

Mrs. Sharon Noonan Kramer
2031 Arborwood Place
Escondido, California 92029
Tele 760-746-8026 Fax 760-746-7540 Email snk1955@aol.com

September 11, 2011

Chief Justice Tani Cantil Sayauke
Supreme Court of California
Chair of the Judicial Council
455 Golden Gate Avenue
San Francisco, CA 94102-3660

Justice Douglas Miller
Chair of the Executive and Planning
Committee, Judicial Council
3389 Twelfth Street
Riverside, CA, 92501

California Senator Noreen Evans
Legislative Member, Judicial Council
State Capitol,
1303 10th Street
Sacramento, CA 95814

California Assemblyman Michael Feuer
Legislative Member, Judicial Council
9200 Sunset Blvd, Suite 1212
West Hollywood, CA 90069

Re: CCMS entries in Appellate and Superior Court being used by Clerks to conceal judicial indiscretions in violation of Government Code 6200. *Kelman & GlobalTox v. Kramer* Case No GIN044539 San Diego Superior Court, *Kramer v. Kelman* Defendant/Appellate v. Plaintiff/Respondent, Fourth District Division One Appellate Court D054496.

Chief Justice Cantil Sayauke, Justice Miller, Senator Evans and Assemblyman Feuer,

I am a whistle blower of how it became a fraudulent concept in US public health policy in the early 2000s; that it was scientifically established moldy buildings do not harm. I am the catalyst that caused a Federal GAO audit over the issue in 2006, which has aided tremendously to remove the fraud from Federal policy. My co-writing on a blog, *Katy's Exposure*, was recently cited as reference for a Federal OSHA occupational safety publication over the issue in April of 2011. I am published in medical journals regarding the marketing of misinformation over the issue in the medical community and to the courts.

My endeavors to reshape public health policy have been adverse to the interests of those who sell doubt of causation of illness for a living and their clients; such as the insurance industry. In October of 2005, Governor Schwarzenegger endorsed the fraudulent concept into California Workers' Compensation policy under the platform of Workers Comp Reform that it had been proven moldy work environments pose little to no health threat to workers.. This has aided many California workers comp insurers to be able to shift the cost and burden of worker injury onto the taxpayer funded, state and federal, disability and social services, when insurers have a bogus legitimizing factor written into policy aiding them to deny responsibility.

In May of 2005, I was sued for libel for the phrase “*altered his under oath statements*” used in the first to publicly writing, mine, to expose who was involved and how they were connected to mass market the scientific fraud into policy as I named names. The US Chamber of Commerce; the Manhattan Institute think-tank; the American College of Occupational and Environmental Medicine; US Congressman Gary Miller (R-CA); the corporation of GlobalTox, Inc., and their president, Bruce J. Kelman. The authors of the scientifically void concept are the plaintiffs who sued me, Kelman and Globaltox, Inc – now known as VeriTox, Inc.. They make a substantial portion of their livings as professional toxic tort insurer defense witnesses.

Their sole claim was that the use of my phrase “*altered his under oath statements*” was a maliciously false accusation of perjury. Bruce Kelman then proceeded to use perjury to establish needed reason for purported malice. Each and every judiciary to oversee the case has been provided the uncontroverted evidence of the plaintiff’s perjury. In six years time, there is no evidence of me ever being impeached as to the subjective belief in the validity of my words. The California courts framed me for libel with actual malice over the first public writing to expose how it became a fraud in policy that it was proven moldy buildings do not harm – while aiding insurer cost shifting written into California workers comp policy by Governor Schwarzenegger.

If that were not bad enough, the California Court Case Management System (CCMS) has been used in violation of Government Code 6200 by Clerks of the Court to conceal these and other judicial indiscretions.

There is a Remittitur awarding costs to undisclosed parties on Appeal. Instead of recalling and correcting the Remittitur as requested; a name was added to the Appellate online Case Summary falsely portraying via the Internet that the unidentified party was disclosed on the Certificate of Interested Parties in the Case File. This aided to conceal that the Appellate Opinion awarded costs to “*Respondents*” on Appeal, as did the Remittitur – when there is only one named “*Respondent*” on the Certificate of Interested Parties. This makes the second time in the Fourth District Division One Appellate Court that a retired Deputy Director of CDC/NIOSH and sixth owner of a corporation, GlobalTox, was an undisclosed party, with the Appellate Court being fully evidenced of the omission both times while awarding an undisclosed party costs on appeal.

There were judgment dates added to the “stealth Case History” of judgments never entered and not found in the Case File in the Superior Court CCMS Case Record. These do not print on the Register of Action (ROA). There is no way to determine who made these entries in the stealth CCMS Case Record that judges share; or on what date they made them. I have asked for a complete print out of the Case History, not just those that show on the ROA. I am told the court legal department says they are not available to me; a litigant who is being impacted by false entries in CCMS that I am not even able to view.

After the Remittitur issued back to the lower court, someone entered a false date of entry of judgment not supported by the Case File in the ROA. This is not supported by the prior sequentially numbered entries in the ROA. However, this make the lower court CCMS consistently false with the Appellate Court CCMS.

There was an entry made after the Remittitur issue back deeming the wrong parties to be the prevailing parties to the litigation. This made the ROA and Case History consistent with the fasle Abstract of Judgment entered. From reading the ROA (and most like stealth Case History), one would never know that I prevailed over GlobalTox in trial and the case is still pending in the lower court after the issuance of the Remittitur.

There is an Abstract of Judgment in the Case File of the lower court, based on a not valid and not properly noticed entry of judgment that is never mentioned in the Appellate Opinion as a date of entry of judgment. It, like the stealth Case History entries, deems the wrong parties as the prevailing parties. There is a judgment lien on my home based on this void Abstract of Judgment, based on the void judgment – that the CCMS was edited to provide false validation after the Remittitur issued.

There are three data entry numbers removed from the ROA that were entered within three days after the plaintiff submitted his costs and a judgment by the Clerk of the Court should have been entered. There is no judgment document after the plaintiff’s costs were submitted in the Case File.

It has cost me well over three million dollars to defend the truth of my words and to refuse to be silenced of what the courts are doing over a matter of public health – including the misuse of CCMS. The amount of costs shifted from insurers to taxpayers in California while the courts have maliciously aided Strategic Litigation Against Public Participation (“SLAPP”) is in the multi-millions, if not billions.

Unfortunately, some of the judiciaries and court clerks involved in this fiasco are leading judiciaries and court officers in the state of California. They are present and past members of the Judicial Council. They have aided and abetting an insurer cost shifting scheme that was endorsed by Governor Schwarzenegger by being willing participants in a malicious litigation carried out by criminal means. CCMS is being used by the clerks to conceal this.

Is this the intended usage for a computer system that will eventually link all courts in California with all actions to a litigation being electronically recorded?

From what I have witnessed, CCMS is being used against the best interest of the citizens and taxpayers of California – not *for* their best interests. Adding insult to injury for the tax payers of California, I am aware that CCMS deployment is being funded by the use of tax dollars; while diverting needed funds away from our beleaguered trial courts who are fighting to open to serve the public.

I shudder to think what would happen to my child and me if I was a single mother in a custody battle with a well connected abusive ex-husband; and some Clerk of the Court decided the CCMS should be altered to appear favorable to my ex-husband. I would have no way to determine who made false entries in the CCMS impacting the case; on what date they made them; or if they were even a Clerk involved in the case. Most single mothers, fighting to keep their children, would not even know an electronic ROA and stealth Case History even existed and was impacting their lives. In its current form, CCMS is a blank slate that is asking for special and conflicted interests to be able to enter false data, should the motivation and opportunity arise.

As such, I am requesting that the Judicial Council review the Court Records, including those that are in the CCMS, in Kelman & GlobalTox v. Kramer Case No GIN044539 San Diego Superior Court, Kramer v. Kelman Defendant/Appellate v. Plaintiff/Respondent, Fourth District Division One Appellate Court D054496.

This is needed to help the Judicial Council understand how their computer system can and is being used to aid judiciaries who chose to breach their judicial vows to practice politics instead of law; and how their clerks are able to add, edit, delete, remove and falsify CCMS records in the Case Record in violations of GC 6200, while aiding to conceal of the actions of the compromised judiciaries.

Please let me know, in writing, how and when the Judicial Council will be addressing these gravely serious shortcomings in the CCMS; and what action the Judicial Council will be taking to aid with corrections that are in violation of GC6200 in this specific case. This is necessary to stop the fleecing of the California taxpayer in egregious violation of my Constitutional rights.

Attached is a rather lengthy letter to Clerks of the Court and Judicial Council Members, Stephen Kelly and Michael Roddy. It details and evidences *some* the altered, erred and edited CCMS entries and the impact they are having in a litigation over a matter of public health. This letter, the letter to the Clerks and linked evidence may be read online at the Federal OSHA cited blog, "*Katy's Exposure, Exposing Environmental Health Threats and Those Responsible*" Simply search the blog title to find it. Title:

"Is The California Court Case Management System (CCMS) Being Misused For Politics In Policy & Litigation....And The Fleecing Of The California Taxpayer?"

Thank you for your prompt attention to this gravely serious matter.

Sincerely,

Mrs. Sharon Kramer

CC: Mr. Michael Roddy, Clerk of the Court, San Diego Superior Court;
Mr. Stephen Kelly, Clerk of the Court, Fourth District Division One Appellate Court;
Justice Judith McConnell, Presiding Judge of the Fourth District Division One Appellate Court;
Judge Kevin Enright, Supervising Judge of the San Diego Superior Court;

Enclosures: Letter to **Judicial Council Members**, Mr. Kelly & Mr. Roddy (Clerk of the Court in Kelman & GloablTox v. Kramer; Letter to **Judicial Council Member** Judge Enright; Letter to **Chair of Advisory Committee of Judicial Council**, Justice Huffman & (concurring justice in 2010 Appellate Opinion); and Letter to Justice McConnell, **Chair of the California Commission on Judicial Performance &** (author of the 2006 anti-SLAPP Opinion).