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9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

11 CORAZON DE CRISTO CANO,  
12 *et al.*,

13 *Plaintiffs,*

14 v.

15 JOSEPH R. BIDEN, in his official  
16 capacity as President of the United  
17 States, *et al.*,

18 *Defendants.*

Case No.: 3:22-cv-00193-CAB-AHG

**DECLARATION OF CRYSTAL  
IRVIN IN SUPPORT OF THE  
MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT OF  
THE EX PARTE APPLICATION  
FOR TEMPORARY  
RESTRAINING ORDER AND  
ORDER TO SHOW CAUSE WHY  
A PRELIMINARY INJUNCTION  
SHOULD NOT ISSUE**

Date:

Time:

Courtroom: 15A

Location: 333 West Broadway, San  
Diego, CA 92101

Judge: Honorable Cathy Bencivengo

Action Filed: February 10, 2022

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26 I, Crystal Irvin, hereby declare as follows:

27 1. That my name is Crystal Irvin; I am over the age of 18 years, that I  
28 am a plaintiff in this litigation, that I am a resident of San Diego County,

1 California, and that, if called upon to do so, I could, and would, competently  
2 testify as follows:

3 2. I make this declaration upon my personal knowledge and in support  
4 of the Memorandum of Points and Authorities in Support of the Ex Parte  
5 Application for Temporary Restraining Order and Order to Show Cause Why a  
6 Preliminary Injunction Should Not Issue;

7 3. That I have read the complaint herein, and the moving pleadings for  
8 this Temporary Restraining Order, and that I am generally familiar with their  
9 contents;

10 4. That I am a federal employee, and I was employed by Naval  
11 Facilities Engineering Systems Command, located in California. However, I am  
12 now employed by Naval Information Warfare Center Pacific, which is also  
13 located in California, and, as a result, I am subject to Executive Order (EO)  
14 14043;

15 5. That I, upon notification of the requirement that I receive a Covid  
16 vaccination in order to retain my employment and benefits from the federal  
17 government, submitted a religious exemption request, so that I could exercise my  
18 religious freedom right to not receive said exemption, and that a copy of said  
19 religious exemption is attached hereto and made a part hereof, marked as Exhibit  
20 A;

21 6. That I have received no response to my religious exemption request;

22 7. That, currently, I am still employed, but that I fear that if the courts  
23 dissolve the current court order(s) barring enforcement of EO 140443, I will lose  
24 my job, including my pension and health and other benefits for myself and for  
25 my family.

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27 I declare under penalty of perjury of the laws of the United States of  
28 America, and the state of California that the foregoing information is true and

1 correct. Executed on February 12, 2022, at San Diego, California.

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Dated: February 12, 2022      Respectfully Submitted,

/s/ Crystal Irvin  
Crystal Irvin  
*Plaintiff*

# **EXHIBIT A**



October 25, 2021

To whom it may concern:

This letter is a request for exemption from the Covid-19 vaccine for Crystal Irvin, and explains the reason, based on our religious beliefs, for the request.

In that we are followers of Jesus Christ and believe the Bible to be a guide and authority for us, we unwaveringly hold that our freedoms come from God, who created all things, and not from any human governing authority, and that each person is responsible to God for the personal decisions he or she makes. As the Scripture commands us, "...Each of them should be fully convinced in their own mind." (Romans 14:4-5)

Because of this belief, we firmly believe that each person must make a personal decision of conscience whether or not to receive vaccinations of any kind, decided on a case-by-case basis—this, of course, includes the vaccine for Covid-19.

We hold that the current vaccination mandates directly prohibit our right to practice our religion and are an extreme violation of personal choice and conscience.

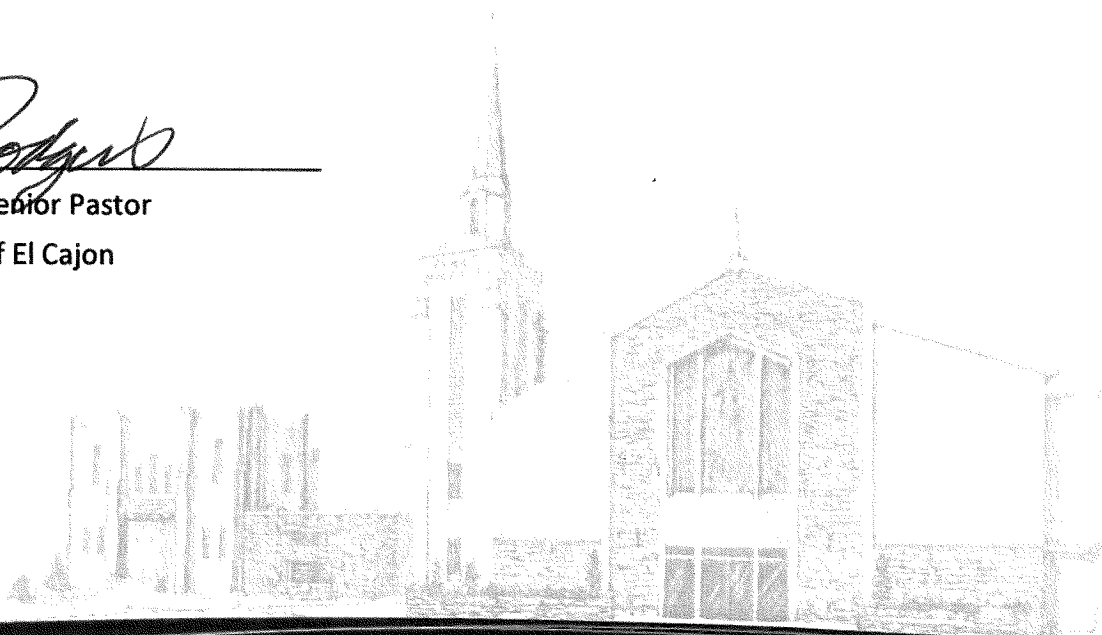
Therefore, because of our sincerely held religious beliefs, we respectfully request exemption from the Covid-19 vaccination.

Sincerely,

A handwritten signature in cursive script that reads "Kevin Rodgers". The signature is written in black ink and is positioned above a horizontal line.

Rev. Kevin Rodgers, Senior Pastor

First Baptist Church of El Cajon



**REQUEST FOR COVID-19 VACCINE EXCEPTION FOR RELIGIOUS REASONS/  
RELIGIOUS ACCOMMODATION**

The Department of the Navy (DON) is committed to providing equal employment opportunities (EEO) without regard to any protected status and a work environment that is free of unlawful harassment, discrimination, and retaliation. As such, the DON is committed to complying with all laws protecting employees' religious beliefs, practices, and observances under Title VII of the Civil Rights Act of 1964. When requested, the DON will provide an exception/religious accommodation for an employee's sincerely held religious beliefs, or practices and observances, that prohibit the employee from receiving a COVID-19 vaccine, provided the requested religious accommodation is reasonable and does not create an undue hardship for the DON.

To request an exception/religious accommodation related to the DON COVID-19 vaccination policy, please complete this form and return it to your Supervisor. This information will be used by your Supervisor, your servicing EEO office, Office of General Counsel, or other appropriate personnel to determine eligibility and potentially engage in the interactive discussion with you in the search for an effective religious accommodation. In order to qualify for the exception, employees are required to provide a written and signed statement below objecting to the COVID-19 vaccination due to a sincerely held religious belief that prohibits immunization, in which case supporting documents may be required.

If you fail to provide information needed for the processing of the religious accommodation request, your refusal will impact the DON's ability to adequately understand the nature of your request, which can lead to denial of the religious accommodation request. Once the DON has enough information to make a determination, you will be notified as to the approval or denial of your request for exception/religious accommodation.

Please provide full and complete responses to all of the below questions. Please provide as much supporting documentation as you feel will be helpful to the DON in considering your request.

- 1) In your own words, please explain below why you are requesting a religious exception/religious accommodation.

I am requesting a religious exemption based on my sincerely held religious belief and God given natural rights that are protected under the United States Constitution and Title VII of the U.S. Civil Rights Act of 1964. I am a sovereign being and will not do anything to my body, which is the temple of God, that goes against my beliefs and conscience.

- 2) Name the religion and/or describe the religious principles that guide your objection to immunization.

My objection to immunization is in line with my belief in individual soul liberty. Each person has the liberty to choose what conscience or soul dictates is right and I am responsible to no one but God for the decisions that I make.

February 10, 2022

MEMORANDUM

From: Supervisor: Jacob Ward  
To: Employee: Crystal Irvin

Subj: NOTIFICATION OF CHANGE IN STATUS FOR EXEMPTION REQUESTS TO THE COVID-19 VACCINATION REQUIREMENT

Ref: (a) Executive Order 14043, "Requiring Coronavirus Disease 2019 Vaccination for Federal Employees"

Encl: (1) Acting Assistant Secretary of the Navy for Manpower and Reserve Affairs  
Memorandum, Department of the Navy Compliance with the Preliminary Nationwide Injunction on Implementation and Enforcement of the Vaccination Requirement Pursuant to Executive Order 14043, January 31, 2022

1. As you are aware, the Department of the Navy (DON) implemented a mandatory Coronavirus Disease 2019 (COVID-19) vaccination policy for civilians in accordance with reference (a), except in limited circumstances as required by law. You are receiving this letter as you have submitted a request to be exempt from the mandatory COVID-19 vaccination requirement for medical and/or religious reasons.
2. On January 21, 2022, a Federal Court issued a preliminary nationwide injunction against the COVID-19 vaccine mandate for the Federal workforce, which paused implementation and enforcement of reference (a).
3. Per enclosure (1), the DON has paused all vaccine related exemption request processing until further notice. If there are changes to the status of the injunction, you will be notified as to further disposition of your vaccination exemption request.
4. Any questions concerning this action or questions you have with-respect to your vaccine exemption request should be directed to me via email at [jacob.p.ward.civ@us.navy.mil](mailto:jacob.p.ward.civ@us.navy.mil) or via phone at 619-553-9046

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Supervisor Signature

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Employee acknowledgement of receipt

Date