

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

HEALTH FREEDOM DEFENSE
FUND, INC.; ANA CAROLINA
DAZA; and SARAH POPE,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR., in his official
capacity as President of the United
States; XAVIER BECERRA, in his
official capacity as Secretary of Health
and Human Services; THE
DEPARTMENT OF HEALTH AND
HUMAN SERVICES; THE
CENTERS FOR DISEASE
CONTROL AND PREVENTION;
ROCHELLE P. WALENSKY, MD,
MPH, in her official capacity as
Director of the CDC; MARTIN S.
CETRON, MD, in his official capacity
as Director of the CDC's Division of
Global Migration and Quarantine; and
THE UNITED STATES OF
AMERICA,

Defendants.

Case No. 8:21-cv-1693-KKM-AEP

EXHIBIT 5

Order Requiring Masks in Middle District of Florida Courthouses

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA**

IN RE: Restrictions on Courthouse
Access due to COVID-19

CASE NO. 3:20-mc-23-J-32

COVID-19 ORDER (JULY 30, 2021)

This Order replaces any prior inconsistent order issued by the Court or the administrative judge of any of its Divisions concerning COVID-19 or coronavirus protocols for access to a United States courthouse within the Middle District of Florida and is issued in accordance with the Centers for Disease Control and Prevention (CDC) guidance concerning the ongoing COVID-19 pandemic. A person seeking entry to a courthouse will be required to answer the survey below (and attached to this Order), submit to appropriate screening, and adhere to the requirements of this Order.

No person is permitted in a courthouse if they answer “yes” to any of the following five questions:

1. Do you have any of the following symptoms:
 - a. Cough
 - b. Shortness of breath or difficulty breathing
 - c. Fever or chills
 - d. Fatigue
 - e. Muscle or body aches
 - f. Headache
 - g. Sore throat
 - h. New loss of taste or smell
 - i. Congestion or runny nose
 - j. Nausea or vomiting
 - k. Diarrhea

2. Are you currently awaiting the results of a test to determine if you have COVID-19 based on symptoms, recent travel, or suspected exposure?
3. Are you under instructions to self-isolate or quarantine due to COVID-19?
4. Within the past 14 days, have you had close contact with someone with a COVID-19 diagnosis or who is awaiting test results for COVID-19 based on symptoms or suspected exposure?

Every person age four or over seeking to enter a courthouse, including employees and regardless of vaccination status, must wear a mask that covers the person's mouth, nose, and chin while: (1) in any public or common area of a courthouse, including elevators, hallways, lobbies, conference rooms, courtrooms, enclosed parking spaces, and bathrooms; and (2) in any secure or employee-designated spaces of a courthouse building, including elevators, hallways, lobbies, conference rooms, courtrooms, enclosed parking spaces, bathrooms, and any other space where two or more employees congregate. However, a judge may provide different guidance within their courtroom or chambers, and a court employee may receive different instructions from their supervisor within a private office.

A person entering a courthouse should bring their own mask, but the Court will provide a disposable mask if needed or if a law enforcement officer, court security officer, or court official determines that a person's mask is not

sufficient based on CDC guidelines. A person not wearing a mask as required by this Order will not be allowed in—or will be directed to leave—a courthouse.

When selecting and wearing a mask, the following apply:

1. You should choose a cloth mask made of two or three layers of breathable fabric (like cotton or a cotton blend) that is tightly woven (so it does not let light pass through when held up to a light source). You may also wear a non-medical disposable mask or an N95 mask that does not have an exhalation vent or valve.
2. Make sure the mask fits properly (snugly around the nose and chin with no large gaps around the sides of the face).
3. Your face covering must not have an exhalation vent or valve.
4. A face shield is not an acceptable mask by itself but may be worn in addition to an appropriate mask.
5. A neck gaiter, bandana, scarf, or the like is not an acceptable mask.

A person denied entry to a courthouse due to this Order, who anticipates being denied entry due to this Order, or who is at risk of COVID-19 illness based on CDC guidelines should contact the office to be visited for assistance in determining what arrangements or accommodations can be made. The person should contact the clerk's office if appearing for a hearing or trial. A phone list for the offices in the courthouse is posted at the entrance of each courthouse and more information is online at www.flmd.uscourts.gov.

In accordance with CDC social distancing guidelines, a person in a courthouse who is not fully vaccinated should maintain a six-foot distance from any other person when possible. To accommodate social distancing, signs

might be posted to restrict the number of persons who may ride in the same elevator, to set minimum spacing in lines or between seats, or to restrict access within the courthouse.

The administrative judge within each Division of the Middle District of Florida may, in consultation with the Chief Judge, enter supplemental orders containing additional conditions or further accommodations that are particular to the courthouse within that Division.

Law enforcement officers, protective service officers, and court security officers working for the Federal Protective Service and the U.S. Marshals Service will comply with and enforce this Order. **A person who does not comply with this Order will not be allowed to enter the courthouse or, if already in the courthouse, will be directed to leave.** Court security officers may also contact the duty magistrate judge for assistance.

If you suspect someone is not complying with this Order, do not confront the person. Instead, contact a supervisor or court security personnel and they will address the issue with the person.

ORDERED in Jacksonville, Florida on July 30, 2021.



Timothy J. Corrigan

TIMOTHY J. CORRIGAN
Chief United States District Judge

**Access to a United States Courthouse in the
Middle District of Florida During COVID-19**

You are not allowed to enter the courthouse if you answer “yes” to any of the following questions:

1. Do you have any of the following symptoms:
 - a. Cough
 - b. Shortness of breath or difficulty breathing
 - c. Fever or chills
 - d. Fatigue
 - e. Muscle or body aches
 - f. Headache
 - g. Sore throat
 - h. New loss of taste or smell
 - i. Congestion or runny nose
 - j. Nausea or vomiting
 - k. Diarrhea

2. Are you currently awaiting the results of a test to determine if you have COVID-19 based on symptoms, recent travel, or suspected exposure?

3. Are you under instructions to self-isolate or quarantine due to COVID-19?

4. Within the past 14 days, have you had close contact with someone with a COVID-19 diagnosis or who is awaiting test results for COVID-19 based on symptoms or suspected exposure?

Every person age four or over must wear a mask in the courthouse—the Court will provide one if needed.

If you answer yes to any of the questions above, do not attempt to enter the courthouse. Instead, contact the office to be visited for assistance; contact the clerk’s office or the appropriate judge’s chambers if appearing for a hearing or trial. A phone list for the offices in the courthouse is posted at the entrance of each courthouse and more information is online at www.flmd.uscourts.gov.