



April 23, 2020

To: All Domestic Employees

From: Pandemic Working Group

Re: **COVID-19: CA Update ~ Silent Apoxia ~ Class Actions ~ Invite to Box ~ Cleaner Air**

California Update. Yesterday marked a record high day for COVID-related fatalities in the state with 118, bringing the total to 1,400 since the pandemic began. L.A. County experienced the brunt of the fatalities with 66. Health officials report that, while not overwhelmed, hospitals are getting a steady flow of coronavirus patients with 1,791, of which 30% are in the ICU and 19% are on ventilators. According to healthdata.org, even with the current number of patients, the state has an additional 25,000 hospital beds potentially available. The surge in fatalities is in stark contrast to scattered protests in various cities to ease COVID restrictions. Governor Gavin Newsom stated, "I wish I could prescribe a specific date to say, well, we can turn up the light switch and go back to normalcy . . . [but] there is no light switch." Meanwhile, Orange and Riverside Counties have announced that they are reopening golf courses, provided that appropriate distancing and hygiene measures are observed.

Silent Apoxia. As reported in yesterday's New York Times, 30-year E.R. veteran, Dr. Richard Levitan, who has been treating COVID-19 patients at Bellevue Hospital in New York City, recently realized that healthcare workers were not detecting deadly pneumonia in coronavirus patients early enough and that more could be done to keep them off ventilators. Specifically, Dr. Levitan found that COVID pneumonia can cause what he calls "silent apoxia," that is, low oxygen saturation in otherwise symptomatic patients without any breathing problems until it is too late to treat effectively. While the normal oxygen saturation level is 94-100%, some COVID patients catch pneumonia, but do not report to the hospital until they are short of breath, by which time their oxygen saturation levels can be 50% or less. Putting such persons on ventilators is invasive and extremely risky. Dr. Levitan recommends that COVID patients get a pulse oximeter (an inexpensive over-the-counter device that clips to one's fingertip, like the one to the right from Wikipedia.org) which displays oxygen saturation and pulse rate. As Dr. Levitan put it, "It's time to get ahead of this virus instead of chasing it."



It's the Lawyer in Me. In case you were wondering whether trial lawyers had fallen asleep during the pandemic, you can rest assured that the class-action bar is filing cases prolifically across multiple sectors. Among those with the most activity are lawsuits against colleges (for

reimbursement of tuition and room/board fees), prisons (for alleged failure to screen and protect inmates), hand sanitizer companies (for misleading claims on product effectiveness), Zoom (for alleged failure to safeguard personal information), cruise lines (for securities fraud following positive guidance and negligence for permitting dangerous conditions), fitness centers (for failing to return membership fees after closing), theaters and airlines (for failing to refund tickets) and against the Chinese government (for the way it handled the pandemic from the start). The list goes on, but you get the idea. – TD

How to Find These Advisories. If you would like to read any of our past COVID advisories, we (Lucy Cooney) have collected them, complete with an updated index (by date, title and subject), in Box. You are free to access this file. Simply send an email to Lucy at lucyc@amvac.com, and she will send you an invite. I use the index myself – it's great.

Air Quality. With the steep drop-off in automobile traffic and other sources of air emissions occasioned by the pandemic, as reported by Kelly Willmott yesterday, air quality in many regions has improved dramatically. This photo shows a main thoroughfare in New Delhi, India before COVID restrictions (last October) and after (end of March). The difference is almost surreal.



Photo Credits: Before DOMINIQUE FAGET/AFP via Getty Images After Yawar Nazir/Getty Images

If you have any questions or comments on this advisory, please contact either kellyw@amvac.com or timd@amvac.com.