



# GREGORY D. TOTTEN District Attorney

## NEWS RELEASE

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Approved: CMT   
Date: Friday, September 4, 2020  
Release No.: 20-085

### **Judge Grants Preliminary Injunction Against Ventura Gym Violating Public Health Orders**

VENTURA, California – District Attorney Gregory D. Totten announced today that Judge Henry Walsh issued a preliminary injunction against BSF Fitness (BSF), a gym located in the city of Ventura. The injunction requires BSF to comply with state and local health orders currently prohibiting indoor operations by gyms and fitness centers. The District Attorney's Office Consumer and Environmental Protection Unit previously filed a civil complaint against BSF alleging unfair business practices for BSF's ongoing operations while other similar businesses in Ventura County either ceased or modified their operations in compliance with state and local health orders imposed in an attempt to prevent or slow the spread of COVID-19. As part of that civil complaint, the District Attorney obtained a Temporary Restraining Order (TRO) requiring that BSF cease indoor operations during the ongoing COVID-19 pandemic until the court could determine whether a preliminary injunction was appropriate. With the injunction now in place, BSF is prohibited by court order from operating a gym or fitness facility indoors until state and local health orders are modified to permit such activities.

Local officials have made numerous requests that BSF comply with health orders by ceasing indoor gym operations, as other similar businesses have done. Despite these requests, BSF has continued operating in violation of the health orders and in violation of the court's previously issued TRO. In doing so, it is alleged that BSF has engaged in unfair competition, by taking advantage of the market created by other similar businesses' compliance with the health orders.

The defendant's response to the People's complaint is due September 18, 2020.

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