



can we or can't we – operate, that is!

Susan Kohn Ross and Thea Rogers

MSK Client Alert

November 24, 2020

attorneys

Thea E. Rogers

Susan Kohn Ross

The State of California issued a new stay at home order on November 20, 2020, in advance of the Thanksgiving holiday and some degree of tumult has ensued. This latest order supersedes the one we covered last week, which you can see **here**. As much as 94% of the State is in the most restrictive or purple tier due to the spike in COVID cases. The State's order does not change those which are defined as "essential" at the State level, but does require that as of November 21, 2020, all non-essential work and activities stop between 10:00 p.m. and 5:00 a. m. for those operating in counties in the purple tier. The Statewide curfew applies to "all activities conducted outside the residence, lodging or temporary accommodations with members of other households except for those activities associated with the operation, maintenance, or usage of critical infrastructure or [as] required by law..." In what category does your business fall?

The State's latest order can be found **here**. What remains confounding is the determination of whether a given business may remain open is ultimately decided by what additional orders are enacted at the county and city level where the business operates. Whichever order provides the most restrictions is the one to follow, which will no doubt create a lot of disruption because, in the end, there is some inconsistency between the State's order and what some localities have decided..

[View Full Alert](#)