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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA**

**ELECTRONICALLY FILED
Superior Court of California
County of Sonoma
6/18/2020 2:46 PM
Arlene D. Junior, Clerk of the Court
By: Janie Dorman, Deputy Clerk**

COUNTY OF SONOMA, SUNDARI
MASE, M.D., as the Health Officer for
the County of Sonoma,

Plaintiffs,

vs.

CROSSING THE JORDAN
FOUNDATION, INC., MICHAEL
BRYANT, DANA BRYANT, and Does 1-
10

Defendants.

Case No.: SCV-266578

**COMPLAINT FOR TEMPORARY
RESTRAINING ORDER,
PRELIMINARY AND PERMANENT
INJUNCTIONS**

Plaintiffs allege:

1. Plaintiff COUNTY OF SONOMA, is a local public entity under the definition in the Government Code, located in the State of California.

2. Plaintiff SUNDARI MASE, M.D. is, and at all times mentioned in this complaint, acting in her official capacity as the Health Officer for the County of Sonoma.

3. Plaintiffs have an interest in the safety, health and well-being of the residents of the County of Sonoma. Plaintiff SUNDARI MASE, M.D., in her official

1 capacity as the Health Officer, has a legal obligation under the California Health and
2 Safety Code to issue orders and to protect the public from the spread of COVID-19.

3 4. At all times mentioned in this complaint Defendant CROSSING THE
4 JORDAN FOUNDATION, INC., is and was, a non-profit corporation in the State of
5 California; Defendant MICHAEL BRYANT and DANA BRYANT at all times mentioned
6 herein are and were owners, managers, officers, employees or otherwise involved in
7 managing and operating Defendant CROSSING THE JORDAN FOUNDATION, INC.
8 These Defendants are and were residents of the County of Sonoma

9 5. Defendants Does 1 through 10, inclusive, are sued in this complaint under
10 fictitious names. Their true names and capacities are unknown to Plaintiffs. When their
11 true names and capacities are ascertained, Plaintiffs will amend this complaint by
12 inserting their true names and capacities herein. Plaintiffs are informed and believe and
13 thereon allege, that each of the fictitiously named Defendants is responsible in some
14 manner for the occurrences alleged in this complaint, and that Plaintiffs' damages as
15 alleged in this complaint were proximately caused by those Defendants.

16 6. On March 4, 2020, a Proclamation of a State of Emergency was issued by
17 California Governor Gavin Newsom. Also on March 4, 2020, the Sonoma County Board of
18 Supervisors approved a Resolution Ratifying and Extending the Declaration of a Local
19 Health Emergency and Ratifying and Extending the Proclamation of a Local Emergency.

20 7. Because of the known propensity of the COVID-19 virus to spread person-to-
21 person, and that spread is magnified when people are within close physical distance, and
22 due to the escalating person-to-person spread of COVID-19 throughout the county, state,
23 and nation, on March 17, 2020, the Plaintiff SUNDARI MASE, M.D., as Health Officer,
24 issued a "Shelter in Place" Order No. C19-03, which directed all individuals living in the
25 County to shelter at their place of residence, except that they may leave to provide or
26 receive essential services, or engage in essential activities and work for essential
27 businesses and governmental services, as defined in the Order.

1 8. At various times, since that time, Plaintiff SUNDARI MASE, M.D. has issued
2 additional orders, instituted testing for the COVID-19 virus, instituted the practice of
3 contact tracing of persons who came in contact with someone who tested positive for the
4 virus, and requested information from and about people who are known to have tested
5 positive for the virus. Plaintiff, SUNDARI MASE, M.D.as Health Officer has sequestered
6 and quarantined individuals who have tested positive for the virus and initiated other
7 measures that reduce the chance of the spread of the virus.

8 9. Beginning in June 2020, and continuing to the present time, Defendants, and
9 each of them, wrongfully and unlawfully refused to provide information to Plaintiffs
10 related to infection, testing, contact information, and other necessary information about
11 the infection of residents, workers, employees, and occupants of the businesses and
12 residences owned and operated by Defendants.

13 10. On or about June 17, 2020, and a number of times before and after, Plaintiffs
14 requested necessary and comprehensive information from Defendants to avoid the spread
15 of COVID-19 in the County of Sonoma. Plaintiffs and their employees have demanded
16 that Defendants provide this necessary and detailed information about residents,
17 occupants, program members, their contact information, in order to pursue contact tracing
18 and testing of persons who have the COVID-19 virus, or who have come in contact with
19 them. Defendants, and each of them, have refused, stalled, delayed, and avoided
20 providing the requested information; making Plaintiffs' efforts to avoid the spread of
21 COVID-19, difficult and nearly impossible.

22 11. Defendants' delay and refusal to provide complete and detailed information,
23 unless ordered or mandated by order of this court, will cause great and irreparable injury
24 to Plaintiffs and to the general public through the likely spread of the COVID-19 virus.

25 12. Plaintiffs have no adequate remedy at law for the serious threat to public
26 health caused by failure to obtain the requested information to perform testing and
27 tracing of other individuals. These monetary damages will not address the immediacy of
28 the problem which can lead to rapid spread of the virus in the community. It is impossible

1 for Plaintiffs to determine the damage that community will suffer if Defendants' conduct is
2 not restrained and Defendants are not required and ordered to comply with requests for
3 information or further orders as necessary relating to quarantine, isolation, or shut-down
4 of business operations if needed.

5 WHEREFORE, Plaintiffs pray judgment against Defendants, and each of them, as
6 follows:

7 1. For an order requiring Defendants to show cause, if any they have, why they
8 should not be enjoined as set forth in this complaint, during the pendency of this action;

9 2. For a temporary restraining order, a preliminary injunction, and a
10 permanent injunction, enjoining all Defendants, and each of them, and their agents,
11 servants, and employees, and all persons acting under, in concert with, or for them:

12 a. To provide immediately full and detailed names, addresses and contact
13 information of any residents in any program, operated or owned by Plaintiffs in the
14 County of Sonoma.

15 b. To provide immediately full and detailed names, addresses and contact
16 information of any workers, employees or managers of any store, retail operation,
17 business, or any other place of employment operated or owned by Plaintiffs in the County
18 of Sonoma.

19 c. To provide in the future, all relevant and necessary information
20 requested by Plaintiffs related to the residences or businesses operated or owned by
21 Plaintiffs in the County of Sonoma.

22 3. To close or shut-down, any and all of Defendants' business operations, until
23 requested information is provided and as needed to avoid the spread of Covid-19, after
24 information is provided;

25 4. For further injunctive relief necessary to implement the orders of the Public
26 Health Officer;

27 4. For costs of suit incurred in this action; and

28 5. For such other and further relief as the court deems proper.

1
2 Dated: June 18, 2020
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BRUCE D. GOLDSTEIN, County Counsel

4 By: /s/ Michael A. King
5 MICHAEL A. KING
6 Deputy County Counsel
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