

EXHIBIT R

**UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO**

SCOTT HERNDON, REV. JOSH JONES,)
REV. MICHAEL GULOTTA, REV. TIM)
REMINGTON, GABRIEL RENCH,)
CHRIS SCHUELER, AND DON MARTIN)

Plaintiffs,)

v.)

Case No. 2:20-CV-00205

BRADLEY JAY LITTLE, in his official)
capacity as Governor of Idaho, and)
DAVE JEPPESEN, in his official capacity)
as the Director of the Idaho Department of)
Health and Welfare,)

Defendants.)

DECLARATION OF PLAINTIFF CHRIS SCHUELER

I, Chris Schueler, am an adult, under no disability, and hereby declare the following:

1. I am a resident of Coeur d’Alene, Idaho, in Kootenai County, Idaho.
2. I am competent to testify as to the matters contained herein, I am over the age of 18, and I make this declaration based upon my own personal knowledge and experience.
3. I am a Christian and I believe that my faith requires corporate worship with others that share my faith.

4. As a Christian and U.S citizen, my right to engage in the free exercise of my faith through corporate worship secured in Article 1 of the U.S Constitution which states “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances” has been violated.
5. In March 2020 my wife and I, along with our 3 children were regularly attending Sunday services in Coeur d’Alene, Idaho.
6. The city of Coeur d’Alene, Idaho is in Kootenai County, Idaho.
7. On March 25, 2020, the Governor of Idaho issued the “Stay Healthy Order.”
8. On or about May 1, 2020, the Governor issued a statewide Stay Healthy Order.
9. On or about May 16, 2020, the Governor issued a new statewide Stay Healthy Order.
10. I have read both the original and the amended Stay-Home Order and both the May 1 and May 16 Stay Healthy Orders.
11. At no time during the Stay Healthy Order have I or my family been diagnosed with COVID-19 virus nor have we had any symptoms that would indicate an exposure to or infection with COVID-19 that would require us to place ourselves in a state of “isolation” or “quarantine”.
12. The CDC states on their website that isolation “separates sick people with a quarantinable communicable disease from people who are not sick” and that

quarantine “separates and restricts the movement of people who were exposed to a contagious disease to see if they become sick.”

13. Under the definitions from the CDC there is no reason that my family and I should be required to engage in a practice of isolation or quarantine.
14. In section 6 of the Stay-Healthy order it states that “All people in Idaho shall immediately cease hosting or participating in all public and private gatherings and multi-person activities for social, spiritual and recreational purposes, regardless of the number of people involved”
15. I find it unacceptable that under Section 6 of the Stay-Healthy Order, I would be in violation of the order should I decide to hold a private gathering of immediate and extended family or friends who are not in any way sick for the purpose of corporate worship in accordance with my faith, even in my own home.
16. I was able to spend time in grocery stores with dozens, and in some case hundreds, of other shoppers buying food, breathing the same air and touching food and other products that were handled by other shoppers and store employees without this being seen as a threat the health of others. How then is gathering with my church family for corporate worship a threat? I cannot see the logic in this.
17. My family and I, as well as the other believers who attend our church, were not allowed to gather publicly and worship together to celebrate the most important day in the Christian faith; the resurrection of Jesus Christ on Easter Sunday.

18. By requiring state and local police to enforce the Stay-Healthy order, Governor little has made the practice of my faith illegal.
19. The governor’s actions not only violate our U.S Constitution but also the Idaho state Constitution which defines in Section 1 the Inalienable Rights Of Man to mean that, “All men are by nature free and equal, and have certain inalienable rights, among which are enjoying and defending life and liberty; acquiring, possessing and protecting property; pursuing happiness and securing safety.”
20. While the threat of Covid-19 infection to certain individuals can be a serious and even life-threatening event, it has not proven to be so for the general public. I believe that we can care for the most vulnerable, under any threat to their health, without requiring those who are healthy to be in a state of what amounts to “house arrest.”
21. What I fear now, is that if Governor Little and the unelected head of the Idaho Department of Health and Welfare are allowed to suspended the rights of the citizens of Idaho under both the State and U.S. Constitution with the Stay-Healthy Order, there is nothing stopping them in the future from simply declaring anything a “health emergency,” whether real or imagined, in order to violate further Constitutional rights in the future without any sense of due process.

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

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Signed this 26th day of May, the Year of Our Lord Christ 2020, in Coeur d'Alene, Idaho.

A handwritten signature in black ink, appearing to read 'Chris Schueler', with a long horizontal flourish extending to the right.

Chris Schueler