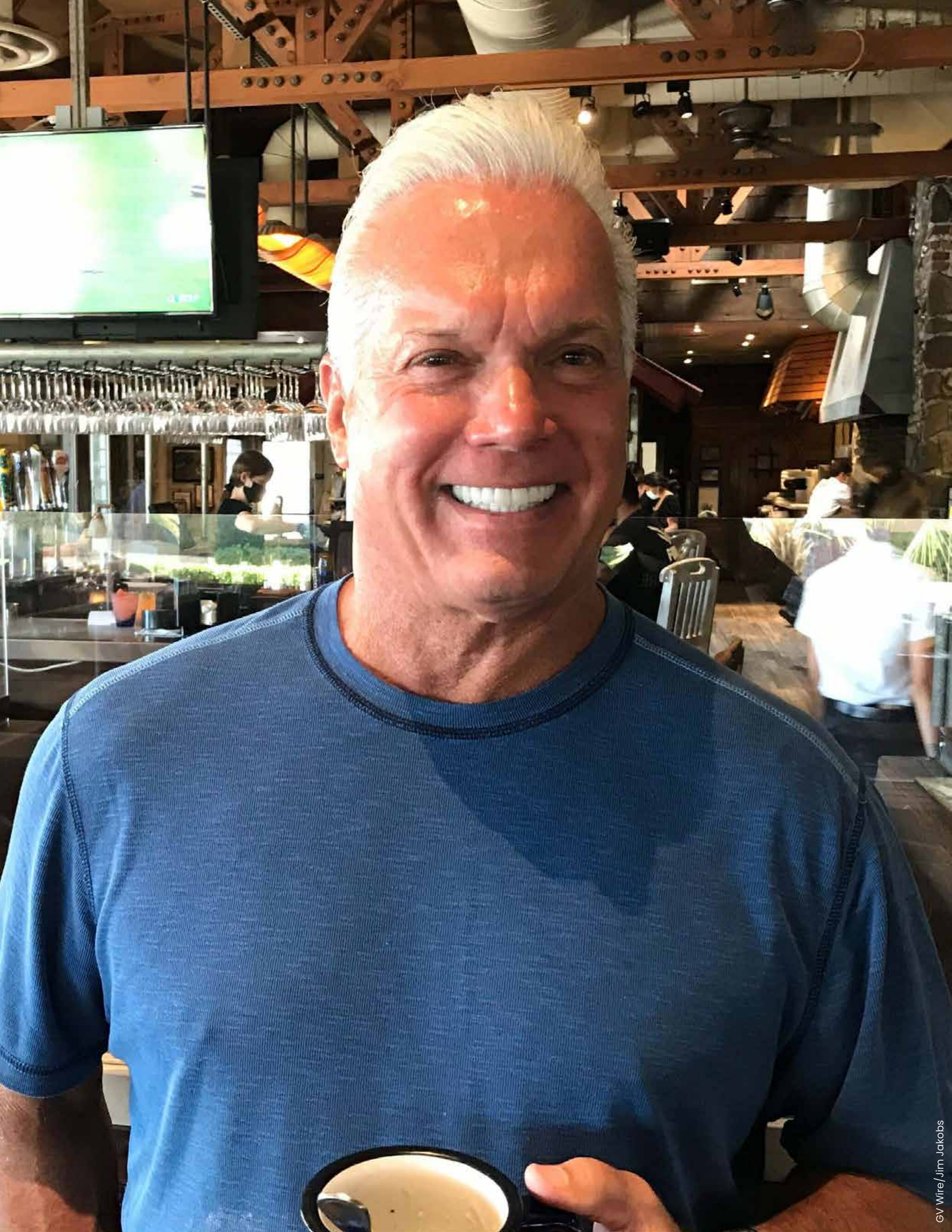




GWire

WEEKLY DIGEST
JULY 17, 2020

**DEFIANT RESTAURANT OWNER
HIRES TOP ATTORNEY TO
CHALLENGE CLOSURE ORDERS »
MODERNA STARTING LAST TRIAL OF
COVID-19 VACCINE, EXPECTS TO
MAKE 1 BILLION DOSES A YEAR »
US EXECUTES 2ND MAN IN A WEEK;
LAWYERS SAID HE HAD DEMENTIA »**



GV Wire/Jim Jakobs

LOCAL

DEFIANT RESTAURANT OWNER HIRES TOP ATTORNEY TO CHALLENGE CLOSURE ORDERS

July 13, 2020 | Jim Jakobs

Dave Fansler says he's called the dining space at his Pismo's Coastal Grill restaurant a patio for well over a decade now. The Fresno County Health Department says it falls under the definition of indoor dining, which is prohibited under the state's COVID-19 emergency order. Fansler has continued to serve customers at his restaurant, which he says has led to three citations for defying the indoor

"We agreed twelve years ago that this was going to be an open air restaurant. It's in the Health Department documents, it's in the Police Department documents." – Dave Fansler, Owner Pismo's Coastal Grill

closure order. Now, he's hired high powered local attorney Warren Paboojian to represent him in the dispute. "We really want to resolve this under a basis of common sense that's good for the community that gives everybody confidence that absolute safety is happening here," Fansler said.

More Than a Semantic Difference

The indoor/outdoor designation is more than just semantic. It's at the heart of whether Fansler can keep serving guests at his popular northeast Fresno eatery. "I want to get the city council to come over here, and sit around here, have lunch and see," says Fansler. "We agreed twelve years ago that this was going to be an open air restaurant. It's in the health department documents, it's in the police department documents." To back him up, Fansler has brought in a well-known litigator with a reputation for winning big dollar awards in lawsuits. According to the website for the law firm of Baradat & Paboojian, Inc., "Mr. Paboojian has obtained over \$100,000,000.00 in verdicts and settlements on behalf of his clients." GV WireSM reached out to the Fresno city attorney's office to ask if any meetings were scheduled between the parties. So far, there has been no response.

Pismo's Remains Open

In the meantime, Fansler says Pismo's is staying open

for lunch and dinner. He is also making phone calls to city council members and officials with the county health department to invite them into his restaurant, he says. "I really want them to see it, because we rarely have all these windows open. When they're open, you're in the outside (environment)," said Fansler. "We've always said we were a patio. We got a unanimous vote from the health department." Fansler posted a project review document from 2008 to social media. Fansler posted a long message on his Facebook page last week saying his restaurant can be made safe by opening its windows and turning it into a patio.

Fresno County Health Officer Weighs In

During a media briefing on July 6, the county's interim health officer, Dr. Rais Vohra, responded to Fansler's statements. "We're asking for clarification. But as it stands now, the open windows would not be enough to consider that outdoor dining. I know that that's a somewhat controversial statement. But as it stands, it's still considered indoor dining with open windows. And, as the mandate from the state requires, that would not be permitted," Vohra said. Fansler says he's received three citations for operating an indoor restaurant since the state's order went into effect July 1. The California Department of Alcohol Beverage Control confirmed two of those citations in an email to GV WireSM.

"But as it stands now, the open windows would not be enough to consider that outdoor dining. I know that that's a somewhat controversial statement." – Dr. Rais Vohra, Fresno County Interim Health Officer

Powerful Air Flow System

Fansler says the air system he installed twelve years ago cost \$100,000. Customers seated next to any of the windows feel something akin to a stiff breeze. In addition, Fansler says he spent a considerable amount of money installing an evaporation system to work in tandem with the air conditioning. He's hopeful the...

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MILITARY TEAMS ARRIVING AT VALLEY HOSPITALS THIS WEEK TO COMBAT COVID-19

July 16, 2020 | Jim Jakobs

Department of Defense teams are deploying to hospitals in Fresno, Visalia, and Hanford this week to help fight a surge of COVID-19 cases. The 20-person teams are on month-long missions to help hospitals maximize their available bed space as case counts push the facilities to capacity.

At the request of the Federal Emergency Management Agency and state officials, approximately 740 Department of Defense medical and support professionals from the Army, Navy, and Air Force deployed to support COVID-19 operations in Texas and California. “We are committed to assisting those in need as part of the ongoing whole-of-America response to COVID-19,” said Lt. Gen. Laura J. Richardson, U.S. Army North commander. “At the same time, we remain flexible and capable of providing other defense support to civil authorities as

necessary.” Approximately 160 Air Force medical and support personnel have been sent to California.

Community Medical Regional Center
CRMC will receive a team Thursday morning. Fresno County EMS Director Daniel Lynch confirmed the team’s arrival during a zoom call with reporters Wednesday afternoon. “These are specialty groups that are just badly needed in the hospitals,” said Lynch. “One of the big things is, it does solidify capacity at the facility, which is a great thing.” The military team is will serve a 30-day deployment in Fresno with the ability to extend for another 30 days if necessary. The county health department is also working to assist hospitals with the current surge of patients. According to California’s statewide COVID tracking dashboard, Fresno County has seen an almost 58%...

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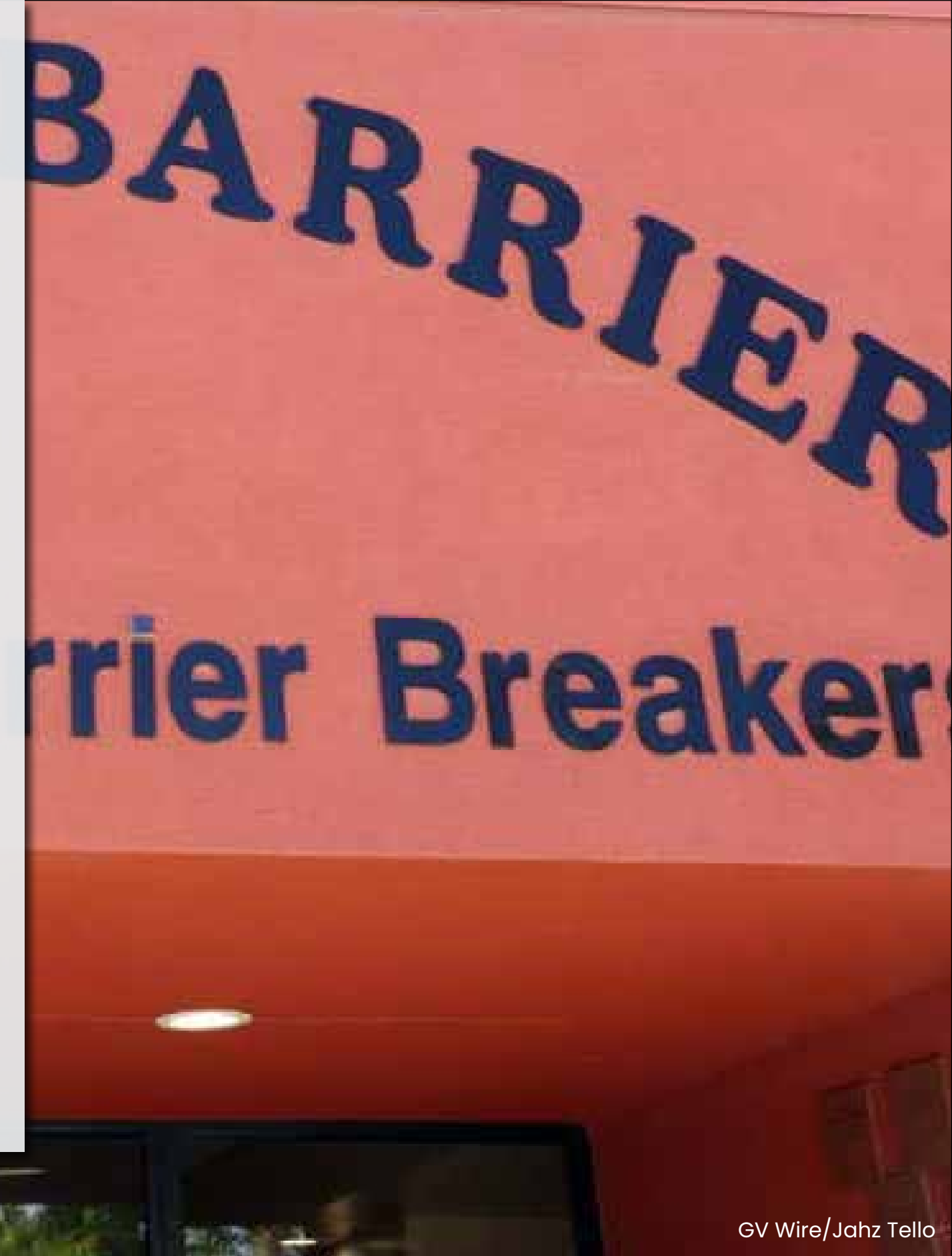
BREAK THE BARRIERS STAYS OPEN AS ESSENTIAL ‘HEALTH & WELLNESS’ PROVIDER

July 15, 2020 | Nancy Price

After Gov. Gavin Newsom’s Monday announcement that the doors on churches, gyms, nail salons, and other public places had to close again to slow the spread of COVID-19, Jared Hergenrader spent part of his afternoon explaining to numerous callers why Break the Barriers in northeast Fresno remains open.

Hergenrader, the nonprofit’s CEO, acknowledges that the center provides classes that seem similar to those offered by gymnastics and dance studios, and health clubs. But it’s the other services offered, and the clientele served, that set Break the Barriers apart, he told GV Wire this week. The nonprofit provides classes and programs to children and adults who have a range of physical and mental abilities, giving them the opportunity to participate in activities that they might not otherwise experience. It also provides water safety training that prospective adoptive parents need to complete before they can bring a new child home, Hergenrader said. Recently, a parent came...

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GV Wire/Jahz Tello



Clovis Unified

PARENTS GET THEIR WISH. CLOVIS STUDENTS WILL RETURN TO CLASSROOMS IN AUGUST.

July 15, 2020 | Nancy Price

For many Clovis Unified students, the new school year will mean returning to classrooms that were suddenly vacated in mid-March because of the COVID-19 pandemic. The question for trustees at Wednesday night’s meeting was whether students would be in class on campus for two days each week or all five. The board considered two choices proposed by a 100-member task force. In option A, students would attend class on campus for the entire week, while option B presented a hybrid schedule of two days on campus and three days of remote learning.

Full-Time Return to Classroom Approved
Trustees approved Option A — a full-time return to school for students starting August 17. The decision still allows parents to opt out of classroom instruction altogether and enroll their children in fully online instruction. A teaching plan for students with special needs will be developed by district administration. Students and staff will be required to wear masks at school...

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STATE

MODERNA STARTING LAST TRIAL OF COVID-19 VACCINE, EXPECTS TO MAKE 1 BILLION

July 16, 2020 | Jim Jakobs

Moderna is targeting July 27 to begin phase 3 testing of their COVID-19 vaccine. The company is looking for thousands of volunteers to participate. The Cambridge, Massachusetts-based biotech company is the first to announce an estimated start date for phase 3 trials in the United States. Newly released data from earlier human trials showed their vaccine candidate appears to be safe and provide some immunity. The most commonly reported systemic adverse events following

New data from early trials shows Moderna's COVID-19 vaccine candidate appears to be safe and provide some immunity.

second vaccination at the 100 microgram dose were fatigue (80%), chills (80%), headache (60%), and myalgia (53%), all of which were moderate in severity. The most common local adverse

event at the 100 microgram dose was pain at the injection site (100%), which was also transient and mild or moderate in severity.

Guidance for Vaccine Volunteers

Information about the trial, including guidance for vaccine volunteers, was posted on clinicaltrials.gov on Tuesday. A brief summary posted on the site says, "The mRNA-1273 vaccine is being developed to prevent COVID-19, the disease resulting from Severe Acute Respiratory Syndrome coronavirus (SARS-CoV-2) infection. The study is designed to primarily evaluate the efficacy, safety, and immunogenicity of mRNA-1273 to prevent COVID-19 for up to 2 years after the second dose of mRNA-1273." Moderna describes mRNA as like software for the cell; mRNA medicines are sets of instructions. And these instructions direct cells in the body to make proteins to prevent or fight disease. Below is a video Moderna posted to its Facebook page describing the use of mRNA therapeutics. For inclusion in the study, volunteers must meet several criteria including the following:

- Participants who are at high risk of SARS-CoV-2 infec-

tion, defined as adults whose locations or circumstances put them at appreciable risk of exposure to SARS-CoV-2 and COVID-19.

- Understands and agrees to comply with the study procedures and provides written informed consent. Able to comply with study procedures based on the assessment of the Investigator.

- Female participants of non-childbearing potential may be enrolled in the study.

- Female participants of childbearing potential may be enrolled in the study if the participant fulfills all the following criteria:

- Has a negative pregnancy test at Screening and on the day of the first dose (Day 1).

- Has practiced adequate contraception or has abstained from all activities that could result in pregnancy for at least 28 days prior to the first dose (Day 1).

- Has agreed to continue adequate contraception through three months following the second dose on Day 29.

- Is not breastfeeding.

- Male participants engaging in activity that could result in pregnancy of sexual partners must agree to practice adequate contraception and refrain from sperm donation from the time of the first dose and through three months after the second dose. Healthy adults or adults with pre-existing medical conditions...

Moderna describes mRNA as like software for the cell; mRNA medicines are sets of instructions. And these instructions direct cells in the body to make proteins to prevent or fight disease.

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STUDY: WEARING A MASK PROTECTS YOU FROM SEVERE COVID-19 SYMPTOMS

July 15, 2020 | Jim Jakobs

Masks appears to do more than protect others during COVID-19. They protect the mask user, too. That's the finding of a report written by infectious disease experts that'll publish soon in the Journal of Internal Medicine.

GV WireSM received an advance copy of the report from Dr. Monica Gandhi, one of the study's co-authors. Gandhi is a professor of medicine at UC San Francisco and associate division chief of the infectious diseases program at San Francisco General Hospital. "Masks work," Ghandi said in an email. "They protect others but they also protect you. You will get in a lower dose of virus if you wear a mask and are

exposed to COVID-19 and are very likely to have mild or no symptoms." Depending on how robust the person's immune system is, a smaller exposure appears to correlate with milder cases of COVID-19. It's probably because with a smaller amount of virus to deal with, the body's immune system has a better chance of mounting a defense, the paper's authors suggest.

It also appears people who wear masks but contract the disease are much more likely to be asymptomatic, meaning they have COVID-19 but no symptoms. Researchers focused on the theory that mask wearers receive less...

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AS COIN SHORTAGE PERSISTS, SOME BANKS PAY A BOUNTY FOR SMALL

July 15, 2020 | Randy Reed

A shortage of coins circulating in the U.S. economy is prompting more retailers to ask customers to avoid paying with cash or to use exact change. Signs posted locally at some stores, including Lowe's Home Improvement and 7-Eleven, are reminders that the COVID-induced coin scarcity is still a real thing. In response, some banks are offering a bounty on quarters, nickels, and dimes to encourage people to bring in their small change for deposit or in exchange for paper bills.

Amarillo National Bank in Texas is paying a 10% bonus for coin exchanges at all of its branches across the state. They're offering a bounty of up to \$500 to anyone who brings their change to the bank, whether they're an account holder or not. And they're waiving all exchange fees, too. A post on the bank's Facebook page this week said, "Everyone's bringing in their coins! Don't forget: We're paying an extra 10% when you exchange your coins for cash (no fees). All branches...

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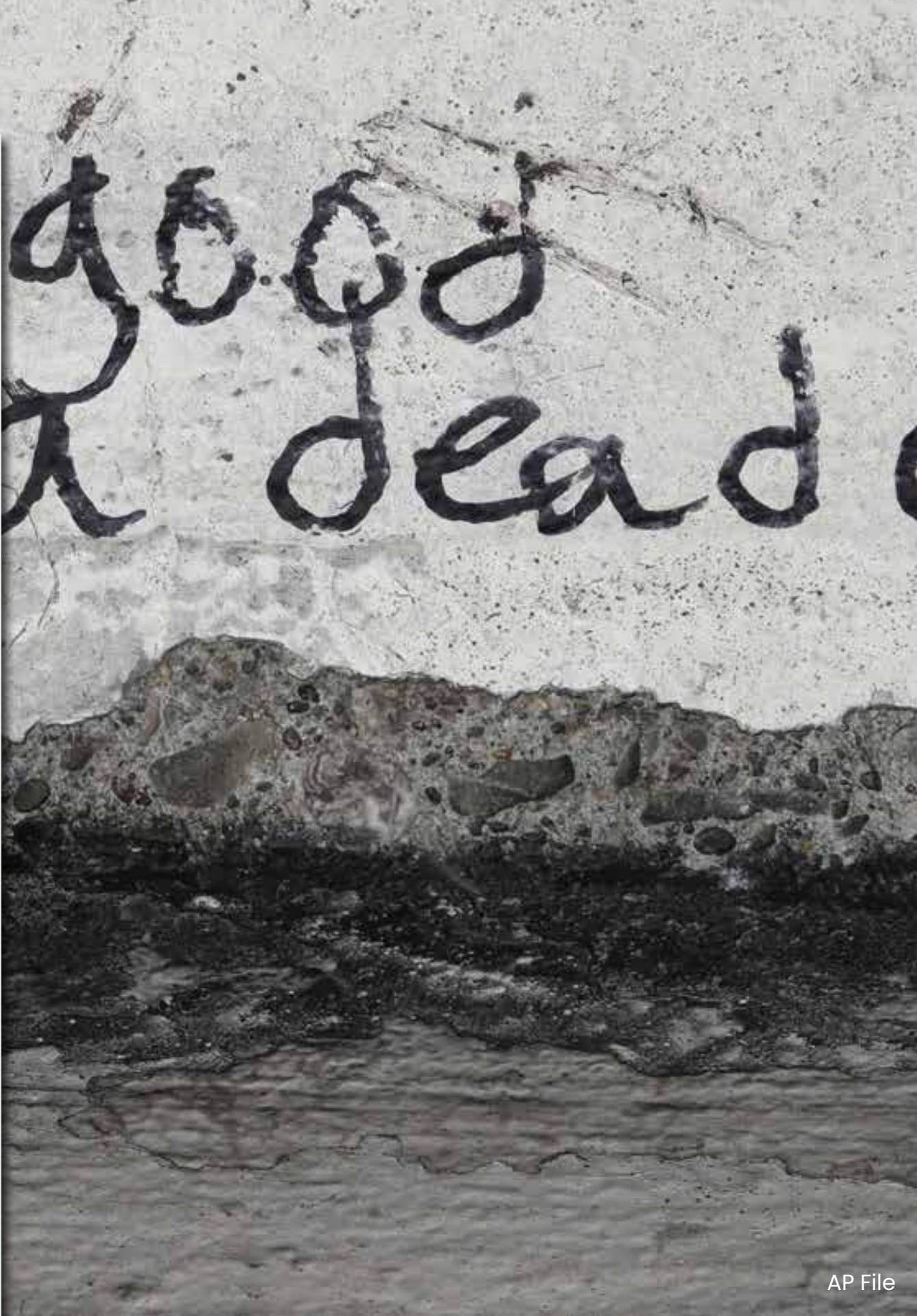
BERKELEY MOVES TOWARD PULLING POLICE FROM TRAFFIC ENFORCEMENT, HOMELESS CALLS

July 16, 2020 | AP News

SAN FRANCISCO — After hours of emotional public testimony and a middle-of-the-night vote by Berkeley leaders, the progressive California city is moving forward with a novel proposal to replace police with unarmed civilians during traffic stops in a bid to curtail racial profiling. The City Council early Wednesday approved a police reform proposal that calls for a public committee to hash out details of a new Berkeley Police Department that would not respond to calls involving people experiencing homelessness or mental illness.

The committee also would pursue creating a separate department to handle transportation planning and enforcing parking and traffic laws. The council voted for the committee to find ways to eventually cut the Police Department's budget by half and approved an analysis of police calls and spending. A tired but excited Berkeley Mayor Jesse Arreguin said he doesn't expect a new transportation department overnight because conversations will be hard and detailed with complicated...

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US US EXECUTES 2ND MAN IN A WEEK; LAWYERS SAID HE HAD DEMENTIA

July 18, 2020 | AP News

TERRE HAUTE, Ind. — The United States on Thursday carried out its second federal execution in three days following a hiatus of nearly two decades, killing by lethal injection a Kansas man whose lawyers contended he had dementia and was unfit to be executed. Wesley Ira Purkey was put to death at the Federal Correctional Complex in Terre Haute, Indiana. He was sentenced to be executed for kidnapping and killing a 16-year-old girl, Jennifer Long, before dismembering, burning and dumping her body in a septic pond.

He also was convicted in a state court in Kansas of using a claw hammer to kill an 80-year-old woman who had polio. After Purkey was strapped to a gurney inside the execution chamber, a prison official removed a mask from his face and asked if he wanted to make a final statement. He leaned his head up slightly from the gurney and said: "I deeply regret the pain and suffering I caused to Jennifer's family. I am deeply sorry."

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After Purkey was strapped to a gurney inside the execution chamber, a prison official removed a mask from his face and asked if he wanted to make a final statement. He leaned his head up slightly from the gurney and said: "I deeply regret the pain and suffering I caused to Jennifer's family. I am deeply sorry."

The Supreme Court Cleared the Way for the Execution to Take Place Just Hours Before

"We took care of today what we needed to take care of," Long said. "It has been a long time coming. He needed to take his last breath; he took my daughter's last breath. And there's some resolve. There is no closure, and there never will be because I won't get my daughter back." The Supreme Court cleared the way for the execution to take place just hours before, ruling in a 5-4 decision. The four liberal justices dissented, as they had for the first case earlier this week. Justice Sonia Sotomayor wrote that "proceeding with Purkey's execution now, despite the grave questions and factual findings regarding his mental competency, casts a shroud of constitutional doubt over the most irrevocable of injuries." She was joined by Ruth Bader Ginsburg, Stephen Breyer and Elena Kagan.

As the lethal chemical was injected, Purkey took several deep breaths and blinked repeatedly, laying his head back down on the gurney. His time of death was 8:19 a.m. EDT.

The Supreme Court also lifted a hold placed on other executions set for Friday and next month. Dustin Honken, a drug kingpin from Iowa convicted of killing five people in a scheme to silence former dealers, is to be put to death at the prison on Friday. While Purkey's final words were lucid and contrite, his lawyers say his mental health had seriously deteriorated to the point he didn't have the stamina for long visits with his legal team and often forgot key facts and dates. Purkey's was the federal government's second execution after a 17-year hiatus as the Trump administration pressed for a resumption. Daniel Lewis Lee was put to death Tuesday after his eleventh-hour legal bids failed. Both executions were delayed as legal wrangling continued late into the night and into the next morning. The Justice Department has been questioned for holding the executions in the middle of the worsening...

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FED SURVEY SAYS ECONOMY HAS PICKED UP BUT OUTLOOK CLOUDY

July 15, 2020 | AP News

WASHINGTON — The Federal Reserve says economic activity has picked up in most regions of the country but still remains well below pre-pandemic levels with the country facing high levels of uncertainty.

The Fed reported Wednesday that its latest survey of economic conditions around the country found improvements in consumer spending and other areas but said the gains were from very low levels seen when widespread lockdowns push the country into a deep recession. And the report said that business contacts in the Fed's 12 regions remained wary

about the future. "Outlooks remained highly uncertain as contacts grappled with how long the COVID-19 pandemic would continue and the magnitude of its economic implications," the Fed said in its latest Beige Book.

Economists said the Fed survey underscored how uncertain the outlook was at present. "Last month's optimism as businesses were reopening has since given way to concerns over reinforced shutdowns, announced delays in school openings and growing consumer fears," said Curt Long, chief economist of the National Association of Federally-Insured...

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CENSUS TAKERS TO VISIT HOMES THAT HAVE NOT RESPONDED

July 15, 2020 | AP News

ORLANDO, Fla. — Thousands of census takers are about to begin the most labor-intensive part of America's once-a-decade headcount: visiting the 56 million households that have not yet responded to the 2020 questionnaire.

The visits that start Thursday kick off a phase of the census that was supposed to begin in May before it was delayed by the coronavirus pandemic, which forced the Census Bureau to suspend field operations for a month and a half and to push back the completion of the census from July 31 to Oct. 31.

Census takers will ask questions about who lives in a household and the residents' race, sex and relations to each other. Because of the virus, they have been instructed to pose questions from outside and to decline invitations to come indoors. The workers will wear cloth face masks and...

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WALMART TO REQUIRE CUSTOMERS TO WEAR MASKS AT ALL ITS STORES

July 15, 2020 | AP News

NEW YORK — Walmart will require customers to wear face coverings at all of its namesake and Sam's Club stores, making it the largest retailer to introduce such a policy that has otherwise proven difficult to enforce without state and federal requirements.

The company said the policy will go into effect on Monday to allow time to inform stores and customers. The Bentonville, Arkansas-based company said that currently about 65% of its more than 5,000 stores and clubs are located in areas where there is already some form of government mandate on face coverings.

The retailer also said it will create the role of health ambassador at its Walmart stores and will station them near the entrance to remind customers without masks of its new requirements. These workers, who will be wearing black polo...

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AP File

WORLD

UK, US, CANADA ACCUSE RUSSIA OF HACKING VIRUS VACCINE TRIALS

July 18, 2020 | AP News

LONDON — Britain, the United States and Canada accused Russia on Thursday of trying to steal information from researchers seeking a COVID-19 vaccine. The three nations alleged that hacking group APT29, also known as Cozy Bear and said to be part of the Russian intelligence service, is attacking academic and pharmaceutical research institutions involved in coronavirus vaccine development. Britain's National Cybersecurity Centre made the announcement, which was coordinated with authorities in the U.S. and Canada.

"It is completely unacceptable that the Russian Intelligence Services are targeting those working to combat the coronavirus pandemic. While others pursue their self-interests with reckless behaviour, the U.K. and its allies are getting on with the hard work of finding a vaccine and protecting global health." — British Foreign Secretary Dominic Raab said in a statement

a vaccine and protecting global health." The persistent and ongoing attacks are seen by intelligence officials as an effort to steal intellectual property, rather than to disrupt research. The campaign of "malicious activity" is ongoing and includes attacks "predominantly against government, diplomatic, think-tank, healthcare and energy targets," the National Cybersecurity Centre said in a statement. It was unclear whether any information actually was stolen but the center says individuals' confidential information is not believed to have been compromised. The Russian Foreign Ministry did not immediately respond to a request for comment. Cozy Bear, also known as the "dukes," has been identified by Washington as one of two Russian government-linked

hacking groups that broke into the Democratic National Committee computer network and stole emails ahead of the 2016 presidential election. The other group is usually called Fancy Bear. The director of operations for the British cybersecurity center, Paul Chichester, urged "organizations to familiarize themselves with the advice we have published to help defend their networks."

The Global Reach and International Supply Chains of These Organizations Also Make Them Vulnerable

The statement did not say whether Russian President Vladimir Putin knew about the vaccine research hacking, but British officials believe such intelligence would be highly prized. A 16-page advisory prepared by the U.S. National Security Agency and made public by Britain, the U.S. and Canada on Thursday accuses Cozy Bear of using custom malicious software to target a number of organizations globally. The malware, called WellMess and WellMail, has not previously been associated with the hacking group, the advisory said. "In recent attacks targeting COVID-19 vaccine research and development, the group conducted basic vulnerability scanning against specific external IP addresses owned by the organizations. The group then deployed public exploits against the vulnerable services identified," the advisory said.

The director of operations for the British cybersecurity center, Paul Chichester, urged "organizations to familiarize themselves with the advice we have published to help defend their networks."

The U.S. Department of Homeland Security's cybersecurity agency warned in April that cybercriminals and other groups were targeting COVID-19 research, noting at the time that the increase in people teleworking because of the pandemic had created potential avenues for hackers to exploit. Vulnerable targets include health care agencies, pharmaceutical companies, academia, medical research organizations, and local...

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July 15, 2020 | AP News

WASHINGTON — The Trump administration said Wednesday it will impose travel bans on employees of the Chinese technology giant Huawei and other Chinese companies the U.S. determines are assisting authoritarian governments in cracking down on human rights, including in China’s western Xinjiang province.

Secretary of State Mike Pompeo also said the administration is finalizing plans to minimize data theft from the popular Chinese video streaming app TikTok, although he stopped short of saying it would be banned outright. Pompeo made the announcements a day after the British government said it

would ban Huawei from its 5G networks over concerns that sensitive data could be compromised by the Chinese Communist Party. Pompeo told reporters at a State Department news conference that Huawei employees found to be providing “material support to regimes engaging in human rights violations and abuses globally” would be hit with sanctions.

“Companies impacted by today’s action include Huawei, an arm of the CCP’s surveillance state that censors political dissidents and enables mass internment camps in Xinjiang and the indentured servitude of its population shipped all over China,” he said. “Certain Huawei employees provide...

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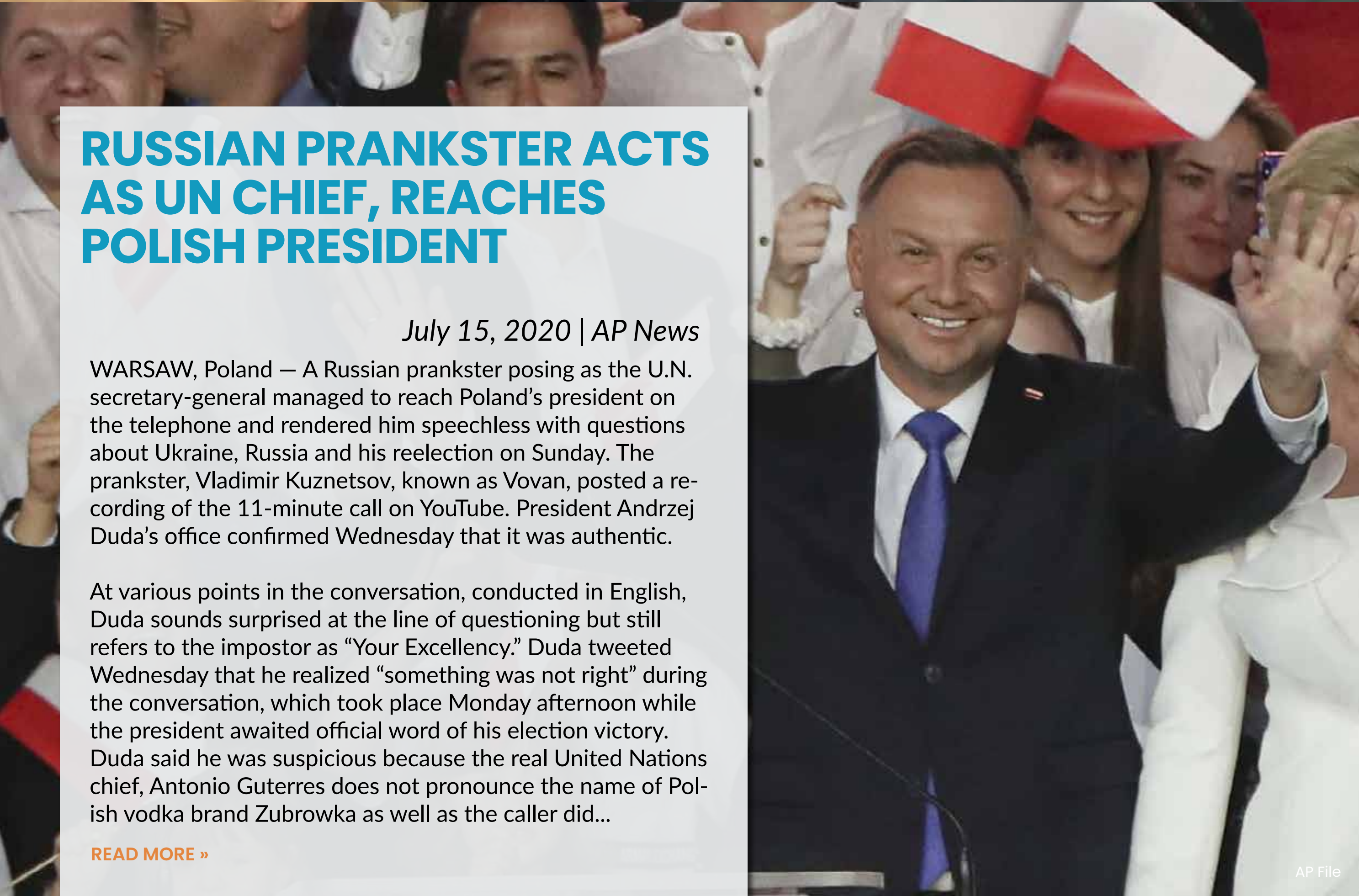
ARMENIA-AZERBAIJAN BORDER FIGHTING ESCALATES; 16 KILLED

July 15, 2020 | AP News

YEREVAN, Armenia — Armenia and Azerbaijan forces fought Tuesday with heavy artillery and drones, leaving at least 16 people killed on both sides, including an Azerbaijani general, in the worst outbreak of hostilities in years. Skirmishes on the volatile border between the two South Caucasus nations began Sunday. Azerbaijan said it has lost 11 servicemen and one civilian in three days of fighting, and Armenia said four of its troops were killed Tuesday.

The two neighbors in the South Caucasus have been locked in conflict over Nagorno-Karabakh, a region of Azerbaijan that has been under the control of ethnic Armenian forces backed by Armenia since a war there ended in 1994. International efforts to settle the conflict have stalled. Armenian and Azerbaijani forces have frequently engaged in clashes. The current skirmishes appear to mark the most serious spike in hostilities since 2016 when scores were killed in four days of fighting. “I have been in communication with Armenian...

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RUSSIAN PRANKSTER ACTS AS UN CHIEF, REACHES POLISH PRESIDENT

July 15, 2020 | AP News

WARSAW, Poland — A Russian prankster posing as the U.N. secretary-general managed to reach Poland’s president on the telephone and rendered him speechless with questions about Ukraine, Russia and his reelection on Sunday. The prankster, Vladimir Kuznetsov, known as Vovan, posted a recording of the 11-minute call on YouTube. President Andrzej Duda’s office confirmed Wednesday that it was authentic.

At various points in the conversation, conducted in English, Duda sounds surprised at the line of questioning but still refers to the impostor as “Your Excellency.” Duda tweeted Wednesday that he realized “something was not right” during the conversation, which took place Monday afternoon while the president awaited official word of his election victory. Duda said he was suspicious because the real United Nations chief, Antonio Guterres does not pronounce the name of Polish vodka brand Zubrowka as well as the caller did...

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AP File



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