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CITY OF COSTA MESA and KATRINA FOLEY

**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION**

CITY OF COSTA MESA, and  
KATRINA FOLEY,

Plaintiff,

vs.

UNITED STATES OF AMERICA,  
THE DEPARTMENT OF HEALTH  
AND HUMAN SERVICES, THE  
UNITED STATES DEPARTMENT OF  
DEFENSE, THE UNITED STATES  
AIR FORCE, THE CENTERS FOR  
DISEASE CONTROL AND  
PREVENTION, THE STATE OF  
CALIFORNIA, FAIRVIEW  
DEVELOPMENTAL CENTER  
(FAIRVIEW), THE CALIFORNIA  
GOVERNOR’S OFFICE OF  
EMERGENCY SERVICES, and THE  
CALIFORNIA DEPARTMENT OF  
GENERAL SERVICES,

Defendants.

Case No. 8:20-cv-00368-JLS-JDE

**DECLARATION OF DIEDRE  
THU-HA NGUYEN IN SUPPORT  
OF *EX PARTE* APPLICATION  
FOR TEMPORARY  
RESTRAINING ORDER AND  
ORDER TO SHOW CAUSE RE  
ISSUANCE OF PRELIMINARY  
INJUNCTION**

## DECLARATION OF DIEDRE THU-HA NGUYEN

I, Diedre Thu-Ha Nguyen, declare that:

1. I am a duly elected council member of the City of Garden Grove, California. I have served as council member since December 2016.

2. In addition to serving as a council member in a part-time capacity, I work full-time as a supervisor for the Hematology Oncology Department at Quest Diagnostics Inc., Nichols Institute in San Juan Capistrano, California. I have worked at the Nichols Institute since 1999 and have served as supervisor since 2005. My regular duties include managing and coordinating staffing involving in laboratory testing and research operations in the Molecular Oncology department at Quest Diagnostics, Inc., Nichols Institute.

3. In 1998 I earned a Bachelor of Science Degree in Biological Sciences from the University of California, Irvine. In 2002 I earned a Master of Sciences Degree in Clinical Genetics from the California State University Dominguez Hills. In 2003 I obtained a license in Clinical Genetic Molecular Biology and in 2001, I obtained a Clinical Cytogeneticist Scientist license, both from the State of California.

4. I have been a resident of the City of Garden Grove since 1995 and am familiar with the Garden Grove, Santa Ana, Fountain Valley, Newport Beach, and Costa Mesa region.

5. Based on my knowledge of the Costa Mesa region, the location of the Fairview Developmental Center, coupled with my scientific training, and my day-to-day managerial activities at the Quest Diagnostics Inc., Nichols Institute, it is my professional opinion that the Fairview Developmental Center in Costa Mesa is not an appropriate facility to handle a coronavirus epidemic.

6. The City of Garden Grove was not notified of the decision to use Fairview Developmental Center to house patients infected with coronavirus, even though the City of Garden Grove borders are within 6.5 miles from the facility.

7. It is my opinion that the decision to house patients infected with coronavirus at Fairview Development Center is being made too hastily and without appropriate planning and inclusion from City officials, medical experts and medical professionals from all surrounding cities; from preparedness of the center to effectively quarantine infected patients, laboratories certified for this type of testing and medical care for the patients. Currently, there is no solid contingency plan for the possibility of new infections associated with persons working and living at and near the facility, including nearby businesses and residences.

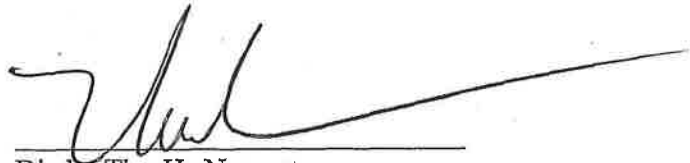
8. The region surrounding the Fairview Developmental Services facility is generally built out and has become highly population dense. For example, although at the last decennial census the City of Garden Grove was determined to have a population of over 170,000, it is expected that the 2020 census will show that Garden Grove's population has jumped to more than 200,000.

9. I am also aware that none of the reference laboratories, including the Quest Diagnostics Inc., Nichols Institute where I work at, is currently capable to handle sample testing for coronavirus.

10. It is therefore my opinion that without proper security measures, housing patients infected with coronavirus may cause the spread of the virus from Fairview Developmental Services facility, and it will be very difficult to contain in our densely populated region.

I declare, under penalty of perjury, that the above information is true and correct to the best of my knowledge and belief.

Signed this 23<sup>rd</sup> day of February 2020.

A handwritten signature in black ink, appearing to read 'Diedre', with a long horizontal line extending to the right.

Diedre Thu-Ha Nguyen  
Councilmember  
City of Garden Grove