FILED
2021 Nov-19 PM 11:28
U.S. DISTRICT COURT
N.D. OF ALABAMA

# Exhibit 3:

# Declaration of Joseph Makowski

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State of Alabama )
County of Madison )

I, Joseph Makowski, declare under the penalties of perjury as follows:

I am Joseph Makowski, a plaintiff in this case, and I have personal knowledge of the facts stated herein.

I live in Madison City, Madison County, Alabama and work in Huntsville, Madison County, Alabama. I work for a company named Phoenix Industries located at 2939 Johnson Road. Phoenix is a great company that provides employment opportunities and support for individuals with disabilities, like me. I perform my custodial services work for the Government Services Division of Phoenix at the Von Braun Center located on Redstone Arsenal in Huntsville.

Dr. David Calderwood lives and works in Huntsville. He is one of the original members of plaintiff America's Frontline Doctors, and he is a plaintiff in this case. Because of my disability and medical history, I became one of his patients for the purpose of determining whether I should get a COVID vaccine. After consultation with him and after he reviewed my medical history, he determined that I should not receive any such vaccination because of the possible harm it likely could cause me.

My employer, in published information, informed me that I must receive a

COVID vaccine by December 8, 2021, if I am not granted a medical and/or religious exemption. The dates are currently fluid and dependent upon the guidance from the government customer. This requirement is imposed because of Executive Order 14042 issued by President Biden on September 9, 2021.

I, Joseph Makowski, declare under penalty of perjury, pursuant to 28 U.S.C. §1746, that the foregoing facts are true and correct.

Respectfully submitted this the 18th day of November, 2021.

Joseph Makowski

Joseph Makowski