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1/ 🚨📢🎯 [#RhodeIsland](#) [#parents](#) Here is the latest on Southwell v McKee!

TLDR: Parents were told they could only depose Dr. McDonald from [@RIHEALTH](#) remotely, now tries to suppress plaintiffs from publishing the video.

Here's how it went down:

2/ State agreed to make Dr McDonald available by video for deposition weeks ago. Deposition scheduled for 7/7...and just hours before it was to begin- the State filed for a Protective Order to prevent parents from publishing any portion of the video...



MISO Protective Order_To file.pdf



Case Number: PC-2021-05915
 Filed in Providence/Bristol County Superior Court
 Submitted: 7/7/2022 8:27 AM
 Envelope: 3698454
 Reviewer: Carol M.

Hearing Date: To Be Determined by The Court:

STATE OF RHODE ISLAND
 PROVIDENCE, S.C

SUPERIOR COURT

RICHARD SOUTHWELL, et. al

Plaintiffs,

vs.

DANIEL J. MCKEE, in his official capacity
 as the Governor of the State of Rhode Island, et al.

Defendants.

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C.A. No. PC-2021-05915

STATE'S MEMORANDUM IN SUPPORT OF ITS
MOTION FOR A PROTECTIVE ORDER

Plaintiffs seek to depose Dr. James McDonald, Dr. Philip Chan, and Jaime Comella (collectively the "State Deponents") pursuant to an order of this Court and on July 1, 2022 amended the original notice to include video recording. See Amended Notice of Deposition and Remote Videographer Recording at Exhibit 1. The State respects this Court's order for depositions and only asks, due to the nature of the evidence likely requested by Plaintiffs during the deposition, that the video and audio recordings and resulting transcripts of the depositions be protected by this Court from dissemination to the public until the Court hears and renders a decision on objections raised during the depositions. Attempts to resolve this issue without Court intervention have been unsuccessful.

3/ Why would State seek to prevent the public from hearing from Dr. McDonald? Was it because they knew it would be embarrassing - before it even happened? Well, [@GovDanMcKee](#) was responsible for the appointment, so....is the Gov up to the task of choosing Directors wisely? Or...

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I. INTRODUCTION

Pursuant to Super. R. Civ. P. 26(c), a party may move the Court to make “any order which justice requires to protect a party or person from annoyance, embarrassment, oppression” and the Court may issue such an order upon a showing of “good cause.” As the State expects Plaintiffs to seek privileged information during the depositions of the State Deponents, and that counsel for the State will need to object, the dissemination of the videos, audio, and transcripts will serve no purpose to promote the litigation, but would be designed to “annoy, embarrass, or oppress” the public servants who participate in the depositions.

II. ARGUMENT

1. The State Anticipates that Plaintiffs Will Seek Privileged Information.

Plaintiffs’ June 2, 2022 motion for discovery informs this Court of the information likely sought by Plaintiffs during the depositions of the State Deponents. Plaintiffs will likely seek information pertaining to a “K-12 Working Group,” meetings between the Rhode Island Department of Health and the Governor’s Office, and the decision-making processes related to masking in schools in general. *See June 2, 2022 Motion, generally.*

Depending on the specific question asked, Plaintiffs may attempt to seek privileged information. Namely, the information may be protected under the deliberative process privilege.¹ The deliberative process privilege protects

¹ It would be premature for the defendants to argue the applicability of the deliberative process privilege at this point and prior to questions posed. However, given the reasons given by the Plaintiffs for seeking these depositions, we note for the Court the likelihood that questions will be posed that will require the State to invoke that privilege and will prompt objections and instructions not to answer by the Attorney General.

4/Atty Gen claims the reason YOU, the PUBLIC, can't see the video is because it might make the front page news. Here it is. Listen, plebes, you aren't allowed to know what your government officials are up to, and God forbid it make the news. But that's not all...

5/@AGNeronha attys go on...& admit the reason they don't want parents to let the public know what Dr. McDonald said is because...they've been SPYING on the expert witness, & they didn't like what he said about the State. So, suppression of free speech is in order. THEN...

6/The State argued that YOU, [#RhodeIsland](#) rubes, are just too stupid & might just believe your lying eyes and ears. 2+2=5, you monsters, better believe THAT instead.

Because TrUsT is so important between public & health officials - State MUST keep truth a secret. THEN...

7/Here's where it gets scary. Here is EVIDENCE that if the State of [#RhodeIsland](#) doesn't like your speech, they go to the Judicial branch to SUPPRESS it. In the process, they reveal they've been SPYING on citizens. "Pattern of behavior" Something you MIGHT say is BAD...

8/Here's the end of the motion, but it's not the end of the tale.

Dr. McDonald was asked during the deposition if he was even aware of Dr. Bostom having written about him - the answer was NO.

State spied on their own, not as a result of a complaint... NEXT....

9/Now a few words about what actually happened during Dr. McDonald's deposition, and what it revealed.

At one point, Dr. McDonald compared children to mosquitoes, and later discussed if it was appropriate to compare children to rats. 🦋 I can't share the context tho, cause...

10/Need a Judge to give permission to let you see the video evidence of THAT, or the evidence that Dr. McDonald actually said out loud that it was none of [#RhodeIsland](#) residents' business to know who at [@RIHEALTH](#) wrote memos, who approved them, EVEN IF they were UNSIGNED. Also...

11/Dr. McDonald claimed that even though he used the word "must" - 4 separate times- in a May 20 memo about masking, it should have been clear to all Schools & the parents that it was actually UNENFORCEABLE.

Did you know if you thought [@RIHEALTH](#) had credibility you were StuPiD?

12/Reminder: Dr. McDonald was deposed UNDER OATH to tell the TRUTH, & he said [#RhodeIsland](#) [#parents](#) should have known the memos he sends about having to mask kids at school (after March 4) were unenforceable. [@AGNeronha](#) claims it might be "embarrassing" to show you that. So...

13/If you want to see Dr. McDonald call YOU stupid, compare your children to insects, exclaim "it's just not critical" for parents to know who is responsible for saying we have to mask our kids, know anything at all about a K-12 Working Group (including its real name) & more...

14/If you want to see the video deposition, you should know we gave [@AGNeronha](#) time to drop his objection to it, and his office REFUSED.

They think we will stop. We will never back down.

Back to court we go. /FIN


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Laurie


@laurieinri

Sep 25, 2021

Remember that #RhodeIsland BOE meeting where the Council on Elem & Sec Ed directed @AInfanteGreen and @RIDEptEd to reject any school reopening plan that did not include a mask mandate? Here is the infamous letter generating the OMA violating letter. A 📄.

2/ Notice this letter is to the GOV, and lists not one, but TWO teacher unions as signatories. Guess what else? Two of the signatories are actually on the the BOE: Colleen Callahan

Read 6 tweets



Laurie


@laurieinri

Jul 29, 2021

@AInfanteGreen I found your written position on @repmorgan bill H6070, which would have prevented you from bringing #CriticalRaceTheory to all #RhodeIsland schools. Nice try attempting to bury it, though. Tell us again how RIDE "doesn't have a #CRT policy." @LGillheeney

2/ Here is a link to @RIDEptEd official position on #CriticalRaceTheory in #RhodeIsland - straight from the RI Legislature website. Hint: They sure were against banning

Read 8 tweets




Laurie

@laurieinri

Jul 25, 2021

1/ #exposing more connections between #criticalracetheory and the @RIDEptEd LEAP task force member Jeremy Chiapetta from BVP. Remember this page from the LEAP report? In researching a parent concern about BVP's summer reading list, I found...





Laurie


@laurieinri

Jul 22, 2021

1/OK #RhodeIsland, let me introduce some background on one of the members chosen for the LEAP Task Force, Juanita Montes de Oca. Remember this task force appears devoted to bringing #CriticalRaceTheory to all RI schools, by hook or by crook. Guess what Generation Citizen...

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2/ I found startlingly similar language on the Teach for America (TFA) website and the #RhodeIsland LEAP report. That wasn't all. The TFA website is littered with

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2/ stands for? Culture change and System Change, to the tune of educating our students about their oppression and privilege. As @repmorgan can attest, this is how we wind up

Read 5 tweets



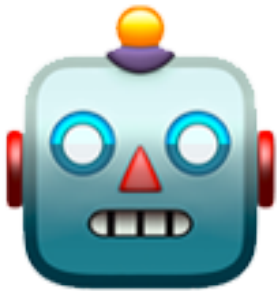
Laurie
[@laurieinri](#)

Jul 22, 2021

Exposing #CriticalRaceTheory (CRT) in #RhodeIsland, and @RIDeptEd Commissioner @AInfanteGreen's role in forcing it on school districts everywhere. A 🗨️ @NoLeftTurnElana @esanzi @LegInsurrection @sistertoldjah @repmorgan @Elaine4Senator @GovDanMcKee @JessicaforRI @RIRepublicans

2/First up: Listen to @AInfanteGreen's interview with @IanDon -- Fast forward in the link to about 11:40 and you will hear her LIE on 7/9/2021: "...I know that here in RI we

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