

Justin K. Cole  
Kathryn S. Mahe  
GARLINGTON, LOHN & ROBINSON, PLLP  
350 Ryman Street • P. O. Box 7909  
Missoula, MT 59807-7909  
Phone (406) 523-2500  
Fax (406) 523-2595  
jkcole@garlington.com  
ksmahe@garlington.com

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

MONTANA MEDICAL  
ASSOCIATION, et al.,

Plaintiffs,

and

MONTANA NURSES  
ASSOCIATION,

Plaintiff-Intervenors,

v.

AUSTIN KNUDSEN, et al.,

Defendants.

CV 21-108-M-DWM

DECLARATION OF DIANA JO  
PAGE

I, Diana Jo Page, declare, pursuant to 28 U.S.C. § 1746 and under penalty of perjury, that the foregoing is true and correct:

1. I am a Plaintiff in the above-entitled action. The facts set forth in this Declaration are known to me based on my personal knowledge and belief.

2. I am 80 years old and I live in Kalispell, Montana with my husband Wally. I am a recent breast cancer survivor, which required chemotherapy, radiation, and surgery. My breast cancer and treatments impacted my ability to perform my normal activities and my immune system has been compromised, as a result. I am also the primary caregiver for my husband, Wally, who is battling cancer.

3. As I met with different doctors, including primary care, oncologist, surgeons, and radiologists, I learned from them how important it was to keep myself safe from crowds, public areas, and exposures to anything that could penetrate my compromised immune system. I also have to avoid exposure so as not to expose Wally to diseases, particularly given his compromised state from his chemotherapy treatments.

4. Due to my and Wally's health conditions, we have been very cautious to avoid exposure to diseases. We have a very active family and once the pandemic surfaced, our family became isolationists. We did not attend athletic events, weddings, any organization meetings, concerts, or the like. Our family would come by and talk to Wally and me from the yard just so they could see us and vice versa.

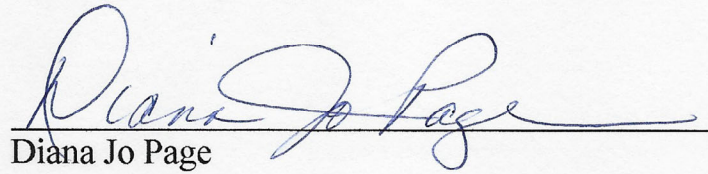
5. Both Wally and I contracted COVID recently. We are both vaccinated and thankfully we recovered. We have gone back to being more cautious again. We are more concerned now that we are headed into fall when flu and COVID are expected to be worse.

6. I have osteoarthritis in my knee, which causes me significant pain. For example, when I get done going to the grocery store, I will be limping and in a lot of pain. I had a knee replacement on my knee a number of years ago, and I may need to have a replacement done on my other knee as well. However, I am not comfortable seeking this care at the present time, given the risks of exposure, so I have been putting off this needed medical treatment. Particularly with the knowledge that, due to House Bill 702, the medical providers cannot ensure I will be treated by fully vaccinated staff, I am not willing to risk exposing myself and Wally by seeking this treatment right now.

7. Wally and I have avoided seeking care from an emergency room or urgent care to avoid risk of exposure to diseases. I had an asthma attack around the Fourth of July, and though I recovered, my family urged me to go to the emergency room. I refused to go to the emergency room given the risks of exposure, particularly considering I could not ensure that I would be treated by fully vaccinated staff.

8. I have had conversations with my primary care provider regarding her vaccination status, and she indicated she was fully vaccinated for COVID-19.

DATED this 12<sup>th</sup> day of September, 2022.

  
Diana Jo Page