

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

CITY OF COSTA MESA, *et al.*,
Plaintiffs,
v.
UNITED STATES OF AMERICA,
et al.,
Defendants.

No. 8:20-cv-368

**DECLARATION OF KEVIN
SCOTT YESKEY, MD**

I, KEVIN SCOTT YESKEY, MD, declare as follows:

1. I am the Principal Deputy Assistant Secretary for Preparedness and Response for the Office of the Assistant Secretary for Preparedness and Response (ASPR) within the Office of the Secretary of the U.S. Department of Health and Human Services (HHS). In that capacity, I oversee the operational programs conducted by ASPR including the National Disaster Medical System and the Incident Management Framework, and serve as a senior advisor to the ASPR during deployments of ASPR personnel. I have served in my current position since 2018.

2. I am familiar with the proposal challenged in this lawsuit to use the Fairview Developmental Center in Costa Mesa, California to house certain California residents evacuated from the Diamond Princess who have tested positive for COVID-19.

3. The federal government has decided not to move forward with the challenged proposal. The federal government has no plans to use the Fairview Developmental Center, or any other facility in Costa Mesa, to house individuals

1 who have tested positive for COVID-19, and it has made other arrangements for
2 the individuals previously proposed to be housed at Fairview.

3 I swear under penalty of perjury that the foregoing is true and correct to the
4 best of my knowledge and belief.

5 Dated: February 28, 2020


6 Dr. Kevin Yeskey
7 Principal Deputy Assistant Secretary
8 for Preparedness and Response
9 U.S. Department of Health and
10 Human Services
11 Washington, D.C.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28