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*Church of the Valley, and Pastor John*  
15 *MacArthur*

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA

17 COUNTY OF LOS ANGELES – NORTH CENTRAL DISTRICT

18 GRACE COMMUNITY CHURCH OF  
19 THE VALLEY, a California nonprofit  
corporation, et al.,

20 Plaintiffs,

21 v.

22 GAVIN NEWSOM, in his official capacity  
23 as the Governor of California, et al.

24 Defendants.

25 \_\_\_\_\_  
26 *And all consolidated actions*  
27 \_\_\_\_\_  
28

Case Nos.: 20BBCV00497; 20STCV30695

**IMAGED FILE**

**REBUTTAL DECLARATION OF  
PASTOR JOHN MACARTHUR IN  
SUPPORT OF GRACE COMMUNITY  
CHURCH'S MOTION TO VACATE  
THE PRELIMINARY INJUNCTION  
AND THE OSC RE: CONTEMPT AS  
VOID**

Date: April 9, 2021

Time: 9:00 a.m.

Dept.: D

Judge: Hon. Ralph C. Hofer

Action Filed: August 14, 2020

1 I, John MacArthur, declare and state as follows:

2 1. I am a party to this action. I am also the Head Teaching Pastor and a Member of the  
3 Board of Elders for Grace Community Church of the Valley, also a party to this action. I submit this  
4 declaration in support of Grace Community Church and Pastor John MacArthur's Motion to Vacate  
5 the Preliminary Injunction and the OSC re: Contempt as Void. I have personal knowledge of the  
6 facts set forth herein. If called as a witness, I could and would competently testify as to the matters  
7 stated herein.

8 **RESPONSE TO THE "ROYS REPORT."**

9 2. In response to Grace Community Church's legal motion, the County of Los Angeles  
10 Department of Public Health has submitted a document published by Julie Roys on her blog in which  
11 she states that Grace Community Church has had COVID-19 outbreaks that it is not reporting to the  
12 County. I understand that our attorneys are objecting to this document as inadmissible. But should  
13 the Court consider it, I offer the following testimony to explain its falsehoods.

14 3. In the first paragraph, Ms. Roys states that: "A document obtained by *The Roys Report*  
15 shows John MacArthur's Grace Community Church (GCC) last week knew of at least a dozen people  
16 in one of its fellowship groups with COVID-19." Later in her blog entry, Ms. Roys shows that she  
17 is referring to a list of prayer requests (Exhibit V to the Siegel declaration) from Sojourners (basically  
18 a large adult Sunday school class). In the second paragraph, Ms. Roys states that she has seen no  
19 evidence that these cases were reported to the County.

20 4. These are informal requests that were collected by a lay member of Sojourners who  
21 compiles prayer requests and distributes them to the group. For obvious reasons unrelated to  
22 COVID-19, these prayer requests are not intended to be broadcast outside the group. The cases listed  
23 there were not reported to the Church office, but solicited and collected by that lay person.

24 5. I have never heard or seen any evidence indicating that any of the people on that list  
25 believe they were infected with COVID-19 in some gathering at Grace Community Church. A  
26 prayer-request list compiled by lay people and distributed to members of an adult Sunday-school  
27 class is not proof that staff people or other officials at Grace Community Church knew this  
28 information. Places of business are required to report cases to the County. Insofar as Grace

1 Community Church functions as a place of employment, we are required to report cases among our  
2 employees. Insofar as we are a religious institution, we are not required to report cases among our  
3 congregants. None of the people listed in that document with COVID are church employees.

4 6. Further, there's also no reason to believe that any of these people who tested positive had  
5 been attending our Sunday services. In fact, of the handful of people in our large flock who were  
6 hospitalized or died from COVID-19 over the past year, all the ones I of which I know were people  
7 who had remained quarantined because they had other medical conditions that put them at high risk.  
8 They did not get infected at Grace Community Church, because they were not attending services.  
9 Most of them were following strict health protocols and got the virus anyway.

10 7. In the third and fourth paragraphs, Ms. Roys notes that one Sunday on which I was  
11 scheduled to preach, I decided to rest and instead let another Pastor preach, and that some evening  
12 services had been cancelled. It appears that Ms. Roys is attempting to imply something sinister. But  
13 there is nothing sinister about me letting another Pastor preach. I am 81 years old. I do sometimes  
14 take a break from preaching. It is also Grace Community Church's practice to cancel evening  
15 services for certain holidays.

16 8. In the fifth paragraph, Ms. Roys repeats a falsehood that she previously mentioned in her  
17 blog, namely that Grace Community Church was having a COVID-19 outbreak and pressuring staff  
18 and congregants to not report the cases to the County Department of Public Health. This claim is  
19 entirely false. There was no pressure whatsoever on staff or "church members" regarding what they  
20 should or should not report to DPH. If there was any such pressure by staff members, Grace  
21 Community Church would take it seriously and put a stop to it. But Ms. Roys has never come up  
22 with any corroborating evidence that any staff member was pressuring anybody to not report  
23 anything to DPH.

24 9. Much later in the blog entry, Ms. Roys states that Grace Community Church had a  
25 COVID-19 outbreak in October 2020. This was only an "outbreak" by the County's *ad hoc*  
26 definition: literally three cases where people tested positively (in a congregation of 6,000+). There  
27 has only been one other case, unrelated to the "outbreak." All four recovered quickly. Ms. Roys also  
28 quotes Mr. Jim Layfield, a leader of the Sojourners group, for the proposition that Grace Church's

1 internal tracking and reporting of COVID-19 cases “doesn’t seem to be adding up.” My staff have  
2 spoken with Mr. Layfield, who confirmed that Ms. Roys twisted his words to create a false  
3 impression, based on her misrepresentations to him about the Church’s reporting requirements.

4 **RESPONSE TO THE COUNTY’S ARGUMENT THAT RELIGIOUS**  
5 **OBJECTIONS TO MASK-MANDATES MAY NOT BE GENUINE**

6 10. Grace Community Church regards the wearing of masks in worship first of all as a matter  
7 of conscience—and since we are forbidden by the teaching of Christ not to make extrabiblical  
8 religious rules that bind men’s consciences (Matthew 23:1-7; 15:1-9), we neither mandate nor forbid  
9 the wearing of masks in worship.

10 11. Veils and face coverings have profound religious significance in many world religions.  
11 Indeed, much of the rhetoric surrounding COVID masks (even among evangelical Christians)  
12 describes them as symbols of personal piety. Serious questions about the usefulness, effectiveness,  
13 or medical necessity of masks are routinely dismissed or swept aside, and people are told to wear  
14 them simply because they are a tangible, visible means of showing love for one’s neighbor. This  
15 rationale is pressed on people’s consciences regardless of whether it can be proved statistically that  
16 masks really safeguard anyone from the virus, and irrespective of the fact that masks can cause other  
17 medical problems. But COVID masks have become, in effect, secularism’s substitute for religious  
18 vestments. No one can reasonably deny that face coverings have become the chief symbol of popular  
19 culture’s sanctimonious devotion to the secular credo.

20 12. But one of the distinctives of Christian worship is face-to-face fellowship. *Koinonia* is  
21 the Greek expression that the New Testament uses to describe it. The word conveys the idea of  
22 community, close association, and intimate social contact. Thus the apostle’s instructions: “Greet  
23 one another with a holy kiss” are repeated four times in the Pauline epistles (Romans 16:16; 1  
24 Corinthians 16:20; 2 Corinthians 13:12; 1 Thessalonians 5:22).

25 13. The importance of face-to-face *koinonia* is stressed repeatedly. Paul writes, “We . . . were  
26 all the more eager with great desire to *see your face*” (1 Thessalonians 2:17). “We night and day  
27 keep praying most earnestly that we may *see your face*” (3:10). The apostle John writes, “I hope to  
28 come to you and speak *face to face*, so that your joy may be made full” (2 John 12). “I hope to see

1 you shortly, and we will speak *face to face*” (3 John 14).

2 14. Worship, in particular, is best seen as an open-face discipline. Covering the face is a  
3 symbol of disgrace or shame (Jeremiah 51:51; Job 40:4). Concealing one’s mouth while praising  
4 God suppresses the visible expression of worship. The Psalms’ calls to worship are filled with the  
5 words “tongue,” “lips,” and “mouth.” “Sing aloud unto God our strength: make a joyful noise”  
6 (Psalm 81:1). ” Wholehearted worship cannot be sung as intended—unrestrained and unmuted—  
7 from behind a state-mandated face covering. We see “the Light of the knowledge of the glory of God  
8 in the face of Christ” (4:6), and our faces were designed by him to reflect that glory back to heaven  
9 in uninhibited praise.

10 15. It is true, of course, that for now, “We see in a mirror dimly, but [someday] *face to face*”  
11 (1 Corinthians 13:2). That speaks of a face-to-face encounter with Christ himself, when we will be  
12 brought into the fullness of knowledge and moral perfection. John the apostle says, “We know that  
13 when He appears, we will be like Him, because *we will see Him just as He is*” (1 John 3:2).

14 16. Despite the temporary limitation of seeing heaven’s glory as if we were looking in a dim  
15 mirror, we nevertheless are privileged as Christians to have a view of divine glory that is superior to  
16 what Moses and the Israelites enjoyed at Sinai. We see God’s glory revealed in Christ—“glory as of  
17 the only begotten from the Father, full of grace and truth” (John 1:14). Unlike Moses, who was  
18 shielded in the cleft of a rock from seeing the full display of divine glory; and unlike the Israelites,  
19 who only saw the fading reflection of glory on Moses’ face (and even that was covered with a veil)  
20 we see Christ so clearly revealed that it is as if we are looking in the very face of God’s glory. “We  
21 all, ***with unveiled face***, beholding as in a mirror the glory of the Lord, are being transformed into the  
22 same image from glory to glory” (2 Corinthians 3:18). Again: we see “the glory of God in the face  
23 of Christ” (4:6).

24 17. Yes, the language of that biblical passage is symbolic. We don’t literally see the face of  
25 Christ physically. For now, we see Him as he is revealed on the pages of the New Testament. But the  
26 symbolism embodied in Paul’s description of seeing Him with “*unveiled face*” is important, and the  
27 wearing of masks—especially government-mandated masks that serve as the vestments of secular  
28 religion—feels like a covert attempt to erase one of the core truths that makes Christianity unique.

1 18. All except the first paragraph of the above are my personal convictions about masks. It  
2 is not a dogma we teach. It is certainly not a rule we expect people in the church to swear fidelity to.  
3 Again, we do not want to bind anyone's conscience with manmade restrictions. We especially do  
4 not want to shame the person who wears a mask purely because he or she genuinely believes the  
5 current secular orthodoxy about masks as a potentially effective shield against viral transmission.  
6 People in the church are free to wear masks *if they choose*. But people who share the above view are  
7 likewise free to worship, sing, pray, and proclaim God's Word without a face covering—even if that  
8 goes against the vacillating, sometimes arbitrary, and frequently heavy-handed dictates of  
9 government officials. It is simply not the church's duty to enforce executive orders based on a  
10 politician's whimsy—particularly when obeying those edicts impinge on our freedom of worship in  
11 our church.

12 **RESPONSE TO THE COUNTY'S ARGUMENT THAT RELIGIOUS OBJECTIONS TO SOCIAL**  
13 **DISTANCING AND COUNTY MONITORING MAY NOT BE GENUINE**

14 19. When the Board of Elders of Grace Church first voted to reopen the campus in July 2020,  
15 the Board decided to published a statement explaining our decision. That statement is attached here  
16 as Exhibit A and available online at: <https://www.gracechurch.org/news/posts/1988>. That statement  
17 explains that Grace Church objects on theological grounds to the concept that the State has any  
18 jurisdiction to tell us how to worship. As explained by that statement:

19 [W]hile civil government is invested with divine authority to rule  
20 the state, neither of those texts (nor any other) [from the Bible]  
21 grants civic rulers jurisdiction over the church. God has established  
22 three institutions within human society: the family, the state, and the  
23 church. Each institution has a sphere of authority with jurisdictional  
24 limits that must be respected. A father's authority is limited to his  
25 own family. Church leaders' authority (which is delegated to them  
26 by Christ) is limited to church matters. And government is  
27 specifically tasked with the oversight and protection of civic peace  
28 and well-being within the boundaries of a nation or community. *God  
has not granted civic rulers authority over the doctrine, practice, or  
polity of the church.* The biblical framework limits the authority of  
each institution to its specific jurisdiction. The church does not have  
the right to meddle in the affairs of individual families and ignore  
parental authority. Parents do not have authority to manage civil  
matters while circumventing government officials. And similarly,  
government officials have no right to interfere in ecclesiastical

1 matters in a way that undermines or disregards the God-given  
2 authority of pastors and elders.


3 20. The statement further goes on to say “[t]herefore, in response to the recent state order  
4 requiring churches in California to limit . . . all meetings indefinitely, we, the pastors and elders of  
5 Grace Community Church, respectfully inform our civic leaders that they have exceeded their  
6 legitimate jurisdiction, and faithfulness to Christ prohibits us from observing the restrictions they  
7 want to impose on our corporate worship services.” “[I]t has never been the prerogative of civil  
8 government to . . . modify . . . worship. When, how, and how often the church worships is not subject  
9 to Caesar.”

10 21. Whether the State tries to “modify” worship by restricting the number of people who can  
11 attend by a 25% cap or by six-foot social distancing, the principle is the same: “When officials  
12 restrict church attendance to a certain number, they attempt to impose a restriction that *in principle*  
13 makes it impossible for the saints to gather *as the church*. . . . When officials mandate distancing,  
14 they attempt to impose a restriction that *in principle* makes it impossible to experience the close  
15 communion between believers that is commanded in Romans 16:16, 1 Corinthians 16:20, 2  
16 Corinthians 13:12, and 1 Thessalonians 5:26. In all those spheres, we must submit to our Lord.”

17 22. The same is true regarding the Public Health Department’s request to be able to inspect  
18 Grace Church’s campus. The Church has never denied Health Officers access to the campus.  
19 Attached to this declaration as Exhibit B is a separate declaration we submitted establishing this.  
20 And although we have allowed Health Officers monitor our worship services for the past six months,  
21 we object to any order requiring us to continue letting them do so. We also object to the County’s  
22 discriminatory singling out of Grace Church for extra monitoring. We consider this targeted  
23 treatment to be harassing at this point and a violation of our constitutional right to equal protection  
24 under the law. This is especially the case since I am not aware of any reported cases of people  
25 having actually contracted COVID-19 at any of our many worship services held since July 2020.  
26 This is the situation even though tens of thousands of people have attended those worship services,  
27 both indoors and outdoors, over the last nine months.

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1 I declare under penalty of perjury under the laws of the United States and the State of  
2 California that the foregoing is true and correct. Executed on April 2, 2021.

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4   
5 John MacArthur

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