

**Association of Retail Entrepreneuers  
Beer, Wine and Spirits – Board of Directors  
[URL Email]**

Governor of the State of Ohio  
Mike Dewine  
Riffe Center, 30<sup>th</sup> Floor, 77  
South High Street  
Columbus, Ohio 43215

City Municipal Attorneys Association  
Garry E. Hunter, General Counsel  
175 S. Third Street, Suite 510  
Columbus, Ohio 43215

Ohio Prosecuting Attorneys Association  
Daniel R. Lutz, President  
196 East State Street, Suite 200  
Columbus, Ohio 43215

Ohio Municipal League  
Mark Schwieterman, President  
175 South Third Street, Suite 510  
Columbus, Ohio 43215

President of Buckeye State Sheriff's Association  
Sheriff Keith Everhart  
1103 Schrock Road, Suite 401  
Columbus Ohio 43229  
Ohio Inspector General

Ohio Liquor Control Commission  
Sarah W. Creedon, Executive Director  
77 South High Street, 18th Floor  
Columbus, Ohio 43215  
Ohio Attorney General

Randall J. Meyer  
30 E. Broad St., Suite 2940  
Columbus, Ohio 43215

Dave Yost  
30 E. Broad Street, 14<sup>th</sup> Floor  
Columbus, Ohio 43215

Department of Commerce  
Division of Liquor Control  
Sheryl Maxfield, Director  
6606 Tussing Road  
Reynoldsburg, Ohio 43068

[Date].

RE False Declaration of Public Emergency and Disaster Fraud

Greetings,

This letter pertains to the association of retail business owners and entrepreneurs in Ohio, specifically, those with permits for selling beer, wine and spirits. We have had enough of the fake pandemic. Demand is made upon each of you to answer the following questions; however, we know that you will not because you are perpetrating the biggest fraud this state has ever witnessed. You are therefore advised of the following questions and demands:

You will describe the nature of the emergency that pertains to section "4301:1-80" that supposedly limits hours for sales of beer, wine and liquor.

Describe the duty of care you claim that retailers (public accommodations), especially bar owners, have to protect the public from danger when the risks are widely known to the community.<sup>1</sup>

Provide a list of the individuals who have submitted to a *bona fide* medical examination and been determined to be infected with a communicable disease, along with a copy or citation of the court order making such determination.

What facts were used to determine that there is a public emergency?

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<sup>1</sup> Lang v. Holly Hill Motel, Inc., 122 Ohio St.3d (2009)

According to official public records of the Ohio Medical Examiner's Office, the total mortality rate has remained about the same when comparing the years 2017, 2018, 2019 and 2020. Where is the public health emergency?

By what authority do you proclaim a public emergency when there is no evidence of any public emergency?

Maybe the emergency is financial and the state has declared a public health emergency so that it can pillage public funds and participate in the disaster fraud. According to the Office of Budget and Management, Ohio received \$4.5 Billion in Coronavirus Relief Funds with \$3.7 billion going to the state and the rest going directly to local governments with populations over 500,000. Of the state share, \$2.8 billion had been appropriated prior to Friday's announcement.

If the governor has been declaring a state of emergency for a year, and has not ended the emergency, why is the governor still permitted to receive funding and make rules regarding the presumption of ending the so-called emergency? He has failed to end any emergency, even if there is one. By definition, an emergency has a very short period of time, such as minutes, hours or several days, and a year far exceeds the definition of being an emergency. Instead, it is very much a business franchise of the World Bank Group who is providing the funding and approving the rules being forced onto everyone through the WHO, CDC, states, counties and cities.<sup>2</sup>

By what authority do administrative rules repeal or amend state law or the medical privacy rights of people?

Describe the steps taken to comply with emergency rule making and amendments to the Ohio Administrative Code under 111.15(B)(2).

Has the "emergency rule" 4301:1-1-80 been filed as a "nonemergency rule in compliance with division (B)(1) of Ohio Revised Code (ORC) Section 111.15(B)(2)?"

As per the provisions for an "emergency rule" which has substantially and adversely impacted businesses, has the Liquor Control Commission (LCC) or any state board, department, division, or bureau filed the business impact analysis, along with recommendations received from the common sense initiative office, and the associated memorandum of response along with the proposed rule? **Provide copies or citations of each.**

How does changing liquor sales, hours of operation and imposing control measures such as mask-wearing, mitigate any dangers from the claimed public emergency?

The LCC lacks any legislative authority to impose public health control measures, or other measures intended for "public health".

Furthermore, the LLC lacks the legislative approval to indemnify and reimburse any retailer for lost revenue, injury or damages resulting from imposing illegal medical interventions upon patrons.

The LLC is without any authority or obligation to act in the capacity of a public health officer as it has never been delegated such authority or obligation.

The LCC is thereby not authorized to delegate any function of a public health officer, just like an actual public health officer cannot delegate its authority or obligations to a private

business, any more than a private business owner cannot require its patrons and employees to submit to any medical interventions, especially in violation of public policy as established in the Public Health Preparedness Bench Book.

What facts or studies have established the necessity or efficacy of such changes?

When was ORC 4301:1-1-80 proposed for rule-making changes and open for comment?

When was ORC 4301:1-1-80 adopted by a vote of the commission?

Retailers in the state have no duty of care when a danger is widely known to the community, such as a pandemic, even if one could be proven to exist. Retailers are under no obligation to “protect their employees” or to “protect customers” from a so-called pandemic under the “Open and Obvious Doctrine” (or assumption of risk or comparative fault).

Moreover, the control measures sought to be imposed by the state require businesses and their employees to break the law and violate the medical privacy rights of their customers. This is against long-standing public health policy as established in the Public Health Preparedness Bench Book.

Your control measures have never been proven to have any efficacy and no medical necessity has ever been established by any clinical or other scientific studies.

Furthermore, “public health”, if there is a such a thing, does not involve having people impose untested and dangerous medical intervention upon other people without the supervision of any physician and without any judicial oversight. This practice alone (layman imposing medical interventions on other layman without any physician’s supervision or judicial oversight) is a public health catastrophe.

Just like we cannot have random citizens responding to building fires without any training or equipment, it is against public policy to proclaim an emergency without any supporting facts, and then order people to implement and submit to unproven control measures without any training, financing, insurance, equipment or any legal authority or legal duty.

People cannot be excluded from society on the false premise that they are a direct threat<sup>3</sup> to others, without any judicial determination. And entire populations cannot be subjected to such measures as these determinations can only be made one person at a time and by a court of competent jurisdiction and upon evidence that each individual had a communicable disease, provided by a *bona fide* medical examination.

As proof that a retailer has no duty of care in a pandemic (again we’re taking this at face value even though such a condition has yet to be proven), he cannot obtain insurance to cover his business for someone who may be adversely affected by the pandemic, or be adversely affected by the control measures (e.g. mask wearing). Either way, how is it even remotely possible to prove the location where someone became infected from any communicable disease?

He cannot obtain insurance for this risk because it is not an insurable risk, again, because of the “Open and Obvious Doctrine”.

Let’s revisit the false narrative that there is a pandemic. How can a pandemic exist when there is no substantial change in population morbidity and mortality and physicians,

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3 Echazabal v Chevron U.S.A. Inc., F2d (9th Cir (2003) and 29 CFR §§1630.15(b)(2) and (r)

hospitals and coroners are being paid tens of thousands of dollars to re-classify diagnosis and deaths?

How can we have a pandemic from a so-called “virus” when in fact viruses are not contagious pathogens and the so-called “Covid-19” has never been isolated or purified in the first place?

The only emergency here is a financial emergency that has been fabricated by the false declaration of a public health emergency.

Therefore, there is no authority for the amendments under Section 4301:1-80 of the Ohio Administrative Code, even if these were duly amended. This is a total fraud and those perpetrating this fraud are not immune from liability and will be brought to justice and they will pay reparations as tortfeasors and common assaultants to those businesses and owners who have suffered unconscionable damages and losses. This includes the mayor, governor, county attorney, sheriff, city attorney and any other perpetrator who is overtly or tacitly involved in perpetrating this scheme.

Be advised that the businesses in Ohio are organizing their own private association and will establish their own regulatory framework, licensing and bonding along with their own judicial review and safety standards. Our association refuses to participate in your demonic, mask-wearing and “social distancing” rituals.

We expect your response within twenty-one days from the date of this communication.

The Board