

I, Dr. Azadeh Khatibi, MD, MS, MPH, declare as follows:

1. I am an adult of sound mind and make this statement voluntarily, based upon my knowledge, education, and experience.
2. I submit this declaration to supplement my original declaration, dated October 27, 2022, both in support of my motion for preliminary injunction.
3. I write to provide greater clarity about the chilling effects of the law on doctors' speech and how I no longer trust what my doctors may say about COVID-19.
4. My family and I immigrated from Iran in order to escape a regime that wielded its power to silence citizens who did not agree with it. Throughout Covid-19, I have witnessed governments behaving in a disturbingly similar way to the government of the country from which I considered myself lucky to escape. California's passage of AB 2098 is yet another example of this illiberal trend. By passing this law, the state has created an ethical and constitutional emergency because doctors are not able to speak freely to their patients.
5. Since AB-2098 was enacted, my physician colleagues have explicitly stated that they omit giving information to their patients, tell their patients they're not allowed to tell them what they think, deliberately avoid the topic of COVID-19, and refer patients to other doctors so they can avoid giving patients their true medical opinions.
6. At a dinner party I attended with multiple doctors several weeks ago, COVID-19 came up, and one of my colleagues explicitly told another colleague to never sign a vaccine exemption form because doing so risked discipline under AB 2098. The doctor on the receiving end of the instructions nervously tried to defend herself by stating that she'd only signed one.
7. The same colleague also told us to stop expressing our true opinions about COVID-19 due to the enactment of AB 2098. He also said that as a result of his worries that to do otherwise would jeopardize his license, nowadays whenever a patient asks him anything about COVID-19 he tells the patient, "I'm not allowed to tell you what I really think."
8. Another colleague, an obstetrician-gynecologist, has had patients ask her about Covid-19 boosters during fertility treatments. This doctor doesn't think there is sufficient evidence to support recommending boosters to her patients, and what's more, is concerned that inflammation from these shots may adversely affect success

of the fertility treatments. Multiple time a week, this colleague starts her conversations with her patients with

“I’m not allowed to tell you.”

9. Yet another colleague admitted that he has stopped discussing side effects like myocarditis, and lack of efficacy data around vaccination for younger age groups because he is fearful of being reported or “labeled” or “blacklisted for not repeating the CDC mantra.”
10. My own doctor told me a couple of weeks ago that doctors can’t tell patients what they really think anymore.
11. I now have proof that as a patient, I no longer have access to my doctors’ true medical opinions about COVID-19, which I have sought and are important to me as I am immunocompromised following recovery from a life-threatening disease.
12. As demonstrated above by the words of my own doctor and my colleagues, doctors in countless practice areas give COVID-19 advice and treatment, including with regard to vaccination, to patients. This law does not only affect doctors who are treating patients on a regular basis for Covid-19 infection.
13. The speech of doctors that is limited by fear further creates the illusion of “consensus” around COVID-19. The illusion of consensus and chilled speech will be complete, and the next generation of doctors will be trained in a false collective consciousness of medicine based in a state-accepted COVID-19 narrative.

I swear or affirm under penalty of perjury that the foregoing is true and correct.

Dated: December 21, 2022

Signed: /s/ Azadeh Khatibi