

20 CI 02082

Commonwealth of Kentucky
Court of Justice www.kycourts.gov



ORDER FOR ISOLATION OF INDIVIDUAL
PURSUANT TO 902 KAR 2:030

Case No. _____
Court Cir. _____
Division JEFFERSON CIRCUIT COURT
DIVISION TEN (10)
County Jefferson

IN RE: ISOLATION OF [REDACTED] *W.N.*

The COURT, having received evidence, exhibits, and argument, and being duly advised in the premises, now FINDS:

1. The Louisville Metro Department of Public Health and Wellness (LMPHW) has received reports of increasing numbers of ill people exhibiting symptoms of a disease that has in its common course severe disability or death.
2. That since March 6, 2020, until the time at which a hearing on this matter was held, over 87 people have been stricken with this disease and 3 people have died in Kentucky.
3. 2019-novel Coronavirus (2019-nCoV) is a new communicable disease that has not been previously identified in the world. 2019-nCoV meets the definition for "severe acute respiratory syndromes" as set forth in federal Executive Order 13295, as amended by Executive Order 13372 and 13674, and is a federally quarantinable communicable disease. It is characterized by fever, cough, and shortness of breath and can progress to severe respiratory illness requiring hospitalization and mechanical ventilation, and can lead to death.
4. 2019-nCoV is spread from person-to-person among close contacts. According to the Center for Disease Control and Prevention, person-to-person spread is thought to occur mainly via respiratory droplets produced when an infected person coughs or sneezes. These droplets can be inhaled into the lungs and in the mouths or noses of people who are in close contact.
5. Clear and convincing evidence shows that those people who are in physical contact with or in the proximity of 3 feet or less of an individual infected with this disease are likely to exhibit symptoms within 1-14 days, which period of time is referred to herein as the "incubation period". Thus, the clear and convincing evidence suggests this disease is easily transmissible from person-to-person.
6. There are no known preventive medications for this disease at this time.
7. The most effective method currently known to medical science to contain and curtail the spread of this disease is the isolation of anyone who has the symptoms identified above at Paragraph 3, and the quarantine of those who have been exposed to a person infected with this disease for the duration of the incubation period, as identified above at Paragraph 5.
8. The testimony of qualified witnesses, including MATT RHODES has indicated that *W.N.* [REDACTED] as tested positive for 2019-nCoV.
9. Due to *W.N.'s* [REDACTED] positive test, he requires skilled medical care in an appropriate medical facility or isolation at home.

10. The LMPHW is the agency with the authority to control the spread of infectious diseases and the responsibility to provide medical care and supervision for [REDACTED] pursuant to exercises of such authority. *W.N.*
11. Pursuant to such authority and in an attempt to prevent [REDACTED] from undertaking activities potentially harmful to the public's health, the LMPWH has repeatedly attempted to contact [REDACTED] at the number he provided to the hospital. *W.N.*
12. The testimony of qualified witnesses, including Matt Rhodes, has indicated that [REDACTED] has failed to comply with self-isolation, as evidenced by going shopping today, March 21, 2020. *W.N.*

The COURT now MAKES the following conclusions:

1. The LMPHW has the authority to issue an order of isolation to [REDACTED] pursuant to KRS 214.020, 212.245(5), and 902 KAR 2:030 and 902 KAR 2:050. *W.N.*
2. This CIRCUIT COURT has jurisdiction over this action pursuant to KRS 212.245(6).
3. Pursuant to KRS 212.245(6), this COURT has the power to issue an injunction compelling [REDACTED] to comply with the LMPHW's isolation order. *W.N.*
4. The nature of the disease at issue (as recited above at Paragraph 1), the positive test for 2019-nCoV (as recited above at Paragraph 8), and the conduct of [REDACTED] as recited above at Paragraphs 9 and 14), constitute clear and convincing evidence that [REDACTED] must be placed under an order of isolation so as to protect the public's health. *W.N.*

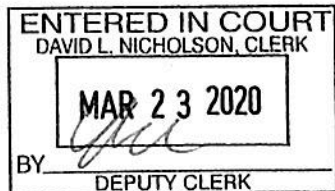
Therefore, IT is ORDERED, ADJUDGED, and DECREED that [REDACTED] be confined to a [REDACTED] [REDACTED] (14) days. [REDACTED] is enjoined from leaving the residence until this period of time has elapsed on April 4, 2020. *W.N.*

W.N. It is further ORDERED, ADJUDGED, and DECREED that upon the expiration of said period of time, [REDACTED] shall be released from confinement and the LMPHW shall file a final report regarding disposition of this matter with this COURT. In the event the LMPHW believes further confinement of [REDACTED] will be necessary after expiration of said period of time, it shall commence appropriate proceedings to that effect in this COURT prior to the expiration of said period of time.

This order shall expire fifteen (15) after its issuance.

Date 3/21/2020, 2

Angela McCormick Bisig /s/
 JUDGE ANGELA MCCORMICK BISIG



Commonwealth of Kentucky
Court of Justice www.kycourts.gov



AMENDED
ORDER FOR ISOLATION OF INDIVIDUAL
PURSUANT TO 902 KAR 2:030

~~20 CI 02082~~
Case No. _____
Court Cir. _____
JEFFERSON CIRCUIT COURT
Division _____
County Jefferson

IN RE: ISOLATION OF [REDACTED] *W.N.*

The COURT, having received evidence, exhibits, and argument, and being duly advised in the premises, now FINDS:

1. The Louisville Metro Department of Public Health and Wellness (LMPHW) has received reports of increasing numbers of ill people exhibiting symptoms of a disease that has in its common course severe disability or death.
2. That since March 6, 2020, until the time at which a hearing on this matter was held, over 87 people have been stricken with this disease and 3 people have died in Kentucky.
3. 2019-novel Coronavirus (2019-nCoV) is a new communicable disease that has not been previously identified in the world. 2019-nCoV meets the definition for "severe acute respiratory syndromes" as set forth in federal Executive Order 13295, as amended by Executive Order 13372 and 13674, and is a federally quarantinable communicable disease. It is characterized by fever, cough, and shortness of breath and can progress to severe respiratory illness requiring hospitalization and mechanical ventilation, and can lead to death.
4. 2019-nCoV is spread from person-to-person among close contacts. According to the Center for Disease Control and Prevention, person-to-person spread is thought to occur mainly via respiratory droplets produced when an infected person coughs or sneezes. These droplets can be inhaled into the lungs and in the mouths or noses of people who are in close contact.
5. Clear and convincing evidence shows that those people who are in physical contact with or in the proximity of 3 feet or less of an individual infected with this disease are likely to exhibit symptoms within 1-14 days, which period of time is referred to herein as the "incubation period". Thus, the clear and convincing evidence suggests this disease is easily transmissible from person-to-person.
6. There are no known preventive medications for this disease at this time.
7. The most effective method currently known to medical science to contain and curtail the spread of this disease is the isolation of anyone who has the symptoms identified above at Paragraph 3, and the quarantine of those who have been exposed to a person infected with this disease for the duration of the incubation period, as identified above at Paragraph 5.
8. The testimony of qualified witnesses, including MATT RHODES has indicated that [REDACTED] *W.N.* has tested positive for 2019-nCoV.

9. Due to ^{W.N.'s} [REDACTED] positive test, he requires skilled medical care in an appropriate medical facility or isolation at home.
10. The LMPHW is the agency with the authority to control the spread of infectious diseases and the responsibility to provide medical care and supervision for [REDACTED] pursuant to exercises of such authority. ^{W.N.}
11. Pursuant to such authority and in an attempt to prevent [REDACTED] ^{W.N.} from undertaking activities potentially harmful to the public's health, the LMPWH has repeatedly attempted to contact [REDACTED] ^{W.N.} at the number he provided to the hospital.
12. The testimony of qualified witnesses, including Matt Rhodes, has indicated that [REDACTED] ^{W.N.} has failed to comply with self-isolation, as evidenced by going shopping yesterday, March 21, 2020.

The COURT now MAKES the following conclusions:

1. The LMPHW has the authority to issue an order of isolation to [REDACTED] ^{W.N.} pursuant to KRS 214.020, 212.245(5), and 902 KAR 2:030 and 902 KAR 2:050.
2. This CIRCUIT COURT has jurisdiction over this action pursuant to KRS 212.245(6).
3. Pursuant to KRS 212.245(6), this COURT has the power to issue an injunction compelling [REDACTED] ^{W.N.} to comply with the LMPHW's isolation order.
4. The nature of the disease at issue (as recited above at Paragraph 1), the positive test for 2019-nCoV (as recited above at Paragraph 8), and the conduct of [REDACTED] ^{W.N.} (as recited above at Paragraphs 9 and 12), constitute clear and convincing evidence that [REDACTED] ^{W.N.} must be placed under an order of isolation so as to protect the public's health.
5. This order shall be served by the Jefferson County Sheriff or his representative.
6. After service of this order, the Louisville Metro Department of Corrections (LMDC) shall outfit [REDACTED] ^{W.N.} with a global positioning device. [REDACTED] ^{W.N.} shall be constantly monitored to ensure that he remains in his home until the expiration of this Order. [REDACTED] ^{W.N.} shall keep the device charged with power at all times to constantly transmit a signal to the LMDC. Failure to abide by these conditions may result in [REDACTED] ^{W.N.'s} arrest and/or additional criminal charges.

Therefore, IT is ORDERED, ADJUDGED, and DECREED that [REDACTED] ^{W.N.} be confined to [REDACTED] ^{W.N.} for fourteen (14) days. [REDACTED] ^{W.N.} is enjoined from leaving the residence until this period of time has elapsed on April 4, 2020. ^{W.N.}

It is further ORDERED, ADJUDGED, and DECREED that upon the expiration of said period of time, [REDACTED] shall be released from confinement and the LMPHW shall file a final report regarding disposition of this matter with this COURT. In the event the LMPHW believes further confinement of [REDACTED] will be necessary after expiration of said period of time, it shall commence appropriate proceedings to that effect in this COURT prior to the expiration of said period of time.

This order shall expire fifteen (15) days after its issuance.

Date 3/22/2020, 2

Angela McCormick Bisig /s/
JUDGE ANGELA MCCORMICK BISIG

ENTERED IN COURT
DAVID L. NICHOLSON, CLERK
MAR 23 2020
BY *[Signature]*
DEPUTY CLERK