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NEWS RELEASE

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Judge Finds Ventura Gym in Contempt of Court for Violating Injunction

VENTURA, California – District Attorney Gregory D. Totten announced today that Judge Henry Walsh held BSF Fitness (BSF), a gym located in the City of Ventura, in contempt of court for violating a court ordered preliminary injunction. The injunction, issued September 4, 2020, requires BSF to comply with state and local health orders and prohibits them from operating a gym facility indoors until permissible under amended health orders. At the hearing, the District Attorney's Office presented evidence BSF had continued to operate its facility indoors, in violation of the injunction, on September 8, 9, and 10, 2020. In its ruling, the court fined BSF \$500 for each day they violated the court order and also awarded attorney fees to the District Attorney's Office.

The District Attorney's Office Consumer and Environmental Protection Unit had previously filed a civil complaint against BSF, alleging unfair business practices due to BSF's ongoing operation, while similar businesses in Ventura County either ceased or modified their operations in compliance with state and local health orders. As part of that civil complaint, the District Attorney obtained a preliminary injunction prohibiting BSF from violating public health orders by operating its gym facility indoors, or otherwise violating the health orders during the COVID-19 pandemic. Local officials have made numerous requests that BSF comply with the health orders, as other local businesses have done. Despite these requests, BSF has continued to operate indoors in violation of the health orders and the preliminary injunction.

The defendant's demurrer to the People's complaint is scheduled to be heard October 20, 2020. The injunction against BSF remains in effect until state and local health orders no longer prohibit indoor gym operations, or until dissolved by the court.

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The Ventura County District Attorney's Office is the public prosecutor for the county's 850,000 residents. The office employs approximately 280 employees including attorneys, investigators, victim advocates, and other professional support staff who strive to seek justice, ensure public safety, and protect the rights of crime victims.

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