Exhibit 374

Attorney breaks COVID establishment's 'immunity defense' in Remdesivir wrongful death case

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NEWS

Attorney breaks COVID establishment's 'immunity defense' in Remdesivir wrongful death case

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(LifeSiteNews) — In what could be a turning point for efforts to hold COVID-19 treatment manufacturers accountable for the dangers of their products, a California medical freedom attorney says he has been able to circumvent a legal defense based on a federal law immunizing drug companies from liability under certain circumstances.

The federal Public Readiness and Emergency Preparedness (PREP) Act of 2005 "authorizes the Secretary of Health and Human Services (HHS) to limit legal liability for losses relating to the administration of medical countermeasures such as diagnostics, treatments, and vaccines," according to the Congressional Research Service (CRS). Near the beginning of the pandemic, the Trump administration's HHS invoked the Act in declaring the virus a "public health emergency."

Under this "sweeping" immunity, CRS explains, the federal government, state governments, "manufacturers and distributors of covered countermeasures," and licensed or otherwise-authorized health professionals distributing those countermeasures are shielded from "all claims of loss" stemming from those countermeasures, with the exception of "death or serious physical injury" brought about through "willful misconduct," a standard that, among other hurdles, requires the offender to have acted "intentionally to achieve a wrongful purpose."

The PREP Act has made it difficult to penalize doctors, hospitals, and pharmaceutical companies for deaths and other harms attributable to the COVID vaccines, lockdowns, ventilators, and other measures. But attorney Matthew P. Tyson, who specializes in cases relating to vaccine objectors and injury stemming from the controversial COVID drug Remdesivir, says that he has made a breakthrough against such defenses.

> In the first ruling on a PREP Act immunity challenge to one of our Remdesivir wrongful death cases, the court stated that the defendant's facts were deficient and declined to sustain demurrer. The case moves forward.
>
> — Matthew P Tyson (@MatthewPTyson) April 10, 2023

Speaking on a podcast published Saturday by the Truth for Health Foundation, Tyson explains that in a Remdesivir wrongful death case he is currently representing in California, he was able to bypass the "immunity defense" thanks to "creative legal strategy." This included taking advantage of the state's Protection of Human Subjects in Medical Experimentation Act, essentially California's own version of the international Nuremberg Code, which forbids human medical experimentation without informed consent as to the potential risks.

While the PREP Act covers the dispensing of Remdesivir itself, Tyson explained, his firm developed an argument that it does *not* apply to "inaction, the failure to do something."

"What we are doing is focusing on something that happens earlier in the timeline, and that is when the physician and the patient [...] are having their consultation and deciding what treatment to give," he said. "We're looking at that time window, and the physician has a fiduciary duty in California to disclose everything to the patient or to the patient's representative that the patient would reasonably think is important. That includes the planned drug use, its risks, alternative treatments, and any conflicts such as financial interests that the physician may have directly or indirectly in a given treatment. And we're focusing on the failure to make these fiduciary disclosures to the patient or patient representative, that inaction in violation of a fiduciary duty, which under California law amounts to constructive fraud."

Tyson also revealed that in his work on these cases, he found that 99 percent of Remdesivir deaths were people not vaccinated for COVID, suggesting that the prescriptions were discriminatory in nature. He also said he found the drug carries a 3,000% higher risk of death than other medications.

Attorneys bringing other Remdesivir death lawsuits in California that LifeSiteNews covered last fall noted that Remdesivir "received Emergency Use Authorization in or around May of 2020, after being recommended by [a National Institutes of Health] panel that contained nine individuals with financial ties to its creator, Gilead Sciences."

"Doctors have a duty to review the literature, especially in an emerging crisis, and to stay abreast of these developing guidelines," the attorneys argue in a press release. "Safety and avoiding harm should always come first in a clinical environment. COVID-19 has a 99.97% survival rate. Remdesivir *decreases* this survival rate exponentially. This protocol is cruel, deadly, unnecessary and also, as it turns out, highly financially incentivized."

Tyson says that his victory in the case, which will now proceed on matters other than immunity, has set a precedent that "should bode well now for all of the other cases and all of the other victims' families."

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