

# HFDF Lawsuit Prompts Executive Order Barring COVID-19 Vaccine Mandates in Arizona

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by [Health Freedom Defense Fund](#)

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Monday, August 16, 2021, prompted by a Health Freedom Defense Fund ([HFDF](#)) lawsuit, Governor Ducey of Arizona issued an [Executive Order](#) barring any city, county, state, or state entity from mandating COVID-19 vaccines thereby protecting the rights of Arizonans to direct their own healthcare choices. HFDF thanks Governor Ducey for defending the most basic of human rights, that of bodily autonomy.

The Governor's order capped off a day of twists and turns in [HFDF's lawsuit](#), filed August 2, 2021 on behalf of Phoenix High School teacher Douglas Hester. The lawsuit sought a temporary restraining order (TRO) against the Phoenix Union High School District's mask mandate because it violates a new Arizona law prohibiting mask and vaccine mandates.

"The legislature is the legislative branch of government, charged with making law, yet the school district, defiantly pledged to follow CDC's non-binding recommendations even though they contradict state law. CDC does not have the power or authority to make health laws, merely to issue recommendations," said HFDF president Leslie Manookian

Friday August 13<sup>th</sup>, HFDF attorney Alex Kolodin appeared in court and argued for a TR0 barring Phoenix Union High School District from implementing its mask mandate, while counsel for the school district argued a motion to dismiss the case.

Monday August 16<sup>th</sup> the judge delivered his ruling denying both our TR0 and the school district's motion to dismiss in which he noted that Phoenix Union High School District cited "no legal authority that this statute [the new AZ law prohibiting mask and vaccine mandates] beyond the Legislature's power. Indeed, Arizona law expressly limits school districts' authority to policies that "are not inconsistent with law."" The judge determine our TR0 was premature because the anti-mandate law will not be effective until September 29<sup>th</sup>, 2021.

Later Monday, after the ruling, in a provocative move, an AZ school board announced an emergency meeting to consider mandating the experimental COVID-19 injections for all teachers by September 29<sup>th</sup> so the Governor stepped in with an executive order barring the school district and all other state entities from mandating the shots.

Kolodin said, "Our client was going for a TR0 against masks and got an E0 against vaccine mandates! While we wish the E0 extended to masks, we're delighted Governor Ducey stepped in and protected teachers and students from this attempted power grab."

This is a big win for HFDF, a big win for the rule of law, and a big win for freedom.

**See Press Release [HERE](#).**

**Read lawsuit [HERE](#).**

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