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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 CHRIS KAHN 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 CHRIS KAHN

I, Chris Kahn, declare:

1. I own a lobbying firm in Sacramento that focuses solely on working with the state Legislature, state departments, and state agencies. I have thirty-six years of experience in government affairs. I work in government affairs and legislative advocacy for Nightingale College, LLC dba Nightingale Education Group (“Nightingale”),¹ which owns and operates Nightingale College (the “College”). 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. I have represented Nightingale since 2022, or approximately four years. My work for Nightingale has focused on legislation to change the California law that allows only students enrolled in California nursing programs approved by the California Board of Registered Nursing (“BRN”) to complete clinical placements in California. Because the College operates out of Utah and is not a BRN-approved California program, its California-resident students must travel to another state, in each semester in which they take a clinical course, to complete their clinical placements. Over the past four years, Nightingale has sponsored three pieces of legislation, including Assembly Bill 1082 (“AB 1082”), authored by Assemblyman Heath Flora, to address this problem. The BRN has opposed those efforts.

3. On April 1, 2025, AB 1082 came before an Assembly committee. The committee passed the bill unanimously, and Loretta Melby (“Ms. Melby”), the BRN’s Executive Officer, testified in opposition. At the end of the hearing, I suggested to Ms. Melby that we meet to discuss her concerns. On April 18, 2025, Ms. Melby emailed me that she had not heard from me after the hearing and wanted to work on amendments before the next hearing. On April 21, 2025, I responded that Nightingale was working on changes to AB 1082 and suggested a meeting.

4. On April 22, 2025, Ms. Melby and I exchanged several emails and agreed to meet on May 7, 2025, at 2:00 p.m. via Microsoft Teams.

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.)

5. On May 7, 2025, Nightingale’s Director of Regulatory and Legislative Strategy, Blake Day (“Mr. Halladay”), and I met with Ms. Melby to discuss her proposed amendments to AB 100 and Nightingale’s counterproposals. Nightingale requested the meeting solely to discuss the amendments. Ms. Melby gave no indication that any other issues would be discussed, including any claims of regulatory non-compliance.

B. Ms. Melby's Representation that the BRN Would Not Take Action Against the College or Its Graduates.

7. During the May 7, 2025, meeting, Ms. Melby stated that the BRN would not “go” with her belief that the College might be non-compliant with programmatic requirements if the BRN “did not want to start World War III because Nightingale has over 5,000 students.” Instead, the BRN would rather “work with” the College than deny so many students. The meeting ended amicably.

8. I understood Ms. Melby's representation that the BRN would not "go public" and instead "work with" the College to mean the BRN would not take adverse action against the College or its graduates. To my knowledge, the BRN did not contact the College's President or follow up with the College or its administration in any other way.

I declare under penalty of perjury under the laws of the State of California that the foregoing
and correct.

Executed on the 16th day of October 2026, at Pacific Grove, California

DocuSigned by:
Chris Kahn
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Chris Kahn