

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

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CLERK US DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS, FLORIDA

LEONARD G. HOROWITZ,
Plaintiff,

vs.

Case No. 2:20-cv-00955-JLB-NPM

PFIZER INC., et al.,
Defendants.

_____ /

**PLAINTIFF’S CLOSING STATEMENT OF GRATITUDE FOR THE
COURT’S DISMISSAL WITHOUT PREJUDICE RECOGNIZING THE
PLAINTIFF’S INCAPACITY TO PROSECUTE DUE TO INFIRMITY**

Pro se Plaintiff, Dr. Leonard G. Horowitz, hereby submits his closing statement of gratitude for the honorable Court’s dismissal of Plaintiff’s Complaint *without prejudice*, (Doc. 86), recognizing the Plaintiff’s incapacity to prosecute competently due to the Plaintiff’s infirmity diagnosed as *Haemophilus influenzae* pneumonia, subsequently requiring months of care for acute respiratory distress syndrome (“ARDS”). Plaintiff is also grateful to counsel for Defendant Hearst’s filing of September 22, 2021, waiving attorneys’ fees and costs, stipulating the Plaintiff’s agreement to dismiss this case without prejudice.

I. CLOSING REMARKS

A. CASE SUMMARY

The Plaintiff is a religious group leader, and a well-credential expert in the field of emerging viruses and natural therapies, who branded and commercializes a vaccine competitor and broad-spectrum “natural” anti-microbial called “OxySilver™ with 528.” Plaintiff’s product works electro-magnetically and through frequency resonance to

neutralize the positively-charged surface membranes of pathogens, and boost human immunity via the 528Hz/nm frequency that has been scientifically determined to be a strong anti-oxidant and immune-booster.^{1, 2}

The lead Defendants, Pfizer and Moderna, are the manufacturers of “novel” mRNA vaccines that deliver their “payload” of DNA instructions via bioelectronic lipid “hydrogel” devices that, like OxySilverTM, operate electro-magnetically to engage cells, influence genetic expression, and presumably boost immunity. Unlike OxySilver, the Defendants’ competing anti-viral technology prompts host cells to produce spike-protein (“S-protein”) antigens that stimulate antibody production by immune cells.

The Defendants have advertised their vaccines are “safe” and, through their media partners, disparaged the Plaintiff and OxySilverTM. The Plaintiff claims the Defendants’ disparagements evidence unfair competition causing restraint of trade and financial damages to the Plaintiff and his companies; and Defendant’s claims of safety are alleged in the Complaint as “deceptive.” This allegation is factually evidenced in the Pfizer and Moderna testing protocols that evidence no genetic safety testing was ever conducted prior to the FDA’s Emergency Use Authorization and subsequent grants. These vaccines are characterized by the Defendants as “genetic therapies.” As the Complaint states (on page 34, ¶ 141) the PFIZER protocol disregards genetic safety testing by stating (on p. 72): “Genetics (specified analyses) are not evaluated in this study.”

On March 29, 2021, the Plaintiff filed his Response in opposition to Defendants’ motions to dismiss (Doc. 58) informing the Court that beginning in the 1980s to the present, the Department of Defense partnered with Defendants Moderna, Pfizer, and their

¹ Babayi T and Riazi GH. The effects of 528Hz sound waves to reduce cell death in human astrocyte primary cell cultures treated with ethanol. *J Addict Res Ther* 8: 335; 2017.

² Daylari TB, Riazi GH, Pooyan S., et. al. Influence of various intensities of 528Hz sound-wave in production of testosterone in rat’s brain and analysis of behavioral changes. *Genes & Genomics* 41: 201-211; 2019.

privies in interest in the “dual use” (military and commercial) bio-electronics fundamental to Defendants’ mRNA vaccines. The Defense Advanced Research Projects Agency (“DARPA”), in partnership with agents at Harvard, MIT, Moderna, Pfizer et. al., advanced the subject “novel” vaccines that rely on proprietary bio-electronic delivery devices. These devices are comprised of nano-metallic water/lipid-layered “hydrogels.” The purpose of said hydrogel is to transfer the vaccine’s mRNA genetic material through cell membranes into cells, along other undisclosed electronically-active ingredients, enabling the transfer of the vaccines’ genetic instructions to cause the DNA to prompt mass production of the coronavirus S-protein antigen/immunogen.

The social, bio-energetic (or ‘bio-spiritual’), and religious importance of these activities, and this case, is addressed in Plaintiff’s Doc. 58 filing. The Plaintiff informed the Court that in lieu of the aforementioned scientific advances, proponents and critics agree that being “human” is no longer scientifically definable. That is, with the Defendants’ nano-bioelectronic technology, enabling biosynthesis termed “transhumanism,” humans and nano-machines are so well integrated that they become virtually indistinguishable. Consequently, this “novel” technology, and this litigation, raises considerable ethical, moral, social, religious, and legislative concerns.

In 2019, Plaintiff became aware that his commercial and religious interests, particularly in his “Oxysilver™ with 528” product, were being sufficiently damaged, smeared, censored, and deprived, by the Defendants that he filed this action. The Plaintiff realized Defendants were especially disparaging the Plaintiff’s commercial applications of 528Hz/nm science and the ‘bio-spiritual’ dynamics of frequency therapeutics, while themselves developing their own competing bio-energetic devices such as vaccine hydrogels. Akin to OxySilver™, the Defendants’ mRNA delivery devices operate using nano-metals, either silver, copper, gold, iron; and/or graphene oxide with hexagonal lattices that superconduct electron energy and frequencies, much like OxySilver’s

hexagonal lattice of structured-water resonating at the 528Hz frequency pioneered by the Plaintiff between 2006 and 2008.

At some point, after the Defendants' enterprise became aware that Plaintiff's unique solution to infectious disease remediation bridged the gap between biology and electronics, as the most viable commercial option, Defendants Pfizer and Moderna began the development of their own bio-electronic products. Though Defendants' media publicly mocked Plaintiff's products and approach to nano-silver-bioelectronic frequency hydro-therapy and infectious disease remediation, it was not until 2019 that Plaintiff first became aware of Defendants' intent to integrate, arguably convert, the Plaintiff's technology and intellectual property into their vaccine hydrogel devices.

Summarily, the Complainant alleges that Defendants Pfizer/GSK/Galvani BioElectrics, Moderna, DARPA, Schein, and Hearst Media, through their enterprise of interlocking agents, agencies, and media publications, acted to:

(a) hide their conspiracy to unfairly and deceptively compete against the Plaintiff in advancing "novel" bioelectronic products and services, especially the antibiotic, anti-oxidant, and immune booster OxySilver™ with 528 frequency;

(b) represent as "novel" their approach to vaccines featuring Plaintiff's pioneering work advancing bioelectronic nano-metal products leveraging water science, pH chemistry, and piezoelectricity for frequency signaling and superconducting data; and

(c) disparage and subvert Plaintiff's "528" industry and therapeutic technology and intellectual property.

Defendants' wrongful actions converted the Plaintiff's safe, genetically-supportive, anti-microbial, immune-boosting, antioxidant-delivering, intellectual property fundamental to OxySilver's commercial success, for Defendants' nefarious purposes.

B. LESSONS TO BE LEARNED

On August 18, 2021, the Plaintiff alerted the Court concerning “Plaintiff’s Hospitalization,” alleging Plaintiff’s illness “compounds evidence of unsafe and unfair mRNA vaccine trade practices.” (Doc. 85) The next day, the Court justifiably dismissed this case *without prejudice*.

Plaintiff’s August 18 filing records the Plaintiff’s hospitalization for *Haemophilus influenzae* pneumonia. The Plaintiff had previously defeated COVID in September through October, 2020, and had natural antibody resistance/immunity against the so-called “bat coronavirus.” Nonetheless, hospital personnel diagnosed the Plaintiff as having “COVID,” neglecting to timely diagnose and treat the *Haemophilus* pneumonia.

Typically, *H. influenzae* bacteria are resident in human respiratory tract, and are generally tolerated. But the Plaintiff’s strain suddenly acquired severe pathogenicity, by genetic recombination, also called “reassortment”.

During the reassortment, the Plaintiff’s *H. influenzae* presumably acquired the COVID virus’s envelop and spike protein genes, and capacity to damage the Plaintiff’s respiratory system by way of S-protein antigen-impacts on cellular and humoral immunity.

This pathogen enhancement, “gain-of-function,” recombination/mutation of *H. influenzae* with the SARS CoV-2/HIV S-protein antigen is precisely the genetic risk to society and ‘herd immunity’ that the Plaintiff heralded in his Complaint.

During the past quarter century, in numerous award-winning books and films, the Plaintiff/whistleblower has warned civilization of the great likelihood of genetically-engineered lab viruses—bioweapons—mutating with other viruses in humans, animals, or the environment. Officials and the media have generally ignored, dismissed, or disparaged the Plaintiff and these warnings.

Likewise, the Defendants, having neglected any and all genetic safety studies while claiming their “genetic therapies” are “safe,” also neglected and dismissed

microbial “gene swapping.”³ More risks are raised by the shedding/spreading of the S-protein antigens being mass produced by the exploited DNA of vaccinated persons.

These S-protein antigens (considered ‘immunogens’) are the key products of mRNA vaccine activity. But they are also *mutagens*; because they contain genes that can recombine with other genes in germs.⁴ In this instance, vaccinated healthcare workers with whom the Plaintiff associated exposed the un-vaccinated naturally-immune Plaintiff to these shed antigens. This best explains the hospital’s laboratory diagnosis and Plaintiff’s respiratory symptoms. Hospital staff diagnosed the Plaintiff’s asthma-like distress from *H. influenza* and COVID. They were both correct. The Plaintiff’s illness presented like a hypersensitivity reaction to the *H. influenza/S-protein* recombinant.

C. CORROBORATING SCIENCE

Corroborating scientific evidence for Plaintiff’s above factual analysis and allegations was published subsequent to this Court’s granting of Defendants’ motions to stay discovery. This includes the research of Borkakoty B and Bali NK, titled “Haemophilus influenzae and SARS-CoV-2: Is there a role for investigation?”

³ “*Haemophilus* and *Neisseria* spp. are . . . naturally competent for DNA transformation, a capacity that allows them to take up fragments of DNA from the environment and incorporate this DNA into their chromosomes. . . . The potential for DNA transfer between these species during the colonization of the nasopharynx might lead to the acquisition of virulence or other factors that could result in a more pathogenic bacteria.” Goldberg J. Swapping genes. *Trends in Microbiology* Vol. 6; No. 12; 474, 1998.

⁴ “In the course of virus epidemics, the ability to adapt to external pressure is an important factor affecting the spread of the virus. Regarding the envelope S protein, recombination or mutation in the gene of its [receptor binding domain] RBD can occur to promote transmission between different hosts and lead to a higher fatality rate [81]. Mutation of the aspartate (D) at position 614 to glycine (G614) results in a more pathogenic strain of SARS-CoV-2 [82], which makes it more difficult to develop antibodies or vaccines that target nonconservative regions. To effectively prevent disease, combinations of different mAbs that identify different epitopes on the SARS-CoV-2 S surface can be assessed to neutralize a wide range of isolates, including escape mutants [83]. . . . Mutations of key residues play an important role in enhancing the interaction [between the virus and host cell] with [angiotensin converting enzyme] ACE2” Huang, Y., Yang, C., Xu, Xf. *et al.* Structural and functional properties of SARS-CoV-2 spike protein: potential antiviral drug development for COVID-19. *Acta Pharmacol Sin* **41**, 1141–1149 (2020). <https://doi.org/10.1038/s41401-020-0485-4>

Borkakoty and Bali observed that a substantial percentage of the gene-sequences comprising SARS-CoV-2 was also found in the *Haemophilus* bacteria.⁵

It is well established in the scientific community that lab viruses, that is, recombinants or mutants developed by bio-engineers, are inherently *unstable*. They mutate rapidly because they have not endured millennia of stabilizing evolution.

In other words, the *H. influenza*'s substantial genetic 'homology' to SARS-CoV-2, and the COVID virus lab creation, encouraged the mutation/recombination that sickened the Plaintiff.

Material to the Defendants alleged deceptive advertising, claiming their vaccines are "safe," the E (envelope)-gene cited by Borkakoty and Bali,¹ codes for the foundational structural protein attaching the S (spike)-protein antigen to the virus. Consequently, the Defendants vaccines are delivering: (a) this synthetic "gain-of-function" mutation increasing transmissibility and infectivity of *H. influenza*; and (b) cases of respiratory distress in pneumonia, COVID, and ARDS patients in both vaccinated and un-vaccinated persons alike.

Compounding incriminating evidence detailed in the Plaintiff's July 13, 2021 filing of Judicial Notice of New Governmental Records evidencing Federal Actors' Concealments (Doc. 80), it is now public knowledge that Dr. Anthony Fauci and DARPA helped finance such coronavirus "gain-of-function" "dual use" (i.e., public/private military/commercial) bio-engineering at the Wuhan Institute of Virology during the years preceding the 2019 outbreak. This initially-secreted

⁵ Borkakoty B and Bali NK "observed that all primers and probes for the E-[viral envelope] gene of SARS-CoV-2 had over 13 bp long sequences matching 100% with multiple sites across the *H. influenzae* genome. . . . The guanosine-cytosine (GC) content of SARS-CoV-2 is approximately 38% and its GC content is similar to many bacterial species such as *Haemophilus spp.* which have a GC content of 37–44%."

intelligence, incriminating federal and corporate agents and agencies, corroborates the Plaintiff/whistleblower's claim of the Defendants' "Civil Conspiracy" to profitably defraud society. The Defendants' material omissions and misrepresentations include secreting, censoring, neglecting, and disparaging: (1) the "Indian paper" published by Pradhan et. al. evidencing the AIDS virus genetic sequences incorporated into the all-important SARS-CoV-2 S-protein antigen—the attachment mechanism substantially increasing transmissibility of the aforementioned diseases; and (2) alternative medicines that compete for 'market share' against the Defendants' vaccines.

In recent days, additional corroborating evidence of foul play by the Defendants' public/private enterprise has emerged, heralded internationally by mainstream presses, involving Dr. Fauci and DARPA's administration of grants to the Wuhan lab through EcoHealth Alliance. Here, evidence came to light of similar bat coronavirus spike-protein bioengineering for "gain-of-function" mutations of the "furin cleavage site" within the 'AIDS-laced' S-protein antigen.

D. COMPETING USE OF GOLD AND COPPER VERSUS SILVER.

Evidence of the Defendants' competing interests against the Plaintiff's pioneering advancement of OxySilver with 528 frequency as an antiviral, effective against the coronavirus and a broad spectrum of pathogens, is found in Elsevier's *Medicine in Drug Discovery* journal. (Vol 11, Sept 2021, 100099 **3**) Here, Seifi T and Mamali AR heralded, "Antiviral performance of graphene-based materials with emphasis on COVID-19." These authors reviewed "metallic materials with antiviral performance." They justifiably included "silver nanoparticles" with the sizes of 2–15 nm. This nano-silver exhibited "antiviral activity against COVID-19 "

Seifi and Mamali added:

Elechiguerra et al. [223] coated silver nanoparticles with carbon, bovine serum albumin and poly N-vinyl-2-pyrrolidone, and evaluated the antiviral performances of the resultant materials against HIV-1 virus. Out of these samples, carbon coated silver nanoparticles showed a higher level of antiviral performance [223], which could be related to their surface chemistry, providing a higher reactivity against the virus.

In terms of drug development, . . . for combating coronaviruses . . . iron oxide and silver nanoparticles, as well as nanostructured aluminum 6063, and copper alloys[,]” have proven effective.

Defendants Pfizer and Moderna utilize nano-metals gold (Au) and copper (Cu), respectively. These elements, along with silver (Ag), are the most electrically-conductive elements in the Periodic Table of elements. According to the above quote, coating these metals with thin layers of other substances, including carbon, and theoretically oxygen in the “oxygen cloud” formed around silver atoms in OxySilver’s Ag-O covalently-bonded molecule, provides increased antibiotic and protective power, according to substantial science. Increased antibiotic and protective power is further enhanced by water-structuring and the 528 frequency of sound and light resonating the liquid-crystal matrix.

E. COMPETING BIOELECTRONIC INTERESTS AND 528 SCIENCE

Comparing the competing products—the Defendants’ vaccines versus OxySilver™ with 528--identical bioenergetic dynamics are apparent.

The Defendants’ mRNA vaccines use highly structured *graphene oxide*, hexagonally-shaped molecules of carbon and oxygen layered within a water-lipid “hydrogel” matrix, to electro-magnetically attach to negatively-charged host cell membranes. This attachment enables the transfer of the mRNA vaccine genetic “payload” into host cells to purportedly prompt immunity. This nano-biotechnology also permits bioelectronic signaling to and from the water-lipid-

metal hydrogel matrix. ‘Frequency therapeutics’ and data-mining may be programmed into such vaccine-delivery devices according to scientific reviews.⁶

Comparatively, OxySilver uses highly-structured, hexagonally-shaped molecules of water (i.e., “structured water”). This water forms oxygen composites covalently-bonded to atoms of (nano) silver. This forms a highly-conductive “hydro-matrix” electro-magnetically protecting negatively-charged host cell membranes (as an anti-oxidant). This preventative is also therapeutic, as it also neutralizes the positively-charged membranes of pathogens thereby killing germs. This nano-bioelectric technology also permits bioelectronic and plasmonic signaling from the structured water’s memory of 528Hz/nm frequency (of sound and green light, respectively) amplified by the silver.

Following the Plaintiff’s pioneering work in this field of 528 science, the 528Hz frequency of sound alone was confirmed to be strong immune-booster. Babayi and Riazi observed that the 528Hz frequency “wave” alone increased anti-oxidant activity by 100% in nerve cells. They also found that the 528 wave significantly protected nerve cells against death from alcohol poisoning.¹

In another study, Daylari et. al., determined that the 528 frequency of sound substantially increased rat brain testosterone levels when applied at 100 db of intensity.² Other studies found that human immunity and anti-oxidant levels are increased as testosterone levels increase.

In 2017, as Defendants Pfizer and Moderna were acquiring their gold and copper nano-composite vaccine hydrogel devices, investigators Meskinis, Peckus,

⁶ “Biomolecular-functionalized magnetic [nano] particles have found many applications in various biosensing procedures, mostly for immunosensing and DNA analysis . . .” Katz E. Review: Synthesis, properties and applications of magnetic nanoparticles and nanowires, in *Magnetochemistry* **2019**, 5, doi:10.3390/magnetochemistry5040061

Vasiliauskas, et. al.⁷ published a study on solar cell energy conversion using nanocomposites containing silver or gold. Examining different frequencies of energy absorption, including the 528nm wave of green light, they noted the superiority of using silver rather than gold, writing, “It should be mentioned that Ag nanoparticles as a plasmonic material have some advantages over Au nanoparticles due to higher intensity of the [localized surface plasmon resonance] LSPR [4], lower optical losses [5], and larger solar energy conversion efficiencies [6]. However, silver nanoparticles are prone to rapid surface oxidation when exposed to ambient conditions [7]”

With OxySilver™ resonating at 528 frequency, “rapid surface oxidation” is not an issue, because the nano-silver atoms are covalently-bonded to the oxygen in water, effectively forming a protective and therapeutic oxygen ‘cloud’ generating high anti-oxidant activity to boost immunity and electrocute positively-charged (gram-positive) pathogens.

II. CONCLUSION

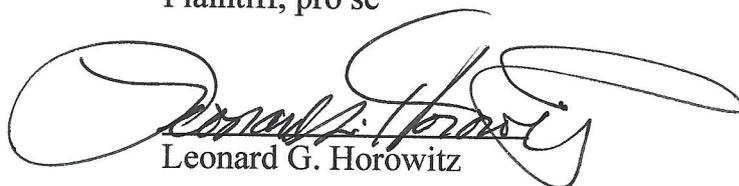
Given the Plaintiff’s infirmity and physical incapacity to efficiently prosecute this case, the Plaintiff is grateful to this Court for dismissing this case without prejudice. This permits the Plaintiff to seek competent counsel, and amend the Complaint for refile for the good causes shown.

⁷ Meškiniš, Š., Peckus, D., Vasiliauskas, A., Čiegis, A., Gudaitis, R., Tamulevičius, T., Yaremchuk, I., & Tamulevičius, S. (2017). Photovoltaic Properties and Ultrafast Plasmon Relaxation Dynamics of Diamond-Like Carbon Nanocomposite Films with Embedded Ag Nanoparticles. *Nanoscale research letters*, 12(1), 288. <https://doi.org/10.1186/s11671-017-2065-1>

Respectfully submitted.

DATED: September 27, 2021

/s Leonard G. Horowitz
Plaintiff, pro se



Leonard G. Horowitz

DECLARATION OF LEONARD G. HOROWITZ

I, LEONARD G. HOROWITZ, under pain of perjury of law, do hereby state and declare as follows:

- 1) I am an individual over the age of twenty-one (21) years, a resident of Lee County in the State of Florida.
- 2) I declare that the facts and dates stated in this filing are accurate to the best of my knowledge and belief.

Respectfully submitted.

DATED: September 27, 2021

A handwritten signature in black ink, appearing to read 'Leonard G. Horowitz', written in a cursive style with a large loop at the end.

/s Leonard G. Horowitz

Plaintiff, pro se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of September, 2021, I filed a true and correct copy of the foregoing “**CLOSING STATEMENT**” with the Court’s Clerk for customary E-filing. I further certify that I served by E-Mail a copy of the filed document to the following participant(s):

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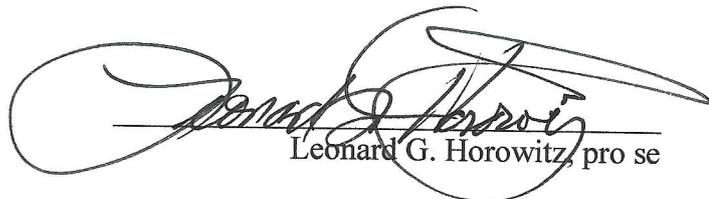
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Horowitz v. Pfizer, et. al.; Certificate of Service for Plaintiff’s ‘Closing Statement.’