

BLAZE FOSTER

646-628-7986

(Text before calling)

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Owner (s) of Everyone Fitness

18908 Rehoboth Mall Blvd., Ste 5

Rehoboth Beach, DE 19971

RE: Pre-suit mediation request

Dear Mike and/or Lisa,

I love working out at your gym! It's a killer bargain for all that it offers. A fun and enjoyable experience once upon a time....

Unfortunately, the past year your staff has caused me and some other members I've spoken directly to, a lot of *distress*. Constantly coercing and harassing us about suffocating ourselves and jeopardizing our health has severely agitated my PTSD and has contributed to a nervous breakdown I had not too long ago.

Most recently a company representative discriminated against me because of either my medical condition and/or religious conviction; I'm not really sure which one. Hence, this letter I'm writing you; in hopes of coming to a resolution so we both can avoid litigation.

A lawsuit will cost us both a lot of time, money, and stress. I'm hoping that you will remedy the wrong. Please know that I do not want your money or do I want to cause you any stress. I just want to maintain my health by working out at your gym and not be made ill physically or psychologically by any of your members, like before the SCAMdemic. But...

if you force me to go to court which will agitate my mental disorder, cost me time, and money.... Then I will seek not only injunctive relief and restitution, but I will also petition the court for PUNITIVE DAMAGES.

I hope and pray that it doesn't come to this and that you will comply with Federal law and accommodate me.

To reiterate: my request is that you either

A Allot a two hour time slot (not in the wee hours of the morning either) SOELY for people with medical conditions/disabilities and/or religious beliefs to work out without restricting their breathing facial covering free.

OR...

B Designate an isolated area for those "mask-less" patrons with medical conditions/disabilities and/or religious convictions to work out (like how you've done for females.)

Why are females allowed to have their own solo gym, and not people with COPD, chronic asthma, PTSD, claustrophobia, anxiety disorders, etc...?

Whoever said that my requests were not reasonable is misinformed and/or ignorant of the ADA's (Americans with Disabilities Association) definition of "reasonably accommodate." It means that it would not cost your business any undue FINANCIAL hardship.

Since your business is already open 24 hours it would not cost you any expense to accommodate for option A.

Being INCONVENIENCED is not considered an undue hardship. I suspect that the representative of your company just doesn't want to accommodate me, for that reason alone; on account of how fast he or she rejected my request without

having adequate time to consider it. Either way, they still refused to reasonably accommodate me because of my mental disability/conditions and/or religious beliefs.

To be quite frank , I find your mask policy SHOCKING! Contrary to popular belief it is both illegal and immoral. None of your staff has been licensed or trained to dispense medical treatment. Nor have they examined any of the patrons before attempting to medically intervene by ordering them to operate (don, maintain, and dispose) “medical devices.” Face masks are classified by the FDA as “Class II medical devices.”

Thankfully our Founding Father’s gave us the means to protect ourselves against tyrants by creating the US Constitution which is the SUPREME LAW of the land as noted in the Supremacy clause. In particular, the Fourteenth Amendment DECLARES that NO STATE shall deprive anyone of LIFE... liberty, or freedom without DUE PROCESS! This Amendment secures our bodily autonomy.

NO POLITICIAN, GOVERNOR, or even the PRESIDENT is LEGALLY allowed to DENY a person due process. Nor can they create laws (although governor mandates and executive orders are NOT laws) that are at odds with the United States Constitution. The Federal Preemption Doctrine states plain and clear that federal law supersedes any state law that is at conflict with it. The Supreme Court has ruled on multiple occasions:

“Where rights secured by the Constitution are involved, there can be no rule-making or legislation which would abrogate them.” *Miranda v. Arizona*, 384 U.S. 436 (1966).

“An unconstitutional act is not law. It confers no rights; it imposes no duties; affords no protection; it creates no office. It is, in legal contemplation, as

inoperative as though it had never been passed.” Norton v. Shelby County, 118 U.S. 425 (1886)

One would assume that a fitness facility would promote healthy living. Legitimate “RCTs” have EMPIRICALLY proven that masks are DETRIMENTAL to healthy people and can even be dangerous with some irreversible side effects. Not studies bought and paid for by lobbyists and special interest groups, but BIASS-FREE science. The evidence is more than sufficient to challenge mainstream authority’s narrative which has and continues to operate out of a deceptive science vacuum.

I’ve included a flash drive in this package to help inform you about the OBJECTIVE scientific evidence of “mask wearing”.

Out of curiosity will you insurance cover someone’s medical bills if they pass out in your gym since you coerced them into wearing a bacterial-infested, muzzle?

God forbid they bust their head on some equipment when they collapse... You do not have immunity from liability for incidents like that. Even if you have a signed waiver from a member...

Since the contract was influenced illegally by means of “coercion” (as described by state law) to pressure the member into consenting against their will, the waiver is invalid due to the “Clean Hands Doctrine” since it was not signed in good faith or in “sound peace of mind.” It would behove you to reconsider your policy.

I really hope and pray that you will agree to one of my accommodation requests and do not force me into a long, drawn-out legal process. But to preserve our human dignity and God-given rights.... I will legally FIGHT for our rights! No bars hold.

Please respond to me IN WRITING via text or email, within seven consecutive days upon receiving package.

If I do not receive a WRITTEN RESPONSE from you in regards to this proposal which is being sent certified mail; I will perceive that as a rejection to aforementioned terms and shall proceed with litigation.

Sincerely,

Blaze Foster