

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

MICHAEL CORRIN STRONG, Plaintiff

vs.

HOWARD ZUCKER, MD, in his official capacity as Commissioner of the New York
State Department of Health, Defendant

Case No. 21-CV-6532
Appendix #2
Submitted by Plaintiff
In Reply to Defendant's
Motion to Dismiss Claim
for Failure to State a Cause
of Action
Filed Feb. 26, 2022

APPENDIX 2

1. A note on Plaintiff's sources and methods of research. A month ago Plaintiff started a Facebook group called, "Discrimination against the Unvaxxed in NYS." Despite shadow-banning and other forms of censorship of the page by Facebook, the group quickly grew to over 400 members. Plaintiff used the group to "crowd source" examples of Discrimination against the Unvaccinated, especially to:

A. Develop the list on pages 2 & 3 of businesses and venues in Western New York that were discriminating against the Unvaccinated with respect to entry into public indoor places. (Plaintiff was not able to personally verify the list.)

B. Discover examples of unequal testing protocols between the Vaccinated and the Unvaccinated.

C. Learn about examples of medical discrimination by local doctors and hospitals.

2. Through this and other means, Plaintiff has also made the acquaintance of many people who have been discriminated against and took the opportunity to interview some of them on the phone. Plaintiff realizes that some of the testimony reported in this Reply is at this point hearsay, however, if the matter comes to trial, Plaintiff can call these victims to testify to what they have experienced.

3. This is partial list of 75 businesses and venues in the Western New York area that were restricting entrance to “Vaccinated Only” prior to the expiration of the Emergency Regulations on Feb. 10, 2022. It is not known how many have kept the policy in effect. There would have no doubt been a lot more on this list, but for interference by Facebook with Plaintiff’s page. These businesses and venues are mainly places that young people and people with children would frequent—just the type of clientele that does not need to be vaccinated and is probably more susceptible to coercion so they don’t miss out on the “fun!”

Athletic Clubs:

1. Avon Fitness & Tanning Center (Avon)
2. Barre Centric Gyms (E. Aurora & Williamson)
3. Body by Summer (Brockport)
4. Buffalo Curling Club
5. Catalyst Fitness (Amherst & Depew)
6. Discover Fitness (Clarence Center)
7. Ellicotville Salt Cave Spa (Ellicotville)
8. Formula 3 Fitness (Depew, E. Aurora & Hamburg)
9. Jewish Community Center of Buffalo
10. Rebel Ride Cycling (E Amherst)
11. Revolution Indoor Cycling (Buffalo)
12. Sweat 716 Fitness (Buffalo)
13. Synergy Fitness (East Amherst)

Auditoriums, Venues & Theaters

14. 710 Main Theatre (Buffalo)
15. Alleyway Theatre (Buffalo)
16. Anthology Live Music Venue (Rochester)
17. Auditorium Theatre (Rochester)
18. Blue Cross Arena Buffalo
19. Blue Cross Arena (Rochester)
20. Buffalo-Niagara Falls Convention Center
21. Buffalo Philharmonic
22. Chautauqua Institute (Chautauqua County)
23. Darien Lake Performing Arts (Concerts)
24. GEVA Theatre (Rochester)
25. Eastman Theatre (Rochester)
26. High Mark Stadium (Buffalo Bills)
27. Key Bank Center (Buffalo)
28. Little Theatre (Rochester)

**Auditoriums, Venues & Theaters
(Cont.)**

- 29. RIT Fieldhouse
- 30. Shea's Performing Arts Center (Buffalo)
- 31. The Showplace Theatre (Buffalo)
- 32. Smith Opera House (Geneva)
- 33. State Theatre (Ithaca)
- 34. Town Ballroom Concerts (Buffalo)

Bars, Restaurants & Night Clubs

- 35. Abilene bar & Lounge (Rochester)
- 36. Allen Street Hardware Cafe (Buffalo)
- 37. ABallyhoo Restaurant (Buffalo)
- 38. The Beer Keep Bar & Shop (Buffalo)
- 39. The Bug Jar (Rochester)
- 40. Campana Trattoria Restaurant (Fairport)
- 41. Caputi's Sheriden Pub (Tonawanda)
- 42. Central Park Grill (Buffalo)
- 43. Club Marcella nightclub (Buffalo)
- 44. Coles Bar (Buffalo)
- 45. Colter Bay Grill (Buffalo)
- 46. The Cove Banquets (Depew)
- 47. Community Beer Works (Buffalo)
- 48. Del Denby Tavern (Buffalo)
- 49. Free Street Tavern (Buffalo)
- 50. Jack Rabbit Restaurant (Buffalo)
- 51. Graylyn Gin Bar (Buffalo)

- 52. Hot Mamas Canteen (Buffalo)
- 53. Iron Smoke Distillery (Fairport)
- 54. JR Ryans (Irish Bar Fairport)
- 55. Lucky Day Whisky Bar (Buffalo)
- 56. Lux Lounge (Rochester)
- 57. Malconry's Bar (Fairport)
- 58. The Merry Shelly Bar (Buffalo)
- 59. Mighty Taco (19 stores)
- 60. Misuta Chows Restaurant (Buffalo)
- 61. Mohawk Place (Buffalo)
- 62. Mr. Goodbar Bar (Buffalo)
- 63. Mulbary Italian Restaurant (Lackawanna)
- 64. Nietzsches Club (Buffalo)
- 65. The Old Pink Bar (Buffalo)
- 66. The RecRoom (Buffalo)
- 67. Resurgence Brewing (Buffalo)
- 68. Swiftwater Brewinbg Co. (Rochester)
- 69. Talty's Tavern (Buffalo)
- 70. Triphammer Brewery (Fairport)
- 71. Waxlight Bar a' vin Restaurant (Buffalo)

Miscellaneous

- 72. Avalon Document Service (Buffalo)
- 73. Hallwalls Gallery (Buffalo)
- 74. Kalista for Hair (Buffalo)
- 75. Kenmore-Tonawanda Municipal Bldg.

February 26, 2022

By
s/Michael Corrin Strong

Plaintiff, Pro Se