

PUBLIC SAFETY

Vermont AG files first Covid-19 non-compliance lawsuit against Rutland gym

By Alan J. Keays

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Attorney General TJ Donovan has brought a suit against Club Fitness in Rutland for allegedly being opened during the governor-ordered shutdown. Photo by Mike Dougherty/VTDigger

This story was updated at 5:46 p.m.

A judge ordered a Rutland gym to cease in-person and indoor operations Friday after Attorney General TJ Donovan filed the state's first lawsuit enforcing Gov. Phil Scott's executive order in response to the global Covid-19 outbreak

"The State of Vermont alleges that Club Fitness of Vermont and its owner, Sean Manovill, are operating a fitness center in violation of **Executive Order 01-20, Addendum 4**," said a press release from the Attorney General's Office Friday afternoon.

"In seeking the preliminary injunction, the State is asking the Court to shut down the facility, as required under the Governor's executive orders," it said. The lawsuit was filed in Rutland Superior Court.

Shortly after the Attorney General's Office announced the action, a judge granted the temporary restraining order, barring the gym from conducting any in-person, indoor operations until the governor's order allows it.

The AG's statement said it first received reports that Club Fitness was open for business, and violating the governor's order, on May 5, and that "after an attempt to convince" Manovill, and a cease and desist letter, the gym owner temporarily closed, but then re-opened on May 15.

"An officer observed patrons exercising without masks and not staying six feet from each other. The officer saw no hand sanitizing stations or signage advising customers to wear masks, keep a safe distance, or clean equipment," the statement said.

VTDigger was unable to reach Manovill Friday afternoon. Manovill did post a message from the club on his personal Facebook page on May 8 about the situation and his hope that the matter would be resolved.

"After a long few days, the Attorney General and I have come up with a compromise that completes a goal I set out to accomplish. To let health and wellness shine and be of access to those who need it!," he wrote. "Club Fitness will be unavailable until May 15th."

On May 8, **WCAX published a story** headlined "Defiant Rutland fitness club owner violates emergency order." The Club Fitness Facebook page shared the story on May 9 with the note:

“For the Fitness Family Across The State.”

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