

District Court of the Northern Netherlands,
Leeuwarden branch Case number: C/17/190788 /
HAZA 23/172 Hearing date: 3 September 2025

STATEMENT OF REPLY

concerning:

ALBERT BOURLA ("BOURLA")
residing in Greenwich, United States of America

Defendant No. 11,
lawyers: D.C. Roessingh, LL.M., and M. Bredenoord-Spoek, LL.M.

against:

1. [REDACTED] in Sneek, municipality
of Südwest-Fryslân,
2. [REDACTED]
[REDACTED]
3. [REDACTED]
[REDACTED]
4. [REDACTED]
[REDACTED]
5. [REDACTED]
[REDACTED]
6. [REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

claimants,
solicitors: Mr A.G.W. van Kessel and Mr P.W.H. Stassen

1 INTRODUCTION

1.1 Introduction

1. In this rejoinder, Bourla responds to the reply submitted by Minks et al. on 11 June 2025 (the “Reply”).
2. The CvR largely reiterates what Minks et al. had already set out in the writ of summons. The crux of the allegations remains that the coronavirus, the disease COVID-19 and the COVID-19 pandemic are fabricated, and that the vaccines are neither safe nor effective (and are in fact biological weapons), and that their actual purpose was to bring about “*Project COVID-19: The Great Reset*”¹. According to Minks et al., as part of this “*Great Reset*” and through the COVID-19 vaccines, a genocide against the world’s population is allegedly taking place on both a mental and a physical level, the aim of which is to cause humanity to (ultimately) lose its soul and life, thereby ushering in the New World Order.* All the defendants, as well as the UN, the WEF, NATO, the WHO, the EU and the United States,² are alleged to be involved in this sinister conspiracy.
3. It is almost impossible to imagine more serious (and more implausible) allegations, so one might have expected Minks et al. to provide evidence to support their claims. However, the writ of summons contained no substantive evidence, and none is to be found in the statement of defence either.³
4. As Bourla explained in his statement of defence of 20 February 2024 (‘Statement of Defence’) (as did the other defendants in their respective statements), the coronavirus, COVID-19 and the COVID-19 pandemic do exist; the COVID-19 vaccines are safe and effective; and there is (therefore) no question of deception, genocide or any other (intended) modification of humankind through the COVID-19 vaccines.⁴ Nor does this in any way constitute the implementation of a Great Reset or herald the advent of the New World Order.⁵ In any event, there is no causal link whatsoever between the alleged unlawful acts and the alleged damage.⁶ The claims of Minks et al. are already rejected on this basis alone.

1.2 Reading guide

5. In this rejoinder, Bourla explains in further detail that Minks’s arguments the claims made by Minks et al. in the CvR, in so far as they relate to him, to Pfizer and/or to the qualities of Comirnaty, are incorrect or, at any rate, cannot lead to the claims being upheld.
6. In Chapter 2, Bourla explains that the assertions made by Minks et al. regarding COVID-19 and the COVID-19 pandemic lack any factual basis. In Chapter 3

¹ Statement of Defence, para. 3.

² CvR, nos. 5–25.

³ CvR, nos. 11, 14, 17 and 132.

⁴ See also V. Van den Brink, ‘Asserting, disputing, proving — a guide’, *TvPP* 2008, issue 4, p. 92: “*It is therefore not in itself a requirement that factual assertions immediately provide a credible account, but a party that puts forward a highly implausible assertion may well be expected to provide as much evidence as possible to substantiate its position.*”

⁵ Statement of Defence, nos. 1–5 and 14–124.

⁶ CvA, nos. 6–8, 116 and 123–124.

Statement of Defence, nos. 138–140.

Bourla explains that the claims made by Minks et al. regarding the alleged lack of safety of COVID-19 vaccines also lack a factual basis. In Chapter 4, Bourla explains that Minks et al. do not meet the threshold for proceedings for damages. In Chapter 5, Bourla explains that the request to hear certain individuals as experts or witnesses must be rejected. In Chapter 6, Bourla explains that there is likewise no reason to order the requested preliminary hearing, as the claims of Minks et al. must clearly be dismissed.

1.3 Request to disregard in their entirety Exhibits Minks-108, -111 and -113

7. In support of certain arguments, Minks et al. refer in general terms to the very extensive Exhibit Minks-108 (over 4,000 pages), -111 (a German-language video lasting 1 hour and 20 minutes, without a transcript or subtitles) and -113 (a book of over 130 pages that was 'to be provided *via UT*', but was never received), without, however, specifying a specific reference within those exhibits. This contravenes the duty to provide guidance. Neither Bourla nor the court can be expected to search for themselves for possible evidence to support a claim made by Minks et al. within thousands of pages of exhibits. These exhibits are therefore inadmissible. The same applies to general references to websites where additional information might be consulted.¹⁰
8. Bourla therefore requests the court to disregard in their entirety Exhibits Minks-108, -111 and -113 in their entirety, as well as the content of other exhibits or websites, insofar as Minks et al. have not referred to specific passages therein.

2 RESPONSE TO CLAIMS REGARDING COVID-19, OR AT LEAST THE COVID-19 PANDEMIC

9. In this chapter, Bourla responds to the assertions made by Minks et al. that COVID-19 or the COVID-19 pandemic do not actually exist. In section 2.1, Bourla explains that COVID-19 and the COVID-19 pandemic do in fact exist and that the claims made by Minks et al. constitute unfounded conspiracy theories. Bourla endorses the arguments set out in the reply submitted by the State and various natural persons (collectively, the 'State') on 23 July 2025 (**Exhibit Bourla-59**) and adopts them as his own. Bourla otherwise limits his reply to

⁸ CvR, no. 55.

⁹ Supreme Court 10 March 2017, ECLI:NL:HR:2017:404, *NJ* 2017/147, para. 3.3.2. In the same vein, Advocate General Hammerstein for the Supreme Court 31 October 2014, ECLI:NL:HR:2014:3075, *NJ* 2014/485, no. 9: "An 'opposing party' must be able to defend itself properly and need not accept that the content of the annexes is deemed to be repeated and incorporated into a pleading. This turns the proceedings into a grab bag from which arguments can be drawn at will. [...] The court need not conduct its own investigation into the contents of the exhibits submitted, except in so far as clear reference is made to them in the pleadings." See also De Bock, in: GS Civil Procedure, Art. 85 of the Code of Civil Procedure, note 3, and V.C.A. Lindijer, Proper Procedural Order. An investigation into the meaning of 'proper conduct of proceedings' as a normative concept in civil procedural law (*Burgerlijk Proces & Praktijk* no. IV) (PhD thesis, Groningen) 2006/4.4.1.3.

¹⁰ See, for example, CvR, No. 47: "This information has entered the public domain uncensored [...]. This information amounts to tens of gigabytes and was explained at a press conference on 23 July 2024 by Prof. Dr Stefan Homburg, Aya Velázquez and Bastian Barucker. The minutes of the RKI-Kristentabs are submitted as Exhibit 108. For the full information, including a video of the press conference, supplementary material, email correspondence and the RKI minutes, please refer to the website <https://rki-transparenzbericht.de/>, where all of these can be freely viewed and downloaded. Due to the volume of these documents, Minks et al. rely on your court and the parties' agreement to introduce these documents, including the video of the press conference, into the proceedings via this link so that they form part of the case file.

statements that concern him, or at least Pfizer. In section 2.2, Bourla responds to Exhibits Minks-108, -111 and -112. The conclusions drawn by Minks et al. cannot be derived from these exhibits. Finally, in paragraph 2.3, Bourla responds to the conspiracy theory put forward by Minks et al. that Moderna's CEO was informed in advance about the COVID-19 pandemic.

2.1 The claims made by Minks et al. constitute unfounded conspiracy theories

10. Contrary to what Minks et al. believe, the coronavirus is real, as are the disease COVID-19 and the global pandemic that broke out in March 2020.¹¹ The COVID-19 vaccines, including Comirnaty, contributed significantly to curbing the pandemic.¹² Bourla refers to Chapter 1 of his Statement of Case for a detailed explanation of the existence of COVID-19 and the COVID-19 pandemic.
11. Minks et al. refuse to accept these facts, and dismiss all of the defendants' evidence-backed assertions as '*manipulated data*' that is allegedly part of a fabricated '*preferred reality*' which the State is 'projecting' onto the population.³ Minks et al. allege that he (and the entire world population) has been deliberately misled into getting vaccinated against COVID-19. This, they claim, was done as part of a large-scale conspiracy — aimed at genocide amongst the population, with the COVID-19 vaccines serving as '*bioweapons*', according to Minks et al.
12. Minks et al. appear to have derived these conspiracy theories from (the title of) the book **The Great Reset**, which describes what the world might look like after COVID-19, according to the authors (and nothing more than that).¹⁴ There is no 'The Great Reset' project relating to COVID-19, at least not in the sense intended by Minks et al., and Bourla is in any case not part of it. Nor does Bourla know (everything) that the other defendants are alleged to know, as Minks et al. claim without any substantiation.¹⁵ There is no factual basis whatsoever for the claims made by Minks et al.
13. Bourla has taken note of the State's reply. Bourla concurs with this and, in particular, with the following assertions:
 - that the (absurd) allegations made by the defendants are incorrect and unfounded (para. 1.3);
 - that the arguments put forward by the State (and Bourla and the other defendants) have not actually been refuted in the statement of defence. Instead, Minks et al. paint an alternative and fictitious reality, with the statement of defence being a patchwork of speculations and theories (para. 1.4);

¹¹ See Bourla's Statement of Defence, paras. 1–3; WHO, *WHO Director-General's opening remarks at the media briefing on COVID-19*, 11 March 2020 (**Bourla-1**), available at www.who.int/director-general/speeches/detail/who-directorgeneral-s-opening-remarks-at-the-media-briefing-on-COVID-19 ----11-march-2020.

¹² See Conclusion of Bourla's Response, no. 4; The Lancet, '*Global impact of the first year of COVID-19*', 23 June 2022 (**Bourla-4**), available at www.thelancet.com/action/showPdf?pii=S1473-3099%2822%2900320-6.

¹³ CvR, no. 45.

¹⁴ CvA, no. 6.

¹⁵ CvR, no. 3.

- that it is impossible to hold a genuine debate in this way (no. 1.5);
- that Minks et al. must, in these proceedings, allege and substantiate that they were treated unlawfully and that they suffered damage as a result, and that Minks et al. have failed to do so (para. 2.1);
- that the arguments and evidence submitted by Minks et al. do not detract from the State's (and Bourla's and the other defendants') assertion that COVID-19 exists, that there has been a COVID-19 pandemic, and that the widely held scientific consensus is that the various COVID-19 vaccines have been a safe and effective means of combating that pandemic (nos. 2.2–2.3);
- that the arguments put forward by Minks et al. are also not supported by the documents submitted by Minks et al., as Minks et al. frequently take matters out of context and the documents do not contain what Minks et al. claim about them (para. 2.4);
- that Minks et al. rely on documents of limited value (para. 2.5);
- that, moreover, the arguments put forward by Minks et al. are largely part of conspiracy theories (which have been found to be unfounded) (para. 2.6);
- that the claims of Minks et al. must therefore be dismissed, as there has been no unlawful conduct and Minks et al. have failed entirely to substantiate that damage was suffered as a result of a COVID-19 vaccination (para. 2.7); and
- that Minks et al. have failed to make a sufficient case, particularly in light of the defence put forward by the State (and Bourla) in the statement of defence, to be permitted to adduce further evidence — quite apart from the fact that the evidence offered is also irrelevant (para. 2.8).

2.2 The conclusions put forward by Minks et al. cannot be drawn on the basis of Exhibits Minks-108, -111 and -112

14. In support of his conspiracy theory that there was no COVID-19 pandemic and (therefore) no medical necessity for the COVID-19 vaccinations, Minks et al. referred to various exhibits relating to the minutes of the meetings of the German RKI-Krisenstabs (the Robert Koch Institute's COVID-19 crisis management team), namely Exhibits Minks-108, -111 and -112.
15. With regard to Exhibits Minks-108 and -111 (4,000 pages and, respectively, a German-language video of 1 hour and 20 minutes' duration without a transcript or subtitles), Minks et al. fail to refer to relevant passages. As a result, Bourla has been unable to familiarise himself with the content of these exhibits and therefore requests the court to disregard them (see paragraph 1.3 above).
16. Exhibit Minks-112 concerns a book by Bodo Schiffman. Schiffman is not a reliable and objective expert. He is a propagator of conspiracy theories surrounding COVID-19 and a well-known figure within the German

coronavirus protest movement 'Querdenken', whose supporters include, amongst others, right-wing extremists and conspiracy theorists.¹⁶

17. According to Minks et al., it follows from Exhibit Minks-112, in so far as it is relevant to the claims of Minks et al.,¹ that:

- *“there is a maliciously conceived global project — Covid-f9: The Great Reset — which is being rolled out everywhere, including in the Netherlands, according to the same script”,* and that
- *“following the large-scale Covid-19 vaccination campaign, public health has deteriorated significantly and far more people are dying than before this Covid-19 vaccination campaign”.*

18. Firstly, those allegations are factually incorrect (see Statement of Defence, paras. 6, 37, 116 and 123–124). Secondly, Minks et al. do not substantiate these claims with evidence. Minks et al. have failed to refer to specific pages of the RKI minutes – which run to more than 4,000 pages – where the quotations cited by Schiffman are said to be found, meaning that the quotations cannot be verified by Bourla. Even if one were to assume the accuracy of the quotations from the RKI minutes as presented by Schiffman (the 'Quotations'), it still does not follow from these Quotations that Minks et al. are correct.¹

- Minks et al., for example, argue that it follows from the quotations that *“patients in hospitals and residents of care homes were murdered by emergency services on the orders of the German State”*.²⁰ They refer to passages from the RKI minutes which describe a procedural protocol of an ethics committee. These state that, since 21 March 2020, *“patients over the age of 80 who are deemed to require ventilation shall no longer [receive] intubation (ventilation)”*, but instead *“rapid end-of-life care with opiates and sedatives”*.²¹ This concerns how patients over the age of 80 who are no longer able to

¹⁶ 'Fact check: Three children have not died from wearing masks in Germany', *Reuters* 6 October 2020, <https://www.reuters.com/article/world/fact-check-three-children-have-not-died-from-wearing-masks-in-germany-idUSKBN26R3D8/>; 'Police search the surgery of "Querdenken" spokesperson Bodo Schiffmann', *Spiegel Panorama* 28 October 2020, <https://www.spiegel.de/panorama/bodo-schiffmann-polizei-durchsucht-praxis-von-querdenken-wortfuehrer-in-sinsheim-a-5e24206a-9b73-4065-955f-4e113b4da3e1>; 'Querdenken spokesperson Bodo Schiffmann charged', *Spiegel Panorama*, 13 April 2022, <https://www.spiegel.de/panorama/justiz/bodo-schiffmann-querdenken-wortfuehrer-wegen-volksverhetzung-angeklagt-a-0bef4145-24d8-47c8-91e5-05a96d0a0f2c>; 'Security service sets its sights on the "Querdenken" anti-lockdown protest movement', *Germany Institute*, 28 April 2021, <https://duitslandinstituut.nl/artikel/43629/veiligheidsdienst-richt-vizier-op-coronaprotest-beweging-querdenken>.

¹⁷ Minks et al. also claim, for example, that the RKI was involved in insider trading (Statement of Defence, para. 50, tenth bullet point). Bourla fails to see the relevance of this assertion to the claims. Moreover, it is incorrect. After all, the minutes in question state: *“Efficacy studies reach a milestone for the BioNTech/Pfizer mRNA vaccine. So far, this has only been disclosed as press information (PI), to prevent insider trading on the stock market”*, see Exhibit Minks-112, p. 138 (lawyer's translation). The minutes therefore concern the prevention of *insider trading* on the stock market, not 'insider trading*' or trading on inside information by the RKI.

¹⁸ CvR, no. 51.

¹⁹ See also: the State's reply to the counter-submission of 24 July 2025, footnote 18.

²⁰ CvR, no. 50, third bullet point.

²¹ Exhibit Minks-112, p. 194 (lawyer's translation).

can breathe. It does not state here that people are being murdered at the behest of the German state.

- Another example: Minks et al. claim that the Citations show that “on 3 February 2021, it was already absolutely clear from the figures that people were not dying from ‘Covid-19’, but from the toxic Covid-19 mRNA injections”.²² This is not stated in the Quotes. On the contrary, the Quote in question describes the success of the infection control measures. It also notes that the number of deaths may remain high due to a delay in reporting.²³

2.3 Moderna’s CEO was not informed in advance about the COVID-19 pandemic

19. To support their conspiracy theory that the COVID-19 pandemic is a hoax, Minks et al. also refer to the alleged “*public confession*” by Moderna’s CEO, Stephane Bancel, in January 2023.²⁴ According to Minks et al., Bancel is said to have stated that Moderna had a production capacity in 2019 of 100,000 vials of COVID-19 vaccines, which was to be scaled up to one billion vials “*because he knew that a pandemic was planned for 2020*”.²⁵ According to Minks et al., this information would have been “*known in advance to the CEOs of companies involved in “vaccine development”*”, including Bourla.²⁶
20. First of all: statements made by Moderna’s CEO cannot be attributed to Bourla as CEO of Pfizer, as Minks et al. claim without any evidence.
21. Furthermore: as is evident from Exhibit Minks-118, Bancel noted in January 2023 that Moderna had produced a total of 100,000 vaccines in 2019 (i.e. not COVID-19 vaccines, which he does not mention either).²⁷ He went on to say that, at the end of January 2020 (following that year’s WEF meeting in Davos from 21–24 January 2020), he told a colleague that Moderna might even have to produce a billion vaccines that year, as a pandemic appeared to be on the horizon. This was, of course, the COVID-19 pandemic, the first signs of which were already visible in January 2020.²

3 COMIRNATY IS SAFE AND EFFECTIVE

22. In this chapter, Bourla responds to the claims made by Minks et al. that Comirnaty is unsafe or ineffective. In section 3.1, Bourla explains that Comirnaty is indeed highly effective in preventing symptomatic

²² CvR, no. 50.

²³ Exhibit Minks-112, p. 170 (translation by counsel).

²⁴ CvR, no. 61.

²⁵ CvR, no. 61.

²⁶ CvR, No. 126.

²⁷ <https://apnews.com/article/fact-check-moderna-covid-stephane-bancel-298794971352>

²⁸ ‘January 2020: First signs of coronavirus’, *Central Government*, <https://www.rijksoverheid.nl/onderwerpen/coronavirus-tijdlijn/januari-2020-eerste-signalen-corona#timeline-minor-event-1500367331553191768>; ‘China confirms human-to-human transmission of coronavirus’, *The Guardian*, 21 January 2020, <https://www.theguardian.com/world/2020/jan/20/coronavirus-spreads-to-beijing-as-china-confirms-new-cases>; ‘COVID flashback: On 30 January 2020, the WHO declared a global health emergency’, NPR, 29 January 2023, <https://www.npr.org/sections/goatsandsoda/2023/01/29/1151833783/covid-flashback-heres-how-npr-reported-on-the-coronavirus-at-a-turning-point>.

the course of COVID-19 and has only a few, generally mild and short-lived side effects. The arguments put forward by Minks et al. regarding the alleged unsafety of Comirnaty are already refuted by this fact. In section 3.2, Bourla explains that it cannot be concluded from the ‘studies’ submitted by Minks et al. that Comirnaty is unsafe. These studies are flawed and originate from anti-vaccination activists, and/or have been misinterpreted or misrepresented. In paragraph 3.3, Bourla explains that the claims made by Minks et al. regarding the composition of Comirnaty are incorrect and are not supported by the evidence cited. In paragraph 3.4, Bourla responds to the claims made by Minks et al. regarding alleged differences between batches of Comirnaty.

3.1 Comirnaty is effective in preventing a symptomatic course of COVID-19 and is neither unsafe nor defective

23. Minks et al. state in the Statement of Defence that mRNA COVID-19 vaccines, including Comirnaty, are unsafe because they allegedly lead to *“a massive increase in all manner of serious illnesses, such as aggressive cancers, cardiovascular diseases, diabetes and sudden death, mostly among people in the prime of their lives.”*²⁹ Minks et al. also claim that part of ‘The Great Reset’ is to sterilise people through COVID-19 mRNA injections.³⁰ All of this is incorrect.
24. As explained in the ^{CvA}³¹, Comirnaty is a medicinal product that meets the requirements for safety and efficacy. The fact that Comirnaty may have side effects, like any other medicinal product, does not make it unsafe or defective within the meaning of Article 6:186 of the Dutch Civil Code.³² The key issue is whether the benefits of the vaccine, given its effectiveness and the severity of the disease against which Comirnaty provides protection, outweigh the possibility of serious side effects. That is the case.³³
25. Comirnaty is highly effective (95%) in preventing symptomatic COVID-19.³⁴ The course of COVID-19 can be very severe and has led to more than 7 million deaths worldwide.³⁵ By way of comparison, seasonal flu causes between 290,000 and 650,000 deaths worldwide every year.³⁶ Scientific research shows that the COVID-19 vaccines, including Comirnaty, have prevented nearly 20 million deaths worldwide.³⁷

²⁹ CvR, no. 50.

³⁰ CvR, nos. 46, 56 and amended claim.

³¹ Statement of Defence, paras. 3.1–3.2.

³² The relevant assessment framework in this case. This also demonstrates the irrelevance of the assertion in CvR, no. 67, that *‘US regulations assume that a “vaccine” by definition causes harm to public health and that, under US medical law, there is no precautionary principle to protect people against “vaccine damage”’*. Leaving aside the accuracy of this portrayal of US law: it is true that a vaccine, like other medicines, may cause side effects and may therefore, to that extent, lead to (temporary) ‘harm’ to health; however, that does not make a vaccine unsafe or defective.

³³ CvA, nos. 32 and 133.

³⁴ CvA, nos. 27–28.

³⁵ <https://data.who.int/dashboards/covid19/deaths> (accessed on 1 September 2025).

³⁶ <https://www.who.int/news-room/fact-sheets/detail/influenza-> (seasonal) (accessed on 1 September 2025).

³⁷ CvA, no. 36.

26. Comirnaty also has few side effects, which are generally mild and short-lived.³ The claims made by Minks et al. regarding the alleged side effects of Comirnaty do not hold water:

- There is no evidence that Comirnaty causes ^{cancer} or diabetes (and Minks et al. provide absolutely no evidence whatsoever to support the latter claim).
- Insofar as Minks et al. use *the term 'cardiovascular diseases'* to refer to myocarditis (inflammation of the heart muscle) and pericarditis (inflammation of the pericardium), it is true that these are side effects of Comirnaty. However, these side effects are extremely rare. They usually resolve spontaneously or can be effectively treated with medication.⁴⁰
- Comirnaty does not (and has not) led to a massive increase in deaths. As is well known, the potential side effects of Comirnaty are closely monitored.⁴ In this context, there has also been continuous monitoring to determine whether reported deaths following vaccination might be the result of the vaccination. Between January 2021 and December 2023, approximately 12,000 reports of deaths following vaccination were made (out of approximately 1 billion doses administered). This does not mean that those deaths are (therefore) the result of the vaccination. Investigations by the EMA and Member States have shown that only in *very exceptional cases* has a serious side effect of a COVID-19 vaccine *may* have contributed to a death.⁴²

38 CvA, no. 37.

39 <https://www.ema.europa.eu/en/human-regulatory-overview/public-health-threats/coronavirus-disease-covid-19/covid-19-medicines/covid-19-vaccines-key-facts#vaccine-safety-7220>: "Furthermore, safety monitoring of vaccines shows that any side effect usually occurs within two months of vaccination. There is no evidence that COVID-19 vaccines may cause side effects, such as cancer, in the long term."

40 <https://www.cbg-meb.nl/onderwerpen/medicijninformatie-vaccinaties/coronavaccins/comirnaty#anker-5-bijwerkingen> under 'Inflammation of the heart muscle or pericardium': "A very rare side effect of the vaccine is inflammation of the heart muscle (myocarditis) or inflammation of the pericardium (pericarditis). This side effect occurs in fewer than 1 in 10,000 people and is therefore very rare. Symptoms include shortness of breath, chest pain and palpitations, which are sometimes irregular. The symptoms usually resolve on their own or can be effectively treated with medication."

41 CvA, para. 3.23.

42 <https://www.ema.europa.eu/en/human-regulatory-overview/public-health-threats/coronavirus-disease-covid-19/covid-19-medicines/covid-19-vaccines-key-facts#common-misunderstandings-and-false-claims-65639>: "As with other medicines, the EMA has received reports of deaths following **COVID-19 vaccination**. Between January 2021 and December 2023, with around 1 billion doses of **COVID-19** vaccines administered, about 12,000 spontaneous reports of death were received in EudraVigilance from healthcare professionals and members of the public. This does not mean that COVID-19 vaccines caused these deaths. When millions of people are vaccinated, it is likely that some of them will, by chance, experience an illness or even die in the days or weeks following vaccination, without this being caused by the vaccine. In most cases, these events would have occurred even if the individuals had not been vaccinated, particularly amongst the elderly and those with pre-existing or undiagnosed **medical conditions**. When monitoring the safety of medicines, the EMA and EU Member States analyse the reported suspected adverse reactions for any unusual or unexpected patterns, such as a medical event occurring more frequently in vaccinated people than in the general population, which may indicate a safety concern. They also review data from other sources, such as **scientific** studies and the medical literature. When a safety concern is identified, the EMA and EU Member States investigate it thoroughly and take the necessary action to protect public health. This continuous monitoring has enabled the detection of very rare but serious side effects which, in very exceptional circumstances, may have contributed to the death of a vaccinated person. The vaccines' product information highlights instances where a serious side effect could have led to death. Apart from these very exceptional cases of death potentially linked to serious side effects, there is no evidence so far to suggest that other reported deaths may be linked to vaccination."

- There is no evidence that Comirnaty has any (adverse) effect on fertility.⁴³ Minks et al. do not substantiate this claim but refer in passing to Exhibit Minks-114 in paragraph 56 of the Statement of Defence. This exhibit contains a video of Prof. Burkhardt, who has been criticised in the past for spreading inaccurate information about vaccines.⁴⁴ In the video, Burkhardt shows images in which the spike protein is allegedly visible in the testes of a 28-year-old man who is said to have died approximately five months after receiving Comirnaty, and of an 85-year-old man; in both cases, few spermatocytes are reportedly visible. Even if one were to assume these images are accurate, this could still have all sorts of other causes (certainly in the case of an 85-year-old man). Burkhardt then makes a *“personal comment”* – but explicitly *“not a scientific comment”* – that, as a *“woman of childbearing age”*, he has no plans to have children with a vaccinated man. Apparently, Burkhardt himself did not dare to suggest that there was any scientific basis for the claim that Comirnaty had (adverse) effects on fertility.

27. It follows from the foregoing that the benefits of vaccination, also taking into account its broader benefits for society, outweigh the potential – and limited – risks. The arguments put forward by Minks et al. regarding the alleged unsafety of Comirnaty are already refuted on this basis.

3.2 The studies submitted do not show that Comirnaty is unsafe

28. In support of his claims that Comirnaty is unsafe, Minks c.s. have submitted various so-called ‘studies’. These comprise two articles by McCullough et al. (section 3.2.1), the book ‘Vaccinated-dead’ (section 3.2.2) and an article by Krüger in the Berliner Zeitung (section 3.2.3). These articles and books were all written by well-known proponents and propagators of conspiracy theories and anti-vaccination activists. In contrast to these unreliable and non-scientific ‘studies’, Bourla has in fact submitted reliable scientific evidence demonstrating that Comirnaty is safe and effective.⁴⁵ Minks et al. have misinterpreted the Pfizer study that they submitted to the CvR (para. 3.2.4).

3.2.1 Articles by McCullough et al.

29. Minks et al. have submitted two articles by Peter Andrew McCullough and others as Exhibits Minks-115 and -116.
30. The Minks-116 study is a ‘case report’ in which the authors comment on the post-mortem report of a single fatality (where the post-mortem was not carried out by them). No broader conclusions can be drawn on the basis of a single fatality; this constitutes, at best, anecdotal evidence. Furthermore, this study does not, in any case, demonstrate that the death was related to COVID-

⁴³ See, for example, <https://www.rivm.nl/corona/coronaprik/veiligheid>: “Can the COVID-19 vaccine make me infertile? No. There are no adverse effects on fertility following the COVID-19 vaccine.” See also <https://www.lareb.nl/mvm-kennis-pagina/Coronavaccin-tijdens-de-zwangerschap> and <https://www.cdc.gov/covid/vaccines/pregnant-or-breastfeeding.html> en <https://www.sciencedirect.com/science/article/pii/S0264410X22011185>.

⁴⁴ ‘Fact Check: A four-page paper, which has not yet been peer-reviewed, is not proof that COVID-19 vaccines cause 93 per cent of deaths occurring after vaccination’, *Reuters*, 7 January 2022.

⁴⁵ CvA Bourla, nos. 25–28, 32, 34–38.

19. Vaccination. The individual in question was vaccinated on 1 July 2021 and died on 7 January 2023. Three days before his death, the individual had a viral infection of the upper respiratory tract. The coroner who performed the post-mortem examination concluded that the individual in question died of cardiovascular disease resulting from high blood pressure. The authors note that “[t]o ensure a comprehensive understanding of the potential impact of COVID-19 vaccines on adverse fatal outcomes, it is critical to conduct specific tests during post-mortem procedures.”⁴⁶ After all: “[w]ithout proper post-mortem investigation into specific COVID-19 vaccine components residing in blood and tissues, it is difficult to confidently determine the cause of death in COVID-19 vaccinated subjects.”⁴⁷ In this case, according to the article, no such investigation was carried out during the autopsy (“the autopsy failed to investigate the presence of COVID-19 vaccine-specific components”).⁴⁸ The authors then speculate that the actual cause of death was the COVID-19 vaccination, based on an unverified ‘batch analysis’. In doing so, they do not employ sound scientific methods, such as an empirical study with a control group.

31. Exhibit Minks-115 also relates to an article from 2024 concerning post-mortem examinations carried out by others, which the authors misrepresent.⁴ The ‘study’ therefore suffers from the same flaw as the ‘study’ in Exhibit 116, namely that the autopsies did not involve a “proper post-mortem investigation into specific COVID-19 vaccine components residing in blood and tissues” (at least, this is not apparent from the study). Instead, the authors have identified the COVID-19 vaccination as the cause of death on the basis that ‘at least two of the three researchers agreed’ on this, relying on circumstantial evidence and not on autopsies they carried out themselves. One of those researchers is Peter Andrew McCullough, a well-known anti-vaccination activist who, during the COVID-19 pandemic, repeatedly made false and misleading claims contrary to the scientific and medical consensus.*¹ McCullough’s

⁴⁶ Exhibit Minks-116, p. 39.

⁴⁷ Exhibit Minks-116, p. 39.

⁴⁸ Exhibit Minks-116, p. 38.

⁴⁹ ‘Withdrawn: A systematic review of autopsy findings in deaths following COVID-19 vaccination’, *Forensic Science International*, 21 June 2024,

<https://www.sciencedirect.com/science/article/pii/S0379073824001968?via%3Dihub>

⁵⁰ Minks-115, p. 4: “[...] three medical experts (RH, WM, PAM [Peter Andrew McCullough, adv.]) with experience in death adjudication and anatomical/clinical pathology independently reviewed the available evidence for each case (Table S1), including demographic information, clinical findings and vaccination data, and histological findings, and determined whether or not COVID-19 vaccination was the direct cause or contributed to the mechanism of death described. The physicians assessed the strength of the relationship strength of the evidence and consistency of the findings with reported characteristics and common presentations of COVID-19 vaccine-associated deaths documented in VAERS, and other potential aetiologies, in order to adjudicate each case. Agreement was reached when two or more physicians adjudicated a case in agreement.” (underlining added, J.)

⁵¹ ‘Joe Rogan podcast hosts doctor known for promoting debunked claims about Covid-19’, *The Independent*, 16 December 2021, <https://www.independent.co.uk/news/world/americas/joe-rogan-covid-podcast-doctor-b1977603.html>;

‘Doctor’s misleading vaccine claims spread online’, *ENR*, 31 October 2023,

<https://europeannewsroom.com/doctors-misleading-vaccine-claims-spread-online/>;

J. Jarry, ‘Dr Peter McCullough’s Libertarian Medical Train Makes a Pit Stop in East

Palestine’, *McGill University Office for Science and Society*, 10 March 2023,

<https://www.mcgill.ca/oss/article/covid-19-medical-critical-thinking/dr-peter-mcculloughs-libertarian-medical-train-makes-pit-stop-east-palestine>; ‘US conspiracy theorists monetise “Disease X”

misinformation’, *France24*, 4 March 2024, <https://www.france24.com/en/live-news/20240304-us-conspiracy-theorists-monetize-disease-x-misinformation>.

accreditations — he is a former cardiologist — have since been revoked by the American Board of Internal Medicine.⁵²

- 32 The article has been heavily criticised within the scientific community because it fails to meet the criteria for a scientific publication. For instance, it contains incorrect citations, a flawed methodological design, a misrepresentation of the facts, a lack of factual substantiation for the conclusions, and no acknowledgement or mention of counter-evidence. The article has therefore been retracted by the journal **Forensic Science International**, in which it was originally published.⁵³
33. The article was subsequently published in ‘Science, Public Health Policy and the Law’. This is not a “*scientific publication of the medical journal*”, as Minks et al. claim⁵⁴, but a blog that is wrongly presented by Minks et al. as a scientific journal.⁵⁵ Under ‘About the journal’ on the blog itself, it states that the blog’s aim is “*eschewing ‘science’ enforced by official narratives*”. In short: a platform that appears to espouse the same conspiracy theories as the claimants themselves. Articles on this blog cannot serve as credible or objective evidence, particularly if they have been rejected or retracted elsewhere.

3.2.2 Book ‘Vaccinated Dead’

34. Minks et al. claim that the book ‘Vaccinated Dead’ “*demonstrates, scientifically and through peer review*”, that in 77 per cent of the deaths investigated (89) or cases of illness (75) were caused by the COVID-19 mRNA vaccinations.⁵⁶ As indicated above, the book (Exhibit Minks-113) has not actually been produced.” Bourla has only received Exhibits Minks-113a and -113b, which are, respectively, a preview copy and a screenshot of a web page containing the synopsis of the book. The preview copy contains a table of contents, a foreword, a short introduction, three random pages from the book and the acknowledgements. These parts of the book, which were in fact submitted, do not support the arguments put forward by Minks et al.
35. Furthermore, it is highly doubtful whether the (full) book could substantiate the claim made by Minks et al. According to Minks et al., the book is said to contain posthumously published results of a study by Arne Burkhardt, who has been criticised in the past for disseminating incorrect information about vaccines.

⁵² ‘ABIM Revokes Certification of Another Doctor Who Made Controversial COVID Claims’, *Medpage Today*, 2 January 2025, <https://www.medpagetoday.com/special-reports/features/113624>; ‘Peter A McCullough’, *American Board of Internal Medicine*, 28 July 2025, <https://www.abim.org/verify-physician?type=name&ln=McCullough&fn=Peter&d=12%2F29%2F1962>.

⁵³ ‘Withdrawn: A systematic review of autopsy findings in deaths following COVID-19 vaccination’, *Forensic Science International*, 21 June 2024, <https://www.sciencedirect.com/science/article/pii/S0379073824001968?via%3Dihub> CvR, no. 58.

⁵⁵ ‘In the Journals: The Growing Trend of Deceitful, So-called “Journals”’, *Children’s Hospital of Philadelphia, Vaccine Update for Healthcare Professionals*, 19 February 2025, <https://www.chop.edu/vaccine-update-healthcare-professionals/newsletter/growing-trend-deceitful-journals>. See also: C. Lane et al., ‘Predatory Journals—What Can We Do to Protect Their Prey?’ *New N Engl J Med*. 16 January 2025;392(3):283–285.

⁵⁶ CvR, no. 54–55.

⁵⁷ See no. 7 above.

⁵⁸ See No. 26, fourth bullet point, above.

36. Furthermore, the investigation relates only in part to Comirnaty. Of the two deaths investigated, which are (partly) documented in the inspection copy, one was (allegedly) vaccinated with an AstraZeneca vaccine and one with Comirnaty.
37. Furthermore, the introduction alone contains several misconceptions about COVID-19 that cast serious doubt on the objectivity, reliability and expertise of the research (carried out). Contrary to what is stated in the introduction, (i) COVID-19 is not caused by a variant of the flu virus (the influenza virus), and the COVID-19 variants in the period 2020–2025 were generally considerably more contagious⁶⁰ and more deadly than ordinary flu,⁶¹ (ii) the mRNA technique is not entirely new,⁶² but had already been developed previously,⁶³ and (iii) the required research was carried out in full.⁶⁴ Furthermore, (iv) the book's introduction indicates that no samples were submitted from deceased individuals with malignancies (malignant tumours) that occurred shortly after vaccination.⁶⁵ In any case, the fact that a disease might occur shortly after vaccination does not justify the conclusion that it is (therefore) linked to the vaccination; however, a possible causal link between vaccination and a particular disease naturally becomes increasingly unlikely as the time interval between the two increases. In this regard, Bourla points out that there is no evidence whatsoever that Comirnaty causes cancer.

3.2.3 Krüger's article in the *Berliner Zeitung*

38. In the CvR, Minks et al. cite an article by Ute Krüger in the Berliner Zeitung (Exhibit Minks-117). In Exhibit Minks-117, Krüger states that she has observed a sharp increase in fast-growing breast cancers among women aged between 30 and 50 who have received mRNA COVID-19 vaccinations.⁶⁶ Bourla interprets this 'assertion' by Minks et al. as meaning that she intended to claim that Comirnaty is unsafe for that reason. Minks et al. further state that the article in question refers to unspecified 'other studies', from which it would follow *'that 30 per cent of the deaths occurring within two weeks of receiving a COVID-19 mRNA injection are causally linked to the*

⁵⁹ Minks-113b, p. 9: *"It was named COVID-19 and was caused by a variant of an influenza virus [...]"* and *"Initial analyses, including those from the cruise ship 'Diamond Princess', indicated average levels of infectivity, pathogenicity and mortality compared with other influenza viruses and did not confirm the initial fears."*

⁶⁰ <https://www.cdc.gov/flu/about/flu-vs-covid19.html>: *"Whilst the virus that causes COVID-19 and influenza viruses are thought to spread in similar ways, the virus that causes COVID-19 is generally more contagious than influenza viruses. Furthermore, more superspreading events have been observed with COVID-19 than with flu. This means the virus that causes COVID-19 can quickly and easily spread to a large number of people and result in continued transmission amongst people as time goes on."*

⁶¹ Influenza causes around 290,000 to 650,000 deaths per year globally, whilst COVID-19, as of 31 December 2025, this has resulted in 7.1 million deaths, which amounts to approximately 1.3 million deaths per year (7.1 million / 5.5 years) (see: <https://www.who.int/news-room/detail/11-03-2019-who-launches-new-global-influenza-strategy>, accessed on 21 July 2025).

⁶² Minks-113b, p. 9: *"On the other hand, the COVID-19 vaccination involved a completely new technology that had never before been used on a large scale."*

⁶³ Statement of Case, nos. 43–47.

⁶⁴ See CvA, nos. 50–55. Exhibit Minks-113b, p. 9: *"Only a few doctors and scientists raised the alarm at the time. On the one hand, they argued that the vaccine had been completely inadequately tested and that the investigation leading up to authorisation – which normally takes at least eight years – had been 'compressed' to a few months."*

⁶⁵ Exhibit Minks-113b, p. 12: *"Unfortunately, there were no submissions of material from deceased individuals with malignancies that had developed relatively shortly after the COVID-19 vaccination."*

⁶⁶ CvR, no. 60.

*'The Covid-19 mRNA injection, and the fact that the increase in serious autoimmune diseases is also caused by the Covid-19 mRNA injections.'*⁶

39. As indicated above,⁶ van Bourla cannot be expected to respond to documents that are not submitted and/or to which no proper reference is made, and so he leaves this (unsubstantiated and incorrect) assertion to stand.
40. Krüger is not a reliable and objective expert. Krüger is a former pathologist who, by her own account, *has since 'discovered that the medicine [she] was taught is not the whole truth' and whose 'view of Western medicine is now completely distorted'*.⁶ Krüger runs her own alternative medicine practice, where she offers services in, for example, the pseudoscientific field of 'energy medicine'.¹⁰ Krüger also contributed to the book 'Vaccinated-Dead' (para. 3.2.2). For this reason too, her objectivity, reliability and expertise must be called into question.⁷¹
41. As regards Krüger's claim that mRNA COVID-19 vaccines lead to an increase in (breast) cancer, this is an anti-vaccination conspiracy theory that has already been debunked.⁷² As already indicated above,⁹ there is no evidence that Comirnaty (or other COVID-19 vaccines) causes cancer. Nor does this article provide such evidence.
42. Even if Krüger's claim that she observed more, larger and more aggressive tumours in patients aged between 30 and 50 in the autumn of 2021 were correct, this would still be merely anecdotal evidence (and not a peer-reviewed study). It is not even clear from the article how many patients her observations relate to. Moreover, she appears to link this solely to the COVID-19 vaccinations because, in several cases, she detected these tumours a few months after vaccination had taken place. Any further substantiation of an alleged 'link' is lacking. It is also unclear which vaccine the patients were administered. For that reason alone, Krüger's findings are insufficient to provide any support whatsoever for the claim that Comirnaty is unsafe.
43. Furthermore, Krüger's alleged anecdotal findings regarding the number of breast cancer cases and the size and aggressiveness of tumours do not provide any

⁶⁷ CvR, no. 60.

⁶⁸ See paragraph 1.3 above.

⁶⁹ According to Krüger's LinkedIn page, <https://www.linkedin.com/in/ute-kr%C3%BCger-a07625a6/> (accessed on 18 August 2025) (translation by lawyer).

⁷⁰ 'Methods', *Active Health*, <https://active-health.se/en/methods> (accessed on 18 August 2025).

⁷¹ See no. 37 above.

⁷² <https://publichealthcollaborative.org/alerts/false-claims-persist-about-covid-19-vaccine-linked-turbo-cancers/>, <https://www.reuters.com/article/factcheck-turbocancer-vaccine/fact-check-no-evidence-covid-19-vaccines-cause-turbo-cancer-idUSL1N3340PQ/>, <https://www.reuters.com/article/factcheck-coronavirus-cancer/fact-check-no-evidence-covid-19-vaccines-cause-cancer-idUSL1N2S322C/> and <https://www.reuters.com/article/factcheck-cancer-covid-idUSL1N2UM24J/>.

⁷³ See point 26 above.

⁷⁴ Exhibit Minks-117, p. 2: *"This involved very aggressive tumour growth with very rapid tumour spread throughout the body, which occurred repeatedly a few months after the COVID-19 vaccination."*

support in the figures (in Germany),⁷⁵ as evidenced by an article in the Berliner Zeitung in response to Krüger's article.⁷⁶

44. That article shows (and Bourla has verified this using figures from the Robert Koch Institute) that, since 2007, the number of cases of breast cancer (in women) across all age groups in Germany has ranged between 70,000 and 78,000 annually (**Exhibit Bourla-60**).⁷⁷ In 2021 and 2022, there were 75,579 and 74,512 cases of breast cancer respectively. If the COVID-19 vaccinations were actually to lead to a 'huge increase' in breast cancer, one would expect a much higher number of cases to have been diagnosed in 2021 and 2022 than in previous years, but this is not the case. Data from Bourla-60 shows that there has been an upward trend in the number of diagnosed cases of breast cancer since 1999, and that since 2007 the number of cases has stabilised, fluctuating between 70,000 and 78,000.
45. Nor is there any evidence of a "huge increase" in the number of deaths from breast cancer in Germany (**Bourla-61**).⁷⁸ Since 2015, the number of deaths has consistently remained between 18,100 and 18,900, with only minor fluctuations. On the contrary, the standardised mortality rate – which indicates how many people per 100,000 die from a disease within a year – shows that, in relative terms, fewer people are dying from breast cancer and all other forms of cancer.⁷⁹ The head of the German 'Zentrum für Krebsregisterdaten' also stated, when asked, that there is no evidence of an increase in the number of breast cancer cases, a higher mortality rate or increased tumour aggressiveness that can be linked to vaccination.⁸⁰

⁷⁵ At the time of her findings, Dr Krüger was working at a hospital in Sweden. The article discusses the statistics from Germany. These are nevertheless relevant because mRNA COVID-19 vaccines were administered in both Sweden and Germany. If those vaccines do indeed lead to an increase in (breast) cancers, this would therefore also be the case in Germany.

⁷⁶ <https://www.berliner-zeitung.de/gesundheit-oekologie/corona-impfstoffe-und-turbo-krebs-was-die-case-numbers-from-germany-revealed-li.2262993>.

⁷⁷ This Excel spreadsheet was generated based on figures from the Robert Koch Institute (https://www.krebsdaten.de/Krebs/EN/Database/databasequery_step1_node.html), using the following parameters. Statistical category: Incidence. Statistic: Number of cases. Age group: 0–85+. Diagnosis: Breast cancer (C50). Gender: Female. Years: 1999–2022.

⁷⁸ This Excel spreadsheet has been generated based on figures from the Robert Koch Institute (https://www.krebsdaten.de/Krebs/EN/Database/databasequery_step1_node.html), using the following parameters. Statistics category: Mortality rate. Statistics: Number of cases. Age group: 0–85+. Diagnosis: Breast cancer (C50). Gender: Female. Years: 1999–2022.

⁷⁹ <https://www.berliner-zeitung.de/gesundheit-oekologie/corona-impfstoffe-und-turbo-krebs-was-die-fallzahlen-aus-deutschland-verraten-li.2262993>: "However, whether the risk of dying from breast cancer increases for individual patients can best be determined using the so-called age-standardised mortality rate. How many out of every 100,000 patients do not survive their illness within a year? In 2018, the figure was 12.4 per 100,000; in 2023 — following the pandemic and the vaccination campaign — only 11.5 per 100,000 died. The same applies to all cancers combined: the absolute number of cases has been rising slightly for years. But when the effects of an ageing population are factored out, mortality rates are falling steadily, most recently from 147.6 per 100,000 cancer patients in 2018 to 137.5 per 100,000 in 2023."

⁸⁰ <https://www.berliner-zeitung.de/gesundheit-oekologie/corona-impfstoffe-und-turbo-krebs-was-die-fallzahlen-aus-deutschland-verraten-li.2262993>: "At the Centre for Cancer Registry Data, therefore, following an enquiry from the Berliner Zeitung, the figures were examined in even greater detail and, in addition to the registry data and cause-of-death statistics, hospital data were also analysed, particularly with regard to breast cancer." "The German data show no cause for concern in this regard either. "We find no evidence of a higher incidence, higher mortality or more aggressive tumour behaviour that could be linked to the vaccination," said Klaus Kraywinkel, head of the centre."

3.2.4 Pfizer report, 12 March 2024

46. As Exhibit Minks-122, Minks et al. have submitted an (interim) report from Pfizer. Firstly, it is incorrect to suggest that Pfizer wished to withhold the report, as Minks et al. claim. Exhibit Minks-122 is a summary of a post-authorisation safety study of Comirnaty. Bourla refers to paragraph 3.3.4 of his Statement of Case, in which he has already explained that pharmaceutical companies, including Pfizer, do not publish their reports to the public, but submit them to the relevant regulatory authorities.²
47. Furthermore, the conclusion drawn by Minks et al. from the interim report is incorrect. Minks
On the basis of this interim report, c.s. wrongly concludes “*that anyone who received a Pfizer Covid-19 mRNA injection is up to 40 per cent more likely to experience [vaccine-related] AESIs [adverse events of special interest]*”.⁸³ The study actually shows that there is no strong evidence of a generally increased risk of serious side effects following vaccination with Comirnaty.⁸⁴
48. Minks et al. appear to have taken their claim from an article in the *Daily Sceptic* (Exhibit Minks-123), a blog on which disinformation about COVID-19.⁸⁵ According to this article, the Pfizer report shows that vaccinated individuals are 23% to 40% more likely to experience heart problems. This incorrect conclusion is likely based on a misunderstanding of the hazard ratios (‘HRs’) mentioned in the study.⁶
49. An HR of 1.4 simply means that, in the group of people studied, there was a 40 per cent higher likelihood of a condition occurring compared with the control group:
 - The HRs compare the frequency of adverse events between specific vaccinated and unvaccinated groups.

⁸¹ CvR, no. 84.

⁸² CvA Bourla, no. 94.

⁸³ CvR, no. 84.

⁸⁴ The conclusion of the study is that, of the 37 AESs (adverse events following immunisation) investigated, the incidence rates were very low and comparable between vaccinated and unvaccinated individuals. Eleven adverse events were investigated in more detail (at the request of the EMA or because they were new). No increases in risk were observed here, or only slight increases in a few data sources. These increases can be explained by various factors unrelated to Comirnaty, such as differences in how quickly vaccinated and unvaccinated individuals seek healthcare. The researchers emphasise that, as things stand, it is not possible to draw definitive conclusions.

⁸⁵ See, for example, ‘Fact Check: Vaccine-effectiveness study does not show “negative immunity” or harm to the immune system’, *Reuters*, 19 September 2022; ‘Misleading: COVID-19 vaccines don’t work because most people in UK hospitals with the virus are vaccinated’, *Logically Facts Limited*, <https://web.archive.org/web/20240625010315/https://www.logicallyfacts.com/en/fact-check/misleading-the-covid-19-vaccines-don-t-work-because-most-people-in-u-k-hospitals-with-the-virus-are-vaccinated>; ‘The COVID-19 vaccines are safe and effective; the claim that they have caused an “international medical crisis” is baseless’, *Health Feedback*, 10 September 2022.

⁸⁶ Incidentally, the authors have used the wrong HRs. For example: According to the authors, the HR for ‘Acute cardiovascular injury’ was 1.23 (Exhibit Minks-123, p. 2). However, the report states an HR of 1.38 for this adverse effect (Exhibit Minks-122, p. 3).

- The HRs say nothing about the *absolute* risk of a particular person experiencing a particular adverse effect. An adverse effect with a high HR may still occur very rarely in absolute terms (and that is the case).¹
- The HRs also say nothing about causality. The report is an observational study, not a study of causes. Differences observed between a group of vaccinated individuals and a group of unvaccinated individuals may be influenced by many different factors, including health behaviour, medical history or use of healthcare services. For example, it is possible that people who get vaccinated are more likely to seek medical care, even for less severe symptoms. This can lead to variations in the study results that cannot be attributed to Comirnaty. This is explicitly stated in the report.
- Finally, the HRs are based on a specific data source, that is to say, a limited set of data. No general conclusions can be drawn from this for all vaccinated individuals.
- Minks et al. also failed to take the confidence intervals (the 'CIs') into account. The value of a CI indicates how certain the researchers are about the HR. If the value 1.0 falls within the CI, this means that the study result is not statistically significant; in other words, the actual relative risk of a particular condition may be either lower or higher. The HRs for 'stress cardiomyopathy' and 'myocarditis', on which the *Daily Sceptic* bases its conclusions, are, for example, not statistically significant (the CIs include 1.0).

3.3 Claims regarding the composition of Comirnaty

50. As explained in the CvA, Comirnaty contains tozinameran, four lipids (small fatty globules), sucrose (a sugar), a salt mixture and water. This list of ingredients is exhaustive. This alone refutes the claim by Minks et al. that Comirnaty contains graphene oxide or other toxic substances. Nor does Comirnaty contain '*large quantities of DNA debris*'. Comirnaty also does not contain any nanotechnology capable of modifying humans and making them part of the 'Internet of Bodies'.² These claims are also not supported by the evidence submitted by Minks et al., as Bourla explains below.

3.3.1 No graphene oxide in Comirnaty

51. In the Statement of Defence, Minks et al. repeat the claim that Comirnaty contains graphene oxide, referring to Exhibit Minks-121, which consists of Exhibits Minks-121a and -b.³

⁸⁷ Exhibit Minks-122, p. 4.

⁸⁸ Exhibit Minks-122, p. 4.

⁸⁹ For myocarditis, for example, the first CI is 0.46, 1.94: this interval therefore includes the value 1.0.

⁹⁰ Stroke, section 3.3.3.

⁹¹ CvR, no. 67.

⁹² CvR, no. 23.

⁹³ CvR, nos. 76–78.

52. Exhibit Minks-121a, pages 1 to 5 inclusive, is a collection of web pages and a page from a memorandum by the FDA (a US regulatory authority), ⁴ from which it follows that the lipids ALC-0315 and ALC-0159 form part of Comirnaty.
53. That is correct, as Bourla explained in the Statement of Case. ⁵ The full names of these lipids are, respectively: ((4-hydroxybutyl)azandiyl)bis(hexane-6,1-diyl)bis(2-hexyldecanoate) and 2-[(polyethylene glycol-2000)-N,N-ditetradecylacetamide]. Bourla has already explained in the Statement of Case that neither these lipids nor Comirnaty contain graphene oxide, and that there is no credible evidence to support that claim. Contrary to what Minks et al. would have us believe, the evidence in Exhibits Minks-121a and -b submitted by Minks et al. does not, in fact, support the opposite conclusion either.
54. Pages 6 and 7 contain a reference to a Chinese patent which states that a new coronavirus vaccine would contain graphene oxide. Bourla has already explained in the Statement of Defence that this patent does not belong to Pfizer or any of its group companies and that, moreover, the link with Comirnaty is unclear and is disputed. Pages 7–20 contain information on recombination and a patent relating to “*methods and systems for prioritising treatments, vaccinations, tests and/or activities whilst protecting individuals’ privacy*”, the content – or at least the relevance – of which Bourla does not understand. In any case, it does not follow from this that Comirnaty contains graphene oxide, as Minks et al. claim.
55. Production Minks-121b is also a homemade production that contains various sections from the SINOPEG website. SINOPEG is a Chinese manufacturer of drug delivery systems which, like other manufacturers, produces the lipids ALC-0315 and ALC-0159. Pfizer does not use the ALC-0315 and ALC-0159 lipids produced by SINOPEG. In addition, Production 121b contains a page from a Public Assessment Report on Comirnaty by the Medicines & Healthcare products Regulatory Agency (a UK regulatory body) and a memorandum from the FDA (a US regulatory body).
56. Page 1 of Exhibit Minks-121b is the first page of a news article on the ‘Industry News’ page of SINOPEG’s website entitled “*Core-shell structured polyethylene glycol functionalised graphene for energy-storage polymer dielectrics: Combined mechanical and dielectric performances*”. The article was therefore not written by SINOPEG (nor was the research carried out by SINOPEG).¹⁰⁰

⁹⁴ The page from the FDA report also forms part of Exhibit Minks-121b. CvA, nos.
⁹⁵ 80–81.

⁹⁶ A fact which, incidentally, is already evident from the absence of any mention of graphene oxide in the full name of the chemical substance for these lipids.

⁹⁷ CvA, para. 3.3.3.

⁹⁸ CvA, No. 85.

⁹⁹ <https://www.sinopeg.com/core-shell-structured-polyethylene-glycol-functionalized-graphene-for-energy-storage-polymer-dielectrics-combined-mechanical-and-dielectric-performances> n28

¹⁰⁰ The article was originally published in the journal **Composites Science and Technology**, see: www.sciencedirect.com/science/article/abs/pii/S0266353819336371. The study is of interest to SINOPEG because it describes a method for modifying the solubility of graphene oxide using PEGylated lipids, and SINOPEG primarily uses such lipids in its production process (see: <https://www.sinopeg.com/about-us> d1), hence the *PEG* in SINOPEG.

57. Furthermore, the article has nothing to do with mRNA vaccines. The article discusses a study in which *“graphene oxide was chemically functionalised with single-terminal amino-PEG (PEG-NH₂) and subsequently incorporated into epoxy resin as a ‘core-shell’ structure to enhance the dielectric performance of polymer dielectrics.”* The article therefore describes the application of graphene oxide in ‘polymer dielectrics’, which are insulating materials – usually plastics – used to store energy in electrical devices (as is also clear from the title of the news article).
58. Perhaps because the words ‘polyethylene glycol (abbreviation: PEG)’ precede the word ‘graphene’ in this news article and ‘polyethylene glycol’ is a component of ALC-0159, Minks et al. conclude from this that ALC-0159 contains graphene oxide. However, that conclusion is incorrect and is not supported by the other pages of Exhibit Minks-121. Nor does SINOPEG’s own website state in the product descriptions for ALC-0159 and ALC-0315 that they contain graphene oxide.

3.3.2 Nor are there any other toxic substances in Comirnaty

59. Minks et al. now also argue that, in addition to graphene oxide, COVID-19 vaccines are said to contain various other hazardous substances, such as chromium, arsenic, nickel, cobalt, copper, tin, cadmium, lead, manganese and mercury.¹⁰¹ This is allegedly evident from the study submitted as Exhibit Minks-141 from the *International Journal of Vaccine Theory, Practice and Research*, dated 11 October 2024. This journal is a notorious anti-vaccine publication that promotes disinformation about COVID-19 vaccines.¹⁰² Furthermore, the ‘study’ has been updated,¹⁰³ following criticism that, amongst other things, the device used is not even capable of detecting the reported levels of the elements in question and that the dilution calculations (and therefore the reported values) were off by a factor of 200.¹⁰⁴
60. It is also evident from the ‘study’ itself that the ‘researchers’ were unable to replicate the ‘results’; an important method for verifying and validating the results of studies. The ‘researchers’ noted that they
Varying levels of ‘chemical substances’ in the same vaccine doses ¹⁰⁵

“Given all the noted characteristics of the fluids in the vials that were analysed, their content appears to be changing over time. The contents of all the vials were heterogeneous in unexpected ways. Despite their seemingly common viscous matrix, even with repeated draws from the same vial, we never found homogeneous content in different samples, even when they were drawn from the same vial.” [underlining added, lawyers]

61. Chemical elements do not appear or change spontaneously (except in the case of radioactive decay), which suggests that the variability originates from the

¹⁰¹ CvR, No. 155.

¹⁰² See, for example, <https://www.mcgill.ca/oss/article/covid-19-medical-critical-thinking/spikeopathv-speculative-fiction-contaminates-blood-suDDly>; and <https://healthfeedback.org/claimreview/preventing-deaths-isnt-sole-benefit-covid19-vaccination-contrary-epoch-times-article/> and <https://defacto-observatoire.com/media/actualites/le-sarcelle-covid-19-les-articles-assurés-montent-d-etrangetes-particules-dans-le-sang-apres-la-vaccination-anti-Covid-a-ARN-ne-respecte-pas-le-protocole-scientifique>

¹⁰³ See footnote 1: *“The current version has been edited for format, peer-reviewed and updated.”*

¹⁰⁴ <https://www.naturalnews.com/2024-10-16-the-chd-touted-science-paper-claiming-55-undeclared-chemical-elements-were-found-in-covid-vaccines-is-a-hoax-and-must-be-retracted-heres-why.html>

¹⁰⁵ Minks-141, p. 19.

the researchers themselves, for example because they contaminated the samples or employed an unsound method of work.

62. Even if one were to assume the accuracy of the reported values, they would still be so low that they could pose no danger whatsoever. The reported values for all the elements allegedly measured remain (well) below the safe or average daily intake levels for those elements. Bourla refers to Production Bourla-62, which contains a table showing the highest alleged measured values per element per dose of Comirnaty (0.3 ml) compared with the safe daily intake values in micrograms or the average daily intake values (where the safe values are not known).

3.3.3 No “*large lioevee/heel/en DNA helix*” in Comirnaty

63. Minks et al. state that “*large quantities of DNA debris [were measured] in the produced mRNA injection solution and that there were no technical means of preventing this during large-scale production.*” For this reason, under US law, it would be permissible to have up to 50 per cent DNA debris instead of mRNA as contamination in the injection solution. Given that the production process for COVID-19 mRNA injections is the same throughout the world,¹⁰⁶ this would also apply to the vaccines supplied to Minks et al., as Bourla understands this argument. All of this ‘*can be demonstrated*’ by two ‘experts’ who could testify on the matter on the basis of documents. Any concrete substantiation of these assertions is lacking, and relevant documents have not been produced (in breach of Article 85 of the Code of Civil Procedure).¹⁰⁷ It also remains unclear what conclusion (relevant to the claims) this argument is intended to lead to. Bourla suspects that Minks et al. believe that this fact would render the vaccines unsafe, but even that is not stated, let alone how and why that would be the case.
64. Minks et al. have therefore failed to fulfil their burden of proof, so this ‘argument’ can be dismissed on that ground. In any case, the claim that Comirnaty contains ‘*large quantities of DNA scrap*’ is incorrect.

3.3.4 No nanotechnology in Comirnaty that alters DNA

65. Minks et al. claim that Comirnaty contains ‘*nanotechnology*’ through which ‘*the real powers that be and their agents*’ intend to alter people’s DNA and make them part of the ‘*Internet of Bodies*’.¹⁰⁸ In support of this, Minks et al. have submitted a briefing paper from the WEF and a screenshot of the WEF’s website (Exhibit Minks-97). Minks et al. have failed to refer to a specific page of the 28-page document.¹⁰⁹

¹⁰⁶ CvR, no. 67.

¹⁰⁷ See Supreme Court 9 March 2012, ECLI:NL:HR:2012:BU9204, ground 3.5: “*The Supreme Court concurs*” with the foregoing consideration that a party “*which relies on correspondence in its possession may be required to produce that correspondence of its own accord, even if it concerns confidential correspondence between solicitors, the production of which requires the authorisation of the opposing party’s (former) solicitor or the Dean. The court is not required to give the parties the opportunity to do so.*”

¹⁰⁸ CvR, No. 23.

¹⁰⁹ See paragraph 1.3 above regarding the lack of references to specific parts of lengthy exhibits.

66. As Bourla has already explained in his Statement of Defence, Comirnaty does not alter human DNA.¹¹ The mRNA in Comirnaty does not enter the cell nucleus, where the human genome – that is, DNA – is located. Instead, the mRNA is rapidly broken down by the vaccinated person's body.¹¹¹
67. On the basis of the arguments put forward by Minks et al. and the documents submitted, Bourla understands that by 'Internet of Bodies', Minks et al. are referring to a concept denoting a network of devices that collect data, are connected to the internet and are located on, in or around the human body (for example, smartwatches, pacemakers or insulin pumps). Comirnaty is a vaccine. It contains no chips, sensors or transmission capabilities and therefore cannot be connected to the internet or collect data from people. This assertion by Minks et al. also lacks any basis in fact.

3.4 No differences between batches

68. Minks et al. argue once again that there are alleged differences between the various batches of Comirnaty, as different numbers of adverse reactions have been reported in relation to them.¹¹² In the Statement of Defence, Bourla explained in detail that very strict quality controls are carried out on the quality of the (manufactured) vaccines and that the fact that more or fewer adverse reactions are reported for certain batches of vaccines does not mean that there is a difference in quality between those batches of vaccines.^{11*}
69. Analyses of reported (possible) adverse reactions are not suitable for demonstrating a causal link between the use of a vaccine and health problems, particularly when self-reporting systems are involved, which are subject to reporting biases and data deficiencies. The fact that more or fewer adverse reactions are reported for different batches of vaccines can, for example, be explained by the fact that (i) some batches were not used, or were used very little (and consequently, no or very few reports of adverse reactions were made in that regard) and (ii) different groups of people received different batches. The expected side effects and reporting behaviour differ by group. Also relevant is (iii) the fact that, for previously administered batches, healthcare professionals were encouraged to report all suspected side effects, but this was no longer the case later on ¹¹⁴
70. Furthermore, as far as Bourla is aware, the administration of batch EM0477 – the 'killer batch' referred to by Minks et al. – has not been suspended in the Netherlands (nor elsewhere). Nor have any batches of Comirnaty been recalled anywhere in the world on safety grounds.¹¹⁵
71. Each of the arguments put forward by Minks et al. before the Court of Appeal in this regard, and the accompanying Exhibits Minks-130–133, are refuted by the foregoing. Furthermore,

¹¹⁰ CvA, para. 3.3.7.

¹¹¹ See, for example, 'mRNA vaccines are distinct from gene therapy', *Reuters*, 10 August 2021 (Bourla-54), available at www.reuters.com/article/idUSL1N2PH16N. CvR, nos.

¹¹² 69, 116 and 120.

¹¹³ Statement of Case, para. 3.3.5. Similarly, Ms Van der Voort-Kant in her Statement of Case (nos. 40–45). Statement of Case, nos. 99 and 102.

¹¹⁵ Statement of Defence, para. 103.

the exhibits cannot serve to substantiate the arguments put forward by Minks et al., as Bourla explains below.

72. The Minks-130 document is a page entitled “*Suspected cases of vaccine side effects reported to the Paul Ehrlich Institute following the use of COVID-19 vaccine KILLER batches causing death*”. It shows two sets of differently coloured circles of varying sizes, which appear to contain (though they are difficult to read) the designations of the different batches of mRNA vaccines and a number which, Bourla assumes, represents the number of reported ‘suspected cases’ of side effects. The group of circles on the left apparently relates to mRNA vaccines and the other to viral-vector vaccines. The source cited for these groups of circles is the homepage of the Paul Ehrlich Institute’s website – an agency of the German Ministry of Health – and the X.com username @waukema. As Bourla has already explained above,¹¹⁶ neither he nor the court can be expected to search through very extensive documents or on the internet for possible evidence or sources to support the assertions made by Minks et al. Bourla is therefore unable to verify these figures, as there is no reliable citation of sources. Even if these figures are correct, that fact does not detract from the foregoing (paras. 68–70).
73. The Minks-131 document consists of a list of postcodes, in relation to which (apparently Wouter Aukema) remarked: “*Couldn’t resist, Leon – a saline solution was delivered to these postcodes*”, accompanied by a map of the Netherlands with coloured squares marking (apparently) the postcodes in question. There is no reliable source citation or substantiation. Apparently, the reasoning of Minks et al. is that if no side effects have been reported for certain batches, then those batches must have been saline solution. That is incorrect. Pfizer did not supply saline solutions and pass them off as Comirnaty. Moreover, this ‘accusation’ is inconsistent with the overarching claim made by Minks et al. that the COVID-19 vaccines are being used to commit genocide. If Pfizer’s aim were to kill humanity with toxic vaccines, why would it supply harmless saline solutions instead of Comirnaty?
74. ‘Production Minks-132 refers to a newspaper article dated 20 December 2024 in **De Andere Krant** concerning Wouter Aukema’s analyses and Hansen’s scientific report, which attempts to establish a link between varying numbers of reported side effects and varying quality of vaccine batches – the unreliability of which Bourla had already explained to the CvA.11’ As the article itself rightly points out, “*this concerns deaths following vaccination, which is not the same as deaths caused by vaccination.*”
75. Exhibit Minks-133 is a graph showing the total number of vaccine doses in stock and in available stock, as well as the cumulative number of doses delivered to vaccination centres over the period from January to March 2021. The original is taken from a letter from the Minister of Health, Welfare and Sport.”[®]
76. In Exhibit Minks-133, Minks et al. have marked a red circle with the text: “*A significant quantity of Pfizer mRNA injections was withdrawn from the available stock around 6 February 2021. Which large Pfizer batch was supplied to the*

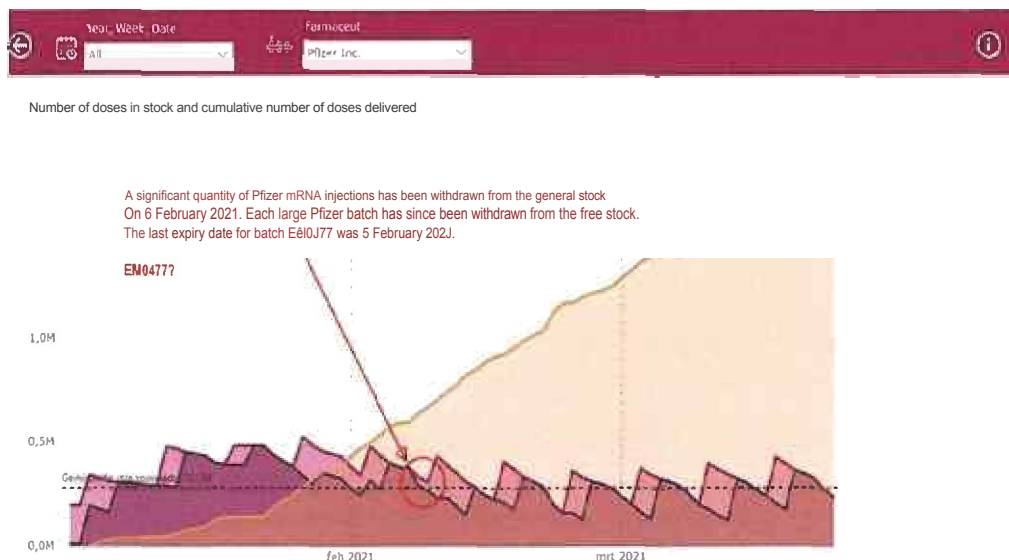
¹¹⁶ See paragraph 1.3 above.

¹¹⁷ CvA, nos. 97–104.

¹¹⁸ *Parliamentary Papers* \ 2020–2021, 25 295, No. 1063, p. 46.

Withdrawn from 'free' stock? The last report to Lareb regarding the fatal batch EM0477 was on 5 February 2021. EM0477?"

Vaccines in stock & delivered



77. This question raised by Minks et al. is insufficient to justify the conclusion that, as Minks et al. claim, half of a batch (let alone which batch) was withdrawn from the free stock, let alone what the reason for this might have been.¹¹
78. As can be seen from the graph, there is a regular increase in total and free stock, followed by a decrease in total and free stock. These fluctuations can be explained by the fact that (i) deliveries did not always take place at regular intervals and (ii) there were fluctuations in (the pace of) dispatches, as can be inferred from the explanatory notes to this graph in the relevant parliamentary document.¹²⁰

4 NO DAMAGE RESULTING FROM COMIRNATY

79. As Bourla explained in his statement of defence, Minks et al. do not meet the threshold for proceedings to determine damages. After all, the possibility of Minks et al. having suffered damage is not plausible, because (i) Comirnaty does not contain graphene oxide (or other toxic substances), (ii) Minks et al. have not discharged their burden of proof, and the majority of Minks et al. admit that they have not suffered any material damage, and (iii) the alleged non-material damage is not eligible for compensation. Minks et al. have not raised any objections to this in their reply.
80. Bourla concurs with the State's arguments in its reply to the defence on this matter in paragraphs 2.7 and 3.1, first, second and sixth bullet points:
 - Minks et al. have failed entirely to substantiate that they have suffered damage as a result of a COVID-19 vaccination.

¹¹⁹ Statement of Defence, para. 122.

¹²⁰ *Parliamentary Papers II 2020–2021*, 25 294, para. 1063, p. 46.

- In his statement of defence, Minks et al. devote just one — vague and unsubstantiated — paragraph to damage, and one paragraph to causation.
- It was already public knowledge that vaccines can have side effects, even before the claimants were vaccinated.
- These potential side effects were also explicitly and publicly highlighted.
- It is incorrect to claim, as the claimants do, that *“the lie is being propagated”* that there would be no side effects in the first two weeks after vaccination. On the website of the Lareb Foundation (to which the RIVM website also refers), it is in fact stated that side effects usually occur within 48 hours of vaccination.

5 OFFER OF EVIDENCE MUST BE REJECTED

81. Minks et al. have submitted a copy of a petition in another case before this court. This petition requests that the court order preliminary evidence-gathering proceedings with the aim of demonstrating that a ‘Great Reset’ is taking place and that the COVID-19 vaccinations are biological weapons being used to commit genocide.¹²¹ Minks c.s. offers to call the persons named in the application to give evidence as experts or witnesses.
82. The application must be dismissed, as it follows from the Statement of Defence and the foregoing that Minks et al. have failed to fulfil their burden of proof. In the case of the vaccination certificates submitted by Minks et al. to the Court of Appeal (Exhibit Minks-91), it is often unclear to whom the certificates belong, due to missing names or additional initials. Furthermore, there are discrepancies in the dates, such as in the cases of claimants 4 and 5, where the vaccination booklet shows different dates to those in the attached screenshots.¹²²
83. Furthermore, the request must be rejected because (i) the proposed individuals cannot be regarded as (objective and impartial) experts, (ii) they do not possess the appropriate qualifications, (iii) the proposed questions are irrelevant and/or unsuitable for answering by an expert or witness and/or do not fall within the field of expertise of the proposed persons, and (iv) no explanation has been provided as to which relevant personal observations the proposed witnesses can testify to. In this regard, Bourla refers to his statement of defence (**Exhibit Bourla-63**), the State’s statement of defence (**Exhibit Bourla-64**) and the court’s order dismissing the application (Exhibit Bourla-65).
84. In addition, Minks et al. have offered to call Krüger and Mr Walter Lang as witnesses, specifically regarding the assertion that the spike protein is found everywhere, continuously and persistently, in the bodies of people who have received an mRNA COVID-19 vaccine. In this respect too, it is the case that Minks c.s. has failed to fulfil his duty to adduce evidence¹²³ and that Krüger and Lang, the authors of the book ‘Vaccinated-Dead’, are not (objective and impartial) experts.¹²⁴

¹²¹

¹²³

¹²²

¹²⁴

Exhibit
107, nos.
1, 8 and
13.

25, para. 2.7. See para. 26, fourth bullet point, above.
See nos. 36–37 and 40 above.

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6 NO GROUNDS FOR A DIRECT HEARING

85. Finally, Minks et al. requested a pre-trial conference to discuss the next steps in the proceedings (by group of defendants), the adduction of evidence, the manner in which the parties are to be heard, and the admission of independent media to oral hearings and examinations. Bourla considers that, in view of the arguments put forward by the parties, the court has been sufficiently informed and may dismiss the claims of Minks et al. without it being necessary to order an oral hearing. In any event, Bourla sees no reason to order a preliminary hearing to discuss the matters raised by Minks et al., the relevance of which has not been explained nor is it evident.

7 CONCLUSION

86. Bourla maintains the conclusions set out in the Statement of Defence.

loco
N. Vowk

A handwritten signature in blue ink, appearing to read 'N. Vowk', with a long horizontal flourish extending to the right.

Solicitor

This case is being handled by D.C. Roessingh, LL.B., T +31 20 577 1892, M +31 6 5162 1874, EDavine.Roessingh@debrauw.com , and M. Bredenoord-Spoek, T +31 20 577 1066, M +316 5043 1078, EMarieke.Bredenoord@debrauw.com . De Brauw Blackstone Westbroek N.V., PO Box 75084, 1070 AB Amsterdam

APPENDIX 1 — LIST OF PRODUCTIONS

Exhibit	Bourla-59	Conclusion of the State's rejoinder of 23 July 2025
Exhibit	Bourla-60	Statistics on breast cancer cases in Germany
Exhibit	Bourla-61	Statistics on breast cancer mortality rates in Germany
Exhibit	Bourla-62	Overview of data on elements allegedly contained in Comirnaty
Exhibit	Bourla-63	Bourla's statement of defence against the application for interim evidence in the case of Bos et al.
Exhibit	Bourla-64	Statement of defence by the State against the application for interim evidence in the case of Bos et al.
Exhibit	Bourla-65	Court order of 20 August 2025 on the application for interim evidence

EXHIBIT BOURLA-59

PELS RIJCKEN

District Court of the Northern Netherlands, Leeuwarden
branch Hearing of 23 July 2025
Case number/roll number C/17/190788 / HA ZA 2023-172

Statement of reply

concerning

1. The State of the Netherlands
whose registered office is situated in The Hague
2. Everhardus Ite Hofstra
3. Jaap Tamino van Dissel
4. Maria Petronella Gerarda Koopmans
5. Mark Rutte
6. Sigrid Agnes Maria Kaag
7. Hugo Mattheüs de Jonge
8. Ernst Johan Kuipers
9. Diederik Antonius Maria Paulus
Johannes Gommers
10. Wopke Bastiaan Hoekstra
11. Cornelia van Nieuwenhuizen
12. Feike Sijbesma

all having elected domicile in The Hague
Defendants
solicitors: Mr R.W. Veldhuis and Mr M.E.A.
van Jöhring

against

1. Alwin Minks
2. Margje Geertruida Bosma
3. Robert Willem de Vries
4. Eva Oudakker-Bekkers
5. Mark Gerard Rob Oudakker
6. Tonique Tiekens
7. George Reginald
Vlegels, claimants

solicitors: Mr P.W.H. Stassen and Mr A.G.W.
van Kessel

1 Introduction

- 1.1 The plaintiffs' reply further reveals what had already become apparent earlier in these proceedings: the plaintiffs are operating on the basis of a different, fictitious reality.
- 1.2 The claimants maintain that they, and the rest of the Dutch people (and the world's population), were deliberately misled into getting vaccinated against Covid-19. This is alleged to have taken place as part of a large-scale conspiracy — aimed at genocide amongst the population (*"genocide of the animated human beings"*¹; *"the ultimate aim here" is the complete eradication of the animate human being, created in the image of his Creator and connected to his Creator"*), with the Covid-19 vaccines serving as a "bioweapon"³, according to the claimants.
- 1.3 In its statement of defence, the State^o has already explained that the (absurd) allegations made by the defendants are incorrect and unfounded. In that context, the State has explained the course of the pandemic and its consequences, as well as the development and rationale behind the Covid-19 vaccines — aimed at combating the pandemic and protecting public health. It is already clear from the statement of defence that the claims must be dismissed, and the reply does not alter this.
- 1.4 The claimants simply refuse to see or hear this. In their reply, the claimants dismiss the arguments put forward by the State in its statement of defence as *'the preferred reality'*. Nor, according to the claimants, are the sources to which the State has referred in support of its case — such as statistics from Statistics Netherlands (CBS), studies by the National Institute for Public Health and the Environment (RIVM) and authorisation reports from the Health Council of the Netherlands and the European Medicines Agency (EMA) — reliable. The claimants allege that these consist of *"manipulated data compiled by bodies controlled by the State itself"*.² In the reply, the State's arguments are therefore not actually refuted. Instead, an alternative and fictitious reality — which, according to the claimants, does exist — is outlined, with the reply consisting largely of speculation and theories.
- 1.5 In this way, it is impossible to hold a genuine debate. It is therefore important to bring this procedure back to its (legal) essence.

Reply, § 21.

Reply, § 19.

Rejoinder, § 83, amongst others.

See, regarding the position of the individual defendants on whose behalf this rejoinder is submitted, the statement of defence under 1.13–1.15. The same applies to this rejoinder.

Reply, § 45.

2 The crux of the matter

2.1 'In these proceedings, the claimants must allege and substantiate that they have been treated unlawfully, and that they have suffered damage as a result.' They have not done so.

2.2 The plaintiffs' central argument is that the disease Covid-19 does not exist, that there has been no pandemic, and that the vaccines are not safe.⁸ In its statement of defence, the State has already set out (with supporting evidence) that Covid-19 exists, that there has indeed been a Covid-19 pandemic, and that the widely held scientific consensus¹ is that the various vaccines against Covid-19 have been a safe and effective means of combating that pandemic.^{*1}

2.3 The (non-conclusive) arguments put forward by the claimants in their reply do not alter this. Nor do the exhibits submitted.

The claimants have submitted a large number of exhibits (the total now stands at 146), several of which are voluminous (in total, the exhibits accompanying the reply amount to more than 4,500 pages).^{*2} Furthermore, the claimants have done so without explaining in their reply — by referring to specific pages within an exhibit — why that exhibit is relevant and how it supports their arguments. This is the case, for example, with Exhibit 95 (453 pages) and also with Exhibit 108 (3,903 pages). This is contrary to the proper conduct of proceedings,^{1 3} but, quite apart from this, no account need be taken of any exhibits in respect of which the claimants do not put forward specific arguments.

24 For the sake of completeness: the claimants' arguments are also not supported by the exhibits submitted by the claimants. A close examination of the exhibits reveals that the claimants frequently take matters out of context. This is the case, for example, with regard to the statement made by Mr

^o The claimants also appear, in view of the wording of the declaration sought, to wish to speak on behalf of 'the Dutch people', but this is not a class action. For that reason alone, the declaration sought on that point cannot be granted.

The plaintiffs' arguments regarding US regulations on vaccines (reply, paragraphs 67–68) are not relevant. US law does not apply to this dispute.

[@] Reply, § 51.

^o See statement of defence, in particular § 2. See also: <https://data.who.int/dashboards/covid19/deaths>.

¹⁰ The State further points out, in response to the claimants' arguments, that a comprehensive systematic review has found no evidence of a link between COVID-19 vaccines and reduced fertility. See Zace, La Gatta, Petrella, Di Pietro, 'The impact of COVID-19 vaccines on fertility—A systematic review and meta-analysis', *Elsevier* 40/42, 2022, pp. 6023–6034. Available at: <https://doi.org/10.1016/i-vaccine-2022.09.019>. See also: <https://factcheck.afp.com/doc/afp.com/33D39R6>.

¹¹ Conclusion of the response, in particular sections 4, 5 and 6.2 to 6.4. See also, for example: Watson et al., 'Global impact of the first year of COVID-19 vaccination: a mathematical modelling study', *The Lancet Infectious Diseases* 22/9, 2022, pp. 1293–1302, available at: [https://doi.org/10.1016/S1473-3099\(22\)0020-6](https://doi.org/10.1016/S1473-3099(22)0020-6). This article estimates (based on mathematical models) that COVID-19 vaccinations prevented 14.4 million deaths worldwide between 8 December 2020 and 8 December 2021. See, for example: <https://www.umcutrecht.nl/nieuws/geen-oversterfte-door-covid-19-vaccinaties>.

¹² It appears that the claimants also intend to submit further documents in addition to these; see the statement of reply, § 47.

¹³ See, for example: Supreme Court 10 March 2017, ECLI:NL:HR:2017:404, para. 3.3.2 and Opinion of Advocate General Keus 16 October 2015, ECLI: NL:PHR: 2015 : 2494, para. 3.3.

The documents referred to by the claimants: °4 in the statements made by the then Minister of Health, Welfare and Sport,** in the internal email from the Ministry of Health, Welfare and Sport mentioned by the claimants,*6 in a comment by the CEO of Moderna⁷, and in the book mentioned by the claimants concerning the German RKI and the quotations contained therein.^{1 8} The exhibits therefore do not contain what the claimants allege in this regard.

- 2.5 Furthermore, the claimants also rely on documents of limited value. For example, the claimants refer to a study conducted into a single fatality, in which the researchers did not carry out the post-mortem examination themselves (but it is a desk-based study)* — and, moreover, the claimants draw conclusions that are not supported by the study.² The claimants also refer, for example, to an article in which someone presents what they describe as a ‘professional observation’,*¹ but has not carried out any (peer-reviewed) research.
- 2.6 Furthermore, the claimants’ assertions are largely part of (conspiracy) theories that have been put forward before, and which have been circulating amongst some people for some time. Many of these theories have therefore already been ‘fact-checked’ by independent sources and found to be unfounded. This applies, amongst other things, to the claimants’ theory that minutes from the RKI allegedly show that there was no pandemic,^{2*} to the theory mentioned above regarding the statements made by Moderna’s CEO, and to the alleged meaning of the word ‘AstraZeneca’.*
- 2.7 The claim must therefore be dismissed. There has been no unlawful conduct whatsoever. Nor have the claimants provided any evidence whatsoever that they have suffered damage as a result of a Covid-19 vaccination. The State has already set out its reasons for this

Exhibit 92, cited in § 7 of the reply. The video shows that the conversation at the Lalkshow table concerns a bombing in Syria that had taken place the previous day, and that van Kappen made his remarks in that context.

¹⁵ Exhibit 93 of the plaintiffs, cited in paragraph 11 of the reply.

¹⁶ Exhibit 94 of the claimants, cited in paragraph 11 of the reply. That email shows that, during the pandemic, a proposal was made to build up emergency stockpiles within the NATO framework in relation to Covid-19.

¹⁷ Exhibit 118 of the claimants, cited in paragraph 61 of the reply. According to the video, the quote is different from how the claimants portray it. See also: <https://www.factcheck.org/2023/02/scicheck-DOSTs-misrepresent-moderna-ceos-remarks-on-vaccine-production/>.

¹⁸ Exhibit 112 of the claimants, cited in paragraph 50 of the reply. A comparison of the arguments put forward by the claimants regarding this book in their reply and the content of the book in the passage cited by the claimants shows that the book does not contain what the claimants allege.

¹⁹ Exhibit 116 of the claimants, to which they refer in paragraph 59 of the reply.

²⁰ The conclusion of the investigation is that a Covid-19 vaccination may have contributed to the death, and that it is not clear whether this would have been direct or indirect.

³¹ Exhibit 117 submitted by the claimants. See also, in this regard, <https://www.factcheck.org/2024/05/still-no-evidence-covid-19-vaccination-increases-cancer-risk-despite-posts/>, <https://www.factcheck.org/cancer/managing-cancer/coronavirus-covid-19-and-cancer/covid-19-vaccines-in-people-with-cancer.html>, <https://mvec.mcri.edu.au/aao-fact-check-debunks-circular-on-vaccine-misinformation/>.

²² See <https://factcheck.afp.com/doc/afo.com/34RY6DT>; <https://www.aao.com.au/factcheck/no-german-government-has-not-said-there-was-no-pandemic/>; <https://www.taegeschau.de/faktenfinder/kontext/rkifiles-corona-100.html>; <https://www.faz.net/aktuell/feuilleton/debatten/rki-kein-skandal-in-den-akten-zur-cOrona-pandemie-19923871.html>.

This is quite apart from the significance and relevance of the course of events in Germany to these proceedings. The assertion that ‘this course of events in the Netherlands, more specifically within the Dutch OMT, was exactly the same’, as the claimants state in § 48 of their reply, is incorrect and is not substantiated.

²³ <https://www.vahoo.com/news/fact-check-no-astrazeneca-doesnL-100000343.html>

explained in the statement of defence.*⁴ In their reply, the claimants confine themselves to a single — non-specific and unsubstantiated — paragraph on damage, and a single paragraph on causation.

In the case of the vaccination certificates that the claimants submitted in their reply (Exhibit 91 of the claimants), it is not always clear to whom the certificate in question belongs (either because a name is missing from the document, or because more initials are listed than in the writ of summons), and it is striking that there are visible discrepancies in the dates on those documents (for example, with regard to claimants 4 and 5, a vaccination booklet has been submitted in which different dates are stated than on the screenshots also attached).

- 2.8 In the current state of affairs, it is also the case that the claimants have not sufficiently substantiated their case, certainly in light of the State's defence in its statement of defence, to be permitted to adduce further evidence — quite apart from the fact that the evidence offered is also irrelevant. Their offer of evidence must be disregarded.

With regard to the claimants' wish to hear evidence from a number of individuals on whether COVID-19 vaccines are biological weapons, the following applies. A third party, represented by the same solicitors as the claimants, has previously requested this court to order a preliminary expert report in which these individuals are heard. The State has put forward a defence against that request (Exhibit 14).²⁵ That defence must be regarded here as repeated and incorporated ²⁶ and essentially amounts to the argument that these individuals are not experts, and in any event are not independent and impartial experts, and that in any case there are no grounds or legitimate interest in hearing these individuals.

3 Other points

- 3.1 For the sake of completeness, the following is added in response to the reply.

- In § 82, the claimants argue that their willingness to be vaccinated would have diminished had they been aware of the possible side effects of the vaccine. The State points out that it was public knowledge that vaccines can have side effects, even before the claimants were vaccinated."
- These potential side effects were also explicitly and publicly highlighted. The claimants criticise the then Minister for Health, Welfare and Sport for promoting the Janssen vaccine whilst allegedly being aware of the "*serious effects of this product on the health of young people*".^{*8} The

²⁴ See the statement of defence, paragraphs 7.1–7.8.

²⁵ No decision has yet been made on the application at the time of submitting this reply. An oral hearing took place on 9 July 2025, and a decision is due on 20 August 2025.

²⁶ This defence also applies to the offer to hear Krüger and Läng.

²⁷ See, for example, ENA, 'Appendix 1: summary of the product characteristics of Comirnaty', <https://www.ema.europa.eu/nl/documents/product-information/comirnaty-eDar-prOduct-informationnlpdf> Reply, § 95.

The State points out that, at the end of the NOS video submitted by the claimants as Exhibit 125, the then Minister urges people to ensure they are fully informed before opting for the Janssen vaccine, as the vaccine has a side effect which, whilst very rare, is serious.* The State further points out that, even according to the claimants' own submissions, they were not vaccinated with the Janssen vaccine, so the relevance of this argument is unclear.

- It is incorrect to claim that no response was given to certain parliamentary questions, as the claimants assert in § 74 of their reply. That response was indeed provided.³⁰ This is also evident from Exhibit 120, which the claimants themselves submitted.
- The claim by the claimants that the State is obstructing independent research into excess mortality during the Covid-19 pandemic is also incorrect.** The State has — as is also evident from the answers to parliamentary questions³² — forwarded a request to make certain data available to the Lareb Foundation. In doing so, the State did point out that, where possible, data should be made as widely available as possible for scientific health research, and that the data requested was not considered by Lareb to be suitable for establishing a causal link. The State also emphasised the importance of safeguarding the privacy of individuals who submit reports to Lareb. Furthermore, the State has encouraged independent, scientific research into excess mortality during the Covid-19 pandemic. For example, through the ZonMw sub-programme on Excess Mortality, research has been carried out by, amongst others, the RIVM and the CBS further investigations have been carried out into excess mortality.** These investigations show, amongst other things, that the Covid-19 vaccinations did not lead to excess mortality, but actually reduced the number of deaths.*⁴
- The claimants request the court to order the State to produce recordings of OMT meetings, which have been filed with the registry of the District Court of North Holland. The State points out that the North Holland District Court — referring to the threats that OMT members continue to face to this day, the importance of OMT members being able to speak freely and in confidence during an OMT meeting, and the fact that a great deal of information is already in the public domain — has decided that those recordings are not

²⁹ Reply, Exhibit 125, NOS video, 01:00–01:13.

³⁰ Appendix to the Proceedings 2024–2025, No. 998.

³¹ Reply, § 63.

³² Appendix to the Proceedings 2024–2025, No. 2256.

³³ Parliamentary Papers II 2024–2025, 25 295, No. 2219.

³⁴ Parliamentary Papers II 2024–2025, 25 295, No. 2219. For the studies, see, amongst others:
<https://www.cbs.nl/nl-nl/longread/rapportages/2022/sterfte-en-oversterfte-in-2020-en-2021>;
<https://www.rivm.nl/publicaties/covid-19-vaccination-and-mortality-in-2022-risk-of-death-from-covid-19-and-other-causes>
<https://www.cbs.nl/nl-nl/longread/rapportages/2023/oversterfte-en-doodsoorzaken-in-2020-tot-en-met-2022>.

must be made public.³⁵ This request must also be rejected in these proceedings.

- It is also incorrect to claim that “a blatant *lie is being propagated*” to the effect that there are no side effects in the first two weeks after vaccination, as the claimants allege.³⁶ The website of the Lareb Foundation (to which the RIVM website also refers) actually states that side effects usually occur within 48 hours of vaccination.³⁷
- In paragraph 73 of their reply, the claimants argue that the measures taken during the COVID-19 pandemic (such as temporary lockdowns and the requirement to wear face coverings) constitute a breach of fundamental rights. The lawfulness of those measures is not at issue in this dispute. Furthermore, those measures have been reviewed in various court rulings and have consistently been found to be lawful.³⁸
- The claimants submit Exhibit 121 in support of their arguments regarding graphene oxide. However, this exhibit is not verifiable, and furthermore, its origin cannot be verified. In its statement of defence (§ 6.3), the State pointed out, on the basis of information from the medicines information database, that the mRNA vaccines from Pfizer and Moderna do not contain graphene oxide.
- The State further considers it highly reprehensible that the claimants, without any evidence, allege that individual persons are responsible for the death of claimant 6.3*. Even if her death has caused a sense of grief and possibly helplessness amongst the other claimants, this does not justify making such unfounded statements.

3.2 Finally, the following point. The writ of summons lists Mr George Reginald Vlegels, residing in Leeuwarden, as claimant 7. In the reply, without any explanation, a different name is given for claimant 7: Mr George Reginald Diikstra, residing in Leeuwarden. It is therefore unclear who the party to the proceedings is, and whether a change of party is intended. This uncertainty is all the more pronounced given that the documents submitted in respect of claimant 7 to substantiate his vaccination are in the name of Vlegels.

³⁵ District Court of North Holland, 30 June 2025, ECLI: NL: RBNHO:2025:6994, paras. 8–9.

³⁶ Reply, § 52.

³⁷ <https://www.lareb.nl/side-effects-of-coronavirus-vaccines>; <https://www.rivm.nl/corona/coronavirus-vaccination/side-effects>

³⁸ See, for example: District Court of The Hague, 1 May 2024, ECLI:NL:RBDHA:2024:6182 (concerning the COVID-19 entry pass); Court of Appeal, The Hague, 14 December 2021, ECLI:NL:GHDHA:2021:2452 and ECLI:NL:GHDHA:2021:2543 (on the face mask requirement); Court of Appeal, The Hague, 22 June 2021, ECLI:NL:GHDHA:2021:1094 (regarding vaccination policy and campaign); Court of Appeal, The Hague, 18 May 2021, ECM : NL :GHDHA : 2021 : 868 (concerning the requirement to present a negative test result upon entry into the Netherlands); Court of Appeal, The Hague, 26 February 2021, ECLI:NL:GHDHA:2021:285 (concerning the curfew); The Hague District Court (presiding judge) 9 December 2020, ECLI:NL:RBHDHA:2020:12449 (concerning the use of PCR tests); The Hague District Court (presiding judge) 24 July 2020, ECLI:NL:RBDHA:2020:6856.

³⁹ Reply, § 99.

4 Concluding arguments

As set out in the statement of defence.



advocaat



State v Minks et al. C/ 17/ 190788 / HA ZA 2023-172

List of exhibits to the rejoinder

14 Statement of defence regarding preliminary evidence-taking on the part of the State,
24 June 2025

Handled by	R.W. Veldhuis and M.E.A. Möhring
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no.	

PRODUCTION BOURLA-60

ZEN TRUMFT R
CRAB REGISTER DATA

ROBERT KOCHINSTITUT



	0-4	5-9	10-14	15-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80-84	85		
1999 Breast tCSol female	<S	<S	<S	<S		32	248	938	1972	3154	4,609	4,810	7,310	8098	5889	6500	6121	3063	4601	57345
2000 breast CSO} female	<S	<S	<S	<S		36	247	956	2039	3331	4818	4825	7579	8661	6240	6429	71t3	3033	4239	59546
2001 Breast (CSO) female	<S	<S	<S	<S		37	225	923	2053	3440	4,624	5807	6285	9026	6648	6530	6229	3827	4131	59785
2002 Breast (CSO) female	<S	<S	<S	<S		42	232	903	2141	3633	5,091	5912	6058	9106	7678	6493	6353	4462	4681	62785
2003 B re a S t (CSO) female	<S	<S	<S	<S		39	234	858	2104	3730	4873	5925	6143	9261	8430	6255	6406	4828	0111	63197
2004 Breast CSO} female	US	<S	<S	s5		38	230	779	2057	3816	5,167	5593	5893	8340	8470	6358	5986	S370	3908	62005
2005 Breast (CSO) female	<S	<S	<S	<S		40	139	778	2036	3939	5088	5728	5799	7989	8770	6661	6375	5407	4319	63168
2006 Breast (Cs0) female	sS	<S	<S	<S		42	260	723	2023	4047	5405	5764	6735	7482	9870	7364	S869	5523	4731	65838
2007 Breast (CSO) female	<S	<S	<S	<S		43	266	765	1977	4280	6003	6342	7125	7633	10683	7722	6154	5687	5403	70083
2008 Breast (CSO) female	sS	<S	<S		S	46	286	799	1997	4,450	6,264	7512	8502	9205	13129	8477	6259	5580	5452	77963
2009 Breast (C50) female	<S	<S	<S	<S		42	292	796	1915	4371	6463	8110	8409	9149	12092	8803	6571	5531	5699	78243
2010 Breast (C50) female	<S	<S	<S		5	46	277	765	1764	4,200	6,420	7,875	7917	8393	10,39	9003	6672	5346	5811	74885
2011 Breast (C50) female	<S	<S	<S	<S		53	286	807	1595	3,896	6,554	7,956	7592	8757	9067	9038	7237	5339	5793	73970
2012 Breast (C50) female	<S	<S	<S	s5		50	299	834	1538	3,836	6,540	8,426	7614	8851	8276	8687	7835	5284	5939	74009
2013 Breast (C50) female	<S	<S	<S	<S		51	292	806	1646	3,555	6,573	8,704	7,395	8625	8235	8591	8049	5101	5879	73502
2014 Breast (Cs0) female	<S	<S	<S	<S		44	271	854	1630	3296	6,393	8,845	7,295	8451	7990	8028	8733	5222	5867	72919
2015 Breast (CSO) female	<S	<S	<S		5	44	298	862	1634	3290	6225	8816	7404	8343	8201	7254	8844	5460	6009	72609
2016 Breast (CSO) female	<S	<S	<S		7	46	348	879	1691	3124	5,944	9,135	7,514	8145	8676	6612	9171	5922	5764	72978
2017 Breast (C50) female	<S	<S	<S		6	44	300	911	1786	2977	5718	8758	7331	8248	8885	6441	9288	6483	5838	73011
2018 Breast (CSO) female	<S	<S	<S	<S		40	309	892	1889	2962	5,579	8,949	7,944	8320	9107	6057	8721	6982	5898	73649
2019 Breast (C50) female	<S	<S	<S		5	41	328	989	1857	3087	8274	8760	8072	8871	9227	6259	8693	7467	5925	74855
2020 Breast (CSO) female	<S	<S	<S	<S		43	286	1000	1836	3233	4,986	8,250	8,035	8603	8757	6262	7900	7694	6119	73004
2021 Breast (CSO) female	<S	<S	<S	<S		41	284	1005	1936	3363	4,875	8406	8414	9184	9329	690Z	7206	7839	6795	75579
2022 Breast (C50) female	<S	<S	<S		5	36	299	948	1921	3,295	4,764	7,855	8,074	9225	9181	7185	6931	8106	6687	74512

Latest update: 5 September 2024

Incidence, Number of cases in Germany

Selected filters

Age groups: 0–85+

Diagnosis: Breast (C50)

Sex: female

Years: 1999–2022

Legend

* No meaningful results due to a small number of cases

x: The combination does not make sense; for example, sex-specific cancer sites.

<5: Fewer than 5 cases have been recorded. For data protection reasons, the exact number is not published.

Citation: "German Centre for Cancer Registry Data, Robert Koch Institute: Database query with estimates for cancer incidence, prevalence and survival in Germany, based on data from the population-based cancer registries

Mortality data provided by the Federal Statistical Office. www.krebsdaten.de/database , Latest Update: 05.09.2024, Retrieved: (date of query)"

BOURLA PRODUCTION-
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		0–4	5–9	10–14	15–19	20–24	25–29	30–34	35–39	40–44	45–49	50–54	55–59	60–64	65–69	70–74	75–79	80–84	85	
1999 female	Ereast (Cso)	0	0	1	0	3	26	115	337	507	898	1089	1854	2003	1803	2160	2467	1514	2839	17,616
sooo female	Breast (cso)	0	0	Q	0	3	9	123	299	510	854	1113	1707	215t	1846	2099	2461	1641	2,998	17,814
2001 female	Breast (C50)	0	0	0	0	2	12	80	292	532	792	1170	1469	216 tonn es	1868	2036	2495	1841	2,753	17,504
zoo2 female	ereast (cso)	0	0	0	0	4	14	98	278	492	846	1186	1,385	2125	2010	2014	2498	2129	2701	17,780
2003 female	Breast (C50)	0	Q	0	I	2	13	89	259	489	782	1160	1333	2017	2141	1947	2193	2233	2514	17173
2004 May	Ereast (CSO)	0	1	0	1	3	15	78	240	531	765	1102	1302	2057	2384	1996	2358	2402	2357	1759t
2005 female	Breast (C50)	0	0	1	1	2	12	62	232	505	778	1079	1340	1934	2318	2005	2228	23S3	2565	17455
zoos female	ereasc(cso)	0	0	0	0	0	13	62	232	459	717	1144	1345	1636	2399	2111	2172	2371	2625	17,286
2007 female	Ereas(CSO)	0	1	0	1	1	14	54	198	446	735	994	1,353	1,517	2237	2183	2106	2235	2705	16,780
zoos female	ereasc(cso)	0	0	0	0	1	t4	54	206	412	748	993	1351	1520	2362	2355	2046	2254	2893	17,209
2009 May	ereast (cso)	0	0	0	0	4	16	63	167	377	774	954	1342	1,437	2172	2,440	2122	2281	2917	17,066
2010 female	Breast (CSO)	0	0	0	0	3	15	69	187	388	755	965	1,263	1,465	1997	2599	2178	2383	3199	17,466
2011 female	Breast (C50)	0	0	Q	0	1	12	77	145	406	738	1053	1293	1655	1816	2624	2346	2247	3,402	17,815
2012 female	Breast (C50)	1	0	0	0	0	15	59	154	398	670	1,061	1256	1548	1694	2604	2545	2288	3,455	17,748
2o13 female	Ereas (CSO)	1	0	0	0	t	18	70	163	348	67t	1079	1247	1532	1618	2430	2649	2343	3673	17853
2ot4 female	Ereast (CSO)	0	0	0	0	2	21	67	151	293	724	1,034	1179	1484	1604	2329	2782	2274	3726	17,670
up to female	Ereast (CSO)	0	0	0	0	5	12	64	133	313	646	1042	1243	1420	3627	2243	2988	2567	3833	18136
2ots femaie	ereast (cso)	0	0	0	0	0	26	70	164	303	644	1052	1,347	464	1744	2095	2995	2652	4,014	18,570
2oi7 female	ereasc(cso)	1	0	0	0	1	17	83	172	275	647	1063	1,263	1415	1796	1863	2920	2788	4,092	18,396
2ot8 female	sreast (csol)	0	0	0	0	3	25	76	194	297	596	1023	1309	1,416	1750	1847	2841	3092	4122	18,591
Sun 9 February	Breast (cso)	0	0	0	1	1	22	85	200	292	485	1026	1411	1324	1692	1775	2802	3273	4132	38,519
zo2o female	Breast tcso)	0	0	0	0	1	22	86	1S6	299	502	940	1335	1387	1658	1782	2,595	331t	4,351	18,425
2021 female	Breast (C50)	0	0	0	0	1	19	79	169	301	404	877	1389	1442	1605	1913	2259	3420	4601	18,479
2022 female	Breast (CSO)	0	0	0	0	3	13	69	187	318	440	878	1286	1,448	167B	1976	2239	3478	4878	t8891
2023 female	Breast (CSO)	1	0	1	0	1	14	75	182	301	479	761	1173	1,487	1663	1976	2124	3265	5024	T8527

Latest update: 5 September 2024

Mortality, Number of cases in Germany

Selected filters

Age groups: 0–85+

Diagnosis: Breast (C50)

Sex: female

Years: 1999–2023

Legend

” : No meaningful results due to a small number of cases

x: The combination does not make sense; for example, sex-specific cancer sites.

<S : Fewer than 5 cases have been recorded. For data protection reasons, the exact number is not published.

Citation: "German Centre for Cancer Registry Data, Robert Koch Institute: Database query with estimates for cancer incidence, prevalence and survival in Germany, based on data from the population-based cancer registries

Mortality data provided by the Federal Statistical Office. www.krebsdaten.de/database , Latest Update: 05.09.2024, Retrieved: (date of query)"

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Element:	Highest value	Upper safe intake limit (in pg per dia q):
	Lower daily	
	Confirmatory-taccin (in pg/0.3ml):	
Lithium	0.0186	73890 ¹
Boron	0.66	13,000 ²
Sodium	17,400	2,000,000 ³
Magnesium	16.2	400,000 ⁴
Aluminium	69	10,000 (at a weight of 70 kg) ⁵
Phosphorus	2,010	3,000,000 ⁶
Potassium	19,200	No limit ⁷
Titanium	1.86	No safe limit has been set, but an average intake of 1710 pg/day has been established
Vanadium	0.0063	1,800*
Chromium	0.0216	1,000,000 ¹⁰
Manganese	0.0057	11,000* ¹
Nickel	0.0081	1000 ^{1 2}
Cobalt	0.000261	30 ³
Copper	0.027	10,000 ^{1 4}
Zinc	0.81	25,000 ¹⁵
Gallium	0.00066	no safe limit; however, gallium is present in, for example, cucumbers (0.0016 pg/g) and carrots (13.34 pg/g) ¹⁶
Arsenic	0.0081	50 ¹⁷
Selenium	0.00225	4,000,000*
Rubidium	0.00057	no safe limit; the average person ingests 6,000 pg per day ^{1 0}
Strontium	0.00069	1,000,000 ²⁰
Niobium	0.00024	No safe limit has been established, but there have never been any cases of poisoning observed and a daily intake of 20–60 pg ²¹
Molybdenum	0.0036	600,000 ²²
Ruthenium	0.0000003	No limit, but has been detected in various types of vegetables in an average concentration ranging from 0.0002 (carrot and tomato) pg/g to 0.0013 (dill) pg/g ^{2 *}
Rhodium	0.000012	No limit; in the worst-case scenario (based on outdated data from England) 0.3 pg per day ^{2 4}
Palladium	0.00024	No safe limit, 1.5–15 pg intake per day ²⁵
Barium	0.0207	20 ²⁶
Lanthanum	0.000168	4,500,000 (for lanthanum carbonate, the element as a medicine in salt form) ²⁷
Cerium	0.00153	No limit; found in certain foods in quantities ranging from 0.0002 (cucumber) to 1.2 (Brazil nut) pg/g ²
Praseodymium	0.000042	350 ^{2 *}
Samarium	0.0000075	No safe limit; 0.72–1.98 pg/kg dry weight is present in the human body ³⁰
Europium	0.0000075	No limit; found in certain foods in quantities between 0.0005 (broccoli) and 0.1 (Brazil nut) pg/g ³¹
Terbium	0.0000006	In animal feed, the maximum amount is 200* ²
Gadolinium	0.000006	No limit; found in certain foods in quantities between 0.0004 (dill) and 0.00125 (spinach) pg/g ³³
Dysprosium	0.0000042	No limit, ranging from 0.0006 pg/g (beetroot) to 0.0019 pg/g (spinach) in vegetables ^{3 4}
Erbium	0.000018	No limit, but has been detected in various vegetables with an average concentration ranging from 0.0003 pg/g (beetroot) to 0.0010 pg/g (spinach) ³⁵
Hafnium	0.00093	500 Jg/m* ³⁶
Tungsten	0.00144	500 pg/m ³⁷
Platinum	0.000126	1.6 pg/0.3 ml ^{3 7}
Lead	0.0126	no safe limit, average daily intake of 0.36 pg–2.43 pg/kg body weight ^{3 0}
Uranium	0.000075	0.6 pg/kg body weight ⁴⁰

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- ¹ J. Cafasso, 'The Facts about Lithium Toxicity', [healthline.com](https://www.healthline.com), 29 June 2023.
- ² World Health Organisation, International Atomic Energy Agency & Food and Agriculture Organisation of the United Nations, *Trace elements in human nutrition and health*, World Health Organisation 1996.
- ³ 'Sodium reduction', [who.int](https://www.who.int), 7 February 2025.
- ⁴ 'Magnesium: Fact Sheet for Health Professionals', ods.od.nih.gov.
- ⁵ 'EFSA Advises on the Safety of Aluminium in Food', efsa.europa.eu, 15 July 2008.
- ⁶ 'How many vitamins and minerals do you need?', vitamine-info.nl.
- ⁷ R. Morgan Griffin, A. Powell Key, 'How Potassium Helps the Body', webmd.com, 8 May 2024.
- ⁸ 'Estimated intake of titanium dioxide via medicines', rivm.nl, 19 December 2024.
- ⁹ 'VANADIUM — Uses, Side Effects, and More', webmd.com.
- ¹⁰ 'How many vitamins and minerals do you need?', vitamine-info.nl.
- ¹¹ 'How many vitamins and minerals do you need?', vitamine-info.nl.
- ¹² F. Nielsen, 'Nickel', *Advances in Nutrition* 2020 12/1, pp. 281–282.
- ¹³ B.L. Finley, A.D. Monnot, D.J. Paustenbach, S.H. Gaffney, 'Derivation of a chronic oral reference dose for cobalt', *Regulatory Toxicology and Pharmacology* 2012 64/3, pp. 491–503.
- ¹⁴ 'Copper. Fact Sheet for Consumers', ods.od.nih.gov.
- ¹⁵ 'How much vitamins and minerals do you need?', vitamine-info.nl.
- ¹⁶ 'Showing Compound Gallium (FDB030029)', foodb.ca, 26 November 2019.
- ¹⁷ 'ARSENIC — Uses, Side Effects, and More', webmd.com.
- ¹⁸ 'Selenium: Fact Sheet for Consumers', ods.od.nih.gov.
- ¹⁹ 'Rubidium $a_7\text{Rb}^{46}\text{78}$ ', mateck.com.
- ²⁰ 'Toxicological Profile for Strontium', ncbi.nlm.nih.gov, 3 April 2004.
- ²¹ 'Niobium 41Nb^{906} ', mateck.com.
- ²² 'How many vitamins and minerals do you need?', vitamine-info.nl.
- ²³ 'Showing Compound Ruthenium (FDB030039)', foodb.ca, 26 November 2019.
- ²⁴ A.C. Beynen, 'Rhodium in pet food', *Bonny Canteen* 2021/2, pp. 287–295.
- ²⁵ C. Melber, D. Keller, I. Mangelsdorf, *Environmental Health Criteria* 226. Geneva: United Nations Environment Programme, the International Labour Organisation and the World Health Organisation.
- ²⁶ 'Assessment of the Tolerable Daily Intake of Barium', prepared by the *Scientific Committee on Health and the Environment/Risks* on behalf of the European Commission.
- ²⁷ 'Lanthanum Carbonate Dosage', drugs.com, 2 October 2024.
- ²⁸ 'Showing Compound Cerium (FDB004261)', foodb.ca, 26 November 2019.
- ²⁹ A.C. Beynen, 'Praseodymium in pet food', *Bonny Canteen* 2024/5, pp. 21–28.
- ³⁰ A.C. Beynen, 'Samarium in pet food', *Bonny Canteen* 2024/5, pp. 1–9.
- ³¹ 'Showing Compound Europium (FDB003769)', foodb.ca, 26 November 2019.
- ³² A.C. Beynen, 'Terbium in pet food', *Bonny Canteen* 2024/5, pp. 121–126.
- ³³ 'Showing Compound Gadolinium (FDB030054)', foodb.ca, 26 November 2019.
- ³⁴ 'Showing Compound Dysprosium (FDB030056)', foodb.ca, 26 November 2019.
- ³⁵ 'Showing Compound Erbium (FDB030058)', foodb.ca, 26 November 2019.
- ³⁶ 'Hafnium', cdc.gov.
- ³⁷ A.M. Bolt, 'Tungsten Toxicity and Carcinogenesis', *Adv. Pharmacol.* 2023/96, pp. 119–150.
- ³⁸ 'Platinum and platinum compounds: Health-based recommended occupational exposure limit', advice from the Health Council of the Netherlands to the Minister for Social Affairs and Employment, 12 June 2008.
- ³⁹ 'Scientific Opinion on Lead in Food', *EFSA Journal* 2010 8/4, p. 1570.
- ⁴⁰ 'Uranium and Depleted Uranium', world-nuclear.org, 16 May 2025.

PRODUCTION BOURLA-63

District Court of the Northern Netherlands,
Leeuwarden branch Case number: C/17/199273 /
HA RK 25/17 Oral hearing: 9 July 2025

STATEMENT OF DEFENCE PRELIMINARY EVIDENCE-TAKING
PROCEDURES PURSUANT TO SECTIONS 196 ET SEQ. OF THE
CODE OF CRIMINAL PROCEDURE

concerning

ALBERT BOURLA
residing in Greenwich, United States of America

Defendant No. 11,
lawyers: D.C. Roessingh, LL.B., and M. Bredenoord-Spoek,
LL.B., both with offices at Burgerweeshuispad 201, 1076
GR Amsterdam, who are submitting this statement of
v.” defence.

1. RENE ANTON BOS
residing in Leeuwarden,
2. JESSICA PAULA MANUBULU
residing in Brunssum,
3. MICHAEL RONALD STAAMER
residing in Leeuwarden,

(collectively ‘Bos et al.’)

the applicants,
solicitors: Mr A.G.W. van Kessel and Mr P.W.H. Stassen

1 INTRODUCTION

1. Bos et al. have lodged an application for provisional measures of inquiry pursuant to Article 196 et seq. of the Code of Civil Procedure. In this statement of defence, Bourla explains that the application by Bos et al. should be declared inadmissible, or at least that the application by Bos et al. should be dismissed.

2 BOURLA JOINS THE STATE'S STATEMENT OF DEFENCE

2. Bourla has taken note of the statement of defence in the preliminary expert hearing on behalf of the State of the Netherlands and various natural persons (collectively, the 'State') dated 24 June 2025 (Annex 1). Bourla concurs with the State's defence and adopts all the State's arguments as his own, and in particular the following (summarised) arguments:

- (i) Bos et al.'s application should be declared inadmissible (Article 196(1) of the Code of Civil Procedure), or at the very least, their application should be dismissed on the grounds of a breach of the proper conduct of proceedings and/or abuse of power (Article 196(2) of the Code of Civil Procedure) (paragraph 3 of the State's statement of defence).
- (ii) The application by Bos et al. must be dismissed because Bos et al. have no sufficient interest in the hearing of the proposed 'experts', since (i) the proposed individuals cannot be regarded as (objective and impartial) experts, (ii) they do not possess the appropriate qualifications, and (iii) it is already clear from previous statements how they will testify and that they will not provide conclusive evidence in support of the claims made by Bos et al. (and/or Minks et al.) (nos. 1.5–1.8 and paragraph 4 of the State's statement of defence).
- (iii) The application by Bos et al. must be dismissed because Bos et al. have insufficient interest in the application and/or there is an abuse of power and/or a breach of the proper conduct of proceedings, since (i) the evidence can also be obtained in writing, (ii) there is no need to secure the evidence

(iii) it concerns a point of legal dispute and (iv) there is a real likelihood that any incidental application for joinder or intervention by Bos et al. will be dismissed (paragraph 5 of the State's statement of defence).

(iv) The application by Bos et al. must be dismissed because the questions proposed by Bos et al. are irrelevant and/or unsuitable for answering by an expert, and/or do not fall within the field of expertise of the proposed persons (paragraph 6 of the State's statement of defence).

(v) In so far as the application by Bos et al. is (also) to be understood as an application to hear witnesses, the reasons (i) to (iv) set out above apply, meaning that Bos et al.'s application must be declared inadmissible, or at the very least that it must be dismissed. Furthermore, the application must also be dismissed because Bos et al. have not explained which relevant events the persons mentioned by Bos et al. are alleged to have witnessed; none of the questions relate to their own observations (footnote 1 in the State's statement of defence).

3 ADDITIONAL COMMENTS IN REGARD TO MICHAEL YEADON

3. In addition to the State's defence that Mr Mike Yeadon ("Yeadon"), a former employee of Pfizer, Inc. ("Pfizer"), cannot be regarded as an (objective and impartial) expert, Bourla makes a few further comments.
4. Bos et al. claim that Yeadon possesses the necessary qualifications to be heard and/or to give evidence as an expert witness, partly because he is said to be a former vice-president of Pfizer and to specialise in vaccine development.¹ Bos et al. wish to ask Yeadon questions, amongst other things, regarding (i) the existence of the disease Covid-19 and the Covid-19 pandemic, (ii) who developed the Covid-19 vaccines and for what purpose, and (iii) regarding

¹ Petition by Bos et al., paragraph 17(2).

the safety and efficacy of Covid-19 vaccines and the classification of Covid-19 vaccines as 'bioweapons' and a means of committing genocide.

3.1 No relevant expertise apparent from his CV

5. Insofar as Bos et al. consider that Yeadon, by virtue of his employment at Pfizer, can be regarded as an expert on these subjects, this is not apparent.
6. Yeadon worked at Pfizer from 1995 to 2011. He has therefore not been employed by Pfizer for over 13 years. For that reason alone, it cannot be the case that Yeadon was involved in the development of Comirnaty, which, after all, began in 2020.
7. Furthermore, Yeadon did not work in a department within Pfizer responsible for the development of vaccines. Yeadon worked within Pfizer's *Worldwide Research, Development and Medical* organisation ("WRDM"). Pfizer's WRDM organisation is divided into various therapeutic areas, including, for example, '*Inflammation & Immunology*' and '*Vaccines*'.² Until 2011, '*Allergy & Respiratory Biology*' ("A&R") was also one of the therapeutic areas. Yeadon worked there. The A&R department was involved in research into asthma and lung diseases such as COPD. Yeadon did not work in the '*Inflammation & Immunology*' or '*Vaccines*' departments. The latter department ultimately developed Comirnaty in 2020.
8. It is therefore difficult to see how Yeadon, by virtue of his employment at Pfizer, would possess the necessary knowledge and/or experience to comment on the safety and efficacy of Comirnaty or other Covid-19 vaccines. Furthermore, his CV does not indicate that he has acquired any relevant experience or knowledge regarding (Covid-19 or mRNA) vaccines, biological weapons or pandemics from other sources. As for the latter

* See: 'About', *Pfizer*, <https://www.pfizer.com/about/partners/research-and-business-development-partnerships>.

: in an online blog post, he explicitly confirmed that he lacks relevant expertise in that area: *"I am no epidemiologist."*³

9. Incidentally, Yeadon's website states that he was allegedly the *Chief Scientific Officer* at Pfizer. This is incorrect. During the period that Yeadon worked at Pfizer, Martin Mackay (1995–2010) and Mikael Dolsten (2010–2025) were Pfizer's *Chief Scientific Officers*.
- 3.2 Yeadon's demonstrably incorrect and unfounded public statements disqualify him as an expert
10. The fact that Yeadon has publicly disseminated demonstrably false and unfounded claims about the Covid-19 pandemic and vaccinations also disqualifies him as a potential (reliable, objective and impartial) expert.
11. In a blog post dated 16 October 2020, for example, Yeadon incorrectly claimed that the Covid-19 pandemic was effectively over: *"The pandemic is effectively over, with small, self-limiting outbreaks which will soon subside."* Yeadon also claimed that no vaccines were needed to end the pandemic: *"There is absolutely no need for vaccines to extinguish the pandemic. I've never heard such nonsense talked about vaccines."* In the same blog post, Yeadon incidentally confirmed that he lacks relevant expertise in this field: *"I am not an epidemiologist. I'm not a mathematician, either."*⁴
12. Yeadon's aforementioned claims regarding the Covid-19 pandemic and vaccines proved to be incorrect. The pandemic was not over by October 2020, but continued for a further two and a half years.* Moreover, vaccination has contributed significantly to curbing the pandemic. Scientific analyses show

³ Blog: M. Yeadon, 'What SAGE Has Got Wrong', 16 October 2020, <https://web.archive.org/web/20201129113931/https://lockdownsceptics.org/what-sage-got-wrong/>. Commentary: A. Swenson, 'Coronavirus pandemic is not "effectively over" as op-ed claims', 30 November 2020, <https://apnews.com/article/fact-checking-9788407587>.

Blog: M. Yeadon, 'What SAGE Has Got Wrong', 16 October 2020, <https://web.archive.org/web/20201129113931/https://lockdownsceptics.org/what-sage-got-wrong/>. Commentary: A. Swenson, 'The coronavirus pandemic is not "effectively over" as the op-ed claims', 30 November 2020, <https://apnews.com/article/fact-checking-9788407587>.

⁵ 'Coronavirus disease (COVID-19) pandemic', 'HO, <https://www.who.int/europe/emergencies/situations/covid-19>.

It is estimated that the Covid-19 vaccines prevented approximately 14 to 19 million deaths worldwide during the first two years of the pandemic alone.*

13. In addition, on 1 December 2020, for example, Yeadon submitted a request to the European Medicines Agency (the 'EMA') to revoke the emergency authorisation for a Covid-19 vaccine developed by BioNTech and Pfizer, but this request was unsuccessful.⁷ The reason for this request was that, according to Yeadon, the vaccines could cause infertility in women. In the request itself, however, Yeadon acknowledges that this claim is unfounded, as there was no evidence to support the alleged risk to fertility.⁸ The request was therefore not granted. Furthermore, the claim that Comirnaty would lead to infertility has remained unsubstantiated.¹⁰
14. Another example of Yeadon's unfounded beliefs concerns his speech on 16 May 2021. In it, Yeadon claimed, amongst other things, that people without symptoms could not transmit Covid-19.¹¹ This is incorrect, as various medical studies have shown.* In his speech, Yeadon spread further disinformation, including regarding the safety and effectiveness of Covid-19 vaccines.¹³

The Lancet, 'Global impact of the first year of COVID-19', 23 June 2022, available at www.thelancet.com/action/showPdf?pii=S1473-3099%2822%2900320-6.

⁷ W. Wodarg and M. Yeadon, 'Petition/motion for administrative/regulatory action', <https://www.scribd.com/document/487135032/Wodarg-Yeadon-EMA-Petition-Pfizer-Trial-FINAL-01DEC2020-en-Unsigned-With-Exhibits>.

⁸ N. Sajjadi et al., 'United States internet searches for "infertility" following COVID-19 vaccine misinformation', *J Osteopath Med* 121(6), p. 583–587, <https://jom.osteopathic.org/abstract/united-states-internet-searches-for-infertility-following-covid-19-vaccine-misinformation/>.

¹⁰ 'Comirnaty', EMA, <https://www.ema.europa.eu/en/medicines/human/EPAR/comirnaty>. See e.g. <https://www.lareb.nl/mvm-kennis-pagina/Coronavaccin-tijdens-de-zwangerschap> and <https://www.cdc.gov/covid/vaccines/pregnant-or-breastfeeding.html>.

¹² 'Fact Check: Ex-Pfizer scientist repeats COVID-19 vaccine misinformation in recorded speech', *Reuters* 20 May 2021, <https://www.reuters.com/article/fact-check/fact-check-ex-pfizer-scientist-repeats-covid-19-vaccine-misinformation-in-recor-idUSL2N2N72CS/>.

¹³ See, for example, M. Johansson et al., 'SARS-CoV-2 Transmission From People Without COVID-19 Symptoms', *JAMA Netw Open* 2021;4;(1):e2035057, <https://pubmed.ncbi.nlm.nih.gov/33410879/>.

¹³ 'Fact Check: Former Pfizer scientist repeats COVID-19 vaccine misinformation in recorded speech', *Reuters* 20 May 2021, <https://www.reuters.com/article/fact-check/fact-check-ex-pfizer-scientist-repeats-covid-19-vaccine-misinformation-in-recor-idUSL2N2N72CS/>.

15. In response to the disinformation spread by Yeadon on social media, several of Yeadon's former colleagues have publicly stated that they no longer recognise Yeadon as the well-informed and evidence-based colleague they once knew.¹⁴ It is clear that Yeadon is not qualified to give evidence as an independent and impartial expert in these proceedings. Yeadon lacks the necessary experience and knowledge to give evidence on Covid-19 (vaccines) and puts forward views that run counter to the broad scientific consensus.
16. Needless to say: the fact that, in view of the above, Bos et al. have no interest in a provisional examination of witnesses and/or experts does not preclude them (and Minks et al.) from drawing up (or having drawn up) and submitting a written statement from Yeadon (Article 152(1) of the Code of Civil Procedure), to which he is apparently willing.¹⁵ The court may then assess such a statement at its own discretion (Article 152(2) of the Code of Civil Procedure). Bourla is not seeking to silence Yeadon, or to prevent his views from being made public. Bourla simply sees no added value in hearing Yeadon, given that his views on the Covid-19 pandemic and vaccination are already known from public sources and Bourla has no questions for Yeadon.

4 CONCLUSION

17. On the basis of the foregoing, Bourla concludes that the court should, by order, insofar as legally possible, make the order provisionally enforceable:
- (a) declare Bos et al.'s application inadmissible, or at least dismiss the application made by Bos et al.;
 - (b) order Bos et al. to pay the costs of the proceedings, together with statutory interest as referred to in Article 6:119 of the Dutch Civil Code, from fourteen days after the date of the judgment.

¹⁴ 'The ex-Pfizer scientist who became an anti-vax hero', *Reuters* 18 March 2021, <https://www.reuters.com/investigates/special-report/health-coronavirus-vaccines-skeptic/>.
¹⁵ Petition by Bos et al., para. 16.

Amsterdam, 25 June 2025

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Solicitor

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PRODUCTION BOURLA-64

PELS RIJCKEN

District Court of the Northern Netherlands, Leeuwarden
branch Case/roll number C/ 17/ 199273 / HA RK 25/ 17
Date of submission of the statement of defence: 24 June 2025

Statement of defence in
the preliminary expert
hearing

concerning

1. the State of the Netherlands
whose registered office is situated in The Hague
2. Everhardus Ite Hofstra
3. Jaap Tamino van Dissel
4. Maria Petronella Gerarda Koopmans
5. Mark Rutte
6. Sigrid Agnes Maria Kaag
7. Hugo Mattheüs de Jonge
8. Ernst Johan Kuipers
9. Diederik Antonius Maria Paulus
Johannes Gommers
10. Wopke Bastiaan Hoekstra
11. Cornelia van Nieuwenhuizen
12. Feike Sijbesma

all of whom have elected domicile in The Hague,
the defendants
solicitors:
R. W. Veldhuis, LL.B., and M.E.A. M öhring, LL.B.

against

1. René Anton Bos,
residing in Leeuwarden
2. Jessica Paula Manubulu
residing in Brunssum
3. Michael Ronald Staa,
residing in Leeuwarden, on
behalf of the applicants'

lawyers:
A.G.W. van Kessel, LL.B., and P.W.H. Stassen, LL.B.

1 Introduction

- 1.1 The applicants are asking your court to order a preliminary examination of evidence. However, the exact nature of the preliminary examination of evidence sought by the applicants is somewhat vague: in the application, the applicants refer alternately to a preliminary expert hearing, a preliminary expert report, a combination of these, or a witness hearing. As the relief sought in the petition merely requests an examination of experts, the State assumes that this is the request being made here

*! 9!

The applicants have involved various individuals in these proceedings who have been active as government ministers, members of the OMT or in other capacities in the fight against the coronavirus pandemic. However, there is no legally recognised interest in involving these individuals in a private capacity in these proceedings. It is settled case law that the conduct of individuals in the course of their duties for the State must be attributed to the State.² The defence set out in this statement of defence is also consistently put forward by the State on behalf of the other defendants on whose behalf this statement of defence is filed.

- 1.2 The application for this preliminary taking of evidence relates to the summons proceedings currently pending before your court, which Minks et al. have brought against various defendants, including the State (hereinafter: the main proceedings).

In those proceedings, Minks et al. submitted their reply on 11 June 2025. The case is now listed for 23 July 2025 for the defendants to submit their rejoinder. A date for an oral hearing will then be set.

- 1.3 In the main proceedings, the central argument put forward by Minks et al. is that there was deliberate and unlawful misrepresentation, in that the defendants allegedly urged the Dutch population to be vaccinated against Covid-19, whilst the defendants were allegedly aware that the vaccine was neither safe nor effective. Minks c. et al. are also seeking a declaration to that effect in those proceedings. The plaintiffs base this central contention and claim on the theory that there is a global conspiracy of which the defendants are said to be a part. That conspiracy is said to be aimed at implementing the 'Great Reset', of which

That is also the line of evidence that features most prominently in the body of the application. Should your court take a different view of the relief sought, the following shall apply mutatis mutandis in respect of the requests which, in your court's view, are relevant. Specifically with regard to the hearing of persons as witnesses, the State observes that the applicants have failed entirely to explain which relevant events the persons named by the applicants are alleged to have witnessed, and that none of the questions relate to these persons' own observations, so that the application must (also) be rejected on that ground. See Supreme Court 7 September 2018, ECLI: NL: HR:2018:1433, grounds for the judgment. 3.5.3.

Supreme Court 11 October 1991, ECLI: NL:HR: 1991: ZC0360, NJ 1993/ 165, para. 3.3. See also Court of Appeal, The Hague, 18 July 2017,

ECLI: NL:GHDHA : 2017 : 2033, para. 10.

The case is being heard under case/reference number: C/ 17/ 190788 / HA ZA 23- 172.

It is also alleged that the 'Covid-19' project is part of this. Covid-19 is claimed not to actually exist, and the 'Covid-19 injections' are alleged to lead to (serious) injury and death, and even to genocide — according to Minks et al.

- 1.4 According to the application, the applicants support the arguments put forward by the left-wing parties and others in the main proceedings. According to the applicants, the main proceedings brought by Minks et al. are increasingly focusing on the question of whether the *Covid-19* vaccines “*constitute a biological weapon used to commit genocide*”. The applicants consider that a finding of fact on this point is “*crucial*” in determining whether they wish to join or intervene in the main proceedings.⁴ For this reason, the applicants wish to put various questions to the persons named in the application as experts — including whether there is a ‘Great Reset’, whether the disease Covid-19 exists, *whether* there has been a pandemic, and whether the Covid-19 vaccines are a biological weapon used to commit genocide.
- 1.5 The individuals named by the applicants cannot be regarded as experts, and certainly not as *independent and impartial* experts. The State also firmly believes that, should the individuals named by the applicants be called to give evidence, they will answer the questions proposed by the applicants in the manner advocated by the applicants — namely, that there is a ‘Great Reset’, that the disease Covid-19 does not exist, that there has been no pandemic, and that the Covid-19 vaccines are a biological weapon being used to commit genocide. After all, the individuals put forward by the applicants have previously expressed such views publicly.⁵ The applicants therefore do not actually need these individuals to be heard as experts by way of preliminary evidence-taking in order to determine their legal position. For this reason alone, the application must be dismissed on the grounds of lack of interest.
- 1.6 The fact that these individuals, if heard, would make such statements does not mean that this establishes that the position of the applicants and these individuals regarding, in short, Covid-19 is correct — as the applicants appear to believe. There are many (genuinely) independent and impartial experts who would state the opposite. After all, the position of the applicants, and of the individuals named by the applicants, runs counter to the widely held scientific consensus: that the disease Covid-19 exists, that there has been a pandemic, and that the vaccines against Covid-19 are safe and effective. The State could therefore also find many experts willing to state this, but pitting different (partisan) experts against one another is not a helpful way to resolve a dispute.
- 1.7 Hearing the persons named by the applicants as experts would therefore not advance the dispute between the parties. The question is also whether that is what the applicants

Petition, paragraphs 1 and 19. Incidentally, the applicants refer alternately to ‘intervention’ and ‘joinder’. It is therefore unclear in what capacity they wish to intervene.
See point 4 below.

intend to achieve with this application. The applicants' primary aim in making this application appears to be to have a judge hear these persons as experts, thereby conferring a certain legitimacy on the (content of) their statements — even outside the proceedings. That is not a legally recognised interest that would justify hearing these persons in court.

- 18 The State takes the view that the applicants' application should be declared inadmissible, or at the very least that the application should be dismissed. The State sets out its reasons in more detail below.

2 Legal framework

- 2.1 These proceedings — which were initiated by the application filed on 7 March 2025 — are governed by the new rules of evidence, as applicable from 1 January 2025.⁶ The applicants also accept this.'
- 2.2 Under this new law on evidence, the court may, upon application, order provisional measures of inquiry (i) before the case is brought before the court or (ii) if the case has already been brought before the court but has not yet been entered on the roll (Article 196(1) of the Code of Civil Procedure). No application for provisional taking of evidence may be made during proceedings that are already in progress.⁸ Where proceedings are in progress, any taking of evidence must be ordered by the judge to whom the case has been assigned. That judge is best placed to assess whether the taking of evidence is necessary, and this prevents provisional taking of evidence from interfering with the ongoing proceedings.¹⁰
- 2.3 A request for provisional evidence may also be rejected (i) if the information sought is not sufficiently specific, (ii) if there is insufficient interest in the preliminary taking of evidence, (iii) if the application is contrary to the proper conduct of proceedings, (iv) if there is an abuse of power, or (v) if there are other compelling reasons precluding the preliminary taking of evidence (Article 196(2) of the Code of Civil Procedure).

3 Inadmissible; contrary to the proper conduct of proceedings; abuse of power

- 3.1 The applicants' application was made whilst proceedings were already pending: the case of Minks et al., in which the applicants claim they wish to intervene.^{1*} As stated above

⁶ Stö. 2024/62. See, regarding transitional law: *Parliamentary Papers II* 2021/22, 35498, No. 7, p. 3 and Article XXIIA of the Act on the Simplification and Modernisation of the Law of Evidence (*Stb.* 2024, 62).

The applicants refer to a 'Petition for provisional taking of evidence (pursuant to Article 196 et seq. of the Code of Civil Procedure)'.

⁸ *Parliamentary Papers II* 2019/20, 35 498, No. 3, p. 10. See also: Lock, in: F&C P v, commentary on Article 196 of the Code of Civil Procedure, note 1a; G. de Groot, *Expert Evidence* (Civil Procedure & Practice No. 27), Deventer: Wolters Kluwer 2025, nos. 253, 255.

⁹ See *Parliamentary Papers* 2019/20, 35 498, no. 3, p. 44.

¹⁰ See *Parliamentary Papers H* 2019/20, 35 498, no. 3, p. 44.

A 'case' within the meaning of Article 196(1) of the Code of Civil Procedure is a case in which a claim, application or defence may be based on facts in respect of which information can be obtained through the taking of evidence in the preliminary evidence-taking proceedings. See G. de Groot, *Civil Expert Evidence* (Civil Procedure & Practice No. 27), Deventer: Wolters Kluwer 2025, para. 255.

As explained, a request for preliminary evidence-taking can only be made before the case is pending, and it is not possible to order preliminary evidence-taking whilst the case is ongoing. This means that applicants' requests must be declared inadmissible.*⁴

- 3.2 If a third party were permitted, during ongoing proceedings, to make a request for the taking of preliminary evidence relating to proceedings already in progress, this would mean that the restriction deliberately laid down by the legislature in Article 196(1) of the Code of Civil Procedure (the taking of preliminary evidence only prior to the proceedings) could easily be circumvented. Such a circumvention also runs counter to the legislature's intention with the new law on evidence, which, after all, has two distinct aspects: the taking of evidence prior to proceedings, or during proceedings.
- 3.3 The foregoing applies in particular in a case such as this. The applicants do not appear to be 'ordinary' third parties considering intervening in ongoing proceedings. There are clear links between the applicants and Minks et al.: the applicants and Minks et al. are represented by the same lawyers; the applicants and Minks et al. submit each other's pleadings back and forth in the various proceedings; and both the applicants' proceedings and those of Minks et al. are apparently facilitated by the same foundation: the 'Recht Oprecht' Foundation, which also regards these proceedings as a single whole.¹³
- 3.4 It therefore appears that the applicants' request for a preliminary taking of evidence is in fact intended to gather evidence for the ongoing proceedings in Minks et al., and that this is an attempt to circumvent the statutory restriction in Article 196(1) of the Code of Civil Procedure (during ongoing proceedings, no preliminary taking of evidence is possible).¹⁴
- 3.5 Granting the application would furthermore result in an unacceptable interference with the court's procedural policy in the ongoing proceedings.¹⁵ In their reply, Minks et al. referred to these application proceedings and subsequently offered 'the same expert evidence' in the main proceedings as well.¹⁶ It is for the court in those proceedings to ultimately assess, in the light of the (currently ongoing) debate between the parties in the main proceedings, whether the taking of evidence is necessary in those proceedings — and, if so, what form it should take.¹⁷ In this way, evidence-taking can be carried out — where necessary — in a targeted and cost-effective manner. The State considers, moreover, that the debate between the parties

⁴⁰ See also Gelderland District Court, 27 March 2025, ECLI: NL:RBGEL: 2025:2264.

⁴¹ It appears that the website of this foundation (www.rechtoprecht.online), under the heading 'The court case', contains information regarding both the proceedings brought by Minks et al. and these petition proceedings. The same website also states that the applicants' lawyers (who are therefore also the lawyers for Minks et al.) will inform visitors at events about (among other things) developments in both the ongoing proceedings and these petition proceedings.

⁴² Or at least serves another purpose (outside the scope of any proceedings); see point 1.7 above.

⁴³ See *AamersMkijken* 71 2019/20, 35 498, no. 3, p. 58. See also T&C Rv, commentary on Article 196 Rv, note 1. ⁴⁴ See the reply submitted by Minks et al., at paragraphs 26 and 44 (and also the offer of evidence on p. 52).

⁴⁵ See Asser Procesrecht/Asser 3 2023/219; Asser Procesrecht/Van Schaick 2 2022/95.

as there has been no cause for this in that case to date.

- 36 If the application in these proceedings is granted, there is a real possibility that a preliminary taking of evidence will take place in respect of assertions for which, in the judge's opinion in the current proceedings, no evidence needs to be adduced.
- 37 The foregoing means that the applicants' application must be declared inadmissible (Article 196(1) of the Code of Civil Procedure), or at least that their application must be dismissed on the grounds of a breach of the proper conduct of proceedings and/or an abuse of power (Article 196(2) of the Code of Civil Procedure). This is all the more so in light of the following.
- 4 The proposed 'experts'
- 4.1 The applicants have named five individuals whom they wish to hear as experts. These are:
- Catherine Austin Fitts. According to Annex 1 submitted by the applicants, she holds a bachelor's degree in history and a master's degree in business administration, and describes herself as an 'investment adviser, entrepreneur, government official and investment banker'.⁸ In her own words: *"I am not a scientist. I am not a doctor. I am not a biotech engineer. I am not a solicitor. However, I read, listen, appreciate, and try to understand those who are."*⁹ Previously, Fitts has, amongst other things, made the following comments about mRNA vaccines: *"The certainty that mRNA technology kills and maims — and that this was known by those who manufactured and released the COVID-19 vaccines — is priceless intelligence. Having this knowledge gives you the power to protect yourself and the people you love. Your doing so is of the utmost importance to the network of doctors, scientists, and researchers who have worked to understand and communicate these dangers. (...) What you have learnt may be priceless intelligence, but it is not convenient. The fact that mRNA technology maims and kills has profound implications. Given who is behind this technology, it radically alters our understanding of whom we can trust—not just regarding mRNA technology but regarding a far wider range of issues that affect numerous aspects of our daily lives and finances. Off the list of trusted institutions are our governments, including the military and the agencies that regulate health. Off the list is the pharmaceutical industry. Off the list are the doctors and hospitals that were paid handsomely to push mRNA vaccines, and even before that to administer harmful and often lethal COVID-19 treatments. Off the list are the media that waged war on the hearts and minds of people everywhere, filling them with fear to herd them and*

⁸ See Annex 1 to the petition.

⁹ <https://solari.com/deep-state-tactics-101-the-covid-injection-fraud-its-not-a-vaccine/>

their children into the mRNA “kill box”. . In an interview, Fitts describes what she believes to be the aim of the ‘Great Reset’, namely “to make slaves of us all” — in this context, she also states: *“What COVID-19 is, is the establishment of the controls necessary to transform the planet from a democratic process to a technocracy. So what we’re witnessing is a shift in control and the engineering of new control systems. Think of this as a coup d’état rather than a virus.”*

See also: *“Catherine begins the interview by explaining what the Great Reset is, and how it will eventually bring an end to the US dollar as the world’s main currency, and spell the end of all currencies as we know them, as central banks introduce a cashless society with a social credit system like China’s.”*

- *Mike Yeadon. According to his CV submitted by the applicants, Yeadon did indeed work at Pfizer, but not in a department involved in (the development of) vaccines.²⁰ Yeadon claims that the Covid-19 vaccines are biological weapons, and on that basis has initiated proceedings before the International Court of Justice: “The criminal complaint is brought against various alleged perpetrators, including the Prime Minister of the United Kingdom, the Director-General of the World Health Organisation, the co-chairs of the Bill and Melinda Gates Foundation, and senior executives of multinational pharmaceutical companies involved in the production of vaccines, for allegedly committing crimes against humanity, war crimes, crimes of aggression and violations of the Nuremberg Code.” Yeadon states, amongst other things: “So let me just say again, the variants are not different enough to pose a threat. You do not need to top up vaccines. They are being produced, and the regulators who more or less gave them the green light. I’m terrified of that. There is no possible benign interpretation of this. I believe they are intended to be used to damage your health and possibly kill you. I can see it. Any sensible interpretation, other than a serious attempt at mass depopulation, will provide the tools to do it and plausible deniability, because they’ll concoct another story about some biological threats. You’ll queue up and get your top-up vaccines, and a few months or a year or so later, you’ll die of some peculiar, inexplicable syndrome, and they won’t be able to link it to the top-up vaccine.”²⁴*

²⁰ <https://solari.com/now-avalable-mrna-vaccine-toxicity-by-doctors-for-covid-ethics-with-afterword-by-catherine-austin-fitts/>. Emphasis added.

²¹ <https://medicalkidnap.com/2021/01/01/catherine-austin-fitts-explains-how-the-globalist-billionaires-and-technocrats-are-planning-on-taking-over-the-planet-and-how-we-can-stop-it/>

²² See Annex 2 to the application (submitted at a later date).

²³ <https://www.cliffedekkerhofmevr.com/news/Publications/2022/Practice/Employment/employment-law-alert-24-jan-2022-COVID-19-vaccines-A-crime-against-humanity-The-International-Criminal-Court-to-determine.html> (underlining added).

²⁴ <https://anoointedtube.com/video/87226/a-final-warning-to-humanity-from-former-pfizer-chief-scientist-michael-veadon-watch-share-with-all-make-this-video-too-vlral-mp4/> (underlining added).

- Alexandra Latypova. The CV attached by the applicants shows that she holds a bachelor's degree in foreign languages and, in addition, a master's degree in business administration.⁷⁵ Latypova has also previously spoken out about Covid-19 and the vaccines. See: *"Former pharmaceutical executive and researcher Alexandra 'Sasha' LDty' | OOVb has put forward compelling arguments as to why the 'cartel' that orchestrated the dissemination and uptake of 'biowarfare agents' — marketed as 'COVID-19 vaccines' — were developed with "a clear intent to harm" and to carry out a "mass genocide of Americans"*".²⁶ See also: *"As Latypova has explained, the DoD (US Department of Defence) managed to classify these 'vaccines' not as medicines or pharmaceuticals but as 'COVID countermeasures' under the authority of the military, which means they are not required to comply with US law governing the manufacturing quality, testing, effectiveness, safety and labelling of medical products. (...) The evidence is overwhelming that there is an intent to harm people through the COVID-19 injections, so-called 'vaccines', and other nonsensical COVID response measures implemented in lockstep by governments all over the world," she explained" (...) "There is obviously a malicious policy on the part of the government. We know they're lying. We know they're covering things up. They are gaslighting the families of those killed and "Injured by these shots," Latypova summarised. And thus, this demonstrates a "very clear intent to harm through all these actions. And at this point, everything should be deemed intentional. All the injuries and the death toll should be deemed completely intentional." "We found that these products are dirty, contaminated, and do not conform at all to what the label says. And they are highly toxic by design," she said. "They should all be stopped immediately, and this should be properly investigated. And we should bring those responsible to justice and hold them to account. Until that happens, we cannot move on from this," Latypova said. "We have to focus on this more and focus especially on prosecution and bringing those responsible to justice."*
- Katherine Watt. According to the CV attached by the applicants, Watt holds a bachelor's degree in philosophy and natural sciences, has a 'Paralegal Studies Certificate', and has worked as a paralegal, writer and publisher.² She has previously made the following statement: *"On 24 January 2023, Katherine Watt attended a Dress conference that discussed the imminent rollout of bioweapons being marketed as Covid vaccines. She discussed the legal framework within which this is taking place and outlined ways to circumvent the WHO/BIS/DOD initiatives that undermine sovereignty."* *"During a Zoom press conference in January,*

⁷⁵ See Annex 3 to the petition.

²⁶ <https://www.lifesitenews.com/news/toxic-by-design-researcher-explains-why-us-defense-depts-covid-vax-operation-shows-intent-to-harm/> (emphasis added).

²⁷ <https://www.lifesitenews.com/news/toxic-by-design-researcher-explains-why-us-defense-depts-covid-vax-operation-shows-intent-to-harm/> (emphasis added).

²⁸ See Annex 4 to the petition.

Watt discussed the legal framework used for the emergency use roll-out of the bioweapons being marketed as "Covid vaccines". "I would not call them [Department of Defence] DoD vaccines. I would call them DoD weapons," she said. She added that, using legislation, they are constructing the walls of what they call the "kill box." The "kill box" is a military term used to describe a three-dimensional area that enables timely, effective coordination and control, and facilitates rapid attacks. Describing the Covid-19 'kill box', Watt said: "What the Department of Defence and the World Health Organisation intend to do — and have made considerable progress towards, though have not yet fully achieved their goals — is to establish the entire world as their geographical terrain; their target population as everyone in the world (and) the duration of their campaign as permanent." Watt has also written a 'Notice of War Crimes', which states: which includes, amongst other things, the text: "If you have been administering Dromotina or usina DEOdUCtS known as 'Covid-19 vaccines' to patients since December 2020, you have been participating in fraud, mass murder and war crimes, because medical countermeasures (MCf4s), covered countermeasures, and DrototvDe products are DoD-contracted bioweapons intended and effective for injuring, sickening and killing recipients"; "The 'global chemical and biological warfare programme to sicken, injure and kill targets' using lethal bioweapons being fraudulently labelled, marketed and promoted as 'Covid-19 vaccines'."³⁰

- 3Joseph Sansone. According to the CV attached by the applicants, Sansone holds a PhD in psychology, specialises in clinical hypnosis and has, amongst other things, worked as a therapist.³ Sansone has initiated legal proceedings in the United States to have Covid-19 vaccines banned *"because they are biological and technological weapons of mass destruction"; "the complaint also seeks declaratory judgements that the COVID-19 injections and all mRNA injections violate the Weapons of Mass Destruction Act"*. In that (unsuccessful) legal case, Sansone also submitted a statement (from Francis Boyle, who is also mentioned by the applicants in their petition), which states: *"It is my expert opinion that 'COVID-19 nanoparticle injections' or 'mRNA nanoparticle injections' or 'COVID-19 injections' meet the criteria of biological weapons and weapons of mass destruction."*^{3*}

4.2 The individuals named by the applicants cannot be regarded as (objective and impartial) experts. ^{3*}

²⁹ <https://expose-news.com/2023/02/26/covid-inSections-are-weapons-of-the-covid-19-kill-box/> (underlining added); https://www.youtube.com/live/Q9mFc4_5S0A+feature=share

³⁰ <https://expose-news.com/2023/02/26/covid-injections-are-weapons-of-the-covid-19-kill-box/>

³¹ See Annex 5 to the petition.

³² <https://www.truth11.com/florida-lawsuit-seeks-injunction-to-prohibit-mrna-nanoparticle-injections-because-they-are-bioweapons/>; <https://josephsansone.substack.com/>

³³ See GS Civil Procedure, Article 194 of the Code of Civil Procedure, note 1.4; GS Civil Procedure, Article 190 of the Code of Civil Procedure, note 3.3; G. de Groot, Civil Expert Evidence (BPP No. 27) 2025/2.

4.3 The individuals named by the applicants do not possess the necessary qualifications. Furthermore, as is evident from the foregoing, these individuals have previously expressed views on, in short, (the vaccines against) Covid-19. They have done so in a manner which, whilst consistent with the views of the applicants (and Minks et al.), runs completely counter to the widely held scientific consensus (that a Covid-19 pandemic has taken place, that the Covid-19 vaccines were developed with the aim of combating that pandemic, and that the vaccines are safe and effective).

4.4 In view of the foregoing, it is clear not only how these individuals will testify, but also that those statements — contrary to the applicants' belief — will not provide 'irrefutable evidence' of the applicants' (and Minks et al.'s) claim. Consequently, there is insufficient justification for hearing these individuals as experts; or, at the very least, this would constitute an abuse of power.

Even if there were grounds for the interim taking of evidence requested by the applicants (which, according to the State, is not the case), and if, in the opinion of this court, experts were therefore to be heard on the question of whether the Covid-19 vaccines "*are a biological weapon used to commit genocide*", then genuine — objective and independent — experts would have to be heard in that context.

5 Further grounds for dismissal

5.1 The application must also be dismissed because, for the following reasons, there is insufficient interest in the taking of provisional evidence and/or there is an abuse of power and/or a breach of the proper conduct of proceedings.

Evidence can also be obtained in writing

5.2 There is no legitimate interest in a preliminary expert hearing, as the applicants can obtain the desired preliminary evidence by other means. This also means that the application is contrary to the proper conduct of proceedings and/or constitutes an abuse of power.

5.3 After all, the applicants themselves state that the persons they wish to call as experts have declared themselves willing to cooperate in an expert hearing and/or the preparation of an expert report.^{*4} These individuals are therefore prepared to provide the applicants with a written expert report. The type of evidence that these individuals would be required to provide is, by its very nature, a form of evidence that lends itself to a written document (rather than a hearing). Furthermore, as explained above (under 4), these individuals have already commented extensively in open sources on the issues on which the applicants have

^{*4} Application, § 16.

wish to have these individuals examined as experts. It is therefore already clear what these individuals would state in such an expert examination. The applicants therefore do not need these individuals to be examined in order to determine their legal position. If they wish to use these individuals' opinions for that purpose, they may rely on the statements already available in public sources, or request a written submission from them.

Furthermore, the request to hear the persons named by the applicants as experts is also rejected on the grounds that a provisional expert report constitutes a less onerous form of provisional evidence-taking than a provisional expert hearing. For this reason too, the request for a provisional expert hearing must be rejected.³⁵

No need to secure evidence

- S.4 The applicants argue that their interest in an expert hearing lies in securing evidence.
- 5.5 In the context of the new law of evidence, the legislature has clarified that the fear that evidence will be lost — the original rationale behind (the now-repealed) Article 186(2) of the Code of Civil Procedure (old) — is no longer well-founded. Under Article 87(1) and (3) of the Code of Civil Procedure, the court may, either of its own motion or at the request of a party, and at any stage of ongoing proceedings, order an oral hearing at which witnesses or expert witnesses for the parties are heard, as a matter of urgency if necessary. Furthermore, the parties have the option of introducing written statements into the proceedings.³⁶
- 5.6 Nor is it necessary to hear the persons named by the applicants in order to secure evidence. In that regard, too, it is sufficient to record the statements of these persons in writing.³⁷ The evidence sought by the applicants can also be secured in this (less intrusive) manner. A provisional taking of evidence is not necessary for this purpose.
- 5.7 Moreover, the applicants have in no way substantiated that there is a real risk that evidence will be lost. There is nothing to suggest that the persons named by the applicants are likely to be unable to give evidence in the near future. If the applicants were genuinely concerned about this, it is also unclear why they did not have written statements from these persons drawn up at an earlier stage.

³⁵ See *Parliamentary Papers I* 2019/20, 35 4 98, no. 3, p. 62.

³⁶ See *Parliamentary Papers II* 2019–20, 35 498, No. 3, pp. 43–44.

³⁷ Cf. *Parliamentary Papers II* 2019–2020, 35 498, no. 3, p. 44: “In addition, the parties still have the option, where appropriate, to introduce written witness statements into the proceedings.”

This concerns a legal dispute.

S8 In the introduction to their petition, the petitioners state: *“The petitioners have closely followed these proceedings [the main proceedings]; they are victims of the Covid-19 (mRNA) injections (meaning vaccines) and observe that the proceedings are increasingly focusing on the question of whether the Covid-19 (mRNA) injections are a biological weapon used to commit genocide, or not. A finding of fact on this issue is crucial for the applicants in deciding whether to intervene in the main proceedings with a claim of their own.”* (underlining added). According to the applicants, obtaining an answer to that question (are the Covid-19 vaccines a biological weapon used to commit genocide) is the reason for requesting a preliminary taking of evidence in these proceedings.

p. 9 However, that question is not factual but legal in nature — and the same applies to many of the underlying questions raised by the applicants.³⁸ Legal questions must be answered by the court and cannot be answered by an expert.^{*°} For that reason, a provisional expert report on legal questions is not admissible. There is therefore no interest in hearing experts on legal questions.

Furthermore, the State does not accept the view that the main proceedings are increasingly focusing on the question raised by the applicants ⁴⁰

Real likelihood of intervention being refused in the pending proceedings

5.10 The ongoing proceedings are at an advanced stage. On 11 June 2025, Minks et al. submitted their reply, and on 23 July 2025, the case is due for the submission of the rejoinder.

5 11 The oral hearing of this petition will take place on 9 July 2025, after which a decision will be handed down. Subsequently, should the petition be granted, an expert hearing will need to be ordered on a date when the five persons and parties mentioned can be present. The current proceedings will most likely have already been concluded by that time (see Article 218 of the Code of Civil Procedure).

5 12 In any event, there is a real possibility that the incidental claim for joinder or intervention will be dismissed, given the advanced stage at which the proceedings in question will (by then) have reached. Any other outcome would be contrary to the proper conduct of proceedings. Further complicating those proceedings (through joinder or intervention) would lead to an unreasonable delay in those proceedings. That is unacceptable

*° Supreme Court 22 February 2019, ECLI:NL:I-4R:2019:272, para. 3.3.5; G. de Groot, *Civil Expert Evidence in Civil Procedure & Practice* No. 27), Deventer: Wolters Kluwer 2025, No. 17, 271.

*° Supreme Court 22 February 2019, ECLI: NL:HR:2019:272, para. 3.3.5.

^" In their reply in the main proceedings, Minks et al. merely state that they are of the opinion that the debate *“should focus on this”*. Conclusion of the reply, para. 65 (underlining added).

Moreover, given that these proceedings — due to various procedural complications beyond the State's control, and a very generous time limit for the submission of the reply, requested and granted to Minks et al. — have now been ongoing at first instance for almost two years. This, too, constitutes grounds for rejecting the incidental application for joinder or intervention (which would necessitate further procedural steps).⁴¹ *Consequently*, there is no interest in the request for a provisional expert hearing either.

The applicants also mention in passing the possibility of bringing new proceedings on their own initiative. 4* It is not plausible that the applicants are actually considering this: according to the application, the main proceedings are the reason for the application, as the main proceedings are said to 'focus' on the aforementioned question (concerning biological weapons and genocide in connection with COVID-19 vaccinations), the application is otherwise entirely focused on their intervention in the ongoing main proceedings,⁴³ and it is certainly not obvious that the applicants (with the same lawyers and the same arguments, and facilitated by the same foundation) would initiate new, in fact identical, proceedings whilst the proceedings brought by Minks et al. are still ongoing.

6 Questions to be put to the proposed individuals

- 6.1 Finally, the State observes that — even if experts were to be heard — the *experts* to be appointed may only be heard on specific questions that are relevant to determining the applicants' legal position. Many of the questions proposed by the applicants do not meet this criterion.
- 6.2 A large proportion of the questions proposed by the applicants bear no relation to what the applicants claim is the key question on which the preliminary taking of evidence should focus (namely, whether the Covid-19 vaccines are '*bioweapons used to commit genocide*'), but are of a much broader nature. Even according to the applicants themselves, these questions are therefore not relevant to the main proceedings.⁴²
- 6.3 This reinforces the view that the application was made with a view to gathering evidence (for Minks et al.) for the main proceedings, or at least serves another purpose (outside those proceedings): to secure a certain degree of legitimacy for the statements made by these individuals — which does not constitute a legally recognised interest either, and furthermore amounts to an abuse of power.
- 6.4 Furthermore, the State points out the following.
 - Questions concerning the Covid-19 pandemic and Covid-19 vaccines. The applicants propose to put questions to Yeadon, Latypova and Sansone regarding the

⁴¹ No. 28 March 2014, DCLI: NL. H9: 2014: 768, para. 4.4.2.

⁴² Petition, § 5.

⁴³ Petition, §§ 1–3, 9, 13–14, 19.

See Arnhem-Leeuwarden Court of Appeal, 16 May 2023, ECLI: NL:GHARL: 2023: 4 224, ground 3.4.

The Covid-19 pandemic and the regulation, safety and efficacy of mRNA vaccines against Covid-19.⁴⁵ None of these individuals possess the necessary qualifications to answer these questions. The Covid-19 pandemic and the regulation, safety and effectiveness of vaccines do not fall within these individuals' fields of expertise.⁴⁶ The same applies to the question of whether Covid-19 vaccines qualify as biological weapons.⁴⁷ Moreover, this is a matter of legal classification.⁴⁸ Such questions should, where necessary, be answered by the court in the main proceedings, and not by an expert.⁴⁹

- Questions concerning US law. The applicants propose to put various questions to Latypova and Watt concerning US law.⁵⁰ The applicants do not explain the relevance of these questions, nor is it apparent. US law does not apply to the main proceedings. There is therefore no interest in questions concerning that law. The State further argues that the proposed individuals do not have demonstrable, sufficient specialist knowledge of US law, and that, insofar as there were any reason to hear experts on US law, it would be obvious to call upon the International Law Institute.⁵¹
- Questions regarding Dutch (and, broadly speaking, international) law. The petitioners propose asking Yeadon and Sansone whether Covid-19 vaccines are being used to commit genocide.⁵² They wish to put the question to Watt as to whether the individuals who prescribed, procured and administered the vaccines have participated in war crimes and/or genocide.⁵³ These are legal questions, and it is for the court in the main proceedings to rule on them if necessary.⁵⁴ In any case, the individuals mentioned do not possess the necessary knowledge of Dutch (or international) law to answer these questions.
- Other questions. It is not clear how many of the questions proposed by the applicants are relevant to the assessment of whether or not they wish to join or intervene in the main proceedings. This applies, for example, to the questions: *"What is the relationship*

⁴⁵ For these questions, see: Yeadon, questions 1–7; Latypova, questions 1–2, 4–5; Sansone, questions 1–4.

⁴⁶ G. de Groot, *Cia/el Expert Evidence* (Civil Procedure & Practice No. 27), Deventer: Wolters Kluwer 2025, No. 59.

⁴⁷ For these questions, see: Yeadon, question 8; Latypova, questions 1, 6; Sansone, question 5.

⁴⁸ "The term 'biological weapon' is defined in Article 1(1) of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction".

⁴⁹ Supreme Court 22 February 2019, ECLI: NL: HR: 2019:272, para. 3.3.5.

⁵⁰ For these questions, see: Latypova, question 3; Watt, questions 9–4.

⁵¹ G. de Groot, *Expert Evidence* (Civil Procedure & Practice No. 27), Deventer: Wolters Kluwer 2025, No. 16.

⁵² For these questions, see: Yeadon, question 9; Sansone, question 7.

⁵³ For that question, see: Watt, question 6.

⁵⁴ Supreme Court 22 February 2019, ECLI:NL:HR:2019:272, para. 3.3.5; G. de Groot, *Civil Expert Evidence* (Civil Procedure & Practice No. 27), Deventer: Wolters Kluwer 2025, No. 17, 271.;

*between the regulatory functions and decisions of the US Food and Drug Administration (US-FDA) regarding international trade in viruses, gene therapies and other biological products, and other regulatory authorities outside the United States, in particular in Europe?”, and “Was the development and/or administration of the Covid-19
“Are (mRNA) injections [vaccines] a military project?”.*

6. 5 The questions proposed by the applicants are therefore irrelevant, unsuitable for answering by an expert, and/or do not fall within the area of expertise of the proposed individuals. For these reasons too, the request must be rejected.

7 Conclusion

The State concludes:

- i. that the applicants’ application should be declared inadmissible, or at least that the request should be dismissed;

that the applicants be ordered to pay the costs of the proceedings, on the understanding that statutory interest shall be payable on that order for costs from the fifteenth day following the date of the decision to be made in this matter;

that the applicants be ordered to pay the subsequent costs, estimated in accordance with the liquidation tariff at €178 or, in the event of service, at €270;

- IV. declaring that these orders for costs are enforceable immediately.



Advocaat

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no.	

EXHIBIT BOURLA-65

judgement

NORTHERN NETHERLANDS DISTRICT COURT

Civil law

Place of hearing: Leeuwarden

Case number / application number: C/17/199273 / HA RK

25-17 Order of 20 August 2025

in the case of

1. RENÉ ANTON BOS,
of Leeuwarden,
2. JESSICA PAULA MANUBULU,
of Brunssum,
3. MICHAEL RONALD STAAMER,
of Leeuwarden, the
applicants,
hereinafter collectively referred to as: the
applicants, lawyer: Mr P.W.H. Stassen,

against

1. EVERHARDUS ITE HOFSTRA,
2. JAAP TAMINO VAN DISSEL,
3. MARIA PETRONELLA GERARDA KOOPMANS,
4. MARK RUTTE,
5. SIGRID AGNES MARIA KAAG,
6. HUGO MATTHEÛS DE JONGE,
7. ERNST JOHAN KU&ERS,
8. DIEDERIK ANTONIUS MARIA PAULUS JOHANNES GOMMERS,
9. WOPKE BASTIAAN HOEKSTRA,
10. CORNELIA VAN NIEUWENHUIZEN,
14. FEIKE SIJBESMA,
all electing domicile in The Hague,
17. THE STATE OF THE NETHERLANDS,
with its seat in The Hague,
hereinafter collectively referred to as: Hofstra et al.
lawyers: Mr R.W. Veldhuis and Mr M.E.A. Möhring,
11. ALBERT BOURLA,
residing in Greenwich,
hereinafter referred to as:
Bourla,
solicitors: D.C. Roessing, LL.B., and M. Bredenoord-Spoek, LL.B.,
12. GISELLE JACQUELINE MARIE-THÉRÈSE VAN CANN,
residing in the municipality of De Bilt,
13. PAUL EDWIN JANSEN,
residing in the municipality of Leiden,
hereinafter collectively referred to as: Van Cann et al.,

lawyer: Mr R.H.W. Lamme,
15. WILLIAM HENRY BILL GATES HI,
residing in Medina, Washington,
hereinafter referred to as: Gates,
solicitors: W. Heemskerk and P.F.B. Mulder,
16. AGNES CATHARINA VAN DER VOORT-KANT,
electing domicile in Amsterdam,
hereinafter referred to as: Van der Voort-
Kant, solicitor: Mr A.H. Ekker,
respondents,
hereinafter collectively referred to as: the respondents.

Hofstra et al., Bourla, Van Cann et al. and Van der Voort-Kant shall hereinafter be referred to collectively as the defendants.

1. The **proceedings**

1.1. The course of the proceedings is set out in:

- the application
- the email dated 21 May 2025 from the applicants, with annexes
- the letter dated 17 June 2025 from the applicants, together with the exhibits; the statement of defence from Hofstra et al.
the email from Bourla dated 2 July 2025 requesting permission to participate in the hearing digitally
- the court's decision of 3 July 2025 rejecting Bourla's request
- the statement of defence submitted by Bourla
- the email from Gates dated 4 July 2025, stating that Gates is referring to the statement of defence submitted by Van der Voort-Kant
the email from Van Cann et al. dated 4 July 2025, stating that an oral defence will be presented
the email dated 6 July 2025 from the applicants' side containing requests to the court and a link to a video
the letter from the court dated 6 July 2025, in which a decision was made on those requests
the email from the court dated 8 July 2025, in which the parties are requested to respond to the journalists' request to be permitted to take photographs and make video and audio recordings at the hearing the emails from the respondents dated 8 July 2025, in which they object to this in so far as it concerns non-accredited journalists
- the email from the court dated 8 July 2025, in which the parties were informed of the decision that non-accredited journalists would not be permitted to take photographs or make video and audio recordings
the email from the applicants dated 8 July 2025, in which they objected to that decision
- the oral hearing, of which the registrar took minutes
- the written submission from the applicants
- the written submission from Hofstra et al.
- the written submission from Van Cann et al.

1.2. The decision is scheduled for today.

2. The application and the defence

2.1. The applicants request the court to

1. having regard to the facts and circumstances set out in the application, to hold a hearing [the court understands this to mean: to order a hearing], at which the experts named in the application may be questioned on the matters set out in the application,
2. to determine that the parties' experts may, if they so wish, be heard in public by the examining magistrate via a video link with the court,
3. to set the date, time and place at which these hearings in public are to take place, taking into account the different time zones,
4. to designate the investigating judge before whom the hearing is to be held, and
5. to set the date by which the applicants must send copies of this application and the order to be made thereon to the seven [the court understands: five] party-appointed experts.

2.2. In short, the applicants have based their application on the fact that they are considering intervening or joining the proceedings on the merits pending before the court under case number 23/172, in which the respondents are the defendants, or initiating proceedings themselves against the respondents. They wish to claim compensation for all material and non-material damage they have already suffered and are yet to suffer as a result of having been unlawfully misled by the respondents into receiving a Covid-19 (mRNA) injection. According to the petition and the attached documents, the claimants in the aforementioned substantive proceedings argue that Covid-19 is not a disease but a project called 'Covid-19: the Great Reset'. In their view, the Covid-19 (mRNA) injections form a crucial part of this project, of which the respondents are a part, and they classify these injections as biological weapons used to commit genocide. The applicants share these views held by the claimants in the main proceedings. These views are contested by the defendants in the main proceedings. The applicants aim, through the expert hearings they have requested, to secure evidence in support of the aforementioned views and to better assess their prospects of success in the proceedings. According to the applicants, given their training, experience and relevant expertise, the experts are qualified to provide an independent and scientifically substantiated expert opinion regarding the questions set out in the application concerning the project and the Covid-19 (mRNA) injections.

2.3. The defendants each put forward their own defence. Hofstra et al., Bourla and Van der Voort-Kant submit that the applicants' application should be declared inadmissible or, alternatively, that it should be dismissed, with an order that the applicants bear the costs of these proceedings (including subsequent costs), to be increased by statutory interest thereon, to be declared enforceable provisionally. Van Cann et al. make the same submissions, with the exception of the order that the award of costs be enforceable provisionally. Gates refers to the judgment of the District Court.

3. The assessment

Content of the application and framework for assessment

3.1. This concerns an application for the taking of preliminary evidence. On 1 January 2025, the Act on the Simplification and Modernisation of the Law of Evidence came into force, which, amongst other things,

amended the provisions on interim evidence-taking in the Code of Civil Procedure (Rv). As the application dates from after that date, these new provisions apply to the application.

3.2. Pursuant to Article 196(1) of the Code of Civil Procedure, the court may, before a case is brought before it, order one or more provisional measures of inquiry at the request of an interested party, such as a provisional examination of a witness, a provisional expert report or a provisional examination of an expert. The latter procedure involves the examination, during the oral hearing, of an expert appointed by the court.

Pursuant to Article 192(1) of the Code of Civil Procedure, the court may, at the request of a party, grant permission for the examination of experts whom that party wishes to call. These experts are not appointed by the court and are hereinafter referred to as 'party-appointed experts'. It follows from the legislative history of Article 192(1) of the Code of Civil Procedure that this examination may also be requested as a preliminary taking of evidence. If a (party) expert not only possesses a particular expertise but also has first-hand knowledge of facts and circumstances relevant to the case, a request may be made, by way of preliminary evidence-taking, for that expert to be heard as a witness-expert. This then involves a combination of examination as a witness and examination as a (party) expert.

3.3. The defendants have argued that it is not clear from the application which of the above-mentioned provisional measures of inquiry the applicants are seeking. They point out that, in the application, the applicants refer alternately to a provisional expert hearing, a provisional expert report, a combination of the two, or a witness hearing.

3.4. The court notes that the relief sought in the application is for an order to be made for an expert hearing and that the relief sought further refers to 'the parties' experts'. The applicants have indicated that the experts they have put forward are also to be regarded as witnesses and that their relevant knowledge of the facts also consists (in part) of their observations as witnesses, so that, in their view, they must be heard under oath. The court therefore treats this as a request to order a preliminary examination of the witness-expert witnesses put forward by the applicants. In this regard, the court takes into account that, at the oral hearing, the applicants referred to an examination of witness-expert witnesses. In so far as the respondents did not understand the application in this way, their interests are not prejudiced by this, in view of the considerations set out below regarding this **application**.

3.5. It follows from Article 196(2) of the Code of Civil Procedure that the court shall grant a request for the taking of preliminary evidence, unless:

- the information sought is not sufficiently specified;
- there is insufficient interest in the preliminary taking of evidence;
- the application is contrary to the proper conduct of proceedings;
- there is an abuse of power;
- there are other compelling reasons that preclude the taking of preliminary evidence. The court notes in this regard that these grounds for rejection are not separate criteria, but rather overlap to some extent and may therefore apply concurrently.

¹ See Parliamentary Papers II 1999/2000, 26855, No. 3, pp. 120 and 125.

3.6. The court rejects the application and explains below why.

the application is not admissible and the applicants may intervene or join the proceedings in the ongoing proceedings on the merits

3.7. In so far as the applicants have requested the hearing because they are considering intervening (or joining) in the proceedings on the merits referred to above, the application cannot be granted. As the respondents have rightly argued, Article 196 of the Code of Civil Procedure excludes the possibility of requesting a preliminary taking of evidence during proceedings that are already pending. Although the applicants are not currently parties to the proceedings on the merits – meaning that, strictly speaking, this is not a request for a preliminary taking of evidence in ongoing proceedings – they will become parties to those ongoing proceedings should an application for intervention (or joinder) be granted. The application is therefore contrary to the spirit of Article 196 of the Code of Civil Procedure. Once a case is already being heard on its merits, the legislature stipulates that the taking of evidence must be conducted through the court to which the case has been assigned, and that a preliminary taking of evidence must not interfere with the ongoing proceedings. In the court's view, such an unacceptable interference with the ongoing proceedings also occurs when the application for a provisional taking of evidence is made by a person who intends to become a party to proceedings that are already in progress. The application is therefore incompatible with the legislature's intention.

The application must also be dismissed if the applicants wish to initiate

3.8. The applicants have stated that they are also considering bringing their own proceedings against the respondents. However, those proceedings on the merits will concern the same set of facts as in the proceedings on the merits currently pending and will involve the same defendants (who are currently the respondents). Those proceedings on the merits will therefore be very closely intertwined with the proceedings on the merits already pending. It is apparent from the reply submitted by the applicants in the proceedings on the merits that this application has been submitted as an exhibit in those proceedings and that a proposal has been made in those proceedings to hear the party-appointed experts. It is for the panel of judges in the ongoing proceedings on the merits to decide whether this is necessary and desirable. If the application is granted, the ongoing proceedings on the merits may be unduly influenced. If the written report of the hearing of the parties' experts is introduced into the ongoing proceedings on the merits, this will affect the further course of the proceedings. The control exercised by the panel of judges in the proceedings on the merits is thereby undermined in a manner comparable to the consequences for the proceedings on the merits described above in the context of intervention or joinder. This conflicts with the intention of the legislature.

The application should also be dismissed on other grounds

1. An expert hearing is not the appropriate remedy

3.9. The defendants have, amongst other things, argued in their defence that the applicants have no interest in a preliminary expert hearing, as the applicants can also obtain the desired preliminary evidence in writing. In this regard, they point out that the persons whom

the applicants wish to have heard as experts have declared themselves willing to give a statement, which they can also do in writing.

3.10. The applicants have argued that a unilateral written statement by the proposed experts does not carry the same weight and probative value as an expert opinion reached following a thorough legal process in which both sides have had the opportunity to be heard. According to the applicants, all parties are able to put critical questions to the nominated party-appointed experts during the hearing, and respondents may also have their party-appointed experts examined under oath. The applicants argue that the diametrically opposed camps of party-appointed experts must each give and substantiate their expert opinion under oath. Only an expert opinion reached in this manner provides the applicants with sufficient insight to determine whether they can prove in legal proceedings that unlawful acts have been committed in the form of genocide using a biological weapon, according to the applicants.

3.11. The court does not agree with the applicants on this point. After all, the parties agree that the opinions of their respective experts on this matter are (or will be) diametrically opposed. In such a case, an expert report by an independent expert appointed by the court in consultation with the parties is a more appropriate means of gaining an understanding of the matter and obtaining evidence. This is all the more true given that this is a complex issue which is better suited to the provision of written information by an expert appointed in consultation with the parties, who may then, if necessary, be heard by the court on specific points during an oral hearing. Although the applicants have insisted on a debate taking place between their own experts and those of the respondents, the possibility provided for by law to request a hearing of party-appointed experts is not intended for that purpose. The debate takes place before the court in proceedings on the merits, and it is that court which determines how and in what manner the debate is to take place.

2. *The applicants have no interest in the application*

3.12. It is undisputed that the applicants are familiar with the views of their own experts and the opposing views of the experts on whom the respondents intend to rely. They have therefore failed to demonstrate sufficiently that they require the hearing in order to decide whether to commence proceedings on the merits. Furthermore, they may request their party-appointed experts to answer the questions in writing or via video. This will sufficiently safeguard their evidence. The court therefore finds that the applicants have insufficient interest in the hearing of the party-appointed experts.'

3. *The party-appointed experts cannot be heard as witnesses*

3.13. With regard to the hearing of witnesses, the following also applies. Pursuant to Article 163 of the Code of Civil Procedure, a witness's statement may only serve as evidence in so far as it relates to *facts known to the witness from their own observation*. According to established case law, the term 'observation' must be interpreted broadly. This also includes impressions that the

'See the Explanatory Memorandum to the Act on the Simplification and Modernisation of the Law of Evidence, House of Representatives, session year 2019—

2020, 35 498, No. 3, page 58.

‘information the witness has acquired in this regard and what the witness has heard from third parties’. When requesting a preliminary witness examination, it must be stated with sufficient clarity – and therefore in concrete terms – to which factual events the examination will relate. Furthermore, where necessary, it must also be made clear why the witnesses to be examined may be able to testify on this matter’.

3.14. According to the defendants, the application should be dismissed in so far as it seeks to have the party-appointed experts heard as witnesses. In this regard, they argue that the applicants have not explained which relevant events the persons proposed by the applicants would have witnessed, and that none of the proposed questions relates to these persons’ own observations. In response to this, the applicants explained at the hearing that the persons they have named are able to testify from their own observations regarding the existence of the project ‘Covid-19: Great Reset’ alleged by the applicants, genocide and the use of biological weapons, because they are living in a time in which all of this is taking place. In the court’s view, in light of the defendants’ arguments, the applicants have thus failed to specify sufficiently which of the proposed questions the nominated individuals can answer on the basis of their own observations. As the defendants have argued, without contradiction, the questions, given their wording, are designed to be answered by an expert on the basis of knowledge and experience in his or her field. In short, the questions put to the expert witnesses relate to what they *deduce on the basis of their expertise*, but not to what they have *seen, heard or observed*.

4. *The application is contrary to the proper conduct of proceedings*

3.15. Furthermore, in light of the defendants’ objections, the applicants have failed to sufficiently demonstrate that all the questions put forward by the applicants are relevant to the case and may contribute to the resolution of the dispute in any proceedings on the merits. For example, the applicants propose to put various questions to the US expert witnesses K. Watt (hereinafter: Watt) and S. Latypova Mba concerning US regulations relating to viruses, vaccines and biological and bacteriological weapons, without having made it clear why US law would be relevant in this regard. Furthermore, the court cites as an example the applicants’ proposal to ask Watt: “What is the relationship between the regulatory functions and decisions of the US Food and Drug Administration (US-FDA) regarding international trade in viruses, gene therapies and other biological products, and other regulatory bodies outside the United States, in particular in Europe?”. Here too, no explanation has been provided as to why the answer to this question is necessary in order to reach a decision. This applies to a number of other questions as well. Viewed partly in this light, it has also not been sufficiently explained why five experts must be heard and why fewer would not suffice. The court therefore finds that granting the application will be time-consuming and costly, whilst leading to inefficient information gathering. This, in conjunction with the foregoing considerations, means that the application is contrary to the proper conduct of proceedings

⁴ See Supreme Court, 11 July 2025, ECLI:NL:HR:2025:1141

Conclusion

3.16. The court concludes that the circumstances set out above must lead to the finding that the application must be dismissed.

3.17. As the application is already dismissed on the aforementioned grounds, there is no need to consider the defendants' other defences.

Legal costs

3.18. As the unsuccessful party, the applicants shall be ordered to pay the costs of the proceedings (including subsequent costs) jointly and severally. The costs incurred by Hofstra et al. are set at

- court fees:	E 714.00
- solicitor's fees:	(1,228.00 (2 points × rate of £614.00)
- <u>subsequent costs</u>	<u>£178.00</u> (plus the increase as stated in the decision)
Total	£2,120.00

The costs to be borne by Bourla are set at:

- court fees:	£331.00
- solicitor's fees:	£1,228.00 (2 points × rate of £614.00)
- <u>incidental costs</u>	<u>£ 178.00</u> (plus the increase as stated in the decision)
Total	£1,737.00

The costs incurred by Van Cann et al. are set at:

- solicitor's fees:	£614.00 (1 point × rate of £614.00)
- <u>incidental costs</u>	<u>(178.00</u> (plus the increase as stated in the decision)
Total	£792.00

Gates' costs are set at:

- solicitor's fees:	£614.00 (point 1 × rate £614.00)
- <u>incidental costs</u>	<u>(178.00</u> (plus the increase as stated in the decision))
Total	£792.00

The costs to be borne by Van der Voort-Kant are set at:

- court fees:	£331.00
- solicitor's fees:	£1,228.00 (2 points on the K scale: £614.00)
- <u>incidental costs</u>	<u>£178.00</u> (plus the increase as stated in the decision)
Total	€1,737.00

3.19. The statutory interest on the costs of the proceedings claimed by the defendants shall also be awarded, as it is well-founded in law and has not been contested, in the manner set out in the operative part of the judgment.

4. The decision

The court

4.1. dismisses the application;

4.2. orders the applicants jointly and severally – in the sense that if one pays, the others shall be discharged up to the amount of that payment – to pay the legal costs incurred by Hofstra et al., currently set at £2,120.00, within fourteen days of being notified to do so, plus £92.00 and the costs of service if the applicants fail to comply with the orders in time and the order is subsequently served;

4.3. orders the applicants jointly and severally – in the sense that if one pays, the others shall be discharged up to the amount of that payment – to pay statutory interest as referred to in Article 6:119 of the Dutch Civil Code on the legal costs incurred by Hofstra et al. should these not be paid within fourteen days of the date of this order;

4.4. orders the applicants jointly and severally – in the sense that if one pays, the others shall be discharged up to the amount of that payment – to pay the legal costs incurred by Bourla, currently set at £1,737.00, to be paid within fourteen days of being notified to do so, plus £92.00 and the costs of service if the applicants fail to comply with the orders in time and the order is subsequently served;

4.5. orders the applicants jointly and severally, in the sense that if one pays, the others shall be discharged from liability up to the amount of that payment, to pay the statutory interest referred to in Article 6:119 of the Dutch Civil Code on Bourla's legal costs if these have not been paid within fourteen days of the date of this order;

4.6. orders the applicants jointly and severally, in the sense that if one pays, the others shall be discharged up to the amount of that payment, to pay the legal costs incurred by Van Cann et al., currently set at £792.00, to be paid within fourteen days of being notified to do so, plus £92.00 and the costs of service if the applicants fail to comply with the orders in time and the order is subsequently served;

4.7. orders the applicants jointly and severally – in the sense that if one pays, the others shall be discharged up to the amount of that payment – to pay statutory interest as referred to in Article 6:119 of the Dutch Civil Code on the legal costs incurred by Van Cann et al. should these not be paid within fourteen days of the date of this order;

4.8. orders the applicants jointly and severally – in the sense that if one pays, the others shall be discharged up to the amount of that payment – to pay the legal costs incurred by Gates, currently set at €792.00, to be paid within fourteen days of being notified to do so, plus £92.00 and the costs of service if the applicants fail to comply with the order in time and the order is subsequently served;

4.9. orders the applicants jointly and severally – in the sense that if one pays, the others shall be discharged up to the amount of that payment – to pay the costs of the proceedings incurred by Van der Voort-Kant, currently set at £1,737.00, to be paid within fourteen days of being notified to do so, plus £92.00 and the costs of service if the applicants fail to comply with the orders in time and the order is subsequently served;

4.10. orders the applicants jointly and severally – in the sense that if one pays, the others shall be discharged up to the amount of that payment – to pay statutory interest as referred to in Article 6:119 of the Dutch Civil Code on Van der Voort-Kant's legal costs if these have not been paid within fourteen days of the date of this order;

4.11. declares this order, in respect of the orders set out in 4.2., 4.3., 4.4., 4.5., 4.9. and 4.10. to be enforceable immediately.

This order was made by J.A. Werkema, LL.B., and pronounced in open court on 20 August 2025 in the presence of the registrar.

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For gceee/certified copy

20 AUG 2025

registry