

Northern Netherlands Court, Leeuwarden location

Case number: C/17/199273 /HARK 25/17

Oral hearing: 9 juli 2025

**DEFENSE PROVISIONAL EVIDENCE TAKING PLACES UNDER ART. 196 ECJ,  
Code of Civil Procedure**

*regarding:*

**ALBERT BOURLA**

living in Greenwich, United States of America

defendant sub 11,

lawyers: Mr. O.C. Roessingh and Mr. M. Bredenoord-Spoek, both  
with offices at Burgerweeshuispad 201, 1076 GR Amsterdam,  
who submit this statement of defense.

*against:*

1. [REDACTED]  
living in Leeuwarden,

2. [REDACTED]  
living in Brunssum,

3. [REDACTED]  
living in Leeuwarden,

(together "[REDACTED] c.s.")

applicants,

lawyers: Mr. A.G.W. van Kessel and Mr. P.W.H. Stassen

## 1 INTRODUCTION

1. █████ et al. filed a request for provisional evidence pursuant to Article 196 et seq. of the Code of Civil Procedure. In this statement of defense, Bourla explains that █████ et al. should be declared inadmissible, or at least that the request of █████ et al. should be rejected.

## 2. BOURLA JOINS THE STATE'S DEFENSE

2. Bourla has taken note of the statement of defense preliminary expert hearing on behalf of the State of the Netherlands and various natural persons (together the "State") of June 24, 2025 (Appendix 1). Bourla joins the defense of the State and adopts all of the State's positions as its own, and in particular the following (summarized) positions:

- (i) █████ et al. should be declared inadmissible in their request (Article 196 paragraph 1 of the Code of Civil Procedure), or at least the request of █████ et al. should be rejected on the grounds of conflict with the proper order of the proceedings and/or abuse of authority (Article 196 paragraph 2 of the Code of Civil Procedure) (paragraph 3 of the State's defence).
- (ii) The request of █████ et al. must be rejected, because █████ et al. has insufficient interest in hearing the proposed 'experts', because (i) the proposed persons cannot be regarded as (objective and impartial) experts, (ii) they do not have the correct qualifications and (iii) it is already clear from previous statements how they will testify and that they will not provide irrefutable evidence of the assertions of █████ et al. (and/or █████ et al.) (nos. 1.5-1.8 and paragraph 4 of the State's defence).
- (iii) The request of █████ et al. must be rejected because █████ et al. has insufficient interest in the request and/or there is abuse of authority and/or conflict with the proper order of the proceedings, because (i) the evidence can also be obtained in writing, (ii) there is no need to secure the evidence, (iii) it concerns a legal dispute and (iv) there is a real chance that any incidental claim for joinder or intervention by █████ et al. will be rejected (paragraph 5 of the State's defence).
- (iv) The request of █████ et al. must be rejected, because the questions

proposed by ■■■ et al. are irrelevant and/or unsuitable for answering by an expert, and/or do not fall within the area of expertise of the nominated persons (paragraph 6 of the State's defence).

- (v) To the extent that the request of ■■■ et al. must (also) be understood as a request to hear witnesses, it applies for the aforementioned reasons (i) to (iv) that ■■■ et al. must be declared inadmissible in their request or at least that their request must be rejected. In addition, the request must also be rejected because ■■■ et al. have not explained which relevant events the persons mentioned by ■■■ et al. would have witnessed; none of the questions relate to their own observations (footnote 1 of the State's defence).

### 3. ADDITIONAL NOTES REGARDING MICHAEL YEADON

3. In addition to the State's defence that Mr Mike Yeadon ("Yeadon"), a former employee of Pfizer, Inc. ("Pfizer"), cannot be regarded as an (objective and impartial) expert, Bourla makes a few further comments.
4. ■■■ et al. claim that Yeadon would have the necessary qualities to be heard and/or to report as an expert, among other things because he is said to be a former vice president of Pfizer and to specialize in the development of vaccines.<sup>1</sup> ■■■ et al. would like to ask Yeadon questions about, among other things, (i) the existence of the disease Covid-19 and the Covid-19 pandemic, (ii) who developed the Covid-19 vaccines and for what purpose and (iii)

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Petition ■■■ et al. marginal number 17 sub 2.

the safety and effectiveness of Covid-19 vaccines and the qualification of Covid-19 vaccines as 'bioweapons' and a means of committing genocide.

### **3.1 No relevant expertise apparent from his resume**

5. To the extent that [REDACTED] et al. believe that Yeadon can be considered an expert on these subjects because of his employment with Pfizer, this is not clear.
6. Yeadon worked at Pfizer from 1995-2011. So he hasn't been employed by Pfizer for over 13 years. For that reason alone, it can't be that Yeadon was involved in the development of Comirnaty, which started in 2020.
7. In addition, Yeadon did not work in a department within Pfizer that was responsible for vaccine development. Yeadon worked in Pfizer's Worldwide Research, Development and Medicine ("WRDM") organization. Pfizer's WRDM organization is divided into several therapeutic areas, including, for example, 'Inflammation & Immuno/ogy' and 'Vaccines'.<sup>2</sup> Until 2011, 'Allergy & Respiratory Biology' ("A&R") was also one of the therapeutic areas. Yeadon worked there. The A&R department was involved in research into asthma and lung diseases such as COPD. Yeadon did not work in the 'Inflammation & Immuno/ogy' or 'Vaccines' departments.
8. The latter department ultimately developed Comirnaty in 2020. It is therefore not clear that Yeadon, because of his employment at Pfizer, would have the necessary knowledge and/or experience to testify about the safety and effectiveness of Comirnaty or other Covid-19 vaccines. Moreover, his CV does not show that he has gained relevant experience or knowledge about (Covid-19 or mRNA) vaccines or bioweapons or pandemics on any other basis.

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<sup>2</sup> See: 'About', *Pfizer*, <https://www.pfizer.com/about/partners/research-and-business-development-partnerships>.

As for the latter, he explicitly confirmed in an online blog post that he lacks relevant expertise in that area: "I am not an epidemiologist."<sup>3</sup>

9. By the way, Yeadon's resume states that he was the Chief Scientific Officer of Pfizer. That is incorrect. During the period that Yeadon worked at Pfizer, Martin Mackay (1995-2010) and Mikael Dolsten (2010-2025) were the Chief Scientific Officer of Pfizer.

### **3.2 Yeadon's demonstrably false and unsubstantiated public statements disqualify him as an expert**

10. The fact that Yeadon has publicly disseminated demonstrably incorrect and unsubstantiated statements about the Covid-19 pandemic and vaccinations also disqualifies Yeadon as a possible (reliable, objective and impartial) expert.
11. In For example, in an October 16, 2020 blog post, Yeadon incorrectly stated that the Covid-19 pandemic was effectively over: "*The pandemic is effectively over, with small, self-limiting outbreaks which will soon subside.*" Yeadon also stated that vaccines were not needed to end the pandemic: "*There is absolutely no need for vaccines to extinguish the pandemic. I've never heard such nonsense talked about vaccines.*" In the same blog post, Yeadon confirmed that he lacks relevant expertise in this area: "*I am not an epidemiologist. I'm not a mathematician, either.*"<sup>4</sup>
12. Yeadon's above claims regarding the Covid-19 pandemic and vaccines have been proven false. The pandemic was not over in October 2020, but continued for over two and a half years.<sup>5</sup> Vaccination has also contributed significantly to slowing the pandemic.

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Blog: M. Yeadon, 'What SAGE Has Got Wrong', 16 oktober 2020, <https://web.archive.org/web/20201129113931/https://lockdownsceptics.org/what-sage-got-wrong/>. Commentary: A. Swenson, 'Coronavirus pandemic is not 'effectively over' as op-ed claims', 30 november 2020, <https://apnews.com/article/fact-checking-9788407587>.

<sup>4</sup> Blog: M. Yeadon, 'What SAGE Has Got Wrong', 16 oktober 2020, <https://web.archive.org/web/20201129113931/https://lockdownsceptics.org/what-sage-got-wrong/>. Commentaar: A. Swenson, 'Coronavirus pandemic is not 'effectively over' as op-ed claims', 30 november 2020, <https://apnews.com/article/fact-checking-9788407587>.

'Coronavirus disease (COVID-19) pandemic', WHO, <https://www.who.int/europe/emergencies/situations/covid-19>.

Scientific analyses show that the Covid-19 vaccines prevented approximately 14 to 19 million deaths worldwide during the first two years of the pandemic alone.<sup>6</sup>

13. In addition, on December 1, 2020, Yeadon unsuccessfully filed a request with the European Medicines Agency (the "EMA") to withdraw emergency authorization for a Covid-19 vaccine from BioNTech and Pfizer.<sup>7</sup> The reason for this request was that the vaccines could cause infertility in women, Yeadon said. However, in the request itself, Yeadon acknowledges that this claim is unfounded, as there was no evidence of the alleged fertility risk.<sup>8</sup> The request was therefore not granted.<sup>9</sup> Furthermore, the claim that Comirnaty would lead to infertility remained unfounded.<sup>10</sup>
14. Another example of Yeadon's unfounded beliefs concerns his speech of May 16, 2021. In it, Yeadon stated, among other things, that people without symptoms could not transmit Covid-19.<sup>11</sup> This is incorrect, as shown by various medical studies.<sup>12</sup> Yeadon spread even more disinformation in his speech, including about the safety and effectiveness of Covid-19 vaccines.<sup>13</sup>

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<sup>6</sup> The Lancet, Global impact of the first year of COVID-19, 23 juni 2022, accessible via [www.thelancet.com/action/showPdf?pii=S1473-3099%2822%2900320-6](http://www.thelancet.com/action/showPdf?pii=S1473-3099%2822%2900320-6).  
W. Wodarg en M. Yeadon, 'Petition/motion for administrative/regulatory action', <https://www.scribd.com/document/487135032/Wodarg-Yeadon-EMA-Petition-Pfizer-Trial-FINAL-01DEC2020-en-Unsigned-With-Exhibits>.

<sup>8</sup> N. Sajjadi c.s., 'United States internet searches for "infertility" following COVID-19 vaccine misinformation', *J Osteopath Med* 121(6), p. 583-587, <https://jom.osteopathic.org/abstract/united-states-internet-searches-for-infertility-following-covid-19-vaccine-misinformation/>.

<sup>9</sup> 'Comirnaty', EMA, <https://www.ema.europa.eu/en/medicines/human/EPAR/comirnaty>.

<sup>10</sup> See for example <https://www.lareb.nl/mvm-kennis-pagina/Coronavaccin-tijdens-de-zwangerschap> en <https://www.cdc.gov/covid/vaccines/pregnant-or-breastfeeding.html>.

<sup>11</sup> 'Fact Check: Ex-Pfizer scientist repeats COVID-19 vaccine misinformation in recorded speech', *Reuters* 20 May 2021, <https://www.reuters.com/article/fact-check/fact-check-ex-pfizer-scientist-repeats-covid-19-vaccine-misinformation-in-recorded-speech-idUSL2N2N72CS/>.

<sup>12</sup> Zie bv. M. Johansson c.s., 'SARS-CoV-2 Transmission From People Without COVID-19 Symptoms', *JAMA Netw Open* 2021;4;(1):e2035057, <https://pubmed.ncbi.nlm.nih.gov/33410879/>.

<sup>13</sup> 'Fact Check: Ex-Pfizer scientist repeats COVID-19 vaccine misinformation in recorded speech', *Reuters* 20 mei 2021, <https://www.reuters.com/article/fact-check/fact-check-ex-pfizer-scientist-repeats-covid-19-vaccine-misinformation-in-recorded-speech-idUSL2N2N72CS/>.

15. Following the disinformation Yeadon spread on social media, several former colleagues of Yeadon have publicly stated that they no longer recognize Yeadon as the well-informed and evidence-oriented colleague they once knew.<sup>14</sup> It is clear that Yeadon is not qualified to testify as an independent and impartial expert in these proceedings. Yeadon does not have the necessary experience and knowledge to testify about Covid-19 (vaccines) and takes positions that run counter to broad scientific consensus.
16. For the sake of completeness: the fact that [REDACTED] et al., given the above, have no interest in a preliminary hearing of witnesses and/or experts, does not alter the fact that they (and [REDACTED] et al.) are free to draw up and submit a written statement from Yeadon (Article 152 paragraph 1 of the Code of Civil Procedure), which he is apparently prepared to do.<sup>15</sup> The court can then assess such a statement at its own discretion (Article 152 paragraph 2 of the Code of Civil Procedure). Bourla is not out to silence Yeadon or to prevent his opinion from being made public. Bourla simply sees no added value in hearing Yeadon, since his positions on the Covid-19 pandemic and vaccination are already known through public sources and Bourla has no questions for Yeadon.

#### 4. CONCLUSION

17. Based on the foregoing, Bourla concludes that the court, by order, to the extent legally possible enforceable provisionally:
- (a) [REDACTED] et al. will declare their request inadmissible, or at least reject the request of [REDACTED] et al.;
  - (b) [REDACTED] c.s. will be ordered to pay the costs of the proceedings, increased by the statutory interest as referred to in Article 6:119 of the Dutch Civil Code from fourteen days after the date of the judgment.

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<sup>14</sup> 'The ex-Pfizer scientist who became an anti-vax hero', *Reuters* 18 maart 2021, <https://www.reuters.com/investigates/special-report/health-coronavirus-vaccines-skeptic/>.

<sup>15</sup> Verzoekschrift [REDACTED] c.s., randnr. 16.

Amsterdam, 25 June 2025

loco  
N. Vank



Advocaat

This case is being handled by Mr. O.C. Roessingh, T +31 20 577 1892, M +3165162 1874, E Davine.Roessingh@debrauw.com, and Mr. M. Bredenoord Spoek, T +31 20 577 1066, M +316 5043 1078, E Marieke.Bredenoord@debrauw.com. De Brauw Blackstone Westbroek N.V., P.O. Box 75084, 1070 AB Amsterdam



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## Bijlage 1

