured to take the second shot, she got a second shot. That client has been so sick that she has not returned. This client is living in fear that she might have to get the booster. It is no way to live, living in fear. The labs wont allow her back because she has possible symptoms of covid.</p>
<a href="#">8:31:47 AM</a>		<p>Deft have not presented any evidence or data that unvaccinated employees present hard to the lab. In 2020 the employees wore masks, social distancing, and yes there were people sick just like around the world. There is a new variant. There is no evidence suggesting that unvaccinated people are the one that created the new variant. Vaccinated employees are just as much getting COVID and spreading it. Vaccinated people are A symptomatic and spread it without knowing it. They do have affidavits from Doctors. The affidavit states the vaccine is provided more COVID cases. This is getting to the level of criminality. This is causing adverse reactions that no one is reporting. Dr. P has not relied on the medical doctos who know their patients. They should still have the ability to file a response.</p>
<a href="#">8:37:58 AM</a>		<p>The labs did receive funds to help monitor covid. Clients are constitutional protected and so are their bodies. The Biden administration is enforcing this. The FAQ lists the Biden Administration. The deft put those claims out there. Because of this they are under the constitution and are protected by the constitution. According to NM Human Rights Act, they can not discriminate against. The Statute state it follows the EEOC. The plaintiffs are protected and have suffiently presented their exemption. As they have stated they have no provided accomidation they have provided constructive termination. They all dont have vacation time to exhaust. They have not met the standard. They are providing remote work for students. They do have plaintiffs who have been working remotely since the pandemic and have not stepped on foot on campus. The drug testing has not been implimented during the pandemic. Most plaintiffs were told they can not do remote work is an excuse. They can continue to test and mask everyone. Many plaintiffs can and will work in isolation. To state the lab is more unsafe, there is not data.</p>
<a href="#">8:47:41 AM</a>	Nierer	<p>There is a misconseption that the vaccine present transmission. The vaccine does not prevent transmission.</p>
<a href="#">8:48:59 AM</a>	Court	<p>In reviewing a case a district court case states its up to them to decide what the best course of action is.</p>
<a href="#">8:51:08 AM</a>	Nierer	<p>It is an established back that a vaccine does not prevent someone from</p>

		being infected. When someone gets infected they are able to spread it just as much as someone who is not vaccinated. The case law says these are fundamental rights. Its not just a question if it is rational.
<a href="#">8:58:29 AM</a>		Some of the employees have been working at the labs for decades. These people can not just decide not to work. Asking the court to prevent the plaintiffs from being discharged. They can not fire someone in contradiction of a policy. Even if a government to protect life that isnt enough to warrant a violation of constitutional rights. They should be allow to submit a exemption. One client had an adverse reaction and now has a speach impediment.
<a href="#">9:08:27 AM</a>		The vaccinated are also getting covid. The vaccinated are a higher case count. 85% of the country is vaccinated.
<a href="#">9:12:52 AM</a>	Court	Isnt it the courts job to figure out who's expert is reliable?
<a href="#">9:13:34 AM</a>	Neirer	It is the courts duty to determine if there is a undo hardship.
<a href="#">9:14:17 AM</a>	Court	Will resume at 4:00 pm
<a href="#">9:14:28 AM</a>		In Recess

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