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22 BENJAMIN COLLINS *et al.*

23 **UNITED STATES DISTRICT COURT**
24 **DISTRICT OF MARYLAND**

25 BENJAMIN COLLINS, BINGBING
26 YU, and HEALTH FREEDOM
27 DEFENSE FUND, a Wyoming non-
28 profit public benefit corporation,

Plaintiffs,

vs.

UR JADDOU, in his official capacity as
Director of U.S. Citizenship and
Immigration Services, and MANDY
COHEN, in her official capacity as
Director of the Centers for Disease
Control,

Defendants.

Case No. 1:24-cv-03330-ELH

[Assigned to Hon. Ellen L. Hollander]

DECLARATION OF BINGBING YU

[Filed concurrently with Declarations of
Scott J. Street, Leslie Manookian, Ram
Duriseti, Benjamin Collins]

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DECLARATION OF BINGBING YU

I, Bingbing Yu, declare as follows:

1. I am over the age of 18 and a plaintiff in this lawsuit. I have personal knowledge of the facts set forth in this declaration and could testify competently to them if called to do so. I am submitting this declaration in support of our motion for a preliminary injunction to prevent the United States Citizenship and Immigration Services from denying my intended application for lawful permanent residence due to my inability to provide proof of vaccination against COVID-19.

2. I am a citizen of China. My husband, Benjamin Collins, is an American citizen.

3. Ben and I met in Japan. In 2016, we were living in the United States. There I sought and obtained a green card. The first green card was issued in 2016 and was valid until 2026.

4. At the end of 2016, we moved to Japan. Then our first child was born. Without family support, we focused on raising our child. Then, in 2019, our second child was born. By then, several years had passed since we had set foot in the United States. Lawyers told us that the first green card may have expired. So, near the end of 2019, when we started making plans to return to the United States, I began the process of applying for an entirely new green card.

5. That process took several years. Eventually, my interview was scheduled for July 2023.

6. The only required immunization besides COVID-19 that I did not have at the time was hepatitis-B. I took that vaccine before the appointment. I therefore had proof of vaccination for all diseases required for the examination except COVID-19.

7. My medical examination took place before the interview. I was told that my failure to show proof of COVID-19 vaccination would cause the application to be denied. So I was given the choice of applying for a religious exemption. I had to seek

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1 that exemption by July 2024.

2 8. I chose not to seek that exemption, as the government typically demands
3 that a person have a religious objection to *all* vaccines to obtain that exemption. I do
4 not have a religious objection to all vaccines.

5 9. My green card application was denied because of my failure to show
6 proof of vaccination against COVID-19. If that requirement did not exist, I would
7 have been approved, as she was in 2016.

8 10. Since then, I have obtained a tourist visa and can come to the United
9 States with our family without having taken the COVID-19 shot. But I cannot stay
10 lawfully after the tourist visa expires and she cannot obtain lawful permanent
11 residence, which I otherwise would be entitled to, if USCIS continues demanding
12 proof of COVID-19 vaccination to obtain that status.

13 11. This has created a burden on our family. We intend to return to the
14 United States during the spring of 2025. In connection with that move, I intend to file
15 another application for a green card. But, if USCIS continues requiring proof of
16 COVID-19 vaccination for green card applicants, that application will be denied. I
17 may have to leave the country after three months, breaking up the family, or stay
18 beyond that unlawfully, risking legal consequences.

19 12. This has created great stress for our family. I also understand that USCIS
20 has denied green card applications to many other people due solely to their failure to
21 show proof of vaccination against COVID-19. It is still doing that today, despite
22 widespread acknowledgement that the COVID-19 shot does not prevent a person from
23 being infected with COVID-19.

24 13. I believe that, without the Court's intervention, USCIS will continue this
25 policy in 2025, creating immense stress for our family and others like us who just
26 want to live and work, lawfully, in the United States.

27 Under penalty of perjury, under the laws of the United States of America, I
28

1 declare that the foregoing is true and correct. Executed this 15th day of January 2025
2 at Fuji City, Japan.

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4 Bingbing Yu

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