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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

AMY DOESCHER, STEVE DOESCHER, DANIELLE JONES, KAMRON JONES, RENEE PATTERSON, and DR. SEAN PATTERSON, individually and on behalf of their minor children,

Plaintiffs,

v.

ERICA PAN, in her official capacity as Department of Public Health Director and as the State Public Health Officer.

Defendant.

Case No.: 2:23-cv-02995-KJM-JDP

PLAINTIFFS' SUPPLEMENTAL BRIEF DISCUSSING *ROYCE V. PAN*

Date: June 5, 2025
Time: 10:00 a.m.
Place: Courtroom 3

Complaint Filed: December 22, 2023
Trial Date: None Set

I. INTRODUCTION

In its April 7, 2025 Order (ECF 46), the Court required the parties to file simultaneous supplemental briefs, not to exceed 10 pages, addressing the impact of the decision in *Royce v. Pan*, No. 3:23- CV-02012-H-BLM, 2025 WL 834769 (S.D. Cal. Mar. 17, 2025). With this brief, Plaintiffs Amy Doescher and Steve Doescher, Danielle and Kamron Jones, and Dr. Sean and Renee Patterson comply with the Court's April 7, 2025 order.

A close examination of *Royce* reveals subtle defects. First, *Royce's* reliance on *Jacobson v. Commonwealth of Massachusetts*, 197 U.S. 11 (1905) and its progeny is misplaced. A careful review of authority reveals how the Supreme Court has limited or eroded *Jacobson* during the last 120 years. Second, and most significantly, it is expected that this case, like *Royce*, will turn on whether SB 277 is a law of general applicability, *i.e.*, whether it was neutral to religion. *Royce* got this wrong. SB 277 exempts vast numbers of students – over 30% statewide, and over 50% in urban districts like Los Angeles. Carve-outs exist for Special Education students, those with medical issues, homeless students, children of military, those over the age of majority, undocumented students, and foster youth. Given these vast exceptions, it's hard to claim with a straight face that the tiny numbers of religiously devout students – 0.58% – would "break the bank" – and it's impossible to claim that SB 277 doesn't inexplicably single out the religious.

For these reasons and additional analysis stated herein, the *Royce* order should be considered by this Court only for what that court got *wrong* about SB 277's unconstitutionality.

II. *ROYCE* MISAPPLIED *JACOBSON* AND ITS PROGENY.

Royce over-relies on *Jacobson* and its progeny. While this Court cannot ignore *Jacobson*, it must harmonize it with subsequent binding precedents.

As a threshold matter, the *Jacobson* holding was quite narrow. There, the Court ruled only that during a horrible pandemic involving a deadly disease, a city could mandate one vaccine shot, unless a person opted to pay a small fee. That is the entirety of the *Jacobson* holding.

The next case in this line of precedent, *Zucht v. King*, 260 U.S. 174 (1922), also relied on in *Royce*. *Zucht* was a very short (three-page) decision that manifested a dated analysis style, which constitutional scholars would deem deficient and conclusory by modern standards. *Zucht*'s

somewhat strange holding was twofold: (1) mandating vaccination is within a state's police power; and (2) local governments may pass health laws. Crucially: *Zucht* did not consider what offramps must exist to make the exercise of police power constitutional. Such issues (like religious exemptions, or exemptions for military children forced to travel to a new jurisdiction) were simply not before the Court. Indeed, the *Zucht* court noted that the substantive issues required a writ of certiorari and were thus not properly before it. *Id.* at 177. So again: a careful reading of the authority on which *Royce* relies show that such reliance was misplaced.

The next holdings in the *Jacobson/Zucht* line of cases featured impudent statements that have been directly overruled. Such statements in the next cases in the *Jacobson/Zucht* line that purport to take *Jacobson* to its logical conclusion – discomfit any serious modern constitutional scholar. For example:

> It is better for all the world, if instead of waiting to execute degenerate offspring for crime, or to let them starve for their imbecility, **society** can prevent those who are manifestly unfit from continuing their kind. The principle that sustains compulsory vaccination is broad enough to cover cutting the Fallopian tubes. *Jacobson v. Massachusetts*, 197 U. S. 11, 25 S.Ct. 358, 49 L. Ed. 643, 3 Ann. Cas. 765. Three generations of imbeciles are enough. *Buck v. Bell* (1927) 274 U.S. 200, 207.

Shortly after the shortcomings of that era and after cases like *Buck*, the Supreme Court propounded its modern concept of substantive due process in *United States v. Carolene Products*, 304 U.S. 144 (1938). The Court has applied the *Carolene* formulation in all cases ever since that involve bodily autonomy, medical decisions, and/or fundamental rights like religious exercise. That line of cases, well-developed and obviously still vital, must be read as having partially restricted *Jacobson* and its progeny, or else those concepts would be rendered nugatory.

Nor does *Prince v. Massachusetts*, 321 U.S. 158, 166-67 (1944) apply. It held: "The right to practice religion freely does not include liberty to expose the community or the child to communicable disease or the latter to ill health or death." But SB 277 provides that if there is an exposure at school, the unvaccinated student will be removed from the classroom: "If there is good cause to believe that a child has been exposed to a disease listed in subdivision (b) of

Section 120335 and the child's documentary proof of immunization status does not show proof of immunization against that disease, that child may be temporarily excluded from the school or institution until the local health officer is satisfied that the child is no longer at risk of developing or transmitting the disease." Health & Safety Code § 120370(b). Thus, unlike the situation in *Prince*, SB 277 has safeguards in place to protect the community from communicable disease if an exposure includes a student claiming religious freedom, making the Supreme Court's ruling in *Prince* wholly distinguishable from the present circumstances.

In sum, as Justice Gorsuch recently noted, *Jacobson* and its progeny pre-dated modern constitutional formulations and absolutely must be confined to the conventions in modern precedent. *Roman Catholic Diocese of Brooklyn v. Cuomo* (2020) 592 U.S. 14, 23 (Gorsuch, concurring).

III. *ROYCE* INCORRECTLY CONCLUDED SB 277 WAS GENERALLY APPLICABLE.

On the most crucial specific issue – whether SB 277 imposes selective burdens on religion, or whether it is generally applicable – *Royce*'s analysis is defective. A court cannot deem a statute neutral and generally applicable if it treats *any* comparable secular activity more favorably than religious exercise. *Brooklyn*, *supra*, 141 S.Ct. 63, 67-68 (2020) (per curiam); *Church of Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U.S. 520, 537–538 (1993). Such a statute therefore triggers strict scrutiny under the Free Exercise Clause. *Id.* Some precedent refers to this as "the neutrality test." *E.g., Loffman v. California Department of Education* (9th Cir. 2024) 119 F.4th 1147, 1170.

A law fails the neutrality test when it "single[s] out" religious entities "for especially harsh treatment"). *Id.* (citations omitted). *Royce* really stretched to conclude that the many secular exceptions to SB 277 were logical – and, that despite these many exceptions – some of which swallow the rule – that SB 277 was generally applicable.

Royce's conclusion on this matter was troubling, because SB 277 exempts over 30% of schoolchildren statewide. Yet mysteriously, religious students lack a carveout. SB 277 features

total exemptions for students with an Individualized Education Plan ("IEP"),[1] home-schooled children,[2] and those 18 or over.[3] It also contains grace-period exemptions for foster children, military children, homeless children, and undocumented children. Yet the tiny numbers of the religiously devout receive no such consideration.[4]

Under *Tandon v. Newsom*, 141 S.Ct. 1294 (2021), "whether two activities are comparable for purposes of the Free Exercise Clause must be judged against the asserted government interest that justifies the regulation at issue." 141 S.Ct. at 1296 (*citing Brooklyn*, 141 S.Ct. at 67). And in making these comparisons, the Court "is concerned with the risks" posed. *Id*.

While *Royce* attempted to draw a distinction between each of SB 277's many exemptions

[1] 14.3% of schoolchildren. In 2023-2024, California had 5,837,690 students in California public schools per the California Department of Education. Of those, 836,846 were on an IEP. *See Fingertip Facts on Education in California*, available at: https://www.cde.ca.gov/ds/ad/ceffingertipfacts.asp and *2023-24 Special Education Enrollment by Program Setting*, available at https://dq.cde.ca.gov/dataquest/DQCensus/SPEDEnr.aspx?cds=00&agglevel=State&year=2023-24. As official government documents, they are subject to judicial notice, which Plaintiffs hereby request. *See* Fed. R. Evid. 201(b)(2); *U.S. ex rel. Modglin v. DJO Global Inc.*, 48 F. Supp. 3d 1362, 1381 (C.D. Cal. 2014) (courts can judicially notice "'[p]ublic records and government documents available from reliable sources on the Internet,' such as websites run by governmental agencies."; *Gilbrook v. City of Westminster*, 177 F.3d 839, 858 (9th Cir. 1999) ("A trial court may presume that public records are authentic and trustworthy")*; see also, e.g.*, *In the Matter of Lisse* (7th Cir. 2018) 905 F.3d 495, 497; *Carroll v. Dutra* (9th Cir. 2014) 564 Fed.Appx. 327, 328.

[2] 4.4% of schoolchildren. *See United States Census Bureau: Phase 4.0 Cycle 03 Household Pulse Survey: March 5 - April 1, Education Table, Table 1 (236,113 California children homeschooled)*, available at https://www.census.gov/data/tables/2024/demo/hhp/cycle03.html. As an official government document, this is subject to judicial notice, which Plaintiffs hereby request. *See* Fed. R. Evid. 201(b)(2); *U.S. ex rel. Modglin, supra,* 48 F. Supp. 3d at 1381; *Gilbrook, supra,* 177 F.3d at 858*; see also, e.g.*, *In the Matter of Lisse, supra,* 905 F.3d at 497; *Carroll, supra,* 564 Fed.Appx. at 328.

[3] 1.7% of K-12 students. S*ee 2023-24 K-12 Enrollment by Age Group and Grade*, available at https://dq.cde.ca.gov/dataquest/dqcensus/EnrAgeGrd.aspx?cds=00&agglevel=state&year=2023-24. As an official government document, this is subject to judicial notice, which Plaintiffs hereby request. *See* Fed. R. Evid. 201(b)(2); *U.S. ex rel. Modglin, supra,* 48 F. Supp. 3d at 1381; *Gilbrook, supra,* 177 F.3d at 858*; see also, e.g.*, *In the Matter of Lisse, supra,* 905 F.3d at 497; *Carroll, supra,* 564 Fed.Appx. at 328.

[4] As of the last date that California still offered a religious Personal Belief Exemption ("PBE"), only 0.58% of kindergarteners claimed a religious basis for a PBE. As the Court is aware, proving genuinely held religious beliefs is much more difficult. *See Conditional admission, religious exemption type, and nonmedical vaccine exemptions in California before and after a state policy change (Table 1)*, available at https://pmc.ncbi.nlm.nih.gov/articles/PMC7153733/ and *2014- 2015 Kindergarten Immunization Assessment Results, California Department Of Public Health, Immunization Branch*, available at https://eziz.org/assets/docs/shotsforschool/2014-15CAKindergartenImmunizationAssessment.pdf As official government documents, these are subject to judicial notice, which Plaintiffs hereby request. *See* Fed. R. Evid. 201(b)(2); *U.S. ex rel. Modglin, supra,* 48 F. Supp. 3d at 1381; *Gilbrook, supra,* 177 F.3d at 858*; see also, e.g.*, *In the Matter of Lisse, supra,* 905 F.3d at 497; *Carroll, supra,* 564 Fed.Appx. at 328.

(which exempt over 30% of schoolchildren for secular reasons), to conduct a proper analysis this Court needs to consider at what point the vast exemptions for the categories above credibly pose a lesser risk than extending the same exemption to the tiny numbers of religiously devout. That is a fact issue requiring discovery, and it cannot be disposed of during the pleading stage. The "vast array of secular" exemptions to SB 277 mean that "California has not come close to showing that its measures are narrowly tailored to th[e] interest" of controlling the spread of disease. *See Harvest Rock Church, Inc. v. Newsom*, 985 F.3d 771, 772-73 (2021) (concurrence of J. O'Scannlain).

IV. *ROYCE* ERRED IN DISTINGUISHING THE HOME-SCHOOL EXEMPTION.

Royce opined that the home-schooled exemption is not comparable to a religious-based exemption because students enrolled in a home-based private school or an independent-study program without classroom instruction do not inherently pose the same level of risk as students with religious exemptions who would be granted full access to traditional classroom settings. (*Royce* at 19:8-20:20.) This defies logic. The threat the Court is considering is the spread of disease. Unvaccinated home-schooled children still socialize with schoolchildren, participate in sports leagues, patronize arcades, and attend worship services with schoolchildren. The Supreme Court has mocked the *Royce* approach as ignorant of both sociology and epidemiology. "Never mind that scores might pack into train stations or wait in long checkout lines." *See South Bay United Pentecostal Church v. Newsom*, 141 S.Ct. 716, 718 (Memorandum Opinion) (2021) (statement of Gorsuch, Thomas, and Alito).

SB 277 would be more a law of general applicability if it required children to be vaccinated before participating in youth sports leagues, attending movies, and going to summer camp. However, instead the drafters chose to target schoolchildren, yet exempt home-schooled children who participate in all the above activities – and who are also allowed to participate in many activities at school.

Thus, to conclude that tiny numbers of religiously devout students attending school without vaccinations would pose a greater risk to society is to willfully ignore all that is known in

epidemiology about the spread of disease. Almost 5% of school-aged children can remain vaccination-free, and socialize at will.

V. *ROYCE* ERRED IN DISTINGUISHING THE ADULT-STUDENT EXEMPTION.

Royce posits that the number of unvaccinated students that qualify for an exemption for being 18 or over "is likely small in comparison to the number of unvaccinated students that would qualify for a religious belief exemption." (*Royce* Order at page 22, line 9 to page 23, line 16.) But the *Royce* court did not consider available judicially noticeable facts confirming the opposite, in some cases, documents created by the defendants themselves.

Detailed herein via footnote 3, 1.7% of California's total K-12 student population is 18 or over. That is 99,654 students. On the other hand, stated in footnote 4, religious exemptions for PBEs totaled just 0.58% of kindergarteners, or 2,973 students. Applying that percentage to the overall student body would yield 33,858 students – only a third of the 18 or over population that is already automatically exempted under Health and Safety code 120360.

On this point alone, the Court is presented with a secular exemption that produces three times the number of unvaccinated students, and thus three times the risk. (And it's not as if 18-year-olds don't spread disease.). Under the Supreme Court's precedent on this topic, there is no valid reason to favor students for a secular reason (adulthood) and deny accommodation for the religious.

VI. *ROYCE* ERRED IN DISTINGUISHING THE TEMPORARY EXEMPTION FOR FOSTER, MILITARY, HOMELESS, AND UNDOCUMENTED SCHOOLCHILDREN.

SB 277 also has a huge carve-out for foster, military, homeless, and undocumented schoolchildren. As of 2018 (the last data available), approximately 250,000 undocumented children ages 3-17 are enrolled in California public schools (4.2% of the total student population).[5] As of 2021-2022 (the last data available), there were 106,340 foster students

[5] *See Attorney General Becerra Issues Guidance to K-12 Schools on Privacy and Equal Rights of All Students*, available at https://www.oag.ca.gov/news/press-releases/attorney-general-becerra-issues-guidance-k-12-schools-privacy-and-equal-rights. As an official government document, this is subject to judicial notice, which Plaintiffs hereby request. *See* Fed. R. Evid. 201(b)(2); *U.S. ex rel. Modglin, supra,* (continued…)

statewide (1.8% of the total student population).[6] And homeless students totaled 286,853 statewide (4.9% of the total student population).[7] Students who are undocumented, foster, or homeless (not counting military-connected students due to lack of data) total 10.9% of California's total student population. Adding this percentage to the 20.4% exemption for IEP, homeschooled, or over 18 students means that SB 277 exempts **31.3%** of all California schoolchildren. In some schools in Los Angeles and in the Eastern District, these groups together make up the *majority* of students. SB 277 allows such students a grace period of thirty days in theory (and often much longer in fact) to submit proof of vaccination to the school district.

Royce posited that this grace period for huge numbers of students did not make SB 277 flunk the neutrality test, because a grace period is not the same as a religious exemption. Plaintiffs must respectfully disagree, because the numbers for the former are so large, that they will always dwarf the latter. The Court need not be a mathematician or an epidemiologist to conclude that a rolling 30-day grace period for 10.9% of the total student population guarantees that there will always be large numbers of unvaccinated students in schools for secular reasons. These numbers far outweigh the risk compared to the tiny numbers of devout religious students and evince an inexplicable hostility to religion.

For example, conceive a school in Fresno County where 37% of potential students are undocumented, 7% are fostered, 5% are homeless, and 1% are military students. Because of the transitory nature of these students, they will enroll at various times over the nine-month school year. Assuming enrollments are evenly distributed, 5.55% of all students will always be

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48 F. Supp. 3d at 1381; *Gilbrook, supra,* 177 F.3d at 858*; see also, e.g.*, *In the Matter of Lisse, supra,* 905 F.3d at 497; *Carroll, supra,* 564 Fed.Appx. at 328.

[6] *See Foster Youth Enrollment by School Type Data*, available at https://www.cde.ca.gov/ds/ad/filesfyce.asp. As an official government document, this is subject to judicial notice, which Plaintiffs hereby request. *See* Fed. R. Evid. 201(b)(2); *U.S. ex rel. Modglin, supra,* 48 F. Supp. 3d at 1381; *Gilbrook, supra,* 177 F.3d at 858*; see also, e.g.*, *In the Matter of Lisse, supra,* 905 F.3d at 497; *Carroll, supra,* 564 Fed.Appx. at 328.

[7] *See 2023-24 Homeless Student Enrollment by Dwelling Type*, available at https://dq.cde.ca.gov/dataquest/DQCensus/HmlsEnrByDT.aspx?agglevel=State&cds=00&year=2023-24. As an official government document, this is subject to judicial notice, which Plaintiffs hereby request. *See* Fed. R. Evid. 201(b)(2); *U.S. ex rel. Modglin, supra,* 48 F. Supp. 3d at 1381; *Gilbrook, supra,* 177 F.3d at 858*; see also, e.g.*, *In the Matter of Lisse, supra,* 905 F.3d at 497; *Carroll, supra,* 564 Fed.Appx. at 328.

unvaccinated. This will always be greater than the ~0.58% of religiously devout students seeking an exemption. Assuming these students all enroll at once, say at the beginning of the school year (which is not how it works for these groups), then 50% of the students will be unvaccinated during the start of Fall instruction, again dwarfing the religious numbers.

To say this paradigm is neutral to religious students beggars belief.

VII. *ROYCE* ERRED IN DISTINGUISHING THE IEP EXEMPTION.

Massive numbers of children in schools are on Individualized Education Plans, or IEPs. *Royce* cited *Doe v. San Diego Unified School District* (9th Cir. 2021) 19 F.4th 1173, 1184, n.3 (Ikuta, dissenting) for the premise that because the Supremacy Clause means state laws like SB 277 cannot affect the federal laws that provide for IEPs, the "IEP exception" to SB 277 is immaterial for determining whether SB 277 is generally applicable. As a threshold matter, this was dicta in *Doe v. San Diego Unified.* As another threshold matter, the *Royce* court stated the premise in an exceedingly broad way. If the *Royce* rule was taken to its logical conclusion, one need not get too imaginative to conceive of situations where states could craft laws that discriminate against the religious, ignoring and then blaming "federal law" for exceptions.

But the Court should also distinguish the dicta in *Doe v. San Diego Unified* for two other reasons: (1) SB 277 made this exception explicit. In other words, the drafters (in considering how to make SB 277 a law of general applicability) actually referred to and incorporated this gaping federal exception. Since the intent of the drafters matters, the explicit mention of this loophole one can drive a truck through should guide the Court on just how generalized SB 277 really is.

And that segues to the other reason why the Court should carefully re-examine *Royce*'s determination on this point: (2) Nothing in the record indicated that the *Doe* court grasped the sheer size of this exception. 836,846 students in the 2023-24 school year had an IEP.[8] There

[8] *See 2023-24 Special Education Enrollment by Program Setting*, available at https://dq.cde.ca.gov/dataquest/DQCensus/SPEDEnr.aspx?cds=00&agglevel=State&year=2023-24. As an official government document, this is subject to judicial notice, which Plaintiffs hereby request. *See* Fed. R. Evid. 201(b)(2); *U.S. ex rel. Modglin, supra,* 48 F. Supp. 3d at 1381; *Gilbrook, supra,* 177 F.3d at 858; *see also, e.g.*, *In the Matter of Lisse, supra,* 905 F.3d at 497; *Carroll, supra,* 564 Fed.Appx. at 328.

were 5,837,690 students in school total.[9] So by this exception alone, 14.3% of schoolchildren are exempt from vaccination.

In sum, SB 277 exempts over 30% of schoolchildren for secular reasons, yet refuses to exempt the 0.58% of religiously devout schoolchildren. Such a law cannot be considered "generally applicable." *Royce* erred in coming to that conclusion.

VIII. *ROYCE* ERRED IN EQUATING MEDICAL EXEMPTIONS WITH RELIGIOUS EXEMPTIONS.

The *Royce* order contains several problematic assertions regarding medical exemptions as compared to religious exemptions.

The order (15:14) incorrectly states that doctors can simply write accepted medical-exemption notes. In reality, California law was updated after 2020 via Senate Bills 276 and 714, making medical exemptions extremely difficult to obtain except in very limited circumstances such as active chemotherapy treatment.

The *Royce* court's argument (16:19) that "California's medical exemption is not comparable to a religious-belief exemption because the number of students that have a medical exemption is much smaller than the number of students likely to seek a religious exemption" is flawed reasoning. This implies religious freedoms should be restricted based solely on the potential *number* of exemptions rather than *constitutional* principles – that cannot be and is not the case.

The historical 2.7% unvaccinated rate from 2012 should be sufficient for herd immunity if vaccines are effective, which undermines the argument for restricting religious beliefs. The comparison between medical and religious exemptions is fundamentally misguided since medical exemptions are artificially low due to the extremely strict approval process and high rejection rate by CDPH.

[9] *See 2023-24 K-12 Enrollment by Age Group and Grade,* available at: https://dq.cde.ca.gov/dataquest/dqcensus/EnrAgeGrd.aspx?cds=00&agglevel=state&year=2023-24 and *Fingertip Facts on Education in California*, available at: https://www.cde.ca.gov/ds/ad/ceffingertipfacts.asp. As official government documents, these are subject to judicial notice, which Plaintiffs hereby request. *See* Fed. R. Evid. 201(b)(2); *U.S. ex rel. Modglin, supra,* 48 F. Supp. 3d at 1381; *Gilbrook, supra,* 177 F.3d at 858*; see also, e.g.*, *In the Matter of Lisse, supra,* 905 F.3d at 497; *Carroll, supra,* 564 Fed.Appx. at 328.

Finally, the *Royce* order incorrectly claims (at 18) that "SB 277 does not give state officials discretion to decide whether an individual's reasons for requesting a medical exemption are meritorious." This directly contradicts the actual language of the law following the 2019 updates, which explicitly grant CDPH extensive review powers. The actual language in Health and Safety Code Section 120372(d)(3) clearly shows that:

1. CDPH identifies medical exemption forms that do not meet CDC, ACIP, or AAP criteria.
2. CDPH can contact physicians for additional information.
3. CDPH may accept exemptions based on other contraindications at CDPH's "medical discretion."
4. The State Public Health Officer or designee can revoke medical exemptions deemed inappropriate.

The *Royce* court thus puts misplaced weight in the "shall be exempt" language of SB 277 when in fact other language of SB 277 expressly confirms that issuing medical exemptions is not ministerial, and instead is up to the discretion of CDPH.

Statistical evidence of revoked exemptions further demonstrates that CDPH actively reviews and exercises discretion over medical exemption requests, contradicting the *Royce* court's characterization of the process as objective and physician-determined. Such a discretionary mechanism is sufficient on its own to render a law not generally applicable. *Fulton v. City of Philadelphia*, 593 U.S. 522, 533-534 (2021) (a law is not generally applicable if it "'invites' the government to consider the particular reasons for a person's conduct by providing a 'mechanism for individualized exemptions,'" (brackets and citation omitted)). And this context confirms that Plaintiffs' case falls within *Bosarge v. Edney*, 669 F. Supp. 598 (S.D. Miss. 2023), which held that vaccine mandates are not generally applicable under the Free Exercise Clause where they provide discretionary exemptions for medical reasons but not religious ones. That is exactly SB 277's structure and that is exactly why SB 277 should be found violative of Plaintiffs' religious rights.

IX. CONCLUSION

For the foregoing reasons, the Court should reject the *Royce* analysis and deny the Motion to Dismiss.

Respectfully Submitted,

DATED: April 25, 2025

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By: /s/ *Jonathon D. Nicol*

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