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NIGHTINGALE COLLEGE, LLC, dba
NIGHTINGALE EDUCATION GROUP

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SACRAMENTO

NIGHTINGALE COLLEGE, LLC dba
NIGHTINGALE EDUCATION GROUP, a
Delaware limited liability company,

Petitioner and Plaintiff,

v.

CALIFORNIA BOARD OF REGISTERED
NURSING, a California state agency;
LORETTA MELBY, in her official capacity as
Executive Officer of the California Board of
Registered Nursing; and DOES 1 through 100,
inclusive,

Respondents and Defendants.

Case No. 26CV020260

**DECLARATION OF BLAKE HALLADAY
IN SUPPORT OF NIGHTINGALE
COLLEGE, LLC'S REPLY IN SUPPORT
OF MOTION FOR A PRELIMINARY
INJUNCTION**

Date: October 23, 2026
Time: 02:30 p.m.
Judge: Hon. Stephen P. Acquisto
Dept: 3B

Compl. filed: 08/24/2026
First Am. Compl. filed: 09/15/2026

DECLARATION OF BLAKE HALLADAY

I, Blake Halladay, declare:

1. I am the Director of Regulatory and Legislative Strategy for Nightingale College, LLC, dba Nightingale Education Group (“Nightingale”),¹ a position I have held for approximately four years. I have personal knowledge of the facts stated in this declaration and, if called as a witness, could and would testify competently to them.

2. Since 2023, Nightingale has been running legislation in California to change the law so out-of-state nursing students can complete their clinical rotations in the state. Assembly Bill 1082 (“AB 1082”), authored by Assemblyman Heath Flora passed the Assembly unanimously, and across all of our bills there has been only one “no” vote. Loretta Melby (“Ms. Melby”), the Executive Officer of the California Board of Registered Nursing (“BRN”), opposed the bill. For some time, Nightingale had been asking to meet with Ms. Melby. In 2025, she was finally interested in meeting with us to discuss amendments to AB 1082. Before the meeting, Chris Kahn (“Mr. Kahn”), Nightingale’s lobbyist in California, and I put together proposed amendments that we hoped would address her opposition.

A. The May 7, 2025, Meeting

3. On May 7, 2025, Mr. Kahn and I met with Ms. Melby by videoconference for roughly half an hour. The entire purpose of the meeting was to discuss amendments to AB 1082. Licensure was not on the agenda, and any suggestion that the meeting was called to discuss Nightingale’s licensure compliance is simply untrue.

4. We came prepared to walk through our proposed amendments, but shortly after we started, Ms. Melby took over the conversation. She told us that everything we were doing was wrong, that we were trying to amend the wrong section of the law, and that we should not be doing what we were doing. Somewhere along the way, she said she was not sure the College’s students met California’s licensure requirements, and she referred to a 500-hour requirement. I had never heard

¹ Nightingale College, LLC is the parent company and owner of Nightingale College (the “College”), one of the company’s operating divisions and the institution of higher education which is accredited and offers various educational programs to students. (See First Am. Compl. [“FAC”], ¶ 1 fn. 1.)

1 that concern before. College graduates, including me, have been licensed in California for years. Ms.
2 Melby also said she did not know anything about the College, and did not care, until we started trying
3 to change the law. When the subject came up, she said, in substance, that she had noticed this back
4 in 2023 when Nightingale first launched its bill. We never discussed our amendments.

5 **B. The BRN's Representations That It Would Not Enforce the 500-Hour Direct**
6 **Patient Care Regulation.**

7 5. Ms. Melby then told us that she was not going to do anything about it. She said, in
8 substance, "I'm not going to do anything about it because you have so many students, and I don't
9 want to start World War III." Despite her criticism of our bill, the call ended amicably. We sought
10 Ms. Melby's support, not a fight.

11 6. I took Ms. Melby at her word that she was not going to do anything about the issue
12 she raised. After the May 7, 2025, meeting, to my knowledge, neither she nor the BRN reached out
13 to me, contacted the College's President or administration, or sent any written letter or official notice
14 of any kind.

15 7. I reviewed California Business and Professions Code section 2736 and Section 1426
16 of Title 16 of the California Code of Regulations after the call with Ms. Melby. I found no mention
17 in the pertinent statute and regulation of the 500-hour direct-patient-care requirement Ms. Melby had
18 referenced. Section 2736 of the Business and Professions Code refers to "courses of instruction," and
19 the definition of that term in the applicable regulation (16 Cal. Code Regs. § 1420(g)) directs to
20 Section 1426, curriculum requirements. There is no mention of the 500-hours in Section 1426.
21 Following my research, I concluded that the 500-hour requirement did not apply to the College's out-
22 of-state RN graduates.

23 8. The College continued operating its Bachelor of Science in Nursing ("BSN") program,
24 and its graduates continued to apply for and receive California RN licenses, until the BRN suddenly
25 began reviewing the program in 2026.

26 I declare under penalty of perjury under the laws of the State of California that the foregoing
27 is true and correct.
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Executed on the 16th day of October 2026, at Syracuse, UT

DocuSigned by:

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Blake Halladay