

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO – Cincinnati Division**

HUNTER DOSTER, et. al. : Case No.: 1:22-cv-00084
Plaintiff :
v. :
Hon. FRANK KENDALL, et. al. :
Defendants :

ANDREA CORVI, et. al. :
Intervening Plaintiffs :
v. :
Hon. FRANK KENDALL, et. al. :
Defendants :

NOTICE OF SUPPLEMENTAL FACTUAL DEVELOPMENTS

1. Since May 11, 2022, the Defendants have denied and additional 33 intervening plaintiffs' appeals requesting religious accommodation.
2. The following intervening plaintiffs have been removed from Command and Leadership Positions since filing the intervening motion:
 - a. Major Christopher Kneif – Removed from Command position
 - b. Major Howard Church – Removed from Command position
 - c. Major Amy Dudley – Removed from her position as the Officer in Charge of Education and Training
 - d. Lieutenant Colonel Enrique Navarro – Removed from Command
 - e. Lieutenant Colonel Joshua Stallard – Removed from Director of Operations position
3. The below intervening plaintiffs requested voluntary separation or retirement and have been denied their request by Defendants. Each intervening plaintiff below will now be discharged by Defendants through a punitive administrative separation board after receiving one or two letters of reprimand.

- a. Major Timothy Ablay – Denied request for retirement twice
 - b. Major Alex Rindo – Denied request for retirement
 - c. Senior Master Sergeant John Poe – Denied request for Retirement
 - d. Major Jeffrey Lippert – Denied request for resignation
 - e. Staff Sergeant Michael Morrisette – Denied voluntary separation
 - f. Chief Master Sergeant Curtis Mayes – Denied request for Retirement
 - g. Captain Joseph Kieffer – Denied voluntary separation request
 - h. Major David Hunziker – Denied request for resignation
 - i. First Lieutenant Tyler Hislop – Denied request for separation
 - j. Staff Sergeant Briante Brown – Denied request for separation
4. Since filing the motion to intervene, the following intervening plaintiffs have received the first dose of the COVID-19 vaccination under duress for fear of punitive actions by Defendants:
- a. Major Jeff Kellog
 - b. Lieutenant Colonel Joshua Chambers – Second shot due on June 7, 2022
 - c. Master Sergeant Kyle DeHart – Second shot delayed due to contracting COVID immediately after first vaccination
 - d. Master Sergeant Timothy Hilgert -Second Dose due June 14, 2022
 - e. Airman First Class Ashleigh Baker – Second Shot due June 13, 2022
5. Since May 11, 2022, the following were notified of their Commander’s intent to separate them from the Air Force (i.e. pendency of imminent separation board proceedings):
- a. Staff Sergeant John Caulkins was notified on June 2, 2022, of his Commander’s intent to discharge him from the United States Air Force for Misconduct.
 - b. Master Sergeant Kenneth D. Mayfield was notified on June 7, 2022, of his Commander’s intent to discharge him from the United States Air Force for Misconduct.
 - c. Master Sergeant Kyle T. Seiber was notified on June 7, 2022, of his Commander’s intent to discharge him from the United States Air Force for Misconduct.
 - d. Captain Albert Sigala was notified on June 7, 2022, of his Commander’s intent to discharge him from the United States Air Force for Misconduct.
6. Since May 11, 2022, the Air Force Academy has begun separation measures for the following Air Force Academy cadets, which will be completed by the end of June, 2022

(several of whom will incur recoupment, i.e. repayment of their Air Force Academy education): Cadets Hana Hill, Caleb Pym, Ezra Paul, Josiah Beggs, Rachel Shaffer, Jake Ford.

7. Two of the original Plaintiffs, Alex Ramsperger and Connor McCormick, were threatened with loss of their pilot training selection, and, as a consequence, took extraordinary steps to obtain a first dose of Covaxin that they forced to obtain in Mexico. (See Declaration Ramsperger). We will be moving to remove them from this case once they receive their second dose (and now request that they be removed as putative class representatives).
8. Major Oberg was issued Article 15 punishment of \$1000 pay reduction for 2 months and a reprimand.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing by CM/ECF, this 9 day of June, 2022.

/s/ Christopher Wiest
Christopher Wiest (OH 0077931)

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO – Western Division at Cincinnati**

HUNTER DOSTER, et. al.	:	Case No. 1:22-CV-84
Plaintiffs	:	
v.	:	
FRANK KENDALL, et. al.	:	
Defendants	:	

SECOND DECLARATION OF ALEX RAMSPERGER

Pursuant to 28 U.S.C. §1746, the undersigned, Alex Ramsperger, makes the following declaration, under penalty of perjury under the laws of the United States of America, that the facts contained herein are true and correct to the best of my knowledge and belief and that such facts are made based on my personal knowledge:

1. My name is Alex Ramsperger, and I am, for now, one of the Plaintiffs in the above captioned matter.
2. I am a 2021 graduate of the United States Air Force Academy, and was assigned to AFIT for a Master’s Degree that I complete on September 15, 2022. My lifelong dream was to be a pilot in the Air Force. I was selected for pilot training to follow my Master’s Degree by the Air Force, and was notified of this selection my First Class (senior) year at the Academy.
3. I grew up in Arizona, and specifically not that far from the border to Mexico.
4. I was told by my commander, Lt Col Salvatore, a few months ago, that the Air Force was going to cancel my permanent change of station (PCS) orders to continue onto undergraduate pilot training (UPT), because of my not being vaccinated.
5. My Air Force Academy classmate, Connor McCormick, was in the same exact situation.

6. My objections to COVID-19 vaccines (and those of Lt. McCormick), in part, have to do with their illicit connections with aborted fetal tissue (my understanding is that the Johnson & Johnson vaccine uses them in connection with production, and the Moderna and Pfizer vaccine had testing done with the fetal tissue). Other vaccines are not available in the United States, and the Air Force took no steps to afford us any other options.
7. Given the extraordinarily coercion that I was under, and the imminent loss of my pilot training selection, I researched whether there were any World Health Organization COVID-19 vaccines available that did not have these illicit connections, even if they were experimental, unproven, or even if the U.S. FDA had raised safety concerns with them. I looked at Novavax, which is available in Canada, but there appeared to be aborted fetal tissue concerns with that vaccine as well. And I looked at Covaxin, which is available in Mexico, and is a traditional vaccine using an inactivated virus. I determined that Covaxin has no connections to aborted fetal tissue. Through much prayer and consulting with God, I felt a calling to proceed with Covaxin.
8. There have been certain safety concerns related to Covaxin and its production raised recently, and, again, it is not approved for use in the United States.¹ But I was forced between the choice between the loss of my career and lifelong dream, and arranging travel to a foreign country to obtain an experimental vaccine that is not approved for use in the United States.

¹ <https://www.hindustantimes.com/india-news/paraguay-to-cancel-contract-with-bharat-biotech-for-covaxin-over-quality-control-issues-101654600507229.html> (last visited June 9, 2022); <https://www.who.int/news/item/02-04-2022-suspension-of-supply-of-covid-19-vaccine-covaxin> (last visited June 9, 2022);

9. Logistically, the Government did not arrange or meaningful facilitate my ability to receive this vaccine. Instead, I had to arrange the vaccine series with a Mexican doctor who my mother-in-law had a relationship with (essentially asking for a favor) located near the border, who had to travel into other parts of Mexico to obtain the vaccine. It took months to coordinate and arrange. I had to pay for my own flights, fuel for a 6-hour commute, the distribution of the vaccine plus the extra hassle the doctor went through in obtaining the vaccine from another part of Mexico, and food which totaled to roughly \$2000. Luckily, I was able to avoid the additional expense of a car rental and overnight lodging due to my family residing in the area. I also arranged for Lt. McCormick to travel with me, and receive the same vaccine, as I doubt he would have been able to do this on his own without my family connections and he was in the same predicament I was.
10. Lt. McCormick and I recently traveled to Arizona, and then drove across the border and received our first dose. About a week after receiving the first dose, my PCS restriction was removed from the virtual military personnel flight (vMPF) database. In the coming weeks, we will travel again to receive our second dose, and then I have been told that I will be permitted to attend pilot training.
11. I want to thank the Court for the relief it granted in this case, which allowed me the time I needed to undertake the extraordinarily challenging steps to receive these experimental vaccines in a foreign country (under the threat of having my pilot selection revoked without having done so). Without the injunction, I would most likely have received discipline and then been separated from the Air Force, incurring a significant monetary obligation to repay my Air Force Academy obligation.

Pursuant to 28 U.S.C. §1746, I declare under penalties of perjury under the laws of the United States of America that the foregoing Declaration is true and correct to the best of my knowledge and belief and that such facts are made based on my personal knowledge.

Executed on June 09, 2022.



Alex Ramsperger