EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ASSOCIATION OF AMERICAN PHYSICIANS & SURGEONS, Plaintiff, v. FOOD & DRUG ADMINISTRATION; DR. STEPHEN M. HAHN, Commissioner of Food & Drugs, in his official capacity; BIOMEDICAL ADVANCED RESEARCH & DEVELOPMENT AUTHORITY; GARY L. DISBROW, Ph.D., Acting Director, Biomedical Advanced Research & Development Authority, in his official capacity; DEPARTMENT OF HEALTH & HUMAN SERVICES; and ALEX AZAR, Secretary of Health & Human Services, in his official capacity, Defendants.	)	No. 1:20-cv-00493-RJJ-SJB Hon. Robert J. Jonker

DECLARATION BY ANDREW L. SCHLAFLY, ESQ.

I, Andrew L. Schlafly, Esq., hereby declare that:

1. I am General Counsel for Plaintiff Association of American Physicians & Surgeons.

2. Attached as Exhibit 4 is a true and correct copy of the Letter from Denise M. Hinton, Chief Scientist, Food & Drug Admin., to Gary L. Disbrow, Ph.D., Deputy Assistant Secretary, Director, Medical Countermeasure Programs, Biomedical Advanced Research and Development Authority (BARDA),

concerning the Revocation of Emergency Use Authorization For Use of Chloroquine Phosphate or Hydroxychloroquine Sulfate (June 15, 2020), with its accompanying Memorandum, which revoked the Emergency Use Authorization dated March 28, 2020 (Exh. 6). This Letter and Memorandum in Exhibit 4 has been made publicly available on the internet.

3. Attached as Exhibit 5 is a true and correct copy of the Complaint of Prohibited Personnel Practice or Other Prohibited Activity by the Department of Health and Human Services Submitted by Dr. Rick Bright (2020), along with its accompanying attachment. This document has been made publicly available on the internet.

4. Attached as Exhibit 6 is a true and correct copy of the Letter from Denise M. Hinton, Chief Scientist, Food & Drug Admin., to Rick Bright, Ph.D., Director, Biomedical Advanced Research & Development Authority, Request for Emergency Use Authorization For Use of Chloroquine Phosphate or Hydroxychloroquine Sulfate Supplied From the Strategic National Stockpile for Treatment of 2019 Coronavirus Disease (Mar. 28, 2020) (known as the "Emergency Use Authorization" or "EUA"). This document has been made publicly available on the internet.

5. Attached as Exhibit 7 is a true and correct copy of Defendant FDA's Frequently Asked Questions on the Revocation of the Emergency Use

Authorization for Hydroxychloroquine Sulfate and Chloroquine Phosphate (June 16, 2020). This document has been made publicly available on the internet.

6. Attached as Exhibit 8 is a true and correct copy of Defendant HHS's ASPR's Portfolio of Investigational Medical Countermeasures being used to treat COVID-19 (June 16, 2020). This document has been made publicly available on the internet.

7. Attached as Exhibit 9 is a true and correct copy of the Arkansas Dep't of Health, COVID-19 Guidance About Chloroquine (as of June 17, 2020). This document has been made publicly available on the internet.

8. Attached as Exhibit 10 is a true and correct copy of the Oregon Board of Pharmacy, Temporary Administrative Order Including Statement of Need & Justification, "Prohibits dispensing of certain drugs for COVID19 prevention and treatment" (June 15, 2020). This document has been made publicly available on the internet.

9. Attached as Exhibit 11 is a true and correct copy of the Joint Statement of FSMB, NABP, NCSBN on Inappropriate Prescribing and Dispensing of Medications During the COVID-19 Pandemic (downloaded May 31, 2020). This document has been made publicly available on the internet.

10. Attached as Exhibit 12 is a true and correct copy of the CDC's Medicines for the Prevention of Malaria While Traveling Hydroxychloroquine

(Plaquenil™) (as of June 1, 2020). This document has been made publicly available on the internet.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 22, 2020.

Andrew L. Schlafly

Andrew L. Schlafly