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Superior Court of California
County of Fresno
By: I. Herrera, Deputy

*Exempt From Filing Fees Pursuant
To Government Code Section 6103*

7 Attorneys for FRESNO COUNTY DEPARTMENT OF PUBLIC HEALTH

8
9 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO**

10 **CIVIL UNLIMITED DIVISION**

11
12 IN RE PROPERTY LOCATE AT
850 “I” STREET, REEDLEY,
13 CALIFORNIA 93654
[APN 368-010-64S]

14
15 Property Owner: AY-NC-LP
Responsible Parties: Prestige Biotech, Inc, a
16 Nevada Corporation; and Universal Meditech,
Inc, a California Corporation
17
18

Case No. 23CECG00912

**RETURN OF FRESNO COUNTY
DEPARTMENT OF PUBLIC HEALTH’S
ABATEMENT WARRANT
(Code Civ. Proc. § 1822.50 et seq)**

19 The COUNTY OF FRESNO DEPARTMENT OF PUBLIC HEALTH (“Fresno County
20 Public Health”), acting as the health department for the City of Reedley, returns the Fresno
21 County Department of Public Health’s Abatement Warrant, attached hereto as **Exhibit A**, as
22 fully executed. Fresno County Public Health provides the Court a summary of the abatement
23 work undertaken pursuant to the Abatement Warrant.

24 On July 5, 2023, Fresno County Public Health staff executed the Abatement Warrant to
25 enter the premises commonly known as 850 “I” Street, in the City of Reedley, County of Fresno,
26 in the State of California, further identified as Assessor’s Parcel Number 368-010-64S
27 (hereinafter the “Property”) and abated and disposed the following: (1) biological material,
28 including blood, tissue, serum, and bodily fluid samples; (2) medical waste; (3) infectious

1 agents, and (4) containers, vials, boxes, bags, laboratory equipment and other storage devices
2 that were contaminated by biological material, medical waste, and/or infectious agents. The
3 County of Fresno (“County”) contracted with T&M Hazardous Waste Management to perform
4 the abatement work (“County’s Contractor”). T&M Hazardous Waste Management
5 subcontracted with ACTenviro as the licensed medical waste transporter. The County’s
6 Contractor and City of Reedley Code Enforcement staff accompanied Fresno County Public
7 Health staff during the execution of the Abatement Warrant.

8 This abatement activity pursuant to the Abatement Warrant was conducted from July 5,
9 2023, through July 7, 2023. The abatement work did not begin until 8 AM and was concluded by
10 3 PM each day of abatement activity. The abatement activity was fully concluded on July 7,
11 2023.

12 On July 5, 2023, Fresno County Public Health staff and the County’s Contractor entered
13 the warehouse located on the Property at 8:00 AM. Abatement activity concluded at 2:45 PM
14 that same day. A walk-thru of the facility was conducted prior to the start of the abatement work
15 to check the status of the power to the refrigerators and freezers. 35 separate refrigerators and
16 freezers were identified that contained the following: (1) biological material, including blood,
17 tissue, serum, bodily fluid samples; (2) medical waste; (3) infectious agents; and (4) containers,
18 vials, boxes, bags, laboratory equipment and other storage devices that were contaminated by
19 biological material, medical waste, and/or infectious agents. At the conclusion of the abatement
20 work on July 5, 2023, 48 containers (approximately 44 gallons per container) full of biological
21 material and medical waste were removed from the Property. Because of the scope of the
22 abatement work, the County’s contractor needed to return to the Property the next day.

23 On July 6, 2023, Fresno County Public Health staff and the County’s Contractor returned
24 to the Property and entered the warehouse at 8:00 AM. A walk-thru of the facility was conducted
25 prior to the start of the abatement work. Electrical power to the refrigerators and freezers was
26 lost. Electrical power could not be restored to the refrigerators and freezers because of a faulty
27 breaker. Despite the power being lost, the items in the freezers were still frozen and the County’s
28 Contractor determined that the biological material could be safely removed from the Property.

1 The County's contractor was concerned that the thawing of the biological material carried the
2 risk that any infectious agents could become air borne and possibly transmittable. Abatement
3 work was concluded at approximately 1:00 PM this same day, and 48 containers (approximately
4 44 gallons per container) of biological material and medical waste were removed from the
5 Property. At the conclusion of the abatement work, the County's Contractor determined that it
6 must return the next day to complete the removal and abatement of the remaining biological
7 material and medical waste on the Property and sanitize the refrigerators and freezers where
8 biological material and medical waste were stored.

9 On July 7, 2023, Fresno County Public Health staff and the County's Contractor returned
10 to the Property and entered the warehouse at 8:15 AM to begin the abatement work. The
11 County's contractor completed the abatement work at 12:35 PM that same day, and 31
12 containers (approximately 44 gallons per container) of biological and pathological waste were
13 removed from the Property. The County's Contractor disinfected all refrigerators and freezers
14 kept in the warehouse. All individuals present onsite assisting with the abatement during each of
15 the days were wearing the necessary personal protective equipment. At the conclusion of the
16 abatement work, Fresno County Public Health staff completed a walk-thru of the warehouse to
17 confirm the County's Contractor completed all necessary abatement work under the Abatement
18 Warrant and removed all biological material and medical waste from the Property and
19 disinfected all storage units where biological material was stored. At approximately 1:15 PM,
20 Fresno County Public Health staff completed their evaluation and confirmed that the County's
21 contractor completed all abatement work under the Abatement Warrant. With all abatement work
22 completed, Fresno County Public Health staff and the County's Contractor vacated the Property.
23 No further entry under the warrant was necessary.

24 Dated: July 20, 2023

25 DANIEL C. CEDERBORG
26 County Counsel

27 By: /s/ Kyle Roberson
28 KYLE R. ROBERSON, Sr. Deputy
Attorneys for, COUNTY OF FRESNO
DEPARTMENT OF PUBLIC HEALTH

EXHIBIT “A”

FILED
JUN 23 2023

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF FRESNO
BY _____ DEPUTY

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By: C. York, Deputy

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7 Attorneys for FRESNO COUNTY DEPARTMENT OF PUBLIC HEALTH

8
9 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO**
10 **CIVIL UNLIMITED DIVISION**

11
12 IN RE PROPERTY LOCATE AT
850 "I" STREET, REEDLEY,
13 CALIFORNIA 93654
14 [APN 368-010-64S]

Case No. 23CECG00912

**[PROPOSED] FRESNO COUNTY
DEPARTMENT OF PUBLIC
HEALTH'S ABATEMENT WARRANT
(Code Civ. Proc. § 1822.50 et seq)**

15 Property Owner: AY-NC-LP
16 Responsible Parties: Prestige Biotech, Inc, a
Nevada Corporation; and Universal
17 Meditech, Inc, a California Corporation

[Proposed Abatement Warrant filed
concurrently]

18
19 **INSPECTION AND ABATEMENT WARRANT**

20 **THE PEOPLE OF THE STATE OF CALIFORNIA, TO ANY FRESNO COUNTY**
21 **PUBLIC HEALTH STAFF, HEALTH OFFICER, HEALTH OFFICE, SHERIFF**
22 **DEPUTY, OTHER COUNTY OF FRESNO PERSONNEL, AND PEACE OFFICER OF**
23 **IN THE CITY OF REEDLEY:**

24 **UPON GOOD CAUSE SHOWN TO THE COURT** by the declaration Humero Prado
25 and the documentary evidence presented to the Court.

26 **AT THE PREMISES LOCATED ON:** 850 "I" Street, Reedley, California 93654,
27 located in the incorporated area of the City of Reedley, further identified as Assessor's Parcel
28

1 Number 368-010-64S (hereinafter the "Property")

2 **YOU ARE AUTHORIZED** to enter the warehouse on premises to conduct a complete
3 abatement of the conditions present by the following actions: (1) dispose of all biological
4 material, including but not limited to, blood, tissue and other bodily fluid samples; serums; (2)
5 dispose of all biological material deemed to be medical waste; (3) dispose of all infectious agent;
6 (4) dispose of all containers, vials, boxes, bags, laboratory equipment and other storage devices
7 that store or have been contaminated by biological material, medical waste and/or infections
8 agents.

9 All items present that are in violation of Fresno County Health Officer Orders, California
10 Medical Waste Management Act, California Health and Safety Code section 117600, *et seq.*,
11 infectious agents pursuant to Health and Safety Code section 117675, and other biological
12 material shall be removed from the Property and disposed of appropriately in order to thoroughly
13 abate potential sources of the communicable diseases, pursuant to California Health and Safety
14 Code section 120175, and public nuisance and dangerous conditions on the Property.

15 **THE INSPECTION AND ABATEMENT** shall be made pursuant to Code of Civil
16 Procedure sections 1822.55-56. The inspection and abatement shall be conducted any time
17 between 8:00 a.m. and 6:00 p.m., within fourteen days from the date of this warrant after
18 providing at least 24-hour notice (1) an agent of the owner of the Property AY-NC-LP; and (2)
19 representative for Prestige Biotech, Inc., as the tenant in possession of the warehouse on the
20 Property.

21 Pursuant to Code of Civil Procedure section 1822.56, sufficient cause has has not
22 been shown for the execution of the warrant in the absence of the Owner and Prestige Biotech,
23 Inc.

24 Pursuant to Code of Civil Procedure section 1822.56, sufficient cause has has not
25 been shown for the execution of the warrant by means of forcible entry through the use of
26 reasonable force.

27 County of Fresno Health Officials, Administrative Office personnel, Attorneys, Legal
28 Investigators, Sheriff Deputies and any contractors hired by the County of Fresno, City of

1 Reedley Code Enforcement Officers, City of Reedley Building Officials, and/or their designees,
2 representatives, including officials from the California Department of Toxic Substances Control,
3 the California Department of Public Health, the United States Food & Drug Administration, the
4 United States Centers for Disease Control and Prevention, and their agents may accompany
5 County of Fresno Public Health staff at the time of execution of the warrant for the purpose of
6 investigating, documenting, and enforcing applicable sections of the Health and Safety Code and
7 abating violations of the Health and Safety Code.

8 AY-NC-LP and Prestige Biotech, Inc., shall forfeit all legal right to possession and any
9 ownership interest in any materials the Fresno County Public Health removes from the Property
10 for the purposes of abating biological material, medical waste and infectious agents stored within
11 the warehouse on the Property.

12 Fresno County Sheriff's Deputies may accompany County of Fresno Public Health staff,
13 inspectors and representatives, and any contractors hired by the County of Fresno at the time of
14 execution of the warrant for the purpose of keeping the peace. The willful refusal of an
15 inspection authorized by this warrant is a misdemeanor.

16 After making the inspection and completing the abatement activity authorized by this
17 warrant, you are directed to make a return to this court according to section 1822.55 of the Code
18 of Civil Procedure. This warrant will be effective from the date hereto for a period not to exceed
19 fourteen (14) days, and authority for re-entry pursuant to this warrant shall continue until the
20 inspection and abatement activity are completed. This warrant shall be returned upon execution.

21
22 Dated: 6/23, 2023
23

24
25 
26 JUDGE OF THE SUPERIOR COURT
27

28