



Bob Ferguson
ATTORNEY GENERAL OF WASHINGTON

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May 15, 2020

Fitness 101 Team Puyallup L.L.C d/b/a Northwest Fitness Co.
Michael Jason Baker and Shane David Cowhig
7627 140th St. Ct. E
Puyallup, WA 98373

NOTICE TO CEASE AND DESIST

Dear Northwest Fitness, Mr. Baker, and Mr. Cowhig:

Under the Governor's Emergency Proclamation 20-25, Stay Home, Stay Healthy, all nonessential businesses in the State of Washington must be closed. Your business is open in violation of the Governor's Proclamation. You must cease and desist operations and close your business.

On May 5, 2020, officers with the Puyallup Police Department visited your fitness center and warned you in-person that your gym was open in violation of the Governor's orders. On May 5, 2020, the Governor's Coronavirus Emergency Operations Center Compliance Response Team emailed your business informing you that your gym does not qualify as an essential business at this time. On May 11, 2020, an Investigator from the Washington Attorney General's Office visited your location and confirmed the gym was open.

We understand the financial impact of Stay Home, Stay Healthy on small businesses, but that does not exempt you from the requirement to remain closed. The Stay Home, Stay Healthy order is necessary for public health. The COVID-19 virus spreads easily from person to person and the only way to control it, and save lives, is to maintain social distancing, including closing nonessential businesses. By keeping your business open, you are endangering the lives of your customers and your community.

It is also unfair to your competitors for you to be open for business while they are complying with the Proclamation and making sacrifices for the benefit of the community. Opening your business when competing fitness centers have closed as required by law to protect the health of all Washingtonians gives you an unfair advantage over your competitors. In order to level the playing field and ensure the market is fair for all, you must close your doors.

Unless you follow the direction of the Governor and close your business within 48 hours, we will have no choice but to file a lawsuit against you and seek monetary penalties. This is your final warning.

Sincerely,

Daniel Allen

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Assistant Attorney General

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