

# INFORMANT



**VOL 8**  
**FREE**  
**THE**  
**FIVE**

**ICAN'S 2023 LEGAL IMPACT**

A look back on the most impactful legal work ICAN has accomplished this past year.

p.06

**FED SUES DOCTOR FOR \$500 BILLION**

Chiropractor & Functional Medicine Doctor, Eric Nepute, DC, DNM, shares harrowing story of his 3 year, \$500 BILLION legal battle against the government for going against mainstream COVID-19 protocols. p.13

**HHS SHIRKS ITS VACCINE SAFETY DUTIES**

Federal law requires HHS to send bi-annual reports to Congress detailing how it has made childhood vaccines safer, yet has never filed a single report.

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## THE RIGHT STUFF

**JENNY MCCARTHY WAHLBERG & DONNIE WAHLBERG'S CANDID CONVERSATION WITH DEL**



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**Catharine Layton**  
COO, ICAN  
Supervising Producer,  
*The HighWire*

Welcome to *The Informant*, our new monthly magazine offering curated news and exclusive content to supporters of the Informed Consent Action Network. We really wanted to provide something more to those supporters who give something more. *The Informant* features exclusive interviews, articles, and a breakdown of our most impactful work over the past month.

When *The HighWire* premiered in 2017, we imagined a news program where we could report on the important news ICAN was making, but we hadn't considered at the time that there would be too much news for us to cover in our weekly show. During production meetings, we are often faced with the difficult decision of cutting important stories simply because there is not enough time to cover every breaking story, and every action ICAN is taking. *The Informant* provides a platform to bring you those important stories, highlight ICAN's most significant actions, and direct your eye to informative content you may have missed in the previous month.

ICAN's legal footprint is vast, spanning thousands of FOIA requests, numerous lawsuits & petitions to regulatory agencies, in-depth investigations of important health issues facing the public, publication of white papers, and more.

Also, expect to find behind-the-scenes interviews with our CEO, Del Bigtree, a breakdown of things we aren't able to cover extensively on *The HighWire*, and other articles only available here, for you.

Part of what I think makes ICAN unique is our relationship with our supporters, who make all that we do possible. Our team really has a passion for providing information directly to the public, so they can make truly informed decisions for themselves and their families. We have all been on a journey together since our founding in 2016, and *The Informant* is another exciting path along that journey. I hope that you find it insightful, interesting and informative.

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# HHS SHIRKS ITS VACCINE SAFETY DUTIES FOR 34 YEARS AND REFUSES TO CHANGE

## WHAT YOU NEED TO KNOW:

- Federal law requires HHS to submit bi-annual reports to Congress on childhood vaccine safety.
- Legal actions taken by ICAN confirmed that HHS has never filed a single report to Congress on childhood vaccine safety, despite legal obligation.
- In 1986, Congress shifted liability for vaccine injuries from pharmaceutical companies to HHS, removing financial incentives for companies to ensure vaccine safety.
- A task force, formed in 1986 to recommend improvements in vaccine safety, was disbanded in 1998.
- Despite a \$2.95 trillion budget, HHS has neglected its duty for safer childhood vaccines, as indicated by the absence of reports & disbandment of the task force.

Federal law requires HHS to send bi-annual reports to Congress detailing how it has made childhood vaccines safer. Yet, HHS has never filed a single report. ICAN's attorneys have called HHS out on this multiple times, but it continues to shamelessly flout the law.

When Congress eliminated pharmaceutical companies' liability for vaccines in 1986, it recognized that it eliminated the fear of losing money that drives companies to assure the



safety of their products. Congress, therefore, made the Department of Health and Human Services (HHS), the parent department of the CDC and FDA, responsible for vaccine safety.

To assure HHS is actually performing this critical duty of assuring the safety of products injected into babies, the same [1986 law](#) that eliminated pharmaceutical company liability also created a "task force" on safer childhood vaccines. This task force, made up of the heads of the NIH, FDA, and CDC,

was supposed to make recommendations to the Secretary of HHS on how to make vaccines safer. And, as noted above, the law also required the Secretary of HHS to file a report with Congress every two years detailing its efforts to improve vaccine safety.

As many of you know, ICAN previously sued HHS for failing to file these reports with Congress and it admitted in 2018 that it never once filed a single required report with Congress. It also admitted that the task force had been

disbanded in 1998!

After publicly shaming them for this misconduct, including in the [Vaccine Safety Debate](#) we had with HHS, you would think HHS would start filing bi-annual reports and the task force would start making recommendations. Sadly, our attorneys have confirmed neither has happened.

In response to ICAN [checking in again](#) in January 2023, [HHS admitted](#) that there are no still reports. **Not one.**

While HHS has a [\\$2.95 trillion](#) budget, it apparently doesn't care about safer childhood vaccines—and never has. ICAN will continue to monitor the situation and share any important updates.

To support ICAN's continued legal efforts, click [here](#) to donate.

Lead Counsel, Aaron Siri, Esq. lays out the details here:



## DOCUMENTS REVEAL CDC WAS QUIETLY GIVING ADVICE ON HOW TO HANDLE BREAKTHROUGH INFECTIONS IN MARCH 2021

### WHAT YOU NEED TO KNOW:

- March-May 2021, CA alerted CDC about breakthrough cases. 50% of fully vaccinated facility residents tested positive for COVID.
- CDC downplayed breakthroughs publicly but internally acknowledged & scheduled state health department meetings.
- Documents revealed that in March 2021, CDC advised treating fully vaccinated infected individuals as infectious.
- Two years later, CDC acknowledged no need to distinguish between vaccinated & unvaccinated individuals.

ICAN's attorneys have obtained more documents showing that in March 2021, despite touting the efficacy of COVID-19 vaccines, California's health department alerted the CDC that it was fielding "many calls" for advice on instances of breakthrough infection.

Just weeks later in May 2021, CDC was given data showing that over 50% of fully vaccinated assisted living residents in a California facility tested positive for COVID, some of whom were hospitalized or died within just three months of their second dose.

Fresh off the heels of ICAN's [last update](#) showing CDC kept the waning effectiveness of vaccine secret for months, ICAN's attorneys have uncovered yet more documents revealing that CDC's awareness of the breakthrough situation was even earlier and more extensive than previously thought.

In July 2021, ICAN, through its attorneys, filed a [legal demand](#) for any documents received by CDC from the California

Department of Public Health (CDPH) relating to breakthrough infections.

In response, CDC produced [237 pages](#) which reveal that in March 2021, CDPH [reached out](#) to CDC for advice on fully vaccinated residents of long term care facilities testing positive just **21 days after their second dose** and whether these individuals should be isolated.

CDC responded with a [recommendation](#) that these individuals "be treated as infectious," noting, "There is an ongoing study of breakthrough infections that involves performing viral culture on these samples." In April 2021, CDC reached out to CDPH to set up a call on a "[Breakthrough Study](#)."

Then, in early May 2021, CDC set up a call with representatives from various state health departments to discuss a "[breakthrough project](#)." Of course, as we know now, vaccine effectiveness only continued to wane.

On May 11, 2021, CDPH again raised the alarm, this time about fatal and near-fatal COVID-19 infections

in the fully vaccinated, [stating](#), "We have what we think is an unusual outbreak of COVID-19 cases, **including hospitalized and fatal cases among fully vaccinated residents** of an assisted living facility (summary attached)."

The summary CDPH supplied [revealed](#) that less than 10 weeks after receiving their second shot, 14 fully vaccinated residents at an assisted living facility with only 50 residents total tested positive for COVID-19, and that by the next month, 26 residents (25 of whom were fully vaccinated) tested positive, of whom 50-60% were symptomatic and two died. This was **just 2 to 3 months** after the residents' second dose of the COVID-19 vaccine in late February!

CDC, in non-public emails at the time, emailed back twice the same day, describing it as a "[very concerning situation](#)" and setting up a call to discuss, while [noting](#) breakthroughs were something "multiple teams at CDC" had been tracking in long-term care facilities.

Mind you, this was also during the same period that

Dr. Fauci famously [claimed](#), "when you get vaccinated, ...you become a dead end to the virus. And when there are a lot of dead ends around, the virus is not going to go anywhere."

And just a few weeks prior, the then-CDC Director [said](#), "data from the CDC today suggests...that vaccinated people do not carry the virus, don't get sick, and that it's not just in the clinical trials but it's also in real world data."

But in spite of the truth, CDC insisted that vaccine breakthrough infections were a rare phenomenon that occurred in only a small fraction of all vaccinated individuals, while internally scheduling [meetings](#) with state health departments so they could "share [their] program's data, surveillance strategies, epidemiologic insights, etc. on COVID-19 vaccine breakthrough cases."

Ultimately, two years later, after its campaign of destruction against individual rights, CDC finally acknowledged in [updated guidance](#) that there is no reason to distinguish between the vaccinated and unvaccinated



# LEGAL IMPACT 2023

ICAN supported unvaccinated healthcare workers in New Jersey. **ICAN's attorneys wrote a legal demand to New Jersey Governor Philip D. Murphy demanding that he end the requirement that unvaccinated healthcare workers undergo weekly COVID testing.** Just days later, Governor Murphy rescinded the testing requirement.

**350+**  
FOIA requests  
submitted

Over  
**700,000**  
members of the military  
protected

We helped abolish the Travel Ban of unvaccinated visitors to the US. **The Federal Government dropped its COVID-19 vaccine travel mandate for non-citizens on the same day it was due to file a response in a lawsuit brought by ICAN's attorneys.** This was a significant step in returning the right to bodily autonomy to all.

We uncovered truths about the FDA's safety monitoring systems. Throughout the pandemic, the FDA constantly assured the public of how "safe and effective" COVID-19 vaccines are and assured us that it was carefully monitoring for safety signals and rapidly investigating any concerning adverse events. **ICAN's attorneys therefore demanded the FDA produce documents regarding VAERS reports that required a "rapid response," as called for in the FDA's own safety protocol.** The FDA could not produce a single document in response!

**30%**  
of the FDA's FOIA docket  
are ICAN matters

**29**  
active litigations  
in 2023

Each month as more Pfizer clinical trial data is released, ICAN scours the data and reports on findings. **We continue to uncover suspicious hospitalizations and deaths in the clinical trial data.**

# LEGAL IMPACT 2023

We uncovered data presented in a CDC meeting showing that for the final week of July 2021, **fully vaccinated individuals made up an estimated 73% of COVID-19 cases and 63% of COVID-19 hospitalizations in the 65+ age group.** It also showed that infection rates 5-6 months post-vaccination were twice as high as infection rates 3-4 months post-vaccination. CDC kept this data from everyone, including FDA.

**500+**  
news articles highlighting  
ICAN's legal work

ICAN is supporting a lawsuit, filed against the federal entities charged with administering CICIP and on behalf of eight severely COVID-19-vaccine-injured individuals and React19, to **strike down the immunity to liability and the Countermeasures Injury Compensation Program (CICIP) provisions of the PREP Act** because they violate the constitutional rights of those injured or killed by a COVID-19 vaccine. If this suit is successful, **the relief sought will apply to all COVID-19 vaccine-injured individuals in the U.S.**

*“It is hard to see this as anything other than a failure of our health authorities to assess, share, make public, and act upon valuable, real-world data in the midst of a so-called pandemic. And without FOIA, the public likely would never be made aware of these failures which, of course, allows them to be perpetrated again and again.”*  
-Del Bigtree, Epoch Times Interview

**We obtained the Moderna COVID-19 vaccine lot data and are helping to obtain the Moderna data FDA relied upon to license the vaccine.** After a full year of legal battles, our attorneys obtained Moderna vaccine lot, dose, and distribution information. As with the Pfizer lot data, this data will help enable analyses to determine if certain lots were “hot lots” that resulted in more severe and/or numerous adverse event reports.

**36,000+**  
VAERS COVID Vaccine  
Mortality Reports

source: [openvaers.com](https://openvaers.com)



## FREE THE FIVE \$1 MILLION DOLLAR MATCH

We are thrilled to announce the launch of ICAN's **Free the Five \$1 Million Matching Gift**, turning your support into a powerful force for medical freedom.

All contributions made until December 31 will be matched *dollar-for-dollar*.

This extraordinary opportunity allows us to continue our crucial work to replicate ICAN's historic religious exemption victory in Mississippi across five crucial states: California, Connecticut, Maine, New York, and West Virginia.

Thanks to the incredible generosity of our supporters, we are well on our way to meeting our goal, but here's even more exciting news – **a dedicated donor has added \$100,000 to our matching gift, increasing it to an astounding \$1,100,000!**

ICAN's historic legal triumph in Mississippi reclaimed

a religious exemption to vaccination in a state that had lost this right over 40 years ago. This success has set a nationwide precedent, and we are poised to replicate this achievement across all 50 states.

**"A federal court has now found that there is a religious right under the United States Constitution. And that precedent is generally applicable and can be applied pretty much to any state in this country, which is what makes it even more incredible and more hopeful in terms of where everything is going in this country when it comes to medical freedom."**

—Aaron Siri

Now, with the launch of our Free the Five \$1 Million Matching Gift campaign, your support becomes even more powerful.

Now is your chance to make a lasting impact on the fight for parental rights, informed consent, and the essence of medical freedom.

Our goal is clear: to secure religious exemptions for every K-12 student nationwide, just as we achieved in Mississippi.

If you haven't contributed yet, will you join us in seizing this extraordinary opportunity to **DOUBLE** the impact of your gift? [Click here to donate now!](#)





## FAITH PREVAILS

Staff Sergeant Schelske entered the military driven by a strong sense of duty. However, when confronted with a mandatory vaccine that was reported to have used [aborted fetal cells](#) in its production, he felt deeply conflicted as abortion defied his religious beliefs. Attending church three days a week for the majority of his life, his faith served as the foundation of his entire existence.

In response to this internal conflict, Staff Sergeant Schelske navigated the proper channels to apply for the religious accommodation request, submitting letters from his pastors supporting his sincerely held religious beliefs. The initial request was denied, and failure to comply with the mandate would result in separation for serious misconduct. The weight of potential misconduct charges was not just a professional setback but a devastating blow to someone who had dedicated so much to the military. Prayer became a solace, guiding him to a decision: he would not take the shot, standing firm in his convictions and setting an example for his four children who were watching.

With the legal support provided by ICAN's legal team led by lead attorney Aaron Siri, Esq., the court ruling was a lifeline. Staff Sergeant Schelske could continue his military career, finding immense relief. It wasn't just a victory in court; it was a chance to lead by example and stay true to deeply held beliefs in the face of adversity. Click the video below to hear Staff Sergeant Schelske's incredible story:

## ICAN SECURES EXEMPTION FOR DEDICATED SOLDIER



Jenny McCarthy Wahlberg & Donnie Wahlberg, *The HighWire* studio, 2023

## JENNY MCCARTHY WAHLBERG AND DONNIE WAHLBERG JOIN DEL ON *THE HIGHWIRE*

By [Lea Lacey](#)

Jenny McCarthy Wahlberg and Donnie Wahlberg [recently graced \*The HighWire\*](#) with a wealth of insight. The power couple, known for their advocacy and philanthropy, engaged in a lively discussion covering various topics, from fostering healthy relationships to clean beauty products and vaccine safety.

Addressing the common perception of Jenny as an “anti-vaxxer,” Donnie shared, “I watched her on *Larry King*, *Oprah*, all these shows saying, ‘look, we’re not an anti-vaccine movement. We just want safe vaccines. We want to make sure the testing is done, and we want to make sure that people know that different people are affected in different ways, and if your child could be susceptible, it’s important. Mine was.’ What I also discovered from her, especially with the childhood vaccines, is that we stopped listening to moms.”

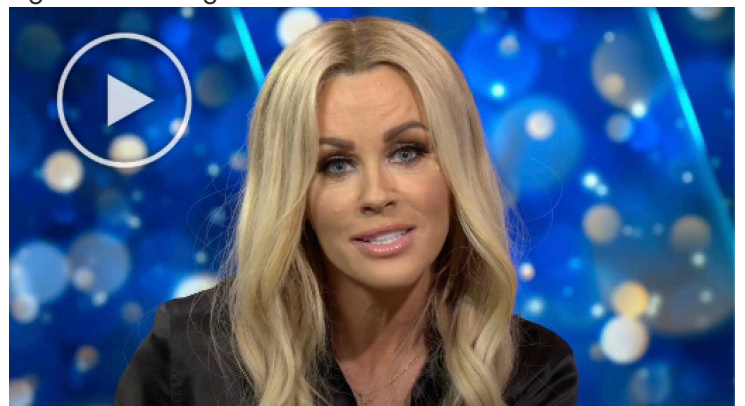
Reflecting on her impactful journey advocating for vaccine safety, Jenny expressed mixed emotions, describing the experience as both a dream and a nightmare. She shared stories of people, including those who had previously discredited her, reaching out to thank her for bringing much-needed awareness. Donnie pointed out that Jenny never gloats when they share their change in perspective; instead, she genuinely appreciates their change of heart.

The discussion then delved into Jenny’s venture into clean

beauty with her makeup line, [Formless Beauty](#). She highlighted the importance of clean makeup and the need for better regulations in the beauty industry.

The couple then took a moment to share a plea for support. Donnie encouraged spreading the word about seeking alternative information sources and Jenny, professing that *The HighWire* is her favorite show, emphasized the urgent need for donations to ICAN, which is actively involved in [legal cases](#) that could shape the future.

Jenny made a heartfelt appeal for donations, urging viewers to contribute whatever they can to support the critical work being done. She emphasized the importance of collective action and the impact even small donations can have on funding cases that could bring about significant change.



# THE HIGHWIRE

*The HighWire* has established itself as the most-watched, most-trusted health news and talk show in the medical freedom movement. In the face of unprecedented censorship, despite the loss of our YouTube and Facebook channels, viewership exploded during the COVID pandemic, surging to a peak of over 20 million views in October of 2022 alone at TheHighWire.com. A show that started with hundreds of viewers and thousands of monthly views has evolved into a force in digital media, with more than 400k loyal viewers and 7 million views per month.

340+

## Episodes

We have delivered more than 340 episodes of our live weekly health news and talk show, including over 1700 different news segments.

200M

## Total Views

Millions tune in to get the latest news they can trust.

200+

## Countries

*The HighWire* reaches over 200 countries around the world.

3

## Languages

Every episode's transcript is translated into Spanish, Italian, and French for international viewers.



# MUST-SEE MOMENTS

# THE HIGHWIRE

WITH DEL BIGTREE



## GIVE SEND GO | EP 344

When crowdfunding platform GoFundMe shut down campaigns for political beliefs, a Christian-based alternative, GiveSendGo, took off. Co-founder Jacob Wells explains why they don't back away from controversial campaigns and where they draw the line.

### WHAT TO KNOW

- The founders believe in providing hope beyond monetary assistance, incorporating a prayer team that reaches out to individuals in need, irrespective of their beliefs.
- GiveSendGo is open to diverse campaigns, except fundraising for abortion & transgender procedures for minors.
- During the Canadian truckers' protest, GoFundMe shut down their campaign and GiveSendGo stepped in. The government froze the funds, and GiveSendGo is now involved in a \$300 million lawsuit despite refunding the money.

### CLICK TO WATCH



## AARON SIRI | EP 345

ICAN lead attorney, Aaron Siri, Esq., discusses his recent testimony at the Novel Coronavirus South Western Intergovernmental Committee in AZ alongside Dr. Peter McCullough. Aaron also walks Del through the timeline of just one of the 1700 FOIA requests he's submitted on behalf of ICAN that often lead to future legal wins.

### WHAT TO KNOW

- ICAN filed a FOIA request July '21 to the CA Dept of Public Health & CDC, seeking communications related to cases of COVID-19 vaccine breakthrough infections.
- Sept '21 CDC stated they couldn't provide any due to a data use agreement between the CA Dept of Health & the CDC.
- A FOIA request was submitted for a copy of the agreement. ICAN also appealed the denial, arguing that a data use agreement shouldn't prevent the CDC from fulfilling its FOIA obligations.
- No data agreement was ever produced. Later documents revealed 80,000 breakthrough cases among the 7 million fully vaccinated Medicare beneficiaries.



### CLICK TO WATCH



# MUST-SEE MOMENTS

# THE HIGHWIRE

WITH DEL BIGTREE



## JACKIE SCHLEGEL | EP 346

Jackie Schlegel, Founder & Executive Director of Texans for Medical Freedom, celebrated a monumental legal win, sharing her integral role in helping to get SB7 passed. She detailed how she worked closely with TX Gov. Greg Abbott to pass this historic legislation, protecting private employees from COVID-19 vaccine mandates.

### WHAT TO KNOW

- Private employers enforcing vaccine requirements could face a \$50,000 fine under the new law.
- The law comes two years after Houston Methodist Hospital terminated 150 employees for refusing COVID-19 vaccination.
- Despite the ban, healthcare facilities are not exempt but can impose precautions on unvaccinated workers.
- Under Jackie's leadership, Texans for Medical Freedom played a vital role in passing SB7 by making a strategic and collaborative effort to build relationships.

CLICK TO WATCH



## ERIC NEPUTE | EP 348

Chiropractor & Functional Medicine Doctor, Eric Nepute, DC, DNM, shared the harrowing story of his 3 year, \$500 billion legal battle against the government for going against mainstream COVID-19 protocols and the incredible sacrifices he's made to save his integrity.

### WHAT TO KNOW

- In May 2020, the Federal Trade Commission warned against promoting unapproved therapeutics for COVID-19.
- Dr. Nepute was sued by the government for \$508 billion for recommending vitamin D and zinc as part of COVID-19 treatment.
- Dr. Fauci publicly endorsed vitamins C & D to boost immunity, which was presented as evidence against the government's actions.
- His clinics treated over 11,000 COVID-19 patients with no fatalities.
- Dr. Nepute endured a three-year legal battle, spending over \$5 million.
- Despite government offers, including a gag order, he prioritized freedom over monetary compensation.






CLICK TO WATCH



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On Social Media? Make Sure to Hop On and Follow These Accounts!

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**AARON SIRI**

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**Free Gift**  
with purchase of \$75 or more

**GIFTS FOR THE HOLIDAYS**

**THEHIGHWIRE.SHOP**

The advertisement features a festive background with a Christmas tree and lights. On the left, four polaroid-style photos show merchandise: a white beanie with 'THEHIGHWIRE' and a gold bow, a dark blue jacket with 'THEHIGHWIRE' on the sleeve, a white candle in a grey holder with the ICAN logo, and a wooden sign that says 'STEP OUT ON THEHIGHWIRE.COM'. On the right, two Christmas ornaments are shown: a white one with a map of Mississippi and the text 'Mississippi Free in '23 Religious Exemption est. 2023 ICAN' and a clear one with the ICAN logo. A red banner at the bottom contains the text 'THEHIGHWIRE.SHOP'.

# X TOP SOCIAL POSTS FROM THE HIGHWIRE

## Top X 234.4k Views

**The HighWire** @HighWireTalk

CDC Couldn't provide a **single study** to support their claim 'Vaccines do **NOT** cause autism' for the vaccines a child gets in their first six months of life.

See the full video with @AaronSirSG and @delbigtree, here: [bit.ly/EXPERTSUNDEROAA...](https://bit.ly/EXPERTSUNDEROAA...)

CDC Cited 28 Studies/Reviews	
18	Involving thimerosal and/or MMR
1	Involving antigens (total reactions)
1	Involving MMR, thimerosal, and DTPa
0	Involving vaccines requested
except 1 study of DTPa which found a correlation!	

11:31 AM · Nov 28, 2023 · 234.4K Views

## Most Liked X 988 Likes

**The HighWire** @HighWireTalk · Nov 6

An updated version of the WHO's Pandemic Treaty reveals an extensive power grab under the banner of a 'One Health' approach as climate change, energy, and sustainability are looped into the agenda this unelected global agency has its sights on.

57 789 988 33K

## Top Reposted X 56k Views

The HighWire reposted

**ICAN - Informed Consent Action** @ICANde · Nov 4 Promote

Federal law requires HHS to send bi-annual reports to Congress detailing how it has made childhood vaccines safer. Yet, HHS has never filed a single report. ICAN's attorneys have called HHS out multiple times, but it continues to shamelessly flout the law

38 577 981 56K

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**I CAN**  
P R E S S