

1 THE HAKALA LAW GROUP, P.C.  
2 Brad A. Hakala, CA Bar No. 236709  
3 Jeffrey B. Compangano, CA Bar No. 214580  
4 6700 E. Pacific Coast Highway, Suite 290  
5 Long Beach, California 90803  
6 Telephone: 562.493.9417  
7 Facsimile: 562.786.8606  
8 Email: [bhakala@hakala-law.com](mailto:bhakala@hakala-law.com)

9  
10 Attorneys for Plaintiffs - Devon Torrey-Love, S.L.,  
11 Courtney Barrow, A.B., Margaret Sargent, M.S.,  
12 W.S., and A Voice for Choice, Inc.

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION**

DEVON TORREY-LOVE; S.L.;  
COURTNEY BARROW; A.B.;  
MARGARET SARGENT; M.S.;  
W.S.; and A VOICE FOR CHOICE,  
INC. on behalf of its members,

Plaintiffs,

v.

STATE OF CALIFORNIA,  
DEPARTMENT OF EDUCATION;  
STATE OF CALIFORNIA, BOARD  
OF EDUCATION; TOM  
TORLAKSON, in his official  
capacity as Superintendent of the  
Department of Education; STATE  
OF CALIFORNIA, DEPARTMENT  
OF PUBLIC HEALTH; DR.  
KAREN SMITH, in her official  
capacity as Director of the  
Department of Public Health;  
EDMUND G. BROWN JR., in his  
official capacity as Governor of  
California; KAMALA HARRIS, in  
her official capacity as Attorney  
General of California,

Defendants.

Case No.: 5:16-cv-2410

**AFFIDAVIT OF COURTNEY  
BARROW IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION**

Date: January 13, 2017  
Time: 10:00 a.m.  
Judge: The Honorable Dolly M. Gee  
Location: Courtroom 8C, 8th Floor

1 I, Courtney Barrow, declare:

2 1. I am a resident of the State of California. I have personal knowledge  
3 of all matters and facts set forth herein and could and would competently testify  
4 thereto if called upon to do so.

5 2. I am a twenty-six year old married mother of one child, and am  
6 currently expecting my second child in March 2017. My husband is Jared Barrow  
7 and he is currently enlisted in the United States Marines. Currently, my husband is  
8 stationed in California through no less than 2019, and as such, we have no option  
9 whatsoever to move our entire family outside of the State of California until such  
10 time.

11 3. My husband and I currently have one daughter and are expecting a son.  
12 My daughter A.B. is 5 years old and is also a plaintiff in this matter. I am making  
13 this Affidavit on behalf of myself, and as the mother and the appointed Guardian  
14 Ad Litem for A.B. in this matter, this Affidavit is also being made on behalf of A.B.

15 4. To date, A.B. has not had any of her required vaccinations, as  
16 proscribed and required by the State of California for her to be able to attend public  
17 school in accordance with the requirements set forth through Senate Bill 277 and  
18 the corresponding California Health & Safety Codes, namely Sections 120325,  
19 120335, 120338, 120370, 120375 (collectively referred to herein as "Section  
20 120325").

21 5. To date, A.B. has not had any health issues and has been completely  
22 healthy since her birth.

23 6. At the time Section 120325 was enacted, A.B. was then in pre-school  
24 at Grand Avenue Head Start in Spring Valley, CA through a personal belief  
25 exemption. Currently, but for Section 120325, A.B. would be enrolled in  
26 kindergarten and desires to be enrolled in and attend kindergarten in public school;  
27 however, due to A.B. not having the mandated vaccinations, I have been left with  
28



1 no choice but to homeschool her, as under the provisions of Section 120325, she is  
2 no longer legally allowed to be enrolled in public school.

3 7. I am currently enrolled as a student at Southwestern College and am  
4 on track to receive my Associate's Degree in Criminal Justice. It has long been my  
5 intent to further my education and professional career thereafter; however, due to  
6 the necessity to have to homeschool each of my children, as there are no other  
7 options allowed under Section 120325 should I exercise my right and choice not to  
8 vaccinate any of my children, I will be forced to forego my educational and career  
9 plans, and my earning capacity on behalf of myself and my family will be severely  
10 limited.

11 8. Due to the necessity to have to homeschool A.B., as there are no other  
12 options allowed under Section 120325 should I continue to exercise my right and  
13 choice as A.B.'s parent not to vaccinate A.B., I will continue to be forced to forego  
14 any career options and earning capacity on behalf of myself and my family will  
15 continue to be severely limited fiscally as a result.

16 9. A.B. is currently at the kindergarten level. She enjoys swimming and  
17 art, and thoroughly enjoyed attending public school, especially the social aspects  
18 with her peers. Due to A.B. not having any of her required vaccines, she will not  
19 be able to attend public school all the way through the twelfth grade, as both her  
20 father and I had intended. A.B. does currently have a personal belief exemption;  
21 however, due to the passage of Section 120325, A.B.'s personal belief exemption  
22 is no longer being recognized and she is currently precluded from attending public  
23 school with her friends, and has no other option but to be homeschooled.

24 10. As a result of Section 120325 precluding A.B. from attending public  
25 school, as was intended, as well my husband and I exercising our fundamental right  
26 to parent and A.B. not having all of her vaccines, A.B. will be irreparably harmed  
27 due to the fact that she will not be able to receive the education that would otherwise  
28

1 be available to her at a public school. The only other option for our family would  
2 be to move out of California to a different state where A.B could attend school and  
3 receive the education and services she is entitled to; however, under no  
4 circumstances are we able to move as a family due to my husband being a United  
5 States Marine stationed in California. Thus, we have no options for obtaining the  
6 education that A.B. necessitates and is rightfully entitled to.

7 11. Due to the negative implications that vaccines have caused for my  
8 family, there are no circumstances under which I would subject my daughter A.B.,  
9 or my son to be born to any vaccines. It is my belief that if I were forced to  
10 vaccinate my children, that the rights of myself, my husband, and my children were  
11 be greatly infringed upon.

12 12. Since the passage of Section 120325, I have been subject to a  
13 significant amount of stress, sadness, and emotional toil, since I have not only had  
14 to consistently explain to A.B. why she can't attend public school with her friends,  
15 and I've also had to forego any hopes of a career because I have had to stay home  
16 to home school A.B.

17 13. The passage of Section 120325 will also harm my child due to  
18 restricting her social interaction with her peers, which would otherwise occur at a  
19 public school. Instead, Section 120325 causes my child to be segregated from all  
20 other children and to be treated different than those allowed to attend a public school  
21 due to the fact that we have preserved our fundamental and constitutional rights.

22 14. Since the enactment and enforcement of Section 120325, due to the  
23 fact that I have chosen to exercise both my constitutional and parental rights on  
24 behalf of my child, I have been subject to public ridicule by both members of the  
25 community and former friends.

26 ///

27 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Hemet, CA, California, on December 7, 2016.

  
\_\_\_\_\_  
Courtney Barrow



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Riverside )

On December 7, 2016 before me, Kimi Stubblefield, Notary Public  
(Insert name and title of the officer)

personally appeared Courtney Barrow

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to within the instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Kimi Stubblefield (Seal)