

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

JEROME DUVALL, *et al.*,

*

Plaintiffs,

*

v.

* Civil Action No. ELH-94-2541

LAWRENCE HOGAN, *et al.*,

*

Defendants.

*

DECLARATION OF DAVID C. FATHI

I, David C. Fathi, declare:

1. I am one of the counsel for the Plaintiff class in this case. I make this declaration in support of Plaintiffs’ Supplemental Memorandum in Support of Emergency Motion for Relief from Risk of Injury and Death from COVID-19.

2. Attached hereto are true and correct copies of the following materials, identified as lettered exhibits in Plaintiffs’ Supplemental Memorandum:

- a. **Exhibit A:** Email from Michael Puisis, D.O. to all counsel (April 13, 2020).
- b. **Exhibit B:** Spreadsheet attached to email from Michael Puisis, D.O., listing medically vulnerable persons detained at the Baltimore City Detention Center (BCDC) (April 13, 2020).
- c. **Exhibit C:** Email from Defendants’ counsel Laura Mullally to Plaintiffs’ counsel stating that no detainees had been tested to date (May 5, 2020).
- d. **Exhibit D:** Email from Michael Puisis, D.O. to all counsel (May 7, 2020).
- e. **Exhibit E:** Email chain between Michael Puisis, D.O. and all counsel (May 8, 2020).

- f. **Exhibit F:** Email from Laura Mullally responding to David Fathi (May 8, 2020).
- g. **Exhibit G:** Email from Laura Mullally stating that two detainees had tested positive for COVID-19 (May 12, 2020).
- h. **Exhibit H:** Email from Laura Mullally stating that eight detainees had tested positive for COVID-19 (May 15, 2020).
- i. **Exhibit I:** Email chain between Laura Mullally and Debra Gardner regarding a detainee with serious medical conditions, including COVID-19 infection (May 15, 2020).
- j. **Exhibit J:** Email from Laura Mullally stating that seven staff members, eight vendor employees, and seven detainees had tested positive for COVID-19 (May 18, 2020).
- k. **Exhibit K:** Baltimore Central Booking and Intake Center (BCBIC) Housing spreadsheet, provided by Laura Mullally to Plaintiffs' counsel (May 18, 2020).
- l. **Exhibit L:** Email from Laura Mullally stating the current population of BCBIC (May 1, 2020).

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 20, 2020.

/s/David C. Fathi
David C. Fathi