

Attorney Discusses Latest Updates on Lawsuits Brought By More Than 1,100 Active Duty Military Officers Against Unlawful Vaccine Mandate

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On Tuesday morning, this reporter from The Gateway Pundit attended a press conference focused on two lawsuits filed on behalf of more than 1,100 active duty military officers to fight the forced and unlawful covid vaccine mandate in the military.

Representing the plaintiffs is attorney Dale Saran who, in 2000, defended three U.S. service members who refused the anthrax vaccine.

Saran is again coming to the legal defense of our troops fighting the unlawful Covide vaccine mandate in court.

In his opening remarks, Saran shared information about the Anthrax court battle and the EUA (**Emergency Use Authorization**) Statute and its relation to the current vaccine mandate battle. “That statute had just been passed, it was called the **Project Bio-shield**, and the first EUA vaccine was in fact the Anthrax vaccine. It was made voluntary because of that litigation. And yet, less than 15 years later, here came the DOD and now we have another unlicensed product and we are going to have to shove it into the arms of our military folks.”

“It’s important to understand really that’s at the heart of most of the legal claims we have advanced, and that I have advanced on behalf of these military members... there is no licensed vaccine. And I know it’s convenient, and I don’t blame anybody in the media, because they have fallen for the FDA’s propaganda campaign, but the day that the day that the FDA licensed Comirnaty, August 23rd of 2021, the same day, it removed it from the market. So if you look at the marketing beginning and end date of commodity you will find it can not be sold in the United States because it was removed from the US market the same day it was licensed.”

“And it would be good if maybe we started asking some hard questions about people at the FDA and the DOD who knew this because it was, not withstanding, it was removed from the market on August 23rd, the next day August 24th, the Secretary of Defense announced that they were going to go forward with this vaccine program, only for licensed products... of course that they didn’t have. And yet the program rolled forward and what the DOD did was, as many of the folks here know, the Under Secretary of Defense for Health Affairs, Terry Adirim, published a memo claiming that the unlicensed product, BNT162b2, Pfizer’s unlicensed EUA product, could be substituted in, that it was interchangeable with the

licensed product. And that's the fraud that's at the heart of our case, and that's the fraud that heart of why these products have been forced on an unwilling and unsuspecting public.”

On May 23, in the Eastern District of Texas, Saran **filed a lawsuit** on behalf of multiple services members alleging that the Pentagon's vaccine mandate issued by Secretary of Defense Lloyd Austin on Aug. 24, 2021, was unconstitutional and therefore unlawful. Defendants in the case include Lloyd Austin, Secretary of the U.S. Department of Defense. Janet Woodcock Acting Commissioner of the Food and Drug Administration, and Xavier Becerra Secretary of the Department of Health and Human Services.

The complaint alleges that Austin and the DoD are “coercing and forcing military members to be injected with unlicensed drugs in violation of federal law and the U.S. Constitution.”

The lawsuit contends:

Plaintiffs allege that the order to receive these non-vaccines is unconstitutional and unlawful ab initio because it mandates the injection of unlicensed, experimental products without informed consent, namely, the mRNA COVID-19 therapeutics developed by Pfizer/BioNTech and Moderna. This right to be free from being experimented upon against one's will has been codified in multiple federal statutes requiring informed consent for any mandated use of an “unlicensed product.” See 10 U.S.C. § 1107a, and 21 U.S.C. § 360bbb- 3 (collectively, the “Informed Consent Laws”).¹ The Supreme Court has also long held that the right to refuse unwanted medical treatment is a fundamental human right.

Additionally, the filing notes that the Centers for Disease Control and Prevention intentionally changed its own definitions of ‘vaccine’ and

‘vaccinations’ overnight on Sept. 1, 2021, to eliminate the word ‘immunity’—the entire point of a vaccination as a public health measure.

You can read the [entire filing here](#).

Saran has also filed a class action lawsuit on behalf of more than 130 U.S. Coast Guard members alleging the religious exemptions they filed in response to the Biden administration’s COVID-19 vaccine mandate for military service members were unlawfully denied.

On July 25, in the U.S. District Court for the Southern District of Texas Galveston Division, Saran filed the suit challenging the constitutionality of the mandate for members of the U.S. Coast Guard.

Defendants in the case include Alejandro Mayorkas, Secretary of the U.S. Department of Homeland Security, Linda L. Fagan, Commandant of the Coast Guard, Lloyd Austin, Secretary of the U.S. Department of Defense and Dr. Janet Woodcock, Acting Commissioner of the U.S. Food and Drug Administration.

The suit alleges:

Because of their vaccination status, Plaintiffs have been harassed, treated differently than their peers, singled out publicly by their leaders, had their normal leave and liberty restricted, been removed from senior/leadership positions, been denied promotion, received official discipline, been barred from training, travel, new assignments and permanent change of station (‘PCS’) orders, and face imminent involuntary separation, all while they have continued to perform the mission alongside their ‘vaccinated’ peers, in many cases, while their ‘vaccinated’ peers got sick with COVID-19 in large numbers.”

The plaintiffs allege the DOD and Coast Guard mandates violate several federal statutes and regulations and the U.S. Constitution.

Moreover, the lawsuit alleges that the plaintiffs' RARs and appeals have been summarily dismissed with "formulaic language" and "nearly identical form letters" instead of "individualized evaluation."

In addition, "none of the [original] 122 Plaintiffs who filed an RAR received their response within the required 30-day deadline."

You can read the [entire filing here](#).

Three brave active military officers, speaking as individuals and not representing the official position of the Department of Defense or their individual branches, joined Saran to share their stories and experiences.

Their willingness to risk their careers, promotions and advancements is a powerful statement on their efforts to protect their fellow service members as well as the American people.

Lt. John Bowes, who The Gateway Pundit's Jim Hoft interviewed in August, shared his reasons for fighting the mandate.

"The common theme here is that these service members are kind of heartbroken, I personally am. We're not doing this because we want to stick it to the man or because we are a fringe group of rebels or religious radicals or right-wing radicals or anything like that. You know, we were given, and instilled in us values, about supporting and defending the constitution. Values about integrity and excellence, and values about asking questions when something seems wrong and speaking up about it. And that is exactly what we are doing here today....is....we are here to bring awareness to the fact that there are serious concerns about this mandate.

They are a deterrent to our national security, they're hurting our service members. And the coercive tactics being used against them are forcing people out of the military in droves”

“Hopefully we can start to get the gears moving with the American people and Congress on making some change in this becausethe lawsuits might be the one thing that actually ends this for us, but the bottom line is that these service members need top cover from the American people and from our congressional leaders.

Lt. Olivia Degenkolb began her 20 year Navy career as a sailor. She has degrees in nuclear engineering and physics and has represented the Navy as an assistant Naval attache in China.

She was selected as the Naval attache designate for Beijing, but she never made it to China. After successfully completing training and having all her belongings packed, within days of her and her family's flight to China, she was placed on operational hold because she hadn't received the Covid vaccine even though at the time, the vaccine was not required.

Degenkolb shared, “I personally had concerns about fertility and the carcinogenicity and genotoxicity....since that day, I started looking more and more into the product and realized that the vials that were used to give to service members, and honestly all of the American people, these shots, these vaccines, they are emergency authorization use products. And under Title XXI and Title X, the government can't legally mandate you to take these products.... I raised these concerns to military leadership, specifically stated that the mandates were illegal. And since then, that has resulted in the loss of my assignment to China. The military has taken away training opportunities. They denied leave. All of my belongings were kept for almost a year. My family had to live out of four bags, the four bags we planned to travel to China with... for an entire year.”

“And honestly, I love my country. I joined the military to support and defend the Constitution, to ensure America, the American people remain safe. And it’s my job as a Naval Officer to point out violations of law to military leadership. That’s what I’ve been doing. That’s what nearly 80,000 military members like me have been doing.”

Captain Grant Smith, a physical therapist focused on holistic health with a background dealing with vaccine injuries shared, “I can’t help what I believe. My beliefs are informed by scientific training and my conscience. I can lie about what I believe, but then what good am I to the organization? Especially as a holistic health and fitness officer. So my belief is that this vaccine is unsafe and ineffective for active duty service members....generally....for our population that is young and healthy. I believe that it has been a disaster for readiness and I have personally experienced untold difficulty trying to communicate this using scientific and moral rationale and it has fallen on deaf ears. So I am hoping that us coming together and communicating in this direct manner might provide some forward motion in order to address this issue. Because I truly believe that if this mandate continues, the way it is, we will have a very difficult time recovering from the negative impacts that is happening on readiness.”

Saran continued later in the conference, “It is clear the entire RFRA process (Religious Freedom Restoration Act) is a sham. We have had Federal judges, including two different circuit courts, that have ruled that both the Navy, Air Force and Marine Corps religious accommodation process were all just complete frauds....they aren’t religious accommodation processes they are religious targeting processes. Because all of the regulations actually say that nothing should happen to you, no adverse action for filing for religious accommodation, which makes sense. And instead what has happened is everybody who has raised their hand ‘yeah, I’ve got serious, I’ve got religious concerns about these vaccines’ has immediately had their

careers turned upside-down and their life made miserable. Intentionally. Clearly intentionally.”

“Some of you may be shocked to knowit went so far that at certain bases ...military members that didn't take the vaccine who filed for religious accommodation were not being allowed to go to the chow hall to eat with their companions, their colleagues, the people that they were going to go to war with, they trained with. And they were required to wear different color wristbands and so the vaccinated and the unvaccinated were differentiated by a wristband color on some bases and singled out. If you were unvaccinated you had to wear a mask publicly..like out in the open... outside...identifying you on base to everyone else that you were unvaccinated. So therefore, they were telling everybody about your health status...there have been some really egregious violations of military members civil rights.”

When asked what the public can do, Lt. Bowes shares, “The biggest thing that I think any person can do is literally just hit the share button. That is the thing that they can do that can probable make the most difference...but if it's shared, it shows up on Twitter feeds, it goes viral, that is where Congress latches on and starts to look at these things...because we have only gotten attention from Congress when things start to pick up in the media. I ask the American people, quite literally, hit the share button. That's what you need to do. And talk to your family and friends about what's going on.”

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