



President Lynda Pond
Oregon Nurses Association
18765 SW Boones Ferry Road, Suite 200
Tualatin, Oregon 97062

5/3/2019

Via First-Class Mail and E-mail

Luke D. Miller, Counsel
Oregonians for Medical Freedom
2459 SE Tualatin Valley Hwy #298
Hillsboro, Oregon 97123

RE: Cease and Desist from any and all false statements and/or misstatements of material fact regarding House Bill 3063 A (2019).

Dear Oregon Nurses Association President Lynda Pond:

I am counsel to Oregonians for Medical Freedom; a broad grassroots coalition of concerned citizens advocating for Oregonians' right to informed consent, the right of our children to equal education, and Oregonians' right to freedom of conscience through the exercise of their deeply held philosophical and religious beliefs without undue interference by the state.

It has come to our attention that on or about April 30, 2019, the Oregon Nurses Association (the "**ONA**") caused an e-mail communication (the "**Fraudulent E-mail**") to be delivered publicly containing numerous false statements and/or misrepresentations of material fact regarding House Bill 3063 A (2019) (the "**Vaccine Mandate**"). In doing so, ONA (1) may have engaged in unlawful activities in violation of Oregon's Lobbying Regulation pursuant to ORS 171.764; and (2) may have committed certain defamatory activities such as Libel, Libel per se, and False Light.

ONA caused the Fraudulent E-mail to be delivered which contains numerous false statements and/or misrepresentations of material fact regarding the Vaccine Mandate. As a result, ONA may be liable for substantial damages and/or government sanctions which, in turn, could place ONA's tax exempt status with the IRS in jeopardy.

The following list of false statements and/or misrepresentations of material fact regarding the Vaccine Mandate is not all inclusive but merely the most egregious examples included therein.

1. The ONA Fraudulent Email claims that the Vaccine Mandate "DOES NOT take away a parents' rights to make decisions about their children's healthcare . . ." which is patently false. The Vaccine Mandate removes specific mechanisms, such as the philosophical and religious exemptions, by which parents may opt out of certain vaccinations, substantially restricting every parent's right to make significant decisions about their children's health

care. There are numerous medical reasons why a parent may choose to exercise their philosophical or religious right to opt out and/or delay certain vaccines.

2. Likewise, the Fraudulent E-mail claims the Vaccine Mandate “only requires that children be vaccinated against measles in order to attend school . . .” which again is patently false. The Vaccine Mandate requires students to be fully compliant with five (5) *DTaP* vaccines, four (4) *Polio* vaccines, one (1) *Varicella* vaccine, two (2) *MMR* vaccines, three (3) *Hepatitis B* vaccines, and two (2) *Hepatitis A* vaccines, as a condition to attend Oregon schools, online school-related functions, school-related sports and other school-related activities, as well as almost all state certified child care facilities. The Vaccine Mandate is far more sweeping than ONA claims.
3. Furthermore, the Fraudulent E-mail claims “7.5% of children in Kindergarten are unvaccinated” which again is patently false. According to OHA data, 7.5% of Oregon kindergarteners merely file an exemption form from certain vaccines—making the vast majority of the referenced 7.5% number only partially vaccinated—not unvaccinated as claimed. In reality, only 2.6% of students throughout all of K-12 education are truly unvaccinated.
4. Additionally, the Fraudulent E-mail claims that “No credible scientific study has ever found a link between autism and vaccines” which again is patently false. There is numerous credible scientific evidence that there is a link between vaccines and a diagnosis of autism. In a sworn affidavit under penalty of perjury, Dr. Andrew Zimmerman of John Hopkins University, the federal government’s top expert witness during a 2007 vaccine case, freely admitted that vaccinations could cause autism in some children. To claim there is no “credible” science on the matter strains credulity itself.
5. Finally, the Fraudulent E-mail claims that “By eliminating the non-medical exemption from school immunization law, Oregon can increase vaccination rates and save lives” which again is patently false. The Vaccine Mandate puts our most vulnerable children at risk of debilitating vaccine injury. For example, medical exemptions are extremely difficult to obtain and are not currently approved for children who qualify based on family history of seizures and autoimmune disorders, which again, are effecting our children at near epidemic rates. Without the ability to access the philosophical and religious exemptions, many children who do not meet the rigorous medical exemption criteria will be critically injured as a result of the Vaccine Mandate.

What you must do to correct this error and avoid potential liability. We demand (1) that ONA immediately cease and desist disseminating any such false statements and/or misstatements of material fact regarding the Vaccine Mandate; (2) that ONA issues a public retraction of the April 30, 2019, e-mail communication; and (3) that ONA publicly apologizes to Oregonians for Medical Freedom, our coalition, and the other opponents of the Vaccine Mandate.

OREGONIANS for MEDICAL FREEDOM

If ONA complies with Oregonians for Medical Freedom's demands, we will not seek to file a complaint with the Oregon Government Ethics Commission pursuant to ORS 171.125, and/or seek court intervention. However, should ONA not comply and/or continue to propagate the same or additional false statements and/or misrepresentations of material fact regarding the Vaccine Mandate, we will not limit ourselves to seek redress for ONA's activities.

Respectfully,

Luke D. Miller

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