

**IN THE COURT OF COMMON PLEAS
OF ALLEGHENY COUNTY PENNSYLVANIA**

JAMES LYONS-WEILER,	:	CIVIL DIVISION
Plaintiff	:	
	:	NO. GD-18-016041
v.	:	
	:	
ALLEGHENY COUNTY BOARD	:	COMPLAINT IN EQUITY
OF HEALTH,	:	UNDER THE SUNSHINE
Defendant	:	ACT

STIPULATION

AND NOW, come the parties, by and through their counsel, and hereby enter into the following stipulation:

1. On November 7, 2018, the Allegheny County Board of Health enacted a resolution recommending that every child in Allegheny County, unless otherwise counseled by a physician, receive the HPV Vaccine (HPV Vaccine Resolution).
2. On December 6, 2018, James Lyons-Weiler filed a complaint alleging that adoption of the HPV Vaccine Resolution did not comply with the Sunshine Act and was therefore invalid, null and void *ab initio*.
3. The parties desire to settle the lawsuit and consent to the court entering the enclosed order.
4. The stipulation is entered by the parties to settle and compromise a claim without admission of the validity or invalidity of such claim by either party.
5. The parties agree that this stipulation shall in no way limit the Allegheny Board of Health from taking any future action on recommendations, rules and/or policies regarding the HPV Vaccine, nor shall it limit James Lyons-Weiler from taking future action under the Pennsylvania Sunshine Act, 65 Pa. C.S.A. §§ 701-716. Official Actions and Deliberations of a

quorum of the Allegheny County Board of Health are subject to the Sunshine Act, 65 Pa.C.S.A. §§ 701 – 716.

6. The terms “Official Action” and “Deliberations” are defined by Section 703 of the Sunshine Act.

Respectfully submitted,

For Plaintiff:

James Lyons-Weiler

NAUMAN, SMITH, SHISSLER & HALL, LLP

By: /s/ Joshua D. Bonn

Craig J. Staudenmaier, Esquire
Attorney I.D. #34996

Joshua D. Bonn, Esquire
Attorney I.D. #93967

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Counsel for James Lyons-Weiler

For Defendant:

Allegheny County Board of Health

By: /s/ Michael A. Parker, Esq.

Michael A. Parker, Esq.
Attorney I.D. # 90979
Health Department Solicitor
301 39th St., Bldg. No. 7
Pittsburgh, PA 15210
Tel.: 412-578-8102

Date: April 23, 2019

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Joshua D. Bonn, Esquire

Signature: /s/ Joshua D. Bonn
Joshua D. Bonn, Esquire
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Counsel for James Lyons-Weiler

6. The Prothonotary shall mark the above-captioned matter as settled, discontinued and ended with prejudice.
7. The parties shall be responsible for their own costs and attorney's fees.

BY THE COURT:

J.