

## Get the Facts

| <u>Claim</u>                                                                                                                                                                         | <u>Backup</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>John Duarte went to Washington and forgot about us. He blindly follows the most extreme members of his party and has become completely out of touch with the needs of Valley.</p> | <p><b><u>John Duarte has said he’s “not that far” from the right-wing extreme members of the Freedom Caucus ...</u></b></p> <p><b>Duarte Said He Was “Not That Far” From Colleagues In The Freedom Caucus On Fiscal Issues.</b> “Rep. John Duarte, R-Modesto, one of California’s most vulnerable congressional Republicans — he won his seat by fewer than 600 votes last year — caused a stir Tuesday when he told Punchbowl News that on fiscal policy he’s ‘not that far from a lot of’ his colleagues in the House Freedom Caucus. That’s the chamber’s most-conservative bloc, whose members tend to back former President Donald Trump. It includes Reps. Marjorie Taylor Greene, Jim Jordan and Matt Gaetz among others. [...] ‘Shrinking the size of our bloated federal agencies, lowering taxes on working families and small businesses, and unleashing American industry are the fiscal policy backbone which I share with members from all factions and all sides of the Republican party,’ he said.” [Sacramento Bee, <a href="#">6/28/23</a>]</p> <p><b><u>Duarte has voted with Jim Jordan 82% of the time in Congress</u></b></p> <p><b>Pro Publica:</b> Duarte has voted with Jim Jordan 82% of the time, a total of 825 times. [Pro Publica, accessed <a href="#">7/5/24</a>]</p> <p><b><u>Duarte has voted with Mike Johnson 90% of the time in Congress</u></b></p> <p><b>Pro Publica:</b> Duarte has voted with Mike Johnson 90% of the time, a total of 666 times. [Pro Publica, accessed <a href="#">7/5/24</a>]</p> |
| <p>Duarte votes with the extremists who want to ban books,</p>                                                                                                                       | <p><b><u>John Duarte has said he’s “not that far” from the right-wing extreme members of the Freedom Caucus ...</u></b></p> <p><b>Duarte Said He Was “Not That Far” From Colleagues In The Freedom Caucus On Fiscal</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**Issues.** “Rep. John Duarte, R-Modesto, one of California’s most vulnerable congressional Republicans — he won his seat by fewer than 600 votes last year — caused a stir Tuesday when he told Punchbowl News that on fiscal policy he’s ‘not that far from a lot of’ his colleagues in the House Freedom Caucus. That’s the chamber’s most-conservative bloc, whose members tend to back former President Donald Trump. It includes Reps. Marjorie Taylor Greene, Jim Jordan and Matt Gaetz among others. [...] ‘Shrinking the size of our bloated federal agencies, lowering taxes on working families and small businesses, and unleashing American industry are the fiscal policy backbone which I share with members from all factions and all sides of the Republican party,’ he said.” [Sacramento Bee, [6/28/23](#)]

**... and voted for candidates for House Speaker who want to ban books...**

**Duarte Voted For Electing Jim Jordan As Speaker Of The House On The Third Ballot.** In October 2023, Duarte voted for : electing Jim Jordan as Speaker of the House. The vote results were: Jordan-194, Jeffries-210, Scalise-8, McHenry-6, Zeldin-4, Donalds-2, McCarthy-2, Garcia (Mike)-1, Emmer-1, and Westerman-1. [Election of the Speaker, [Vote #525](#), 10/20/23; CQ, [10/20/23](#)]

**Jordan Voted For An Amendment To Prohibit Department Of Defense School Libraries From Having “Pornographic And Radical Gender Ideology Books.”** In July 2023, Jordan voted for: “Boebert, R-Colo., amendment no. 35 that would prohibit Defense Department Education Activity schools from using funds to purchase and maintain pornographic and radical gender ideology books in school libraries.” The amendment was adopted by a vote of 222-209. [H.R. 2670, [Vote #314](#), 7/13/23; CQ, [7/13/23](#)]

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| <p>and outlaw abortion with no exceptions for rape, incest, or the health of the woman.</p> | <p><b><u>... and outlaw all abortions with no exceptions for rape, incest, or the health of the woman.</u></b></p> <p><b>Duarte Voted To Elect Mike Johnson As Speaker Of The House.</b> In October 2023, Duarte voted for : electing Jim Jordan as Speaker of the House. The vote results were: Johnson-220, Jeffries-209. [Election of the Speaker, <a href="#">Vote #527</a>, 10/25/23; CQ, <a href="#">10/25/23</a>]</p> <p><b>Johnson Cosponsored The Life At Conception Act.</b> [H.R. 431, Cosponsors, <a href="#">1/20/23</a>]</p> <p><b>The Life At Conception Act Would Implement Equal Protection Of The Right To Life For “Each [...] Preborn Human Person.”</b> “To implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person. [...] To implement equal protection for the right to life of each born and preborn human person, and pursuant to the duty and authority of the Congress, including Congress’ power under article I, section 8, to make necessary and proper laws, and Congress’ power under section 5 of the 14th article of amendment to the Constitution of the United States, the Congress hereby declares that the right to life guaranteed by the Constitution is vested in each human being.” [Congress.gov, <a href="#">1/20/23</a>]</p> <p><b>The Life At Conception Act Did Not List Exceptions, Including Life Of Mother, Rape, Or Incest.</b> [Congress.gov, <a href="#">1/20/23</a>]</p> <p><b><u>Duarte has voted with Mike Johnson 90% of the time in Congress</u></b></p> <p><b>Pro Publica:</b> Duarte has voted with Mike Johnson 90% of the time, a total of 666 times. [Pro Publica, accessed <a href="#">7/5/24</a>]</p> |
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| <p>John Duarte is voting to cut funding for our seniors</p> | <p><b><u>Duarte voted for a bill that would cut Social Security services and Meals on Wheels.</u></b></p> |

**April 2023: Duarte Voted For Suspending The Debt Limit Through March 2024 Or Until \$1.5 Trillion Has Been Reached And Capping Federal Spending For FY 2024 At 2022 Levels With A Capped 1% Per Year Growth.** In April 2023, Duarte voted for: “Passage of the bill, as amended, that would suspend the statutory limit on federal debt through March 31, 2024, or until an additional \$1.5 trillion has been borrowed — whichever occurs first. It would also include a range of provisions to limit federal spending, as well as the text of a previously passed energy and permitting policy package. The bill would set base discretionary spending limits through fiscal 2033, capping spending for fiscal 2024 at the fiscal 2022 level of \$1.47 trillion — a reduction from current spending levels — and raising the cap by 1 percent annually through fiscal 2033. It would also include similar annual cap adjustments for specified programs, including for wildfire suppression, disability reviews and redeterminations, health care fraud and abuse control, and disaster reemployment services and eligibility assessments. The bill would rescind unobligated amounts from various funds provided by the fiscal 2022 reconciliation package (PL 117-169) for COVID-19 relief, IRS enforcement, and certain climate- and infrastructure-focused initiatives, as well as all unobligated funding from the March 2021 coronavirus relief reconciliation package (PL 117-2) and earlier coronavirus response laws. The bill would expand or establish work requirements for Medicaid beneficiaries aged 19 to 55 and raise from 49 to 55 the oldest age at which existing work requirements would apply for Supplemental Nutrition Assistance Program beneficiaries. It would also modify various work standards for the Temporary Assistance for Needy Families program, including to update the baseline for calculating certain state workforce participation standards and require states to collect certain data related to work outcomes for TANF participants. To limit regulatory spending, the bill would nullify pending executive actions suspending student loan payments and prohibit the Education Department from implementing any substantially similar actions without

congressional approval. It would also establish a process to require congressional approval of all “major” federal rules that would have an annual impact of at least \$100 million, cause a major increase in prices, or cause significant adverse effects to economic competitiveness. Among energy- and climate-focused provisions, the bill would repeal, phase out or narrow a variety of climate-focused tax credits under the fiscal 2022 reconciliation package, including repealing new credits for solar and wind projects, sustainable aviation fuel and clean fuel production. It would also include the full text of the House-passed energy and permitting package (HR 1) that would require a number of actions to boost the domestic production of fossil fuels and certain critical minerals and accelerate the construction of natural gas pipelines and other energy infrastructure, while reversing or repealing certain presidential actions taken and laws enacted during the Biden administration related to energy policy and climate change.” The bill passed by a vote of 217-215. [H.R. 2811, [Vote #199](#), 4/26/23; CQ, [4/26/23](#)]

**The Republican Debt Limit Deal Would Worsen Social Security Wait Times.** “Today, the White House released 51 fact sheets highlighting the devastating impacts of the Default on America Act on states and the District of Columbia. Nationally, the Default on America Act would have devastating impacts on the American people. It would: [...] Worsen Social Security and Medicare Assistance Wait Times for Seniors. Under the House Republicans’ Default on America Act, people applying for disability benefits would have to wait at least two months longer for a decision. With fewer staff available, seniors would also be forced to endure longer wait times when they call for assistance for both Social Security and Medicare, and as many as 240 Social Security field offices could be forced to close or shorten the hours they are open to the public.” [White House, [5/2/23](#)]

**Cutting Federal Spending By 22% Would Gut Nutrition Services Such As Meals On Wheels.** “A 22 percent cut would take away nutrition

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|               | <p>services, such as Meals on Wheels, from more than 1 million seniors. For many of these seniors, these programs provide the only healthy meal they receive on any given day.” [The White House, <a href="#">4/20/23</a>]</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| And veterans. | <p><b><u>John Duarte voted to remove \$26 billion of funding for veterans, putting the healthcare of those who served our country at risk with longer wait times and less access to services.</u></b></p> <p><b>April 2023: Duarte Voted For Suspending The Debt Limit Through March 2024 Or Until \$1.5 Trillion Has Been Reached And Capping Federal Spending For FY 2024 At 2022 Levels With A Capped 1% Per Year Growth.</b> In April 2023, Duarte voted for: “Passage of the bill, as amended, that would suspend the statutory limit on federal debt through March 31, 2024, or until an additional \$1.5 trillion has been borrowed — whichever occurs first. It would also include a range of provisions to limit federal spending, as well as the text of a previously passed energy and permitting policy package. The bill would set base discretionary spending limits through fiscal 2033, capping spending for fiscal 2024 at the fiscal 2022 level of \$1.47 trillion — a reduction from current spending levels — and raising the cap by 1 percent annually through fiscal 2033. It would also include similar annual cap adjustments for specified programs, including for wildfire suppression, disability reviews and redeterminations, health care fraud and abuse control, and disaster reemployment services and eligibility assessments. The bill would rescind unobligated amounts from various funds provided by the fiscal 2022 reconciliation package (PL 117-169) for COVID-19 relief, IRS enforcement, and certain climate- and infrastructure-focused initiatives, as well as all unobligated funding from the March 2021 coronavirus relief reconciliation package (PL 117-2) and earlier coronavirus response laws. The bill would expand or establish work requirements for Medicaid beneficiaries aged 19 to 55 and raise from 49 to 55 the oldest age at which existing work requirements would apply for Supplemental Nutrition Assistance Program beneficiaries. It would also modify various work standards for the</p> |

Temporary Assistance for Needy Families program, including to update the baseline for calculating certain state workforce participation standards and require states to collect certain data related to work outcomes for TANF participants. To limit regulatory spending, the bill would nullify pending executive actions suspending student loan payments and prohibit the Education Department from implementing any substantially similar actions without congressional approval. It would also establish a process to require congressional approval of all “major” federal rules that would have an annual impact of at least \$100 million, cause a major increase in prices, or cause significant adverse effects to economic competitiveness. Among energy- and climate-focused provisions, the bill would repeal, phase out or narrow a variety of climate-focused tax credits under the fiscal 2022 reconciliation package, including repealing new credits for solar and wind projects, sustainable aviation fuel and clean fuel production. It would also include the full text of the House-passed energy and permitting package (HR 1) that would require a number of actions to boost the domestic production of fossil fuels and certain critical minerals and accelerate the construction of natural gas pipelines and other energy infrastructure, while reversing or repealing certain presidential actions taken and laws enacted during the Biden administration related to energy policy and climate change.” The bill passed by a vote of 217-215. [H.R. 2811, [Vote #199](#), 4/26/23; CQ, [4/26/23](#)]

**The Republican Legislation Would Cut \$26 Billion For Veteran Healthcare.** “If reductions were implemented equally across the remaining programs, for veterans’ health care that translated into nearly a 22 percent reduction in spending in just one year. Enacted spending for VA medical care of \$119 billion in 2023 would fall to \$93 billion in 2024, according to the White House calculations.” [Washington Post, [5/4/23](#)]

**The House Republican Debt Limit Plan Was Expected To Force 22% In Cuts Across The Federal Government.** “The legislation

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|                                                                                                                | <p>Congressional Republicans introduced sets overall appropriations for Fiscal Year 2024 at the same level as FY 2022. At this level, all appropriated funding—including both defense and domestic programs—would be cut deeply. However, Congressional Republicans have indicated that they are not willing to cut defense funding at all, which means that everything else in annual appropriations—from cancer research, to education, to veterans’ health care—would be cut by much more. The math is simple, but unforgiving. At their proposed topline funding level—and with defense funding left untouched as Republicans have proposed—everything else is forced to suffer enormous cuts. In fact, their bill would force a cut of 22 percent—cuts that would grow deeper and deeper with each year of their plan.” [The White House, <a href="#">4/20/23</a>]</p> <p><b>Cutting Federal Spending By 22% Meant 31 Million Fewer Veteran Outpatient Visits And 81,000 Layoffs Across The Veterans Health Administration, Leaving Vets Vulnerable.</b><br/>“Cutting funding by 22 percent would mean 30 million fewer veteran outpatient visits, and 81,000 jobs lost across the Veterans Health Administration—leaving veterans unable to get appointments for care including wellness visits, cancer screenings, mental health services, and substance use disorder treatment.” [The White House, <a href="#">4/20/23</a>]</p> |
| <p>As Americans struggle to make ends meet – John Duarte is trying to make life harder and more expensive.</p> | <p><b><u>Duarte voted for a bill that would cut Social Security services and Meals on Wheels.</u></b></p> <p><b>April 2023: Duarte Voted For Suspending The Debt Limit Through March 2024 Or Until \$1.5 Trillion Has Been Reached And Capping Federal Spending For FY 2024 At 2022 Levels With A Capped 1% Per Year Growth.</b> In April 2023, Duarte voted for: “Passage of the bill, as amended, that would suspend the statutory limit on federal debt through March 31, 2024, or until an additional \$1.5 trillion has been borrowed — whichever occurs first. It would also include a range of provisions to limit federal spending, as well as the text of a previously passed energy and permitting policy package. The bill would set base</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



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energy and permitting package (HR 1) that would require a number of actions to boost the domestic production of fossil fuels and certain critical minerals and accelerate the construction of natural gas pipelines and other energy infrastructure, while reversing or repealing certain presidential actions taken and laws enacted during the Biden administration related to energy policy and climate change.” The bill passed by a vote of 217-215. [H.R. 2811, [Vote #199](#), 4/26/23; CQ, [4/26/23](#)]

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**Cutting Federal Spending By 22% Would Gut Nutrition Services Such As Meals On Wheels.** “A 22 percent cut would take away nutrition services, such as Meals on Wheels, from more than 1 million seniors. For many of these seniors, these programs provide the only healthy meal they receive on any given day.” [The White House, [4/20/23](#)]

**Duarte even opposed legislation capping the price of the lifesaving medicine, Insulin.**

**Duarte Said He Would Have Not Voted In Support Of The Inflation Reduction Act.** “Q: ‘Would you have voted in support of President Joe Biden’s Inflation Reduction Act?’ A: ‘No.

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|                                                                                                  | <p>President Biden and Nancy Pelosi’s new law did nothing to fight inflation — and, according to most economists, this law will cause everyday items to get even more expensive. As your congressman, I’ll vote to stop the federal binge spending that is causing inflation. I’ll make sure our farms have water so food is affordable. I’ll suspend the gas tax so gas is cheaper. I’ll vote to ease unfair rules and fees on new housing so that people can afford to buy or rent in our community. I’ll vote for a middle-class tax cut. People shouldn’t have to pick between buying food, gas or filling their prescriptions.”<br/> [Sacramento Bee, <a href="#">10/12/22</a>]</p> <p><b>The Inflation Reduction Act Capped The Cost Of Insulin To \$35 Per Month For Seniors on Medicare.</b> “The Inflation Reduction Act caps out-of-pocket spending at \$35 per month’s supply of each insulin product covered under Medicare. These provisions are making insulin more affordable for many people covered by Medicare.” [Department of Health and Human Services, <a href="#">8/16/23</a>]</p>                                                                                  |
| <p>Duarte supported legislation that cuts Social Security and programs like Meals on Wheels.</p> | <p><b><u>Duarte voted for a bill that would cut Social Security services and Meals on Wheels.</u></b></p> <p><b>April 2023: Duarte Voted For Suspending The Debt Limit Through March 2024 Or Until \$1.5 Trillion Has Been Reached And Capping Federal Spending For FY 2024 At 2022 Levels With A Capped 1% Per Year Growth.</b> In April 2023, Duarte voted for: “Passage of the bill, as amended, that would suspend the statutory limit on federal debt through March 31, 2024, or until an additional \$1.5 trillion has been borrowed — whichever occurs first. It would also include a range of provisions to limit federal spending, as well as the text of a previously passed energy and permitting policy package. The bill would set base discretionary spending limits through fiscal 2033, capping spending for fiscal 2024 at the fiscal 2022 level of \$1.47 trillion — a reduction from current spending levels — and raising the cap by 1 percent annually through fiscal 2033. It would also include similar annual cap adjustments for specified programs, including for wildfire suppression, disability reviews and redeterminations, health care fraud and abuse</p> |

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| <p>Duarte opposed legislation capping the price of insulin for seniors at thirty five dollars a month</p> | <p><b><u>Duarte even opposed legislation capping the price of the lifesaving medicine, Insulin.</u></b></p> <p><b>Duarte Said He Would Have Not Voted In Support Of The Inflation Reduction Act.</b> “Q: ‘Would you have voted in support of President Joe Biden’s Inflation Reduction Act?’ A: ‘No. President Biden and Nancy Pelosi’s new law did nothing to fight inflation — and, according to most economists, this law will cause everyday items to get even more expensive. As your congressman, I’ll vote to stop the federal binge spending that is causing inflation. I’ll make sure our farms have water so food is affordable. I’ll suspend the gas tax so gas is cheaper. I’ll vote to ease unfair rules and fees on new housing so that</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| and supported cutting healthcare for our Veterans. | <p><b><u>John Duarte voted to remove \$26 billion of funding for veterans, putting the healthcare of those who served our country at risk with longer wait times and less access to services.</u></b></p> <p><b>April 2023: Duarte Voted For Suspending The Debt Limit Through March 2024 Or Until \$1.5 Trillion Has Been Reached And Capping Federal Spending For FY 2024 At 2022 Levels With A Capped 1% Per Year Growth.</b> In April 2023, Duarte voted for: “Passage of the bill, as amended, that would suspend the statutory limit on federal debt through March 31, 2024, or until an additional \$1.5 trillion has been borrowed — whichever occurs first. It would also include a range of provisions to limit federal spending, as well as the text of a previously passed energy and permitting policy package. The bill would set base discretionary spending limits through fiscal 2033, capping spending for fiscal 2024 at the fiscal 2022 level of \$1.47 trillion — a reduction from current spending levels — and raising the cap by 1 percent annually through fiscal 2033. It would also include similar annual cap adjustments for specified programs, including for wildfire suppression, disability reviews and redeterminations, health care fraud and abuse control, and disaster reemployment services and eligibility assessments. The bill would rescind unobligated amounts from various funds provided by the fiscal 2022 reconciliation package (PL 117-169) for COVID-19 relief, IRS</p> |

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**The Republican Legislation Would Cut \$26 Billion For Veteran Healthcare.** “If reductions were

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|  | <p>implemented equally across the remaining programs, for veterans’ health care that translated into nearly a 22 percent reduction in spending in just one year. Enacted spending for VA medical care of \$119 billion in 2023 would fall to \$93 billion in 2024, according to the White House calculations.” [Washington Post, <a href="#">5/4/23</a>]</p> <p><b>The House Republican Debt Limit Plan Was Expected To Force 22% In Cuts Across The Federal Government.</b> “The legislation Congressional Republicans introduced sets overall appropriations for Fiscal Year 2024 at the same level as FY 2022. At this level, all appropriated funding—including both defense and domestic programs—would be cut deeply. However, Congressional Republicans have indicated that they are not willing to cut defense funding at all, which means that everything else in annual appropriations—from cancer research, to education, to veterans’ health care—would be cut by much more. The math is simple, but unforgiving. At their proposed topline funding level—and with defense funding left untouched as Republicans have proposed—everything else is forced to suffer enormous cuts. In fact, their bill would force a cut of 22 percent—cuts that would grow deeper and deeper with each year of their plan.” [The White House, <a href="#">4/20/23</a>]</p> <p><b>Cutting Federal Spending By 22% Meant 31 Million Fewer Veteran Outpatient Visits And 81,000 Layoffs Across The Veterans Health Administration, Leaving Vets Vulnerable.</b> “Cutting funding by 22 percent would mean 30 million fewer veteran outpatient visits, and 81,000 jobs lost across the Veterans Health Administration—leaving veterans unable to get appointments for care including wellness visits, cancer screenings, mental health services, and substance use disorder treatment.” [The White House, <a href="#">4/20/23</a>]</p> |
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| <b>Claim</b>            | <b>Backup</b>                                                                                                                  |
| Cheating Valley farmers | <b><u>John Duarte cheated farmers in the Valley when the courts found that he knowingly sold them defective trees, ...</u></b> |



**Duarte Nursery Sold Defective Trees To Farmers, Causing Millions Of Dollars In Losses.**

“Duarte Nursery of Hughson stopped selling defective pistachio trees in 2014, but litigation over the matter goes on. Several plaintiffs claimed the nursery did not disclose a genetic disorder that caused more than half a million trees to grow poorly. The defendants include company President John Duarte, who is running for Congress in the November 8 election. Judge John Freeland ruled in the growers' favor in Stanislaus County Superior Court in March but has yet to hear arguments on monetary damages. The ruling cites at least \$8.8 million in losses claimed by the growers. The disorder is called bushy top syndrome, previously unknown in the pistachio belt from Merced to Kern counties. It causes trees to have stunted roots and branches and to produce fewer nuts than healthy trees of the same age. John Duarte told The Modesto Bee in 2015 that the syndrome resulted from a genetic mutation at the nursery. He also said he had reached legal settlements with most of the affected growers and hoped the others would follow. 'We want to work with our growers as much as we can,' Duarte said at the time. 'We want to maintain goodwill in the industry.' The terms of the settlements were not disclosed. Duarte could not be reached for comment on the current litigation, filed in 2015.” [Modesto Bee, [8/10/22](#)]

**Statement Of Decision: “Defective Trees Were Knowingly Delivered To Growers.”**

“Defective trees were knowingly delivered to growers (Trial testimony of John Bahme, Sept 21, 24:26 - 28). The genetic defect causing the Chinos existed in the trees while at the nursery (Trial testimony of John Bahme, Sept 21, 36:28 - 37:2; 4:2-9; 67:25-28).” [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, Case #: 2016283, Statement Of Decision Page 20, [3/28/22](#)]

**According To Court Records, Duarte Nursery “Knowingly” Sold Defective Pistachio Trees.**

“Defective trees were knowingly delivered to

growers (Trial testimony of John Bahme, Sept 21, 24:26 - 28). The genetic defect causing the Chinos existed in the trees while at the nursery (Trial testimony of John Bahme, Sept 21, 36:28 - 37:2; 4:2-9; 67:25-28)." [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, Case #: 2016283, Statement Of Decision Page 20, [3/28/22](#)]

- **Court Records Stated That Duarte Had “Acknowledged” That The Genetic Mutation That Negatively Impacted Defective Trees Had “Occurred At The DNI Nursery.”** “The evidence presented demonstrates that DUARTE had full knowledge of the fact that an unknown portion or percentage of their UCB—I rootstock contained Or carried a mutation which had a direct effect on the future growth and production of the pistachio tree. John Duarte acknowledged that the genetic mutation occurred at the DNI nursery. Dr. Bahme acknowledged that the genetic issues can be controlled by the nursery, that the genetic changes in this case occurred while the rootstock was at DUARTE Nursery. Duarte failed to inform Marchini of the growing and production problems of their UCB-I rootstock prior to Marchini agreeing to buy the rootstock.” [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, Case #: 2016283, Statement Of Decision Page 17, [3/28/22](#)]

**... and then refused to give refunds.**

**According To Court Records, Duarte Nursery “Never Offered To Replace Trees” Or “Refund” The Buyer's Deposit.** “Ryan Jones farmed 40 acres of pistachio trees purchased from DNI. (Jones Declaration in Lieu of Testimony (‘Jones Decl.’) 3:14-15.) Before signing his contract and planting the first time he talked with Steve Scheuber, the Sales Manager for DNI. (Jones Decl. 2:11-12.) DNI never offered to replace Mr. Jones’ trees or refund his deposits. Although DNI offered to give him almond trees, he had no use for them. (Jones Dec]. 329-12.) Mr. Jones’ contract was identical to those of the other parties (other

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|                                      | <p>than Stiefvater). (Trial Exhibit 208.)” [Stanislaus County Superior Court, J Marchini &amp; Son INC vs Duarte Nursery INC, Case #: 2016283, Statement Of Decision Page 14, <a href="#">3/28/22</a>]</p> <ul style="list-style-type: none"> <li> <p><b>According To Court Records, John Duarte “Refused To Reimburse” A Plaintiff After She Incurred Losses From Removing Defective Trees.</b> “Lee Ann Jones (Kreps) had never worked in agriculture before buying pistachio rootstock from DNI (Kreps Declaration In Lieu of Testimony (‘Kreps Decl.’) 1:27-28). Ms. Kreps bought 40 acres of land from her father in 2012 in order to plant pistachio trees. (Kreps Decl. 2:1-4.) She understood she was buying UCB-I pistachio rootstock; that’s what her contract said. (Kreps Decl. 2:5-7; Trial Exhibit 205.) She signed the contract without asking for changes, since she didn’t think she would get any anyway. (Kreps Decl. 2:10-12.) John Duarte testified in his deposition that DNI did not negotiate the terms of its disclaimer. (Deposition of John Duarte (‘Duarte Deposition’) Vol. I, 18:2 — 24:20.) Ms. Kreps planted in 2013 and problems developed with the rootstock, including failure to grow, trunks that were gnarled and knotted, variable trunks, different leaf sizes and color. (Kreps Decl. 2:15-18). She removed her 2013 planting after talking with John Duarte, president of DNI, and Steve Scheuber, sales manager for DNI. (Kreps Decl. 2:19-21 .). In June, 2014, Ms. Kreps discussed her cultural costs with John Duarte, but Mr. Duarte refused to reimburse her. (Kreps Decl. 2:22-24.)” [Stanislaus County Superior Court, J Marchini &amp; Son INC vs Duarte Nursery INC, Case #: 2016283, Statement Of Decision Page 13, <a href="#">3/28/22</a>]</p> </li> </ul> |
| <p>Duarte cheated Valley Farmers</p> | <p><b><u>John Duarte cheated farmers in the Valley when the courts found that he knowingly sold them defective trees, ...</u></b></p> <p><b>Duarte Nursery Sold Defective Trees To Farmers, Causing Millions Of Dollars In Losses.</b> “Duarte Nursery of Hughson stopped selling defective</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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| <p>Duarte was sued repeatedly by his own customers and the court found that he knowingly sold defective trees and refused to give a refund.</p> | <p><b><u>John Duarte cheated farmers in the Valley when the courts found that he knowingly sold them defective trees, ...</u></b></p> <p><b>Duarte Nursery Sold Defective Trees To Farmers, Causing Millions Of Dollars In Losses.</b> “Duarte Nursery of Hughson stopped selling defective pistachio trees in 2014, but litigation over the matter goes on. Several plaintiffs claimed the nursery did not disclose a genetic disorder that caused more than half a million trees to grow</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

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- **According To Court Records, John Duarte “Refused To Reimburse” A Plaintiff After She Incurred Losses From Removing Defective**



**Trees.** “Lee Ann Jones (Kreps) had never worked in agriculture before buying pistachio rootstock from DNI (Kreps Declaration In Lieu of Testimony (‘Kreps Decl.’) 1:27-28). Ms. Kreps bought 40 acres of land from her father in 2012 in order to plant pistachio trees. (Kreps Decl. 2:1-4.) She understood she was buying UCB-I pistachio rootstock; that’s what her contract said. (Kreps Decl. 2:5-7; Trial Exhibit 205.) She signed the contract without asking for changes, since she didn’t think she would get any anyway. (Kreps Decl. 2:10-12.) John Duarte testified in his deposition that DNI did not negotiate the terms of its disclaimer. (Deposition of John Duarte (‘Duarte Deposition’) Vol. I, 18:2 — 24:20.) Ms. Kreps planted in 2013 and problems developed with the rootstock, including failure to grow, trunks that were gnarled and knotted, variable trunks, different leaf sizes and color. (Kreps Decl. 2:15-18). She removed her 2013 planting after talking with John Duarte, president of DNI, and Steve Scheuber, sales manager for DNI. (Kreps Decl. 2:19-21 .). In June, 2014, Ms. Kreps discussed her cultural costs with John Duarte, but Mr. Duarte refused to reimburse her. (Kreps Decl. 2:22-24.)” [Stanislaus County Superior Court, J Marchini & Son INC vs Duarte Nursery INC, Case #: 2016283, Statement Of Decision Page 13, [3/28/22](#)]

**He was also sued by farmers, who said they lost hundreds of thousands of dollars, alleging Duarte sold them defective lemon...**

**Duarte Was Sued For Selling The Wrong Type Of Lemons When He Was President Of His Family Farm, Duarte Nursery.** “One of the most vulnerable House Republicans in the country is facing a new lawsuit over literally selling lemons. In a 12-page complaint filed on August 31, California citrus grower Ron Turner accused Rep. John Duarte’s family nursery of deceptively selling him the wrong type of lemon tree in 2015 when the congressman was the company president. Specifically, Turner says that Duarte

Trees and Vines — a tree nursery located in California's Central Valley — agreed to sell him 1,860 '8A Lisbon lemon trees,' but sold him seedless lemon trees instead." [Insider, [11/2/23](#)]

- **A Complaint Alleged That In 2015, Duarte Nursery Entered A Contract To Sell 1,000 Lemon Trees To The Plaintiff Turner Nursery.**

"Plaintiff, RON TURNER, an individual dba TURNER NURSERY (hereinafter, 'Plaintiff'), is an individual residing and doing business in the County of Tulare, State of California. Plaintiff is in the business of growing and selling lemons. Defendant, DUARTE NURSERY INC., a California corporation (hereinafter, 'Duarte'), is, and at all times herein mentioned was, a corporation engaged in the sale of trees, including, but not limited to, citrus trees. Duarte as a principal place of business located at 1555 Baldwin Road, Hughson, CA 95326. [...] On February 5, 2015, Plaintiff and defendant entered a written contract whereby Plaintiff purchased from Duarte 1,800 lemon trees." [Stanislaus County Superior Court, Ron Turner v Duarte Nursery, Case #: CV-23-004979, Complaint, [9/1/23](#)]

- **The Complaint Alleged That The Lost Yield From The Seedless Lemon Trees Cost The Plaintiff Hundreds Of Thousands Of Dollars.**

"When Plaintiff received the subject lemon trees, Plaintiff planted them same on twelve (12) acres. Said twelve (12) acres has, since the 2017/2018 crop year grossed \$428,536.04. Given that the 8A Lisbon lemon trees would have had a 25% greater yield over the same time period, with prices at the same price per bin, Plaintiff would have grossed at least \$535,670.05, which is a difference of \$107,134.01. 13. 8A Lisbon lemon trees are generally productive for not less than forty (40) years. Based upon data from Plaintiff's last five (5) crop years for the subject twelve (12) acres, Plaintiff's prospective damages, discounted to present value, are at least \$240,857.24." [Stanislaus County Superior Court, Ron Turner v Duarte

Nursery, Case #: CV-23-004979, Complaint, [9/1/23](#)]

**and avocado trees.**

**The Plaintiff Richard Stevens, A Farmer, And The Defendants Were Duarte Nursery And Unknown Does.** “COMES NOW, Plaintiff RICHARD STEVENS (‘Plaintiff’), and alleges against Defendants DUARTE NURSERY, INC. (‘Defendant’ and collectively with DOES through 100, inclusive, as ‘Defendants’) and DOES through 100, inclusive, as follows: Plaintiff is and at all times herein mentioned is farmer who Operates farm located at 570 Ojai Street, Fillmore, California 93015. Upon information and belief, Defendant DUARTE NURSERY, INC. (‘DUARTE’), is and at all times herein mentioned was, corporation, formed and existing under the laws of the State of California. Along with the transactions alleged herein, Defendant regularly conducts business within the County of Ventura, State of California.” [Stanislaus County Superior Court, Stevens, Richard VS Duarte Nursery Inc, Case #: 2026864, Civil Complaint Page 1, filed [6/12/17](#)]

**Stevens Originally Bought Avocado Trees From Brokaw Nursery.** “In or about early 2014, Plaintiff intended on planting 4,000 Toro Canyon avocado trees on the FARM -- to be purchased from Brokaw Nursery (‘Brokaw’) -- which would be cultivated until harvest. As such, Plaintiff entered an order with Brokaw for 4,000 Toro Canyon avocado trees.” [Stanislaus County Superior Court, Stevens, Richard VS Duarte Nursery Inc, Case #: 2026864, Civil Complaint Page 4, filed [6/12/17](#)]

**June 2015: When Duarte Nursery Delivered The Avocado Trees, Stevens Was Not Satisfied With Their Size, Maturity, Or Quality.** “In or about June 2015, Defendants purported to deliver to Plaintiff one-thousand (1,000) Toro Canyon variety avocado trees. Upon delivery of the avocado trees, Plaintiff was dissatisfied with the size, maturity, and quality of the trees. Many of the trees were small, and had thin single trunks with only few leaves on top.” [Stanislaus County

Superior Court, Stevens, Richard VS Duarte Nursery Inc, Case #: 2026864, Civil Complaint Page 5, filed [6/12/17](#)]

**Stevens Contacted Duarte Nursery's Local Representative, Ed Needham, Who Told Stevens That The Duarte Avocado Trees Were The Same Maturity As The Brokaw Avocado Trees, And Would Catch Up In Size.**

“Plaintiff contacted DUARTE's local representative, Ed Needham, regarding his complaints with the DUARTE avocado trees. Thereafter, Needham visited Plaintiff's FARM, inspected the DUARTE avocado trees, and represented to Plaintiff that the DUARTE avocado trees were the same age and maturity as Plaintiff's non-DUARTE (i.e. Brokaw) avocado trees planted on Plaintiff's FARM at the same time. In addition, Needham stated that if Plaintiff planted and tended the DUARTE trees, in time, the highly superior DUARTE avocado trees would grow rapidly and ultimately catch-up in size to the non-DUARTE (i.e. Brokaw) avocado trees planted on the FARM at the same time.”

[Stanislaus County Superior Court, Stevens, Richard VS Duarte Nursery Inc, Case #: 2026864, Civil Complaint Page 5, filed [6/12/17](#)]

**After Eight Months Of Growth, The Duarte Avocado Trees Allegedly Still Appeared Small And Frail, Despite The Brokaw Avocado Trees Flourishing.**

“After eight (8) months of watering, growing, and tending to the trees, the DUARTE avocado trees did not grow as expected. In fact, they appeared small and frail with few leaves and significantly less avocado fruit. Many appeared to struggle to survive. Plaintiff was shocked by the poor growth of the DUARTE avocado trees given DUARTE's representations, and also because the non-DUARTE (i.e. Brokaw Toro Canyon avocado trees) planted on the FARM at the same time were flourishing.” [Stanislaus County Superior Court, Stevens, Richard VS Duarte Nursery Inc, Case #: 2026864, Civil Complaint Page 5, filed [6/12/17](#)]

| <u>Claim</u>                                                                           | <u>Backup</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>John Duarte is trying to take away reproductive health care rights and freedoms</p> | <p><b><u>In Congress Duarte helped pass legislation that would punish doctors who perform abortions and prevent vulnerable communities from seeking essential health care.</u></b></p> <p><b>Duarte Voted For The Born Alive-Survivors Protection Act To Require Health Care Practitioners To Provide Medical Care To Children “Born Alive” After An Abortion Or Attempted Abortion.</b> In January 2023, Duarte voted for: “Passage of the bill that would require health care practitioners to provide the same care to a child that is ‘born alive’ after an abortion or attempted abortion as they would for a child born at the same gestational age and to ensure the child is immediately transported and admitted to a hospital; require hospital and clinic practitioners and employees to report any knowledge of failures to provide such care; and impose criminal fines and penalties for failures to meet these requirements. It would state that a child born alive under these conditions is a legal person under U.S. law, entitled to the protections of U.S. law, and it would specifically make any act that kills or attempts to kill such a child punishable as murder or attempted murder. The bill would also prohibit the prosecution of the mother of a child born alive after an abortion or attempted abortion and permit such mothers to seek relief through civil action against any person who violates the bill’s requirements, including monetary and punitive damages.” The bill passed by a vote of 220-210. [H.R. 26, <a href="#">Vote#29</a>, 1/11/23; CQ, <a href="#">1/11/23</a>]</p> <ul style="list-style-type: none"> <li>• <b>The Born Alive Bill Would Punish Doctors For Providing Care To Patients.</b> “The offensively named ‘born-alive’ legislation is another cruel and misguided attempt to interfere with evidence-based medical decision making between patients and their physicians...Laws that ban or criminalize evidence-based care and rely on medically unsupported theories and misinformation are dangerous to families and their clinicians. This bill negatively affects all obstetric and gynecologic care.” [The</li> </ul> |

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|                                                                                                                                                            | <p>American College of Obstetricians and Gynecologists, accessed <a href="#">6/26/23</a>]</p> <ul style="list-style-type: none"> <li>• <b>Pro-Choice Advocates Said That The Bill Was “Deliberately Misleading And Offensive To Pregnant People.”</b> ““This bill is deliberately misleading and offensive to pregnant people and the doctors and nurses who provide their care. It is yet another attempt by anti-abortion politicians to spread misinformation as a means to their warped political end: to ban safe and legal abortion,’ Jacqueline Ayers, the senior vice president of policy, organizing, and campaigns at Planned Parenthood Federation of America said in a statement about the bill.” [ABC News, <a href="#">1/12/23</a>]</li> <li>• <b>Born Alive Legislation Would Take Away Power Over Medical Interventions From Families And Physicians.</b> ““The 2002 Born-Alive Infants Protection Act gives absolutely every protection that you would ever want or need for an infant who was born at any stage of development. In that situation, you want parents to be able to decide what the care for their child looks like,’ said Dr. Lauren Wilson, a hospital pediatrician and the president of the Montana chapter of the American Academy of Pediatrics....Live births after an attempted abortion are exceedingly rare, and the proposed measure would take away power over medical interventions from families and physicians.” [19th, <a href="#">1/6/23</a>]</li> </ul> <p><b>HEADLINE: “House Passes Bill That Could Subject Some Abortion Doctors to Prosecution.”</b> [New York Times, <a href="#">1/11/23</a>]</p> |
| <p>John Duarte is endorsed by Californians for Life, a radical anti-abortion group that wants to ban all abortions – even in cases of rape and incest.</p> | <p><b><u>John Duarte was endorsed by Californians for Life, an anti-abortion group who wants to ban all abortions, even for victims of rape and incest.</u></b></p> <p><b>Duarte Was Endorsed By Californians For Life.</b><br/> “Pro-Life Voter Recommendations for California Congressional Districts: [...] United States Representative District 13 John Duarte”<br/> [Californians for Life, accessed <a href="#">12/11/23</a>]</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

- **Californians For Life Asked If Abortion Is The Best Response To Rape And Said That “Abortion Will Not Undo The Pain Of And Trauma Of Rape.”** “Of course, we all have tremendous empathy for anyone who has been raped. We can’t think of anything more traumatizing than rape. Our heart goes out to anyone who has been victimized by this horrific act of brutal violence against women. Victims of rape need and deserve our support, help, care, and love. However, out of love, concern, and empathy for the rape victim, we need to thoughtfully and compassionately ask, is abortion really the best response to the horrific trauma of rape? Abortion will not undo the pain of and trauma of rape. Instead, the pain of abortion may add to a woman’s emotional and physical abuse. Abortion, like rape, is a violent, traumatic, destructive act, hurting millions of women for a lifetime.” [Californians for Life, accessed [12/11/23](#)]
- **Californians For Life Said That An Incest Victim’s Pregnancy Could Give Them “The First Real Chance Of Overcoming The Family’s Denial And Escaping From Incest.”** “Again, we need to support the victims of incest, with love and compassion. It is possible that the victim’s pregnancy gives her the first real chance of overcoming the family’s denial and escaping from incest. Her pregnancy provides absolute proof of the crime of incest, while abortion adds to the young girl’s sense of guilt and trauma, further covering up the crime and sending the victim back into an abusive home. Oftentimes, the victims of incest are pressured, forced into abortions by family members who are trying to hide the incestual relationship. We need to stop the abuse, rescue the victim, report the crime, and penalize the perpetrator, rather than do further harm to innocent lives, of both mother and baby.” [Californians for Life, accessed [12/11/23](#)]

Duarte helped pass legislation that would punish doctors and nurses who provide health care for victims.

**In Congress Duarte helped pass legislation that would punish doctors who perform abortions and prevent vulnerable communities from seeking essential health care.**

**Duarte Voted For The Born Alive-Survivors Protection Act To Require Health Care Practitioners To Provide Medical Care To Children “Born Alive” After An Abortion Or Attempted Abortion.**

In January 2023, Duarte voted for: “Passage of the bill that would require health care practitioners to provide the same care to a child that is ‘born alive’ after an abortion or attempted abortion as they would for a child born at the same gestational age and to ensure the child is immediately transported and admitted to a hospital; require hospital and clinic practitioners and employees to report any knowledge of failures to provide such care; and impose criminal fines and penalties for failures to meet these requirements. It would state that a child born alive under these conditions is a legal person under U.S. law, entitled to the protections of U.S. law, and it would specifically make any act that kills or attempts to kill such a child punishable as murder or attempted murder. The bill would also prohibit the prosecution of the mother of a child born alive after an abortion or attempted abortion and permit such mothers to seek relief through civil action against any person who violates the bill’s requirements, including monetary and punitive damages.” The bill passed by a vote of 220-210. [H.R. 26, [Vote#29](#), 1/11/23; CQ, [1/11/23](#)]

- **The Born Alive Bill Would Punish Doctors For Providing Care To Patients.** “The offensively named ‘born-alive’ legislation is another cruel and misguided attempt to interfere with evidence-based medical decision making between patients and their physicians...Laws that ban or criminalize evidence-based care and rely on medically unsupported theories and misinformation are dangerous to families and their clinicians. This bill negatively affects all obstetric and gynecologic care.” [The American College of Obstetricians and Gynecologists, accessed [6/26/23](#)]



- **Pro-Choice Advocates Said That The Bill Was “Deliberately Misleading And Offensive To Pregnant People.”** ““This bill is deliberately misleading and offensive to pregnant people and the doctors and nurses who provide their care. It is yet another attempt by anti-abortion politicians to spread misinformation as a means to their warped political end: to ban safe and legal abortion,’ Jacqueline Ayers, the senior vice president of policy, organizing, and campaigns at Planned Parenthood Federation of America said in a statement about the bill.” [ABC News, [1/12/23](#)]
- **Born Alive Legislation Would Take Away Power Over Medical Interventions From Families And Physicians.** ““The 2002 Born-Alive Infants Protection Act gives absolutely every protection that you would ever want or need for an infant who was born at any stage of development. In that situation, you want parents to be able to decide what the care for their child looks like,’ said Dr. Lauren Wilson, a hospital pediatrician and the president of the Montana chapter of the American Academy of Pediatrics....Live births after an attempted abortion are exceedingly rare, and the proposed measure would take away power over medical interventions from families and physicians.” [19th, [1/6/23](#)]
- **HEADLINE: “House Passes Bill That Could Subject Some Abortion Doctors to Prosecution.”** [New York Times, [1/11/23](#)]