

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION**

TERRY CONNER; JOSEPH DODSON;
BARBARA BACHMAN; and MICHAEL SCHIESL,

Plaintiffs,

v.

JOSEPH R. BIDEN in his official capacity as President
of the United States, et al.,

Defendants.

No. 6:21-CV-00074-H

**PLAINTIFFS' BRIEF IN SUPPORT OF MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

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INTRODUCTION

This lawsuit was filed a few days ago on December 8, 2021, and the plaintiffs are employees (“3M Plaintiffs”) of the 3M Corporation (“3M”). 3M is a covered federal contractor under President Biden’s Executive Order 14042 (“EO 14042”), 6 Fed. Reg. 50,985-88 (Sept. 9, 2021), commonly known as the federal contractor vaccine mandate. The asserted purpose of EO 14042 is to promote economy and efficiency in the procurement of federal contracts.

In order to achieve its stated purpose of economy and efficiency in procuring federal contracts, EO 14042 is broadly written and promulgates various contractual conditions upon prospective federal contractors such as 3M. For example, EO 14042 requires that employees of covered federal contractors be vaccinated against COVID-19. EO 14042 also requires that covered federal contractors, such as 3M, require their covered employees to disclose their vaccination status and provide supporting documentation.

The day before this lawsuit was filed, a nationwide preliminary injunction was issued by a federal district court in Georgia on December 7, 2021, enjoining the federal government from enforcement of EO 14042. The Georgia district court did not reach any of the constitutional issues raised in that case, now on appeal before the Eleventh Circuit Court of Appeals.

Despite the nationwide injunction currently in effect that prevents covered employees from having to *take* a COVID-19 vaccination, 3M continues to compel the 3M Plaintiffs and all of 3M’s United States employees to *disclose* their vaccination

status on or before January 4, 2022, or be reviewed for termination from employment. 3M is requiring this mandatory disclosure of its employees' vaccination status in participation with the directives of the federal government defendants, and in order to comply with EO 14042.

To achieve this compelled disclosure of its employees' vaccination status in concert with the government defendants as EO 14042 requires, 3M has implemented a third-party electronic platform called ShareMy.Health. This platform is designed by 3M to collect the vaccination status information and related documentation from all of its affected covered employees, including the 3M Plaintiffs.

Recent studies by the Kaiser Family Foundation ("KFF") have shown that an individual's vaccination status is a strong predictor of one's political affiliation. Cmplt., Doc. 1, Page ID ## 4-5. KFF is a nonprofit organization focusing on national health issues, as well as the U.S. role in global health policy. KFF develops and runs its own policy analysis, journalism and communications programs, sometimes in partnership with major news organizations.¹

The 3M Plaintiffs do not wish to disclose their vaccination status to 3M and the federal government defendants because they believe such disclosure of their status amounts to disclosure of their disfavored political beliefs and will subject them to threats, reprisal, harassment, and retaliation from the government defendants and from 3M, including termination of their employment.

The First Amendment to the United States Constitution protects the right of

¹ See <https://www.kff.org/about-us/>.

individuals to not speak or disclose certain information where they may be punished for their political affiliation. *See Elrod v. Burns*, 427 U. S. 347, 355-59 (1976). EO 14042's broad sweep requiring covered federal contractor employees to disclose their vaccination status is not narrowly tailored to achieve the government's asserted interest in promoting economy and efficiency in the procurement of federal contracts. *See generally Ams. for Prosperity Found. v. Bonta*, 141 S. Ct. 2373, 2389 (2021) (holding unconstitutional under the First Amendment a California law that required disclosure by charitable organizations of the identities of their major donors).

Further, EO 14042 is facially unconstitutional under the First Amendment because the vaccination status disclosure component does not form an integral part of the federal government's efforts to promote economy and efficiency in the procurement of federal contracts, and such interest does not justify EO 14042's required disclosure. *See id.*

The 3M Plaintiffs seek preliminary injunctive relief from this Court enjoining the federal government defendants, and 3M acting in concert with them in accordance with EO 14042, from requiring the 3M Plaintiffs to disclose their vaccination status or provide supporting documentation on or before January 4, 2022. This requested preliminary injunctive relief is not addressed by the nationwide injunction currently in effect and on appeal before the Eleventh Circuit Court of Appeals.

In addition to requiring the 3M Plaintiffs based in Texas and Minnesota to disclose their vaccination status in accordance with EO 14042, 3M is requiring all of its U.S. employees at covered 3M facilities and offices in 48 states (except in Delaware

and Wyoming), two U.S. territories (Puerto Rico and Guam), and the District of Columbia, to disclose their vaccination status before January 4, 2022.

Accordingly, the 3M Plaintiffs seek this preliminary injunctive relief as applicable to these 48 states (including Texas and Minnesota), two U.S. territories, and the District of Columbia.

BACKGROUND

EO 14042's disclosure requirements

The Safer Federal Workforce Task Force COVID-19 Workplace Safety: Guidance for Federal Contractors and Subcontractors issued on September 24, 2021 (“Task Force Guidance”), provides guidance to federal contractors on implementing EO 14042. Specifically, as it relates to EO 14042’s required disclosure requirements, the Task Force Guidance states as follows:

A covered contractor must review its covered employees’ documentation to prove vaccination status. Covered contractors must require covered contractor employees to show or provide their employer with one of the following documents: a copy of the record of immunization from a health care provider or pharmacy, a copy of the COVID-19 Vaccination Record Card (CDC Form MLS-319813_r, published on September 3, 2020), a copy of medical records documenting the vaccination, a copy of immunization records from a public health or State immunization information system, or a copy of any other official documentation verifying vaccination with information on the vaccine name, date(s) of administration, and the name of health care professional or clinic site administering vaccine. Covered contractors may allow covered contractor employees to show or provide to their employer a digital copy of such records, including, for example, a digital photograph, scanned image, or PDF of such a record. The covered contractor shall ensure compliance with the requirements in this Guidance related to the

showing or provision of proper vaccination documentation.²

3M's ShareMy.Health Platform

October 28, 2021

On October 28, 2021, 3M's Senior Vice President and Chief Corporate Affairs Officer, Denise Rutherford ("Rutherford"), sent an electronic mail communication to all 3M employees, including the 3M Plaintiffs, introducing 3M's new "ShareMy.Health" platform, where all 3M employees were required to disclose their vaccination status. This email from Ms. Rutherford began by stating:

To comply with both COVID-19 vaccine mandates that the U.S. federal government announced in September, we are asking you to provide proof of vaccination.

See generally Appendix in Support of Instant Motion, at pp. 5, 18, 31, 44 Conner Decl., Dodson Decl., Bachman Decl., and Schiesl Decl.; *see also* Exhibit A to all supporting declarations in Appendix.

October 29, 2021

The following day, 3M management communicated via electronic mail to all affected 3M employees, including the 3M Plaintiffs, and stated as follows:

As previously communicated, 3M is partnering with ShareMy.Health to collect COVID-19 vaccine verification information in compliance with the federal vaccine mandate. ShareMy.Health enables 3M employees to upload specific health data in a protected, secure environment to help ensure your safety and well-being.

²

https://www.saferfederalworkforce.gov/downloads/Draft%20contractor%20guidance%20doc_20210922.pdf, p. 5-6.

Please log in to ShareMy.Health no later than **December 8** to indicate your current vaccination status and upload documents for verification. This system is 3M single-sign-on enabled; **please use your USxxxxxx@mmm.com or Axxxxxx@mmm.com email address as your user ID and your standard 3M password.**

In accordance to 3M's obligation to follow COVID-19 vaccine mandates set forth by the U.S. federal government, anyone at a location where employees are working on or connected to federal contracts (subject to limited medical and religious exemptions) must be vaccinated and have provided proof of vaccination by December 8, 2021. All 3M U.S. office locations fall into this category, as well as plant and distribution sites where federal contract work is done. Workers at our other U.S. sites will be obligated to comply with the upcoming OSHA emergency temporary standard once it is released and effective, which is likely to mean those workers will be required to be either vaccinated or subjected to weekly testing.

Reminder: If you wish to pursue a medical or religious exemption, please refer to instructions provided in previous communications and posted on 3M Go.

Here's what we need from you:

- 1. Click here to activate your ShareMy.Health Account and sign in using your 3M credentials. Your account can be accessed at home or at work, from both corporate and personal computers and mobile devices.**

2. To upload your vaccination information, click "Upload Your Vaccination" from your ShareMy.Health home page.

3. Once your vaccination has been reviewed you will receive an email notification, or you can check back to see the status.

For questions or concerns related to the federal vaccine mandate, refer to 3M Go or contact your local HR or Occupational Medicine representative.

**For assistance uploading a health record please contact:
3msupport@sharemy.health**

[Get Started](#)

See generally Appendix in Support of Instant Motion, at pp. 1-2, 14-15, 27-28, 40-41, Conner Decl., Dodson Decl., Bachman Decl., and Schiesl Decl.

December 10, 2021

On December 10, 2021, two days after filing this suit and three days after the Georgia nationwide injunction was issued, Eric Hammes, 3M's Executive Vice President, Chief Country Governance and Services Officer ("Hammes"), sent an email to all 3M employees, including the 3M Plaintiffs. Mr. Hammes acknowledged the Georgia Court's nationwide injunction and that 3M employees were not required to be vaccinated at this time pending the outcome of that litigation. However, Mr. Hammes instructed all 3M employees including the 3M Plaintiffs to "continue to upload COVID-19 vaccination documents in the ShareMy.Health platform." *See*

generally Appendix in Support of Instant Motion, at pp. 2, 15, 28, 41, Conner Decl., Dodson Decl., Bachman Decl., and Schiesl Decl.

The 3M Plaintiffs

The 3M Plaintiffs Conner, Dodson, Bachman, and Schiesl do not wish to disclose their vaccination status to 3M and the federal government defendants. These 3M Plaintiffs do not want to disclose such information because they believe such disclosure of their vaccination status amounts to disclosure of their disfavored political beliefs. They believe doing so will subject them to threats, reprisal, harassment, and retaliation from the government defendants and from 3M, including termination of their employment. *See generally* Appendix in Support of Instant Motion, at pp. 2, 15, 28, 41, Conner Decl., Dodson Decl., Bachman Decl., and Schiesl Decl.

LEGAL STANDARD

"A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008) (citations omitted); *see generally NetChoice, LLC v. Paxton*, No. 1:21-cv-840-RP, 2021 U.S. Dist. LEXIS 233460, 2021 WL 5755120, at *9-10 (W.D. Tex. Dec. 1, 2021) (Pitman, J.) (granting preliminary injunction under the First Amendment because proposed statute impermissibly compels and chills protected speech). The party seeking injunctive relief carries the burden of persuasion on all four

requirements. *PCI Transp. Inc. v. W. R.R. Co.*, 418 F.3d 535, 545 (5th Cir. 2005).

ARGUMENT

I. The current nationwide injunction in effect does not enjoin the government from requiring that covered federal contractors compel employees to disclose their vaccination status.

Immediate preliminary injunctive relief on the 3M Plaintiffs' First Amendment compelled political claim is necessary because the current nationwide injunction is inapplicable. That preliminary injunction does not enjoin these federal government defendants, nor 3M as a covered federal contractor acting in concert with the government defendants, from compelling disclosure of the 3M Plaintiffs' vaccination status on or before January 4, 2022. *See generally Georgia, et al v. Biden, et al.*, No. 1:21-cv-163, 2021 U.S. Dist. LEXIS 234032, 2021 WL 5779939 (S.D. Ga. Dec. 7, 2021).

A. In order to comply with the federal contractor vaccine mandate, the 3M Company is requiring its employees to disclose their vaccination status by January 4, 2022.

Despite its acknowledgment of the nationwide injunction in effect halting required vaccinations, in order to comply with EO 14042, 3M is still moving forward with requiring the 3M Plaintiffs and all 3M employees to disclose their vaccination status in the ShareMy.Health platform on or before January 4, 2022. *See generally* Appendix in Support of Instant Motion, at pp. 2, 15, 28, 41, Conner Decl., Dodson Decl., Bachman Decl., and Schiesl Decl.

B. Studies have shown that a person's vaccination status is a strong predictor of political partisanship, and the First Amendment protects against compelled political speech.

The KFF study indicates that an individual's vaccination status is a strong predictor of one's political affiliation. Cmplt., Doc. 1, Page ID ## 4-5. Indeed, there is a high correlation that disclosing one's vaccination status will reveal one's political party affiliation. The KFF COVID-19 Vaccine Monitor study revealed that 60% of unvaccinated individuals are more inclined to be aligned with the Republican party, and those that are vaccinated are clearly aligned in much greater percentages with the Democratic party or identify as Independents.³

President Biden is mandating vaccination against COVID-19 through EO 14042, and is in favor of mandatory vaccinations from a political policy perspective. President Biden is a long-standing Democrat, and his views on mandatory vaccinations are consistent with the KFF COVID-19 study that revealed this political partisanship divide between Republicans, Democrats, and Independents. President Biden has made clear in public remarks that he disfavors those individuals such as the 3M Plaintiffs that remain unvaccinated against COVID-19, and he feels like he has struck a "brick wall" in trying to convince such unvaccinated individuals be vaccinated⁴

II. Injunctive relief is appropriate and necessary to remedy the government's ongoing violation of fundamental Constitutional rights.

As the Supreme Court has held, "[i]f there is any fixed star in our constitutional

³ See <https://www.kff.org/coronavirus-covid-19/poll-finding/importance-of-partisanship-predicting-vaccination-status/>.

⁴ See <https://www.cnn.com/2021/07/29/politics/biden-pandemic-unvaccinated/index.html>.

constellation, it is that no official, high or petty, can prescribe what shall be orthodox in matters of politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.” *West Virginia State Board of Education v. Barnette*, 319 U.S. 624, 642 (1943). As Justice Jackson opined, “[t]hose who begin coercive elimination of dissent soon find themselves exterminating dissenters. Compulsory unification of opinion achieves only the unanimity of the graveyard.” *Id.* at 641.

Much like OSHA’s Emergency Temporary Standard (“ETS”) vaccination or testing mandate for employers with 100 or more employees that the Fifth Circuit recently struck down, President Biden’s EO 14042 “grossly exceeds” his executive authority. *See BST Holdings, L.L.C. v. OSHA*, 17 F. 4th 604, 611 (5th Cir. Nov. 12, 2021).

Here, the 3M Plaintiffs are being forced and compelled by 3M and the federal government defendants to disclose their vaccination status in accordance with EO 14042, an act that amounts to compulsory disclosure of one’s political affiliation. The First Amendment is clear that this is a prohibited infringement and facially unconstitutional. President Biden and the federal government defendants have not promulgated EO 14042 in a narrowly tailored manner to survive constitutional exacting scrutiny for the stated purpose of efficient federal contracting, and the 3M Plaintiffs are entitled to preliminary injunctive relief.

A. The 3M Plaintiffs are likely to succeed on the merits of their First Amendment claim.

Disclosure requirements such as the EO 14042 vaccination compelled

disclosure can chill association even if there is no disclosure to the general public. *See generally Bonta*, 141 S. Ct. 2373. This compelled disclosure has been identified by the Supreme Court in numerous cases to infringe upon the First Amendment. *Id.*

EO 14042 will infringe upon the 3M Plaintiffs' First Amendment right to not disclose their vaccination status, and the 3M Plaintiffs are likely to succeed on the merits of this claim.

B. Without preliminary injunctive relief, the 3M Plaintiffs will suffer irreparable harm.

“The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” *Roman Cath. Diocese of Brooklyn v. Cuomo*, 141 S. Ct. 63, 67 (2020) (quoting *Elrod v. Burns*, 427 U.S. at 347, 373 (1976)). The 3M Plaintiffs will suffer irreparable harm if this Court does not issue injunctive relief prior to the January 4, 2022, required compelled disclosure date of their vaccination status. Moreover, 3M will review their vaccination status, which amounts to a disfavored political disclosure, and proceed with the 3M Plaintiffs' termination of employment.

C. The 3M Plaintiffs' injuries outweigh any potential hardship to the government.

The federal government defendants lack a compelling state interest for EO 14042. Thus, it will not be harmed, nor suffer any potential hardship. *See Texans for Free Enter. v. Texas Ethics Comm'n*, 732 F.3d 535, 539 (5th Cir. 2013).

D. Granting injunctive relief will serve the public interest.

Courts have found that “injunctions protecting First Amendment freedoms are

always in the public interest.” *Id.* (quoting *Christian Legal Soc’y v. Walker*, 453 F.3d 853, 859 (7th Cir. 2006)).

CONCLUSION

For the foregoing reasons, the 3M Plaintiffs seek a temporary restraining order and preliminary injunction, enjoining the federal government defendants and 3M from acting in concert with them, from compelling the 3M Plaintiffs to disclose their vaccination status on or before January 4, 2022.

Dated: December 14, 2021

Respectfully Submitted,

/s/ Fernando M. Bustos

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on the Defendants in this case on December 14, 2021, as follows:

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VIA EMAIL: jeffrey.haag@usdoj.gov

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
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No. 6:21-CV-00074-H

**APPENDIX IN SUPPORT OF PLAINTIFF'S MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on the Defendants in this case on
December 14, 2021, as follows:

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**UNITED STATES DISTRICT COURT
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TERRY CONNER; JOSEPH DODSON;
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JOSEPH R. BIDEN in his official capacity as President
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Defendants.

No. 6:21-CV-00074-H

DECLARATION OF TERRY CONNER

My name is Terry Conner, and I declare as follows:

1. I am over eighteen years of age and a resident of Texas. I am employed by the 3M Corporation at its Brownwood, Texas facility.

2. On October 28, 2021, 3M's Senior Vice President and Chief Corporate Affairs Officer, Denise Rutherford ("Rutherford"), sent an electronic mail communication to all 3M employees introducing 3M's new "ShareMy.Health" platform, where all 3M employees were required to disclose their vaccination status, attached hereto as Exhibit A.

3. On October 29, 2021, 3M management sent a follow-up email

instructing 3M employees to upload and disclose their vaccine status information on the ShareMy.Health platform, that is substantially in the same form as set forth in the supporting brief filed with my declaration.

4. On December 10, 2021, Eric Hammes, 3M's Executive Vice President, Chief Country Governance and Services Officer ("Hammes"), sent an email to all 3M employees. Mr. Hammes acknowledged the GA nationwide injunction and that 3M employees were not required to be vaccinated at this time pending the outcome of that litigation. However, Mr. Hammes instructed all 3M employees including me to "continue to upload COVID-19 vaccination documents in the ShareMy.Health platform." 3M has not disclosed how it is protecting the safety and privacy of data 3M employees share on the ShareMy.Health platform system.

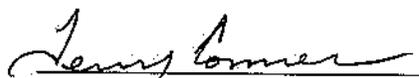
5. I do not wish to disclose my vaccination status to 3M and the federal government defendants on or before January 4, 2022 because I believe such disclosure of my status amounts to disclosure of my disfavored political beliefs and will subject me to threats, reprisal, harassment, and retaliation from the government defendants and from 3M, including termination of my employment.

6. Per the Exhibit B excel spreadsheet, 3M is requiring its employees in 48 states (except in Delaware and Wyoming), two U.S. territories (Puerto Rico and Guam), and the District of Columbia, to disclose their vaccination status.

I declare under penalty of perjury that the foregoing is true and correct.

[Signature page to follow]

Dated: December 14, 2021


Terry Conner

From: Michael Schiesl <mjschiesl@mmm.com>
Sent: Friday, November 5, 2021 3:44 PM
To: mjsjra@hutchtel.net
Subject: FW: Submit proof of vaccination | Review updated FAQs



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From: Message from Denise Rutherford <denise.rutherford@mmm.com>
Sent: Thursday, October 28, 2021 8:47 PM
To: Michael Schiesl <mjschiesl@mmm.com>
Subject: Submit proof of vaccination | Review updated FAQs



U.S. 3Mers —

To comply with both COVID-19 vaccine mandates that the U.S. federal government announced in September, we are asking you to provide proof of vaccination.

As a reminder, anyone who works at a location where employees are working on or connected to federal contracts (subject to limited medical and religious exemptions) must be vaccinated. All 3M U.S. office locations fall into this category, as well as plant and distribution sites where federal work is done. Workers at our U.S. sites not covered by the federal contractor mandate will be obligated to comply with the upcoming OSHA emergency temporary standard, once it is released and effective, which is likely to mean those workers will be required to be either vaccinated or subjected to weekly testing. [Please refer to this list](#) to determine whether your site is covered by the federal contractor mandate or is instead likely covered by the separate and upcoming OSHA emergency temporary standard.

To provide proof of vaccination to 3M, here's what you need to know.

1. **Tomorrow, you will receive an email from ShareMy.Health.** 3M is partnering with ShareMy.Health to collect COVID-19 vaccine verification information from employees.
 - The email will include your personalized link to the portal, but you can also access ShareMy.Health through [3M Go](#) and by scanning the QR code on posters that are being hung around your location.
 - The ShareMy.Health platform, which is both secure and compliant, can be accessed from any iOS or Android phone, your home or 3M corporate computer and/or through workstations that will be made available at your location.

2. **Take the following steps to submit your vaccination status:**
 - Log in by first entering your 3M email address, in the format of [USxxxxxx@mmm.com](#) or [Axxxxxx@mmm.com](#). Then click on the button for the 3M Login and enter your 3M password credentials.
 - Click through and provide the requested consent to ShareMy.Health.
 - Within the system, enter the type of vaccine that you received and the date(s) that you received it.

- Locate your vaccination card or an acceptable alternative form of documentation. ([Review the FAQs for a list of acceptable documentation options.](#))
- Upload a photo of your vaccination documentation and click 'Submit.'
- From there, ShareMy.Health will verify your information. If they have questions, they will follow up accordingly.
- Note: If you have limitations in using technology and/or need further assistance, please contact your local HR or Occupational Medicine representative.

3. **Consider how this process applies to you:**

- **If the federal contractor mandate applies to your work or work location**, you must be fully vaccinated and provide proof of vaccination via the ShareMy.Health platform **no later than December 8, 2021.**
- **If you are not covered by the federal contractor mandate**, you will likely still be covered by the separate and upcoming OSHA emergency temporary standard, once it is issued and in effect. Please provide proof of vaccination via the ShareMy.Health platform as soon as possible. If you do not plan to receive the vaccine, stay tuned for additional information about the weekly testing requirement, once it is shared under the new OSHA emergency temporary standard.
- **If you plan to seek a medical or religious exemption**, please do so as soon as possible. We anticipate you'll receive a response within 2-3 weeks, subject to volume of requests. Learn more about how to initiate a medical or religious exemption on [3M Go](#).
- **If you are fully vaccinated and previously submitted proof of vaccination to 3M** (either by participating in a 3M on-site vaccination clinic where the vaccine was administered by 3M staff, or by engaging our Occupational Medicine team directly), no further action is needed at this time. You will be contacted separately to provide additional consent required for reporting purposes.
- **If you are an hourly-paid employee**, please make every effort to complete this task while you are at work. If you are unable to do so, please discuss with your local HR representative.

Additional information and a [detailed user guide](#) about the ShareMy.Health platform and vaccine verification process are available on the [3M Go page](#).

We've continued to listen to your feedback, questions and concerns, and want to provide as many answers as we can, as quickly as we can. In the last few days, I know some of you have requested clarifications about a number of topics, including next steps for remote workers. **We've added more than 25 additional items to our [FAQ document](#) since last week.**

Please review the latest version in detail for further clarification and the most up-to-date information. As always, we'll continue to update our FAQs and [3M Go content](#) regularly.

Thanks for your continued support and patience. Be well.

Denise

This message was sent to all U.S. employees.

Federal contractor sites

Anyone who works at a location where work is completed in connection with a federal contract must be fully vaccinated against COVID-19 and provide proof of vaccination by January 4, 2022, even if they work remotely. Weekly testing will not be an option, but religious and medical exemption requests will be reviewed.

Name	Site city	Site address	Site state	Site type
3M Center	St Paul	3M Center	MN	Office-based
Aberdeen	Aberdeen	610 North County Road 19	SD	Plant
Abilene KCI	Abilene	1001 Ben Richey Drive	TX	Office-based
Aiea KCI	Aiea	98-029 Hekaha Street	HI	Office-based
Albany	Albany	22 Corporate Woods Blvd	NY	Office-based
Albany	Albany	134 Lincoln Avenue	NY	Office-based
Albuquerque KCI	Albuquerque	2709 Pan American Freeway North East	NM	Office-based
Alpharetta MModal	Alpharetta	1 Edison Drive	GA	Office-based
Amherst KCI	Amherst	435 Lawrence Bell Drive	NY	Office-based
Anaheim KCI	Anaheim	720 North Valley Stret	CA	Office-based
Anchorage	Anchorage	1151 Calaska Circle	AK	Distribution Center
Arlington KCI	Arlington	2412 East Randol Mill Road	TX	Office-based
Auburn	Auburn	264 Merrow Road	ME	Office-based
Augusta KCI	Augusta	4282 Belair Frontage Road	GA	Office-based
Austin	Austin	13011 McCallen Pass Drive	TX	Office-based
Austin	Austin	507 E. Howard Lane	TX	Office-based
Austin KCI	Austin	2120 West Braker Lane	TX	Office-based
Baton Rouge KCI	Baton Rouge	11114 Cedar Park	LA	Office-based
Beaumont	Beaumont	11025 A Eastex Freeway	TX	Office-based
Billings KCI	Billings	670 King Park Drive	MT	Office-based
Boise KCI	Boise	6135 West Corporal Lane	ID	Office-based
Broken Arrow KCI	Broken Arrow	2129 North Beech	OK	Office-based
Brookings	Brookings	601 22nd Ave So PO Box 5227	SD	Plant
Brownwood	Brownwood	4501 Highway 377 South	TX	Plant
Burbank KCI	Burbank	606 South Glenwood Place	CA	Office-based
Burlington	South Burlington	56 West Twin Oaks Terrace	VT	Office-based
Cambridge New Ventures	Cambridge	One Broadway	MA	Office-based
Cape Girardeau KCI	Cape Girardeau	121 South Broadview Street	MO	Office-based

Catano	Cataño	Highway 869	PR	Office-based
Charleston	North Charleston	3180 Industry Drive	SC	Office-based
Charlotte	Charlotte	6132-H Brookshire Boulevard	NC	Office-based
Chattanooga KCI	Chattanooga	4289 Bonny Oaks Drive	TN	Office-based
Cinnaminson KCI	Cinnaminson	2615 River Road	NJ	Office-based
Colorado KCI	Colorado Springs	616 Elkton Drive	CO	Office-based
Columbia	Columbia	3014A David Drive	MO	Office-based
Columbia	Columbia	5400 Paris Road	MO	Plant
Columbus KCI	Columbus	5762 Westbourne Avenue	OH	Office-based
Corpus Christi KCI	Corpus Christi	5233 IH 37	TX	Office-based
Cynthiana	Cynthiana	1308 New Lair Road	KY	Plant
Dalton Sales & Tech Center	Dalton	821 Chattanooga Ave	GA	Office-based
Dayton KCI	Dayton	735 Congress Park Drive	OH	Office-based
Dekalb	Dekalb	1250 Macom Drive	IL	Distribution Center
Delray Beach	Delray Beach	4733 W. Atlantic Avenue	FL	Office-based
Des Moines KCI	Des Moines	3300 Southwest 9th	IA	Office-based
Dillon KCI	Dillon	4 North Idaho	MT	Office-based
Doral KCI	Doral	8240 Northwest 52nd Terrace		Office-based
Dunbar KCI	Dunbar	300 Roxalana Business Park	WV	Office-based
East Farmingdale KCI	East Farmingdale	195-P Central Avenue	NY	Office-based
East Peoria KCI	East Peoria	670 Highpoint Lane	IL	Office-based
Eden Prairie	Eden Prairie	10351 W 70th St	MN	Plant
El Paso KCI	El Paso	11601 Pelicano Drive	TX	Office-based
Elkridge KCI	Elkridge	7020 Troy Hill Drive	MD	Office-based
Eugene KCI	Eugene	1010 Tyinn Street	OR	Office-based
Evansville KCI	Evansville	5625 Vogel Road	IN	Office-based
Fargo	West Fargo	500 10th Street Northeast	ND	Office-based
Flemington	Flemington	500 Route 202 North	NJ	Plant
Flint KCI	Flint	4110 Pier North Boulevard	MI	Office-based
Forest City	Forest City	806 West Crystal Lake Road	IA	Distribution Center
Fort Myers KCI	Fort Myers	10650 Metro Parkway	FL	Office-based
FranklinMModal	Franklin	725 Cool Springs	TN	Office-based
Fresno KCI	Fresno	1155 E. North Avenue		Office-based

Fridley KCI	Fridley	7217 University Avenue Northeast	MN	Office-based
Gainesville	Gainesville	4927 Southwest 41st Blvd	FL	Office-based
Grand Rapids KCI	Grand Rapids	83 - 54th Street SW	MI	Office-based
Greenville KCI	Greenville	124 Old Mill Road	SC	Office-based
Guam	Harmon	215 Rojas St, Suite 107	Guam	Office-based
Guin	Guin	6675 U.S. Highway 43	AL	Plant
Hackensack KCI	Hackensack	192 Atlantic Street	NJ	Office-based
Harrisburg KCI	Harrisburg	4400 Lewis Road	PA	Office-based
Honolulu	Honolulu	4443 Malaai Street	HI	Distribution Center
Houston	Houston	2313 West Sam Houston Parkway N	TX	Office-based
Hudson KCI	Hudson	4 Candy Lane	NH	Office-based
Hutchinson	Hutchinson	905 Adams Street Southeast	MN	Plant
Indianapolis	Indianapolis	5457 W 79th St	IN	Plant
Indianapolis KCI	Indianapolis	6911-7061 Corporate Circle	IN	Office-based
Iowa City KCI	Iowa City	2452 South Riverside Drive	IA	Office-based
Irondale KCI	Irondale	2714 Commerce Square East	AL	Office-based
Irvine	Irvine	2111 McGaw Ave	CA	Plant
Irvine Meguiars	Irvine	17991 Mitchell South	CA	Office-based
Irvine Meguiars	Irvine	17941 Fitch Avenue	CA	Office-based
Jacksonville	Jacksonville	7029 Commonwealth Avenue	FL	Office-based
Jefferson KCI	Jefferson	660 Distributors Row	LA	Office-based
Johnson City	Johnson City	4 Worth Circle	TN	Office-based
Kent KCI	Kent	22757 72nd Avenue South	WA	Office-based
Kernersville	Kernersville	495 Arbor Hill Drive	NC	Office-based
Las Vegas KCI	Las Vegas	3175 West Ali Baba Lane	NV	Office-based
Lenexa KCI	Lenexa	9852 Pflumm Road	KS	Office-based
Lexington	Lexington	695 Laco Drive	KY	Plant
Little Rock	North Little Rock	9722 Maumelle Blvd.	AR	Office-based
Livonia	Livonia	19469 Victor Pkwy	MI	Office-based
Livonia	Livonia	31537 West 8 Mile Road	MI	Office-based
Louisville KCI	Louisville	4227 Produce Road	KY	Office-based
Louisville KCI	Louisville	1705 Base Pointe Way	TN	Office-based
Lubbock KCI	Lubbock	1306 35th Street	TX	Office-based
Madison KCI	Madison	464 Church Road	MS	Office-based

Mcallen KCI	McAllen	224 North McColl Road	TX	Office-based
Medford KCI	Medford	255 East Barnett Road	OR	Office-based
MempHIS KCI	MempHIS	1679 Shelby Oaks Drive	TN	Office-based
Menasha KCI	Menasha	1100 1/2 Wittmann Drive	WI	Office-based
Mendota Heights	Mendota Heights	2465 Lexington Ave S	MN	Office-based
Meriden HIS	Meriden	400 Research Parkway	CT	
Middleburg Heights	Middleburg Heights	6751 Engle Road	OH	Office-based
Minneapolis	Minneapolis	901 Marquette Ave	MN	Office-based
Monroe	Monroe	4320 Goldmine Road	NC	Plant
Monrovia	Monrovia	2724 Sough Peck Road	CA	Plant
Montgomery KCI	Montgomery	1115 Perry Hill Road	AL	Office-based
Mooresville	Mooresville	128 Talbert Road	NC	Office-based
Morrisville KCI	Morrisville	200 Trans Air Drive	NC	Office-based
Murray HIS	Murray	575 West Murray Blvd	UT	Office-based
Nashville KCI	Nashville	1854 Air Lane Drive	TN	Office-based
New Ulm	New Ulm	1700 N Minnesota Street	MN	Plant
Newington KCI	Newington	65 Louis Street	CT	Office-based
Norcross KCI	Norcross	6325 Regency Parkway	GA	Office-based
Oakdale	Oakdale	6744 33rd Street North	MN	Office-based
Oakdale - 3M Center	Oakdale	3350 Granada Avenue North	MN	Office-based
Oklahoma City	Oklahoma City	5924 Northwest 2nd Street	OK	Office-based
Omaha KCI	Omaha	5330-5368 F Street	NE	Office-based
Ontario (WDC)	Ontario	5151 East Philadelphia Street	CA	Distribution Center
Orlando KCI	Orlando	3506 Saint Valentine Way	FL	Office-based
Oxnard KCI	Oxnard	2350 Eastman Avenue	CA	Office-based
Pasadena Cogent	Pasadena	1455 East Sam Houston South	TX	Office-based
Pensacola KCI	Pensacola	185 Airport Boulevard	FL	Office-based
Phoenix	Phoenix	23309 North 17th Drive	AZ	Office-based
Pierceton KCI	Pierceton	5C Pequignot	IN	Office-based
Pittsburgh MModal	Pittsburgh	7514 Thomas Boulevard	PA	Office-based
Pittston	Pittston	118 CenterPoint Boulevard	PA	Office-based
Plymouth	Plymouth	44245 Plymouth Oaks Blvd	MI	Office-based
Pompano Beach	Pompano Beach	2101 Northwest 33rd Street	FL	Office-based
Portland KCI	Portland	11937 Northeast Sumner	OR	Office-based

Prairie Du Chien	Prairie Du Chien	801 N Marquette Road	WI	Plant
Quapaw	Quapaw	3250 S 614 Road	OK	Plant
Raleigh KCI	Raleigh	310 South Harrington Street	NC	Office-based
Raleigh HIS	Raleigh	310 South Harrington Street	NC	Office-based
Reading KCI	Reading	8060 Reading Road	OH	Office-based
Redding KCI	Redding	2922 Innsbruck Drive	CA	Office-based
Redwood	San Mateo	2955 Campus Dr.	CA	Office-based
Richmond KCI	Richmond	1100 Athens Avenue	VA	Office-based
Rogers	Rogers	5304 Village Parkway	AR	Office-based
Ruckersville	Ruckersville	8782 Seminole Trail	VA	Office-based
Sacramento KCI	Sacramento	3951 Performance Drive	CA	Office-based
Salem	Salem	598 Roanoke Street	VA	Office-based
Salt Lake City	Salt Lake City	1765 South 900 West	UT	Office-based
San Antonio KCI	San Antonio	6203 Farinon Drive	TX	Office-based
San Antonio KCI	San Antonio	6103 Farinon Drive	TX	Office-based
San Antonio KCI	San Antonio	5751 Northwest Parkway	TX	Office-based
San Antonio KCI	San Antonio	5850 Farinon Drive - Building IX	TX	Office-based
San Antonio KCI	San Antonio	12930 IH 10 West	TX	Office-based
San Bernadino	San Bernardino	328 East Commercial Road	CA	Office-based
San Diego	San Diego	7925 Dunbrook Road	CA	Office-based
San Leandro	San Leandro	2400 Merced St.	CA	Office-based
Savannah KCI	Savannah	2000 Business Center Drive	GA	Office-based
Sheridan KCI	Sheridan	1500 West Hampden Avenue	CO	Office-based
Shreveport KCI	Shreveport	1426 Hawn Avenue	LA	Office-based
Shrewsbury KCI	Shrewsbury	14 Commerce Road	MA	Office-based
Silver Spring HIS	Silver Spring	12215 Plum Orchard Drive	MD	Office-based
Sioux Falls	Sioux Falls	3715 South Grange Avenue	SD	Office-based
Smyrna	Smyrna	5000 Highlands PK SE	GA	Office-based
Somerville KCI	Somerville	58-74 East Main Street	NJ	Office-based
Sparks KCI	Sparks	1380 Greg Street	NV	Office-based
Spokane Valley	Spokane Valley	11616 East Montgomery Avenue	WA	Office-based
Springfield KCI	Springfield	2414 West Vista	MO	Office-based
St Louis	St Louis	2338 Weldon Parkway	MO	Office-based
St Paul	St Paul	888 East Minnehaha	MN	Office-based
St. Paul	St. Paul	1927 Case Ave-Bldg 427-01-04	MN	Distribution Center

Syracuse	East Syracuse	6389 Thompson Road	NY	Office-based
Tallahassee	Tallahassee	2901 East Park Avenue	FL	Office-based
Tampa KCI	Tampa	1911 North U.S Highway 301 North	FL	Office-based
Taylorville HIS	Taylorville	4393 South Riverboat Rd	UT	Office-based
Toledo KCI	Toledo	1007 North Holland-Sylvania Road	OH	Office-based
Tonawanda	Tonawanda	305 Sawyer Ave	NY	Plant
Tucson KCI	Tucson	4500 E Speedway	AZ	Office-based
Tustin	Tustin	1421 Edinger Avenue	CA	Office-based
Tyler KCI	Tyler	3815 Timms Street	TX	Office-based
Valley	Valley	600 E Meigs Street	NE	Plant
Villa Park KCI	Villa Park	1193 North Ellsworth Avenue	IL	Office-based
Virginia Beach KCI	Virginia Beach	468 South Independence Boulevard	VA	Office-based
Warrendale KCI	Warrendale	357 Northgate Road	PA	Office-based
Washington Dc 2	Washington	1425 K Street	DC	Office-based
Waukesha KCI	Waukesha	N8 W22350 Johnson Road	WI	Office-based
West Salem KCI	West Salem	611 Brick Road	WI	Office-based
Westborough	Westborough	115 Flanders Rd	MA	Office-based
Wichita KCI	Wichita	1632 S. West Street	KS	Office-based
Wilmington KCI	Wilmington	2725 Old Wrightsboro Road	NC	Office-based
Woburn MModal	Woburn	400 Trade Center	MA	Office-based
Wonewok	Park Rapids	21254 County 24	MN	Office-based
Woodbury	Woodbury	1860 Wooddale Drive	MN	Office-based
Woodbury1865	Woodbury	1865 Woodlane Drive	MN	Office-based

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION**

TERRY CONNER; JOSEPH DODSON;
BARBARA BACHMAN; and MICHAEL SCHIESL,

Plaintiffs,

v.

JOSEPH R. BIDEN in his official capacity as President
of the United States, et al.,

Defendants.

No. 6:21-CV-00074-H

DECLARATION OF JOSEPH DODSON

My name is Joseph Dodson, and I declare as follows:

1. I am over eighteen years of age and a resident of Texas. I am employed by the 3M Corporation at its Brownwood, Texas facility.
2. On October 28, 2021, 3M's Senior Vice President and Chief Corporate Affairs Officer, Denise Rutherford ("Rutherford"), sent an electronic mail communication to all 3M employees introducing 3M's new "ShareMy.Health" platform, where all 3M employees were required to disclose their vaccination status, attached hereto as Exhibit A.
3. On October 29, 2021, 3M management sent a follow-up email

instructing 3M employees to upload and disclose their vaccine status information on the ShareMy.Health platform, that is substantially in the same form as set forth in the supporting brief filed with my declaration.

4. On December 10, 2021, Eric Hammes, 3M's Executive Vice President, Chief Country Governance and Services Officer ("Hammes"), sent an email to all 3M employees. Mr. Hammes acknowledged the GA nationwide injunction and that 3M employees were not required to be vaccinated at this time pending the outcome of that litigation. However, Mr. Hammes instructed all 3M employees including me to "continue to upload COVID-19 vaccination documents in the ShareMy.Health platform." 3M has not disclosed how it is protecting the safety and privacy of data 3M employees share on the ShareMy.Health platform system.

5. I do not wish to disclose my vaccination status to 3M and the federal government defendants on or before January 4, 2022 because I believe such disclosure of my status amounts to disclosure of my disfavored political beliefs and will subject me to threats, reprisal, harassment, and retaliation from the government defendants and from 3M, including termination of my employment.

6. Per the Exhibit B excel spreadsheet, 3M is requiring its employees in 48 states (except in Delaware and Wyoming), two U.S. territories (Puerto Rico and Guam), and the District of Columbia, to disclose their vaccination status.

I declare under penalty of perjury that the foregoing is true and correct.

[Signature page to follow]

Dated: December 14, 2021



Joseph Dodson

From: Michael Schiesl <mjschiesl@mmm.com>
Sent: Friday, November 5, 2021 3:44 PM
To: mjsjra@hutchtel.net
Subject: FW: Submit proof of vaccination | Review updated FAQs



Mike J. Schiesl | Manufacturing Technology
3M Film and Materials Science, Manufacturing Technology and Engineering
905 Adams St SE | Hutchinson, MN 55350 | United States
Office: +1 320 455 4149 | Mobile: 651 925 6151
mjschiesl@mmm.com



From: Message from Denise Rutherford <denise.rutherford@mmm.com>
Sent: Thursday, October 28, 2021 8:47 PM
To: Michael Schiesl <mjschiesl@mmm.com>
Subject: Submit proof of vaccination | Review updated FAQs



U.S. 3Mers —

To comply with both COVID-19 vaccine mandates that the U.S. federal government announced in September, we are asking you to provide proof of vaccination.

As a reminder, anyone who works at a location where employees are working on or connected to federal contracts (subject to limited medical and religious exemptions) must be vaccinated. All 3M U.S. office locations fall into this category, as well as plant and distribution sites where federal work is done. Workers at our U.S. sites not covered by the federal contractor mandate will be obligated to comply with the upcoming OSHA emergency temporary standard, once it is released and effective, which is likely to mean those workers will be required to be either vaccinated or subjected to weekly testing. [Please refer to this list](#) to determine whether your site is covered by the federal contractor mandate or is instead likely covered by the separate and upcoming OSHA emergency temporary standard.

To provide proof of vaccination to 3M, here's what you need to know.

1. **Tomorrow, you will receive an email from ShareMy.Health.** 3M is partnering with ShareMy.Health to collect COVID-19 vaccine verification information from employees.
 - The email will include your personalized link to the portal, but you can also access ShareMy.Health through [3M Go](#) and by scanning the QR code on posters that are being hung around your location.
 - The ShareMy.Health platform, which is both secure and compliant, can be accessed from any iOS or Android phone, your home or 3M corporate computer and/or through workstations that will be made available at your location.

2. **Take the following steps to submit your vaccination status:**
 - Log in by first entering your 3M email address, in the format of [USxxxxxx@mmm.com](#) or [Axxxxxx@mmm.com](#). Then click on the button for the 3M Login and enter your 3M password credentials.
 - Click through and provide the requested consent to ShareMy.Health.
 - Within the system, enter the type of vaccine that you received and the date(s) that you received it.

- Locate your vaccination card or an acceptable alternative form of documentation. ([Review the FAQs for a list of acceptable documentation options.](#))
- Upload a photo of your vaccination documentation and click 'Submit.'
- From there, ShareMy.Health will verify your information. If they have questions, they will follow up accordingly.
- Note: If you have limitations in using technology and/or need further assistance, please contact your local HR or Occupational Medicine representative.

3. **Consider how this process applies to you:**

- **If the federal contractor mandate applies to your work or work location**, you must be fully vaccinated and provide proof of vaccination via the ShareMy.Health platform **no later than December 8, 2021.**
- **If you are not covered by the federal contractor mandate**, you will likely still be covered by the separate and upcoming OSHA emergency temporary standard, once it is issued and in effect. Please provide proof of vaccination via the ShareMy.Health platform as soon as possible. If you do not plan to receive the vaccine, stay tuned for additional information about the weekly testing requirement, once it is shared under the new OSHA emergency temporary standard.
- **If you plan to seek a medical or religious exemption**, please do so as soon as possible. We anticipate you'll receive a response within 2-3 weeks, subject to volume of requests. Learn more about how to initiate a medical or religious exemption on [3M Go](#).
- **If you are fully vaccinated and previously submitted proof of vaccination to 3M** (either by participating in a 3M on-site vaccination clinic where the vaccine was administered by 3M staff, or by engaging our Occupational Medicine team directly), no further action is needed at this time. You will be contacted separately to provide additional consent required for reporting purposes.
- **If you are an hourly-paid employee**, please make every effort to complete this task while you are at work. If you are unable to do so, please discuss with your local HR representative.

Additional information and a [detailed user guide](#) about the ShareMy.Health platform and vaccine verification process are available on the [3M Go page](#).

We've continued to listen to your feedback, questions and concerns, and want to provide as many answers as we can, as quickly as we can. In the last few days, I know some of you have requested clarifications about a number of topics, including next steps for remote workers. **We've added more than 25 additional items to our [FAQ document](#) since last week.**

Please review the latest version in detail for further clarification and the most up-to-date information. As always, we'll continue to update our FAQs and [3M Go content](#) regularly.

Thanks for your continued support and patience. Be well.

Denise

This message was sent to all U.S. employees.

Federal contractor sites

Anyone who works at a location where work is completed in connection with a federal contract must be fully vaccinated against COVID-19 and provide proof of vaccination by January 4, 2022, even if they work remotely. Weekly testing will not be an option, but religious and medical exemption requests will be reviewed.

Name	Site city	Site address	Site state	Site type
3M Center	St Paul	3M Center	MN	Office-based
Aberdeen	Aberdeen	610 North County Road 19	SD	Plant
Abilene KCI	Abilene	1001 Ben Richey Drive	TX	Office-based
Aiea KCI	Aiea	98-029 Hekaha Street	HI	Office-based
Albany	Albany	22 Corporate Woods Blvd	NY	Office-based
Albany	Albany	134 Lincoln Avenue	NY	Office-based
Albuquerque KCI	Albuquerque	2709 Pan American Freeway North East	NM	Office-based
Alpharetta MModal	Alpharetta	1 Edison Drive	GA	Office-based
Amherst KCI	Amherst	435 Lawrence Bell Drive	NY	Office-based
Anaheim KCI	Anaheim	720 North Valley Stret	CA	Office-based
Anchorage	Anchorage	1151 Calaska Circle	AK	Distribution Center
Arlington KCI	Arlington	2412 East Randol Mill Road	TX	Office-based
Auburn	Auburn	264 Merrow Road	ME	Office-based
Augusta KCI	Augusta	4282 Belair Frontage Road	GA	Office-based
Austin	Austin	13011 McCallen Pass Drive	TX	Office-based
Austin	Austin	507 E. Howard Lane	TX	Office-based
Austin KCI	Austin	2120 West Braker Lane	TX	Office-based
Baton Rouge KCI	Baton Rouge	11114 Cedar Park	LA	Office-based
Beaumont	Beaumont	11025 A Eastex Freeway	TX	Office-based
Billings KCI	Billings	670 King Park Drive	MT	Office-based
Boise KCI	Boise	6135 West Corporal Lane	ID	Office-based
Broken Arrow KCI	Broken Arrow	2129 North Beech	OK	Office-based
Brookings	Brookings	601 22nd Ave So PO Box 5227	SD	Plant
Brownwood	Brownwood	4501 Highway 377 South	TX	Plant
Burbank KCI	Burbank	606 South Glenwood Place	CA	Office-based
Burlington	South Burlington	56 West Twin Oaks Terrace	VT	Office-based
Cambridge New Ventures	Cambridge	One Broadway	MA	Office-based
Cape Girardeau KCI	Cape Girardeau	121 South Broadview Street	MO	Office-based

Catano	Cataño	Highway 869	PR	Office-based
Charleston	North Charleston	3180 Industry Drive	SC	Office-based
Charlotte	Charlotte	6132-H Brookshire Boulevard	NC	Office-based
Chattanooga KCI	Chattanooga	4289 Bonny Oaks Drive	TN	Office-based
Cinnaminson KCI	Cinnaminson	2615 River Road	NJ	Office-based
Colorado KCI	Colorado Springs	616 Elkton Drive	CO	Office-based
Columbia	Columbia	3014A David Drive	MO	Office-based
Columbia	Columbia	5400 Paris Road	MO	Plant
Columbus KCI	Columbus	5762 Westbourne Avenue	OH	Office-based
Corpus Christi KCI	Corpus Christi	5233 IH 37	TX	Office-based
Cynthiana	Cynthiana	1308 New Lair Road	KY	Plant
Dalton Sales & Tech Center	Dalton	821 Chattanooga Ave	GA	Office-based
Dayton KCI	Dayton	735 Congress Park Drive	OH	Office-based
Dekalb	Dekalb	1250 Macom Drive	IL	Distribution Center
Delray Beach	Delray Beach	4733 W. Atlantic Avenue	FL	Office-based
Des Moines KCI	Des Moines	3300 Southwest 9th	IA	Office-based
Dillon KCI	Dillon	4 North Idaho	MT	Office-based
Doral KCI	Doral	8240 Northwest 52nd Terrace		Office-based
Dunbar KCI	Dunbar	300 Roxalana Business Park	WV	Office-based
East Farmingdale KCI	East Farmingdale	195-P Central Avenue	NY	Office-based
East Peoria KCI	East Peoria	670 Highpoint Lane	IL	Office-based
Eden Prairie	Eden Prairie	10351 W 70th St	MN	Plant
El Paso KCI	El Paso	11601 Pelicano Drive	TX	Office-based
Elkridge KCI	Elkridge	7020 Troy Hill Drive	MD	Office-based
Eugene KCI	Eugene	1010 Tyinn Street	OR	Office-based
Evansville KCI	Evansville	5625 Vogel Road	IN	Office-based
Fargo	West Fargo	500 10th Street Northeast	ND	Office-based
Flemington	Flemington	500 Route 202 North	NJ	Plant
Flint KCI	Flint	4110 Pier North Boulevard	MI	Office-based
Forest City	Forest City	806 West Crystal Lake Road	IA	Distribution Center
Fort Myers KCI	Fort Myers	10650 Metro Parkway	FL	Office-based
FranklinMModal	Franklin	725 Cool Springs	TN	Office-based
Fresno KCI	Fresno	1155 E. North Avenue		Office-based

Fridley KCI	Fridley	7217 University Avenue Northeast	MN	Office-based
Gainesville	Gainesville	4927 Southwest 41st Blvd	FL	Office-based
Grand Rapids KCI	Grand Rapids	83 - 54th Street SW	MI	Office-based
Greenville KCI	Greenville	124 Old Mill Road	SC	Office-based
Guam	Harmon	215 Rojas St, Suite 107	Guam	Office-based
Guin	Guin	6675 U.S. Highway 43	AL	Plant
Hackensack KCI	Hackensack	192 Atlantic Street	NJ	Office-based
Harrisburg KCI	Harrisburg	4400 Lewis Road	PA	Office-based
Honolulu	Honolulu	4443 Malaai Street	HI	Distribution Center
Houston	Houston	2313 West Sam Houston Parkway N	TX	Office-based
Hudson KCI	Hudson	4 Candy Lane	NH	Office-based
Hutchinson	Hutchinson	905 Adams Street Southeast	MN	Plant
Indianapolis	Indianapolis	5457 W 79th St	IN	Plant
Indianapolis KCI	Indianapolis	6911-7061 Corporate Circle	IN	Office-based
Iowa City KCI	Iowa City	2452 South Riverside Drive	IA	Office-based
Irondale KCI	Irondale	2714 Commerce Square East	AL	Office-based
Irvine	Irvine	2111 McGaw Ave	CA	Plant
Irvine Meguiars	Irvine	17991 Mitchell South	CA	Office-based
Irvine Meguiars	Irvine	17941 Fitch Avenue	CA	Office-based
Jacksonville	Jacksonville	7029 Commonwealth Avenue	FL	Office-based
Jefferson KCI	Jefferson	660 Distributors Row	LA	Office-based
Johnson City	Johnson City	4 Worth Circle	TN	Office-based
Kent KCI	Kent	22757 72nd Avenue South	WA	Office-based
Kernersville	Kernersville	495 Arbor Hill Drive	NC	Office-based
Las Vegas KCI	Las Vegas	3175 West Ali Baba Lane	NV	Office-based
Lenexa KCI	Lenexa	9852 Pflumm Road	KS	Office-based
Lexington	Lexington	695 Laco Drive	KY	Plant
Little Rock	North Little Rock	9722 Maumelle Blvd.	AR	Office-based
Livonia	Livonia	19469 Victor Pkwy	MI	Office-based
Livonia	Livonia	31537 West 8 Mile Road	MI	Office-based
Louisville KCI	Louisville	4227 Produce Road	KY	Office-based
Louisville KCI	Louisville	1705 Base Pointe Way	TN	Office-based
Lubbock KCI	Lubbock	1306 35th Street	TX	Office-based
Madison KCI	Madison	464 Church Road	MS	Office-based

Mcallen KCI	McAllen	224 North McColl Road	TX	Office-based
Medford KCI	Medford	255 East Barnett Road	OR	Office-based
MempHIS KCI	MempHIS	1679 Shelby Oaks Drive	TN	Office-based
Menasha KCI	Menasha	1100 1/2 Wittmann Drive	WI	Office-based
Mendota Heights	Mendota Heights	2465 Lexington Ave S	MN	Office-based
Meriden HIS	Meriden	400 Research Parkway	CT	
Middleburg Heights	Middleburg Heights	6751 Engle Road	OH	Office-based
Minneapolis	Minneapolis	901 Marquette Ave	MN	Office-based
Monroe	Monroe	4320 Goldmine Road	NC	Plant
Monrovia	Monrovia	2724 Sough Peck Road	CA	Plant
Montgomery KCI	Montgomery	1115 Perry Hill Road	AL	Office-based
Mooresville	Mooresville	128 Talbert Road	NC	Office-based
Morrisville KCI	Morrisville	200 Trans Air Drive	NC	Office-based
Murray HIS	Murray	575 West Murray Blvd	UT	Office-based
Nashville KCI	Nashville	1854 Air Lane Drive	TN	Office-based
New Ulm	New Ulm	1700 N Minnesota Street	MN	Plant
Newington KCI	Newington	65 Louis Street	CT	Office-based
Norcross KCI	Norcross	6325 Regency Parkway	GA	Office-based
Oakdale	Oakdale	6744 33rd Street North	MN	Office-based
Oakdale - 3M Center	Oakdale	3350 Granada Avenue North	MN	Office-based
Oklahoma City	Oklahoma City	5924 Northwest 2nd Street	OK	Office-based
Omaha KCI	Omaha	5330-5368 F Street	NE	Office-based
Ontario (WDC)	Ontario	5151 East Philadelphia Street	CA	Distribution Center
Orlando KCI	Orlando	3506 Saint Valentine Way	FL	Office-based
Oxnard KCI	Oxnard	2350 Eastman Avenue	CA	Office-based
Pasadena Cogent	Pasadena	1455 East Sam Houston South	TX	Office-based
Pensacola KCI	Pensacola	185 Airport Boulevard	FL	Office-based
Phoenix	Phoenix	23309 North 17th Drive	AZ	Office-based
Pierceton KCI	Pierceton	5C Pequignot	IN	Office-based
Pittsburgh MModal	Pittsburgh	7514 Thomas Boulevard	PA	Office-based
Pittston	Pittston	118 CenterPoint Boulevard	PA	Office-based
Plymouth	Plymouth	44245 Plymouth Oaks Blvd	MI	Office-based
Pompano Beach	Pompano Beach	2101 Northwest 33rd Street	FL	Office-based
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Raleigh HIS	Raleigh	310 South Harrington Street	NC	Office-based
Reading KCI	Reading	8060 Reading Road	OH	Office-based
Redding KCI	Redding	2922 Innsbruck Drive	CA	Office-based
Redwood	San Mateo	2955 Campus Dr.	CA	Office-based
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Rogers	Rogers	5304 Village Parkway	AR	Office-based
Ruckersville	Ruckersville	8782 Seminole Trail	VA	Office-based
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Salem	Salem	598 Roanoke Street	VA	Office-based
Salt Lake City	Salt Lake City	1765 South 900 West	UT	Office-based
San Antonio KCI	San Antonio	6203 Farinon Drive	TX	Office-based
San Antonio KCI	San Antonio	6103 Farinon Drive	TX	Office-based
San Antonio KCI	San Antonio	5751 Northwest Parkway	TX	Office-based
San Antonio KCI	San Antonio	5850 Farinon Drive - Building IX	TX	Office-based
San Antonio KCI	San Antonio	12930 IH 10 West	TX	Office-based
San Bernadino	San Bernardino	328 East Commercial Road	CA	Office-based
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Warrendale KCI	Warrendale	357 Northgate Road	PA	Office-based
Washington Dc 2	Washington	1425 K Street	DC	Office-based
Waukesha KCI	Waukesha	N8 W22350 Johnson Road	WI	Office-based
West Salem KCI	West Salem	611 Brick Road	WI	Office-based
Westborough	Westborough	115 Flanders Rd	MA	Office-based
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Wilmington KCI	Wilmington	2725 Old Wrightsboro Road	NC	Office-based
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Wonewok	Park Rapids	21254 County 24	MN	Office-based
Woodbury	Woodbury	1860 Wooddale Drive	MN	Office-based
Woodbury1865	Woodbury	1865 Woodlane Drive	MN	Office-based

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

TERRY CONNER; JOSEPH DODSON;
BARBARA BACHMAN; and MICHAEL SCHIESL,

Plaintiffs,

v.

JOSEPH R. BIDEN in his official capacity as President
of the United States, et al.,

Defendants.

No. 6:21-CV-00074-H

DECLARATION OF BARBARA BACHMAN

My name is Barbara Bachman, and I declare as follows:

1. I am over eighteen years of age and a resident of Texas. I am employed by the 3M Corporation at its Brownwood, Texas facility.
2. On October 28, 2021, 3M's Senior Vice President and Chief Corporate Affairs Officer, Denise Rutherford ("Rutherford"), sent an electronic mail communication to all 3M employees introducing 3M's new "ShareMy.Health" platform, where all 3M employees were required to disclose their vaccination status, attached hereto as Exhibit A.
3. On October 29, 2021, 3M management sent a follow-up email

instructing 3M employees to upload and disclose their vaccine status information on the ShareMy.Health platform, that is substantially in the same form as set forth in the supporting brief filed with my declaration.

4. On December 10, 2021, Eric Hammes, 3M's Executive Vice President, Chief Country Governance and Services Officer ("Hammes"), sent an email to all 3M employees. Mr. Hammes acknowledged the GA nationwide injunction and that 3M employees were not required to be vaccinated at this time pending the outcome of that litigation. However, Mr. Hammes instructed all 3M employees including me to "continue to upload COVID-19 vaccination documents in the ShareMy.Health platform." 3M has not disclosed how it is protecting the safety and privacy of data 3M employees share on the ShareMy.Health platform system.

5. I do not wish to disclose my vaccination status to 3M and the federal government defendants on or before January 4, 2022 because I believe such disclosure of my status amounts to disclosure of my disfavored political beliefs and will subject me to threats, reprisal, harassment, and retaliation from the government defendants and from 3M, including termination of my employment.

6. Per the Exhibit B excel spreadsheet, 3M is requiring its employees in 48 states (except in Delaware and Wyoming), two U.S. territories (Puerto Rico and Guam), and the District of Columbia, to disclose their vaccination status.

I declare under penalty of perjury that the foregoing is true and correct.

[Signature page to follow]

Dated: December 14, 2021

Barbara Bachman
Barbara Bachman

From: Michael Schiesl <mjschiesl@mmm.com>
Sent: Friday, November 5, 2021 3:44 PM
To: mjsjra@hutchtel.net
Subject: FW: Submit proof of vaccination | Review updated FAQs



Mike J. Schiesl | Manufacturing Technology
3M Film and Materials Science, Manufacturing Technology and Engineering
905 Adams St SE | Hutchinson, MN 55350 | United States
Office: +1 320 455 4149 | Mobile: 651 925 6151
mjschiesl@mmm.com



From: Message from Denise Rutherford <denise.rutherford@mmm.com>
Sent: Thursday, October 28, 2021 8:47 PM
To: Michael Schiesl <mjschiesl@mmm.com>
Subject: Submit proof of vaccination | Review updated FAQs

A blue rectangular banner containing the 3M Science. Applied to Life.™ logo on the left and a portrait of Denise Rutherford on the right. The portrait shows a woman with short, curly brown hair, wearing a dark blazer over a light-colored top, smiling. The background of the portrait is a bright, modern office interior with large windows.

Denise Rutherford
Senior Vice President and
Chief Corporate Affairs Officer

U.S. 3Mers —

To comply with both COVID-19 vaccine mandates that the U.S. federal government announced in September, we are asking you to provide proof of vaccination.

As a reminder, anyone who works at a location where employees are working on or connected to federal contracts (subject to limited medical and religious exemptions) must be vaccinated. All 3M U.S. office locations fall into this category, as well as plant and distribution sites where federal work is done. Workers at our U.S. sites not covered by the federal contractor mandate will be obligated to comply with the upcoming OSHA emergency temporary standard, once it is released and effective, which is likely to mean those workers will be required to be either vaccinated or subjected to weekly testing. [Please refer to this list](#) to determine whether your site is covered by the federal contractor mandate or is instead likely covered by the separate and upcoming OSHA emergency temporary standard.

To provide proof of vaccination to 3M, here's what you need to know.

1. **Tomorrow, you will receive an email from ShareMy.Health.** 3M is partnering with ShareMy.Health to collect COVID-19 vaccine verification information from employees.
 - The email will include your personalized link to the portal, but you can also access ShareMy.Health through [3M Go](#) and by scanning the QR code on posters that are being hung around your location.
 - The ShareMy.Health platform, which is both secure and compliant, can be accessed from any iOS or Android phone, your home or 3M corporate computer and/or through workstations that will be made available at your location.

2. **Take the following steps to submit your vaccination status:**
 - Log in by first entering your 3M email address, in the format of [USxxxxxx@mmm.com](#) or [Axxxxxx@mmm.com](#). Then click on the button for the 3M Login and enter your 3M password credentials.
 - Click through and provide the requested consent to ShareMy.Health.
 - Within the system, enter the type of vaccine that you received and the date(s) that you received it.

- Locate your vaccination card or an acceptable alternative form of documentation. ([Review the FAQs for a list of acceptable documentation options.](#))
- Upload a photo of your vaccination documentation and click 'Submit.'
- From there, ShareMy.Health will verify your information. If they have questions, they will follow up accordingly.
- Note: If you have limitations in using technology and/or need further assistance, please contact your local HR or Occupational Medicine representative.

3. Consider how this process applies to you:

- **If the federal contractor mandate applies to your work or work location**, you must be fully vaccinated and provide proof of vaccination via the ShareMy.Health platform **no later than December 8, 2021.**
- **If you are not covered by the federal contractor mandate**, you will likely still be covered by the separate and upcoming OSHA emergency temporary standard, once it is issued and in effect. Please provide proof of vaccination via the ShareMy.Health platform as soon as possible. If you do not plan to receive the vaccine, stay tuned for additional information about the weekly testing requirement, once it is shared under the new OSHA emergency temporary standard.
- **If you plan to seek a medical or religious exemption**, please do so as soon as possible. We anticipate you'll receive a response within 2-3 weeks, subject to volume of requests. Learn more about how to initiate a medical or religious exemption on [3M Go](#).
- **If you are fully vaccinated and previously submitted proof of vaccination to 3M** (either by participating in a 3M on-site vaccination clinic where the vaccine was administered by 3M staff, or by engaging our Occupational Medicine team directly), no further action is needed at this time. You will be contacted separately to provide additional consent required for reporting purposes.
- **If you are an hourly-paid employee**, please make every effort to complete this task while you are at work. If you are unable to do so, please discuss with your local HR representative.

Additional information and a [detailed user guide](#) about the ShareMy.Health platform and vaccine verification process are available on the [3M Go page](#).

We've continued to listen to your feedback, questions and concerns, and want to provide as many answers as we can, as quickly as we can. In the last few days, I know some of you have requested clarifications about a number of topics, including next steps for remote workers. **We've added more than 25 additional items to our [FAQ document](#) since last week.**

Please review the latest version in detail for further clarification and the most up-to-date information. As always, we'll continue to update our FAQs and [3M Go content](#) regularly.

Thanks for your continued support and patience. Be well.

Denise

This message was sent to all U.S. employees.

Federal contractor sites

Anyone who works at a location where work is completed in connection with a federal contract must be fully vaccinated against COVID-19 and provide proof of vaccination by January 4, 2022, even if they work remotely. Weekly testing will not be an option, but religious and medical exemption requests will be reviewed.

Name	Site city	Site address	Site state	Site type
3M Center	St Paul	3M Center	MN	Office-based
Aberdeen	Aberdeen	610 North County Road 19	SD	Plant
Abilene KCI	Abilene	1001 Ben Richey Drive	TX	Office-based
Aiea KCI	Aiea	98-029 Hekaha Street	HI	Office-based
Albany	Albany	22 Corporate Woods Blvd	NY	Office-based
Albany	Albany	134 Lincoln Avenue	NY	Office-based
Albuquerque KCI	Albuquerque	2709 Pan American Freeway North East	NM	Office-based
Alpharetta MModal	Alpharetta	1 Edison Drive	GA	Office-based
Amherst KCI	Amherst	435 Lawrence Bell Drive	NY	Office-based
Anaheim KCI	Anaheim	720 North Valley Stret	CA	Office-based
Anchorage	Anchorage	1151 Calaska Circle	AK	Distribution Center
Arlington KCI	Arlington	2412 East Randol Mill Road	TX	Office-based
Auburn	Auburn	264 Merrow Road	ME	Office-based
Augusta KCI	Augusta	4282 Belair Frontage Road	GA	Office-based
Austin	Austin	13011 McCallen Pass Drive	TX	Office-based
Austin	Austin	507 E. Howard Lane	TX	Office-based
Austin KCI	Austin	2120 West Braker Lane	TX	Office-based
Baton Rouge KCI	Baton Rouge	11114 Cedar Park	LA	Office-based
Beaumont	Beaumont	11025 A Eastex Freeway	TX	Office-based
Billings KCI	Billings	670 King Park Drive	MT	Office-based
Boise KCI	Boise	6135 West Corporal Lane	ID	Office-based
Broken Arrow KCI	Broken Arrow	2129 North Beech	OK	Office-based
Brookings	Brookings	601 22nd Ave So PO Box 5227	SD	Plant
Brownwood	Brownwood	4501 Highway 377 South	TX	Plant
Burbank KCI	Burbank	606 South Glenwood Place	CA	Office-based
Burlington	South Burlington	56 West Twin Oaks Terrace	VT	Office-based
Cambridge New Ventures	Cambridge	One Broadway	MA	Office-based
Cape Girardeau KCI	Cape Girardeau	121 South Broadview Street	MO	Office-based

Catano	Cataño	Highway 869	PR	Office-based
Charleston	North Charleston	3180 Industry Drive	SC	Office-based
Charlotte	Charlotte	6132-H Brookshire Boulevard	NC	Office-based
Chattanooga KCI	Chattanooga	4289 Bonny Oaks Drive	TN	Office-based
Cinnaminson KCI	Cinnaminson	2615 River Road	NJ	Office-based
Colorado KCI	Colorado Springs	616 Elkton Drive	CO	Office-based
Columbia	Columbia	3014A David Drive	MO	Office-based
Columbia	Columbia	5400 Paris Road	MO	Plant
Columbus KCI	Columbus	5762 Westbourne Avenue	OH	Office-based
Corpus Christi KCI	Corpus Christi	5233 IH 37	TX	Office-based
Cynthiana	Cynthiana	1308 New Lair Road	KY	Plant
Dalton Sales & Tech Center	Dalton	821 Chattanooga Ave	GA	Office-based
Dayton KCI	Dayton	735 Congress Park Drive	OH	Office-based
Dekalb	Dekalb	1250 Macom Drive	IL	Distribution Center
Delray Beach	Delray Beach	4733 W. Atlantic Avenue	FL	Office-based
Des Moines KCI	Des Moines	3300 Southwest 9th	IA	Office-based
Dillon KCI	Dillon	4 North Idaho	MT	Office-based
Doral KCI	Doral	8240 Northwest 52nd Terrace		Office-based
Dunbar KCI	Dunbar	300 Roxalana Business Park	WV	Office-based
East Farmingdale KCI	East Farmingdale	195-P Central Avenue	NY	Office-based
East Peoria KCI	East Peoria	670 Highpoint Lane	IL	Office-based
Eden Prairie	Eden Prairie	10351 W 70th St	MN	Plant
El Paso KCI	El Paso	11601 Pelicano Drive	TX	Office-based
Elkridge KCI	Elkridge	7020 Troy Hill Drive	MD	Office-based
Eugene KCI	Eugene	1010 Tyinn Street	OR	Office-based
Evansville KCI	Evansville	5625 Vogel Road	IN	Office-based
Fargo	West Fargo	500 10th Street Northeast	ND	Office-based
Flemington	Flemington	500 Route 202 North	NJ	Plant
Flint KCI	Flint	4110 Pier North Boulevard	MI	Office-based
Forest City	Forest City	806 West Crystal Lake Road	IA	Distribution Center
Fort Myers KCI	Fort Myers	10650 Metro Parkway	FL	Office-based
FranklinMModal	Franklin	725 Cool Springs	TN	Office-based
Fresno KCI	Fresno	1155 E. North Avenue		Office-based

Fridley KCI	Fridley	7217 University Avenue Northeast	MN	Office-based
Gainesville	Gainesville	4927 Southwest 41st Blvd	FL	Office-based
Grand Rapids KCI	Grand Rapids	83 - 54th Street SW	MI	Office-based
Greenville KCI	Greenville	124 Old Mill Road	SC	Office-based
Guam	Harmon	215 Rojas St, Suite 107	Guam	Office-based
Guin	Guin	6675 U.S. Highway 43	AL	Plant
Hackensack KCI	Hackensack	192 Atlantic Street	NJ	Office-based
Harrisburg KCI	Harrisburg	4400 Lewis Road	PA	Office-based
Honolulu	Honolulu	4443 Malaai Street	HI	Distribution Center
Houston	Houston	2313 West Sam Houston Parkway N	TX	Office-based
Hudson KCI	Hudson	4 Candy Lane	NH	Office-based
Hutchinson	Hutchinson	905 Adams Street Southeast	MN	Plant
Indianapolis	Indianapolis	5457 W 79th St	IN	Plant
Indianapolis KCI	Indianapolis	6911-7061 Corporate Circle	IN	Office-based
Iowa City KCI	Iowa City	2452 South Riverside Drive	IA	Office-based
Irondale KCI	Irondale	2714 Commerce Square East	AL	Office-based
Irvine	Irvine	2111 McGaw Ave	CA	Plant
Irvine Meguiars	Irvine	17991 Mitchell South	CA	Office-based
Irvine Meguiars	Irvine	17941 Fitch Avenue	CA	Office-based
Jacksonville	Jacksonville	7029 Commonwealth Avenue	FL	Office-based
Jefferson KCI	Jefferson	660 Distributors Row	LA	Office-based
Johnson City	Johnson City	4 Worth Circle	TN	Office-based
Kent KCI	Kent	22757 72nd Avenue South	WA	Office-based
Kernersville	Kernersville	495 Arbor Hill Drive	NC	Office-based
Las Vegas KCI	Las Vegas	3175 West Ali Baba Lane	NV	Office-based
Lenexa KCI	Lenexa	9852 Pflumm Road	KS	Office-based
Lexington	Lexington	695 Laco Drive	KY	Plant
Little Rock	North Little Rock	9722 Maumelle Blvd.	AR	Office-based
Livonia	Livonia	19469 Victor Pkwy	MI	Office-based
Livonia	Livonia	31537 West 8 Mile Road	MI	Office-based
Louisville KCI	Louisville	4227 Produce Road	KY	Office-based
Louisville KCI	Louisville	1705 Base Pointe Way	TN	Office-based
Lubbock KCI	Lubbock	1306 35th Street	TX	Office-based
Madison KCI	Madison	464 Church Road	MS	Office-based

Mcallen KCI	McAllen	224 North McColl Road	TX	Office-based
Medford KCI	Medford	255 East Barnett Road	OR	Office-based
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Smyrna	Smyrna	5000 Highlands PK SE	GA	Office-based
Somerville KCI	Somerville	58-74 East Main Street	NJ	Office-based
Sparks KCI	Sparks	1380 Greg Street	NV	Office-based
Spokane Valley	Spokane Valley	11616 East Montgomery Avenue	WA	Office-based
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Wilmington KCI	Wilmington	2725 Old Wrightsboro Road	NC	Office-based
Woburn MModal	Woburn	400 Trade Center	MA	Office-based
Wonewok	Park Rapids	21254 County 24	MN	Office-based
Woodbury	Woodbury	1860 Wooddale Drive	MN	Office-based
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v.

JOSEPH R. BIDEN in his official capacity as President
of the United States, et al.,

Defendants.

No. 6:21-CV-00074-H

DECLARATION OF MICHAEL SCHIESL

My name is Michael Schiesl, and I declare as follows:

1. I am over eighteen years of age and a resident of Minnesota. I am employed by the 3M Corporation at its Hutchinson, Minnesota facility.
2. On October 28, 2021, 3M's Senior Vice President and Chief Corporate Affairs Officer, Denise Rutherford ("Rutherford"), sent an electronic mail communication to all 3M employees introducing 3M's new "ShareMy.Health" platform, where all 3M employees were required to disclose their vaccination status, attached hereto as Exhibit A.
3. On October 29, 2021, 3M management sent a follow-up email

instructing 3M employees to upload and disclose their vaccine status information on the ShareMy.Health platform, that is substantially in the same form as set forth in the supporting brief filed with my declaration.

4. On December 10, 2021, Eric Hammes, 3M's Executive Vice President, Chief Country Governance and Services Officer ("Hammes"), sent an email to all 3M employees. Mr. Hammes acknowledged the GA nationwide injunction and that 3M employees were not required to be vaccinated at this time pending the outcome of that litigation. However, Mr. Hammes instructed all 3M employees including me to "continue to upload COVID-19 vaccination documents in the ShareMy.Health platform." 3M has not disclosed how it is protecting the safety and privacy of data 3M employees share on the ShareMy.Health platform system.

5. I do not wish to disclose my vaccination status to 3M and the federal government defendants on or before January 4, 2022 because I believe such disclosure of my status amounts to disclosure of my disfavored political beliefs and will subject me to threats, reprisal, harassment, and retaliation from the government defendants and from 3M, including termination of my employment.

6. Per the Exhibit B excel spreadsheet, 3M is requiring its employees in 48 states (except in Delaware and Wyoming), two U.S. territories (Puerto Rico and Guam), and the District of Columbia, to disclose their vaccination status.

I declare under penalty of perjury that the foregoing is true and correct.

[Signature page to follow]

Dated: December 14, 2021



Michael Schiesl

From: Michael Schiesl <mjschiesl@mmm.com>
Sent: Friday, November 5, 2021 3:44 PM
To: mjsjra@hutchtel.net
Subject: FW: Submit proof of vaccination | Review updated FAQs



Mike J. Schiesl | Manufacturing Technology
3M Film and Materials Science, Manufacturing Technology and Engineering
905 Adams St SE | Hutchinson, MN 55350 | United States
Office: +1 320 455 4149 | Mobile: 651 925 6151
mjschiesl@mmm.com



From: Message from Denise Rutherford <denise.rutherford@mmm.com>
Sent: Thursday, October 28, 2021 8:47 PM
To: Michael Schiesl <mjschiesl@mmm.com>
Subject: Submit proof of vaccination | Review updated FAQs



U.S. 3Mers —

To comply with both COVID-19 vaccine mandates that the U.S. federal government announced in September, we are asking you to provide proof of vaccination.

As a reminder, anyone who works at a location where employees are working on or connected to federal contracts (subject to limited medical and religious exemptions) must be vaccinated. All 3M U.S. office locations fall into this category, as well as plant and distribution sites where federal work is done. Workers at our U.S. sites not covered by the federal contractor mandate will be obligated to comply with the upcoming OSHA emergency temporary standard, once it is released and effective, which is likely to mean those workers will be required to be either vaccinated or subjected to weekly testing. [Please refer to this list](#) to determine whether your site is covered by the federal contractor mandate or is instead likely covered by the separate and upcoming OSHA emergency temporary standard.

To provide proof of vaccination to 3M, here's what you need to know.

1. **Tomorrow, you will receive an email from ShareMy.Health.** 3M is partnering with ShareMy.Health to collect COVID-19 vaccine verification information from employees.
 - The email will include your personalized link to the portal, but you can also access ShareMy.Health through [3M Go](#) and by scanning the QR code on posters that are being hung around your location.
 - The ShareMy.Health platform, which is both secure and compliant, can be accessed from any iOS or Android phone, your home or 3M corporate computer and/or through workstations that will be made available at your location.

2. **Take the following steps to submit your vaccination status:**
 - Log in by first entering your 3M email address, in the format of [USxxxxxx@mmm.com](#) or [Axxxxxx@mmm.com](#). Then click on the button for the 3M Login and enter your 3M password credentials.
 - Click through and provide the requested consent to ShareMy.Health.
 - Within the system, enter the type of vaccine that you received and the date(s) that you received it.

- Locate your vaccination card or an acceptable alternative form of documentation. ([Review the FAQs for a list of acceptable documentation options.](#))
- Upload a photo of your vaccination documentation and click 'Submit.'
- From there, ShareMy.Health will verify your information. If they have questions, they will follow up accordingly.
- Note: If you have limitations in using technology and/or need further assistance, please contact your local HR or Occupational Medicine representative.

3. **Consider how this process applies to you:**

- **If the federal contractor mandate applies to your work or work location**, you must be fully vaccinated and provide proof of vaccination via the ShareMy.Health platform **no later than December 8, 2021.**
- **If you are not covered by the federal contractor mandate**, you will likely still be covered by the separate and upcoming OSHA emergency temporary standard, once it is issued and in effect. Please provide proof of vaccination via the ShareMy.Health platform as soon as possible. If you do not plan to receive the vaccine, stay tuned for additional information about the weekly testing requirement, once it is shared under the new OSHA emergency temporary standard.
- **If you plan to seek a medical or religious exemption**, please do so as soon as possible. We anticipate you'll receive a response within 2-3 weeks, subject to volume of requests. Learn more about how to initiate a medical or religious exemption on [3M Go](#).
- **If you are fully vaccinated and previously submitted proof of vaccination to 3M** (either by participating in a 3M on-site vaccination clinic where the vaccine was administered by 3M staff, or by engaging our Occupational Medicine team directly), no further action is needed at this time. You will be contacted separately to provide additional consent required for reporting purposes.
- **If you are an hourly-paid employee**, please make every effort to complete this task while you are at work. If you are unable to do so, please discuss with your local HR representative.

Additional information and a [detailed user guide](#) about the ShareMy.Health platform and vaccine verification process are available on the [3M Go page](#).

We've continued to listen to your feedback, questions and concerns, and want to provide as many answers as we can, as quickly as we can. In the last few days, I know some of you have requested clarifications about a number of topics, including next steps for remote workers. **We've added more than 25 additional items to our [FAQ document](#) since last week.**

Please review the latest version in detail for further clarification and the most up-to-date information. As always, we'll continue to update our FAQs and [3M Go content](#) regularly.

Thanks for your continued support and patience. Be well.

Denise

This message was sent to all U.S. employees.

Federal contractor sites

Anyone who works at a location where work is completed in connection with a federal contract must be fully vaccinated against COVID-19 and provide proof of vaccination by January 4, 2022, even if they work remotely. Weekly testing will not be an option, but religious and medical exemption requests will be reviewed.

Name	Site city	Site address	Site state	Site type
3M Center	St Paul	3M Center	MN	Office-based
Aberdeen	Aberdeen	610 North County Road 19	SD	Plant
Abilene KCI	Abilene	1001 Ben Richey Drive	TX	Office-based
Aiea KCI	Aiea	98-029 Hekaha Street	HI	Office-based
Albany	Albany	22 Corporate Woods Blvd	NY	Office-based
Albany	Albany	134 Lincoln Avenue	NY	Office-based
Albuquerque KCI	Albuquerque	2709 Pan American Freeway North East	NM	Office-based
Alpharetta MModal	Alpharetta	1 Edison Drive	GA	Office-based
Amherst KCI	Amherst	435 Lawrence Bell Drive	NY	Office-based
Anaheim KCI	Anaheim	720 North Valley Stret	CA	Office-based
Anchorage	Anchorage	1151 Calaska Circle	AK	Distribution Center
Arlington KCI	Arlington	2412 East Randol Mill Road	TX	Office-based
Auburn	Auburn	264 Merrow Road	ME	Office-based
Augusta KCI	Augusta	4282 Belair Frontage Road	GA	Office-based
Austin	Austin	13011 McCallen Pass Drive	TX	Office-based
Austin	Austin	507 E. Howard Lane	TX	Office-based
Austin KCI	Austin	2120 West Braker Lane	TX	Office-based
Baton Rouge KCI	Baton Rouge	11114 Cedar Park	LA	Office-based
Beaumont	Beaumont	11025 A Eastex Freeway	TX	Office-based
Billings KCI	Billings	670 King Park Drive	MT	Office-based
Boise KCI	Boise	6135 West Corporal Lane	ID	Office-based
Broken Arrow KCI	Broken Arrow	2129 North Beech	OK	Office-based
Brookings	Brookings	601 22nd Ave So PO Box 5227	SD	Plant
Brownwood	Brownwood	4501 Highway 377 South	TX	Plant
Burbank KCI	Burbank	606 South Glenwood Place	CA	Office-based
Burlington	South Burlington	56 West Twin Oaks Terrace	VT	Office-based
Cambridge New Ventures	Cambridge	One Broadway	MA	Office-based
Cape Girardeau KCI	Cape Girardeau	121 South Broadview Street	MO	Office-based

Catano	Cataño	Highway 869	PR	Office-based
Charleston	North Charleston	3180 Industry Drive	SC	Office-based
Charlotte	Charlotte	6132-H Brookshire Boulevard	NC	Office-based
Chattanooga KCI	Chattanooga	4289 Bonny Oaks Drive	TN	Office-based
Cinnaminson KCI	Cinnaminson	2615 River Road	NJ	Office-based
Colorado KCI	Colorado Springs	616 Elkton Drive	CO	Office-based
Columbia	Columbia	3014A David Drive	MO	Office-based
Columbia	Columbia	5400 Paris Road	MO	Plant
Columbus KCI	Columbus	5762 Westbourne Avenue	OH	Office-based
Corpus Christi KCI	Corpus Christi	5233 IH 37	TX	Office-based
Cynthiana	Cynthiana	1308 New Lair Road	KY	Plant
Dalton Sales & Tech Center	Dalton	821 Chattanooga Ave	GA	Office-based
Dayton KCI	Dayton	735 Congress Park Drive	OH	Office-based
Dekalb	Dekalb	1250 Macom Drive	IL	Distribution Center
Delray Beach	Delray Beach	4733 W. Atlantic Avenue	FL	Office-based
Des Moines KCI	Des Moines	3300 Southwest 9th	IA	Office-based
Dillon KCI	Dillon	4 North Idaho	MT	Office-based
Doral KCI	Doral	8240 Northwest 52nd Terrace		Office-based
Dunbar KCI	Dunbar	300 Roxalana Business Park	WV	Office-based
East Farmingdale KCI	East Farmingdale	195-P Central Avenue	NY	Office-based
East Peoria KCI	East Peoria	670 Highpoint Lane	IL	Office-based
Eden Prairie	Eden Prairie	10351 W 70th St	MN	Plant
El Paso KCI	El Paso	11601 Pelicano Drive	TX	Office-based
Elkridge KCI	Elkridge	7020 Troy Hill Drive	MD	Office-based
Eugene KCI	Eugene	1010 Tyinn Street	OR	Office-based
Evansville KCI	Evansville	5625 Vogel Road	IN	Office-based
Fargo	West Fargo	500 10th Street Northeast	ND	Office-based
Flemington	Flemington	500 Route 202 North	NJ	Plant
Flint KCI	Flint	4110 Pier North Boulevard	MI	Office-based
Forest City	Forest City	806 West Crystal Lake Road	IA	Distribution Center
Fort Myers KCI	Fort Myers	10650 Metro Parkway	FL	Office-based
FranklinMModal	Franklin	725 Cool Springs	TN	Office-based
Fresno KCI	Fresno	1155 E. North Avenue		Office-based

Fridley KCI	Fridley	7217 University Avenue Northeast	MN	Office-based
Gainesville	Gainesville	4927 Southwest 41st Blvd	FL	Office-based
Grand Rapids KCI	Grand Rapids	83 - 54th Street SW	MI	Office-based
Greenville KCI	Greenville	124 Old Mill Road	SC	Office-based
Guam	Harmon	215 Rojas St, Suite 107	Guam	Office-based
Guin	Guin	6675 U.S. Highway 43	AL	Plant
Hackensack KCI	Hackensack	192 Atlantic Street	NJ	Office-based
Harrisburg KCI	Harrisburg	4400 Lewis Road	PA	Office-based
Honolulu	Honolulu	4443 Malaai Street	HI	Distribution Center
Houston	Houston	2313 West Sam Houston Parkway N	TX	Office-based
Hudson KCI	Hudson	4 Candy Lane	NH	Office-based
Hutchinson	Hutchinson	905 Adams Street Southeast	MN	Plant
Indianapolis	Indianapolis	5457 W 79th St	IN	Plant
Indianapolis KCI	Indianapolis	6911-7061 Corporate Circle	IN	Office-based
Iowa City KCI	Iowa City	2452 South Riverside Drive	IA	Office-based
Irondale KCI	Irondale	2714 Commerce Square East	AL	Office-based
Irvine	Irvine	2111 McGaw Ave	CA	Plant
Irvine Meguiars	Irvine	17991 Mitchell South	CA	Office-based
Irvine Meguiars	Irvine	17941 Fitch Avenue	CA	Office-based
Jacksonville	Jacksonville	7029 Commonwealth Avenue	FL	Office-based
Jefferson KCI	Jefferson	660 Distributors Row	LA	Office-based
Johnson City	Johnson City	4 Worth Circle	TN	Office-based
Kent KCI	Kent	22757 72nd Avenue South	WA	Office-based
Kernersville	Kernersville	495 Arbor Hill Drive	NC	Office-based
Las Vegas KCI	Las Vegas	3175 West Ali Baba Lane	NV	Office-based
Lenexa KCI	Lenexa	9852 Pflumm Road	KS	Office-based
Lexington	Lexington	695 Laco Drive	KY	Plant
Little Rock	North Little Rock	9722 Maumelle Blvd.	AR	Office-based
Livonia	Livonia	19469 Victor Pkwy	MI	Office-based
Livonia	Livonia	31537 West 8 Mile Road	MI	Office-based
Louisville KCI	Louisville	4227 Produce Road	KY	Office-based
Louisville KCI	Louisville	1705 Base Pointe Way	TN	Office-based
Lubbock KCI	Lubbock	1306 35th Street	TX	Office-based
Madison KCI	Madison	464 Church Road	MS	Office-based

Mcallen KCI	McAllen	224 North McColl Road	TX	Office-based
Medford KCI	Medford	255 East Barnett Road	OR	Office-based
MempHIS KCI	MempHIS	1679 Shelby Oaks Drive	TN	Office-based
Menasha KCI	Menasha	1100 1/2 Wittmann Drive	WI	Office-based
Mendota Heights	Mendota Heights	2465 Lexington Ave S	MN	Office-based
Meriden HIS	Meriden	400 Research Parkway	CT	
Middleburg Heights	Middleburg Heights	6751 Engle Road	OH	Office-based
Minneapolis	Minneapolis	901 Marquette Ave	MN	Office-based
Monroe	Monroe	4320 Goldmine Road	NC	Plant
Monrovia	Monrovia	2724 Sough Peck Road	CA	Plant
Montgomery KCI	Montgomery	1115 Perry Hill Road	AL	Office-based
Mooresville	Mooresville	128 Talbert Road	NC	Office-based
Morrisville KCI	Morrisville	200 Trans Air Drive	NC	Office-based
Murray HIS	Murray	575 West Murray Blvd	UT	Office-based
Nashville KCI	Nashville	1854 Air Lane Drive	TN	Office-based
New Ulm	New Ulm	1700 N Minnesota Street	MN	Plant
Newington KCI	Newington	65 Louis Street	CT	Office-based
Norcross KCI	Norcross	6325 Regency Parkway	GA	Office-based
Oakdale	Oakdale	6744 33rd Street North	MN	Office-based
Oakdale - 3M Center	Oakdale	3350 Granada Avenue North	MN	Office-based
Oklahoma City	Oklahoma City	5924 Northwest 2nd Street	OK	Office-based
Omaha KCI	Omaha	5330-5368 F Street	NE	Office-based
Ontario (WDC)	Ontario	5151 East Philadelphia Street	CA	Distribution Center
Orlando KCI	Orlando	3506 Saint Valentine Way	FL	Office-based
Oxnard KCI	Oxnard	2350 Eastman Avenue	CA	Office-based
Pasadena Cogent	Pasadena	1455 East Sam Houston South	TX	Office-based
Pensacola KCI	Pensacola	185 Airport Boulevard	FL	Office-based
Phoenix	Phoenix	23309 North 17th Drive	AZ	Office-based
Pierceton KCI	Pierceton	5C Pequignot	IN	Office-based
Pittsburgh MModal	Pittsburgh	7514 Thomas Boulevard	PA	Office-based
Pittston	Pittston	118 CenterPoint Boulevard	PA	Office-based
Plymouth	Plymouth	44245 Plymouth Oaks Blvd	MI	Office-based
Pompano Beach	Pompano Beach	2101 Northwest 33rd Street	FL	Office-based
Portland KCI	Portland	11937 Northeast Sumner	OR	Office-based

Prairie Du Chien	Prairie Du Chien	801 N Marquette Road	WI	Plant
Quapaw	Quapaw	3250 S 614 Road	OK	Plant
Raleigh KCI	Raleigh	310 South Harrington Street	NC	Office-based
Raleigh HIS	Raleigh	310 South Harrington Street	NC	Office-based
Reading KCI	Reading	8060 Reading Road	OH	Office-based
Redding KCI	Redding	2922 Innsbruck Drive	CA	Office-based
Redwood	San Mateo	2955 Campus Dr.	CA	Office-based
Richmond KCI	Richmond	1100 Athens Avenue	VA	Office-based
Rogers	Rogers	5304 Village Parkway	AR	Office-based
Ruckersville	Ruckersville	8782 Seminole Trail	VA	Office-based
Sacramento KCI	Sacramento	3951 Performance Drive	CA	Office-based
Salem	Salem	598 Roanoke Street	VA	Office-based
Salt Lake City	Salt Lake City	1765 South 900 West	UT	Office-based
San Antonio KCI	San Antonio	6203 Farinon Drive	TX	Office-based
San Antonio KCI	San Antonio	6103 Farinon Drive	TX	Office-based
San Antonio KCI	San Antonio	5751 Northwest Parkway	TX	Office-based
San Antonio KCI	San Antonio	5850 Farinon Drive - Building IX	TX	Office-based
San Antonio KCI	San Antonio	12930 IH 10 West	TX	Office-based
San Bernadino	San Bernardino	328 East Commercial Road	CA	Office-based
San Diego	San Diego	7925 Dunbrook Road	CA	Office-based
San Leandro	San Leandro	2400 Merced St.	CA	Office-based
Savannah KCI	Savannah	2000 Business Center Drive	GA	Office-based
Sheridan KCI	Sheridan	1500 West Hampden Avenue	CO	Office-based
Shreveport KCI	Shreveport	1426 Hawn Avenue	LA	Office-based
Shrewsbury KCI	Shrewsbury	14 Commerce Road	MA	Office-based
Silver Spring HIS	Silver Spring	12215 Plum Orchard Drive	MD	Office-based
Sioux Falls	Sioux Falls	3715 South Grange Avenue	SD	Office-based
Smyrna	Smyrna	5000 Highlands PK SE	GA	Office-based
Somerville KCI	Somerville	58-74 East Main Street	NJ	Office-based
Sparks KCI	Sparks	1380 Greg Street	NV	Office-based
Spokane Valley	Spokane Valley	11616 East Montgomery Avenue	WA	Office-based
Springfield KCI	Springfield	2414 West Vista	MO	Office-based
St Louis	St Louis	2338 Weldon Parkway	MO	Office-based
St Paul	St Paul	888 East Minnehaha	MN	Office-based
St. Paul	St. Paul	1927 Case Ave-Bldg 427-01-04	MN	Distribution Center

Syracuse	East Syracuse	6389 Thompson Road	NY	Office-based
Tallahassee	Tallahassee	2901 East Park Avenue	FL	Office-based
Tampa KCI	Tampa	1911 North U.S Highway 301 North	FL	Office-based
Taylorville HIS	Taylorville	4393 South Riverboat Rd	UT	Office-based
Toledo KCI	Toledo	1007 North Holland-Sylvania Road	OH	Office-based
Tonawanda	Tonawanda	305 Sawyer Ave	NY	Plant
Tucson KCI	Tucson	4500 E Speedway	AZ	Office-based
Tustin	Tustin	1421 Edinger Avenue	CA	Office-based
Tyler KCI	Tyler	3815 Timms Street	TX	Office-based
Valley	Valley	600 E Meigs Street	NE	Plant
Villa Park KCI	Villa Park	1193 North Ellsworth Avenue	IL	Office-based
Virginia Beach KCI	Virginia Beach	468 South Independence Boulevard	VA	Office-based
Warrendale KCI	Warrendale	357 Northgate Road	PA	Office-based
Washington Dc 2	Washington	1425 K Street	DC	Office-based
Waukesha KCI	Waukesha	N8 W22350 Johnson Road	WI	Office-based
West Salem KCI	West Salem	611 Brick Road	WI	Office-based
Westborough	Westborough	115 Flanders Rd	MA	Office-based
Wichita KCI	Wichita	1632 S. West Street	KS	Office-based
Wilmington KCI	Wilmington	2725 Old Wrightsboro Road	NC	Office-based
Woburn MModal	Woburn	400 Trade Center	MA	Office-based
Wonewok	Park Rapids	21254 County 24	MN	Office-based
Woodbury	Woodbury	1860 Wooddale Drive	MN	Office-based
Woodbury1865	Woodbury	1865 Woodlane Drive	MN	Office-based