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**FOR IMMEDIATE RELEASE**

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**HLLI Claims Victory with Repeal of California COVID-19 “Disinformation” Statute**

Washington D.C. — Thanks to the courage of Hamilton Lincoln Law Institute’s clients, Doctors Michael Couris and Michael Fitzgibbons, Governor Newsom and the California State legislature have conceded defeat and repealed AB 2098, a California state law that restricted doctors’ First Amendment free speech rights by threatening disciplinary action against their license for discussing with patients anything about COVID-19 that the State views as “disinformation” or “misinformation.”

On Saturday September 30, Governor Newsom signed SB 815 into law. That statute included a quietly inserted a provision repealing AB 2098, which Governor Newsom signed into law just last year. AB 2098 deemed it unprofessional conduct for a California licensed physician or surgeon to share disinformation or misinformation related to COVID-19. The statute defined “disinformation” as “contradicted by contemporary scientific consensus” and covered all topics related to COVID-19, including risks, prevention, treatment, and the safety and effectiveness of vaccines. HLLI, representing Doctors Couris and Fitzgibbons, filed suit challenging AB 2098 as an unconstitutional infringement on the First Amendment right of doctors to engage in unfettered speech to their patients and for patients to hear and ask questions of their doctors.

HLLI’s case made its way on appeal to the Ninth Circuit Court of Appeals and oral argument before the Court on July 17, 2023, appears to have been a decisive factor in motivating the State legislature to repeal AB 2098. During oral argument, the panel of judges expressed deep skepticism regarding the statute, strongly indicating that the statute did not pass constitutional muster. The July 12, 2023, version of SB 815 did not include the repeal provision. That provision quietly and mysteriously appeared in the September 5 version of the bill shortly before it was finalized and passed by both the State Senate and Assembly and signed by Governor Newsom. At last, the State legislature and Governor Newsom have apparently come to recognize that AB 2098 was a dangerously overbroad and deeply flawed infringement on doctors’ First Amendment rights, and we are thankful that our clients, Doctors Couris and Fitzgibbons, had the courage to challenge such an ill advised statute.

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Founded in 2019, Hamilton Lincoln Law Institute is a nonprofit public interest law firm that challenges improper restrictions on speech, administrative and regulatory actions, and abuses of the class action and civil justice system that exceed constitutional limits, promote rent-seeking, or otherwise improperly created deadweight loss.

As a nonprofit, tax-exempt organization as defined by section 501(c)(3) of the Internal Revenue Code, HLLI relies on support from individuals and foundations that share a commitment to individual liberty, free enterprise, and limited government.

HLLI’s website is <http://hlli.org>.