SCHEUER & GILLETT

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VIA EMAIL AND US MAIL

May 6, 2011

Ms. Chrystal Stucky KATYSEXPOSURE 6010 Sandy Valley Drive Katy, TX 77449-6577

Re: KELMAN v. KRAMER
San Diego Superior Court case no. 37-2010-00061530-CU-DF-NC

Dear Ms. Stucky:

This firm represents Dr. Bruce Kelman in the above-referenced lawsuit. As I suspect you are aware, Dr. Kelman obtained a judgment for libel against Sharon Kramer after a trial in 2008, and recently obtained a preliminary injunction against her in the above referenced action. Copies of the judgment and preliminary injunction are attached for your reference.

Please be advised that if you republish the defamatory matter, we will pursue you personally to the fullest extent permitted by law.

Keith Scheuer

KS/sel Encs.

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SCHEUER & GILLETT, a professional corporation Clark of the Superior Court Keith Scheuer, Esq. Cal. Bar No. 82797 1 MAY **0 2** 2011 4640 Admiralty Way, Suite 402 Marina Del Rey, CA 90292 BY: A. LUM 3 (310) 577-1170 Attorney for Plaintiff BRUCE J. KELMAN 5 SUPERIOR COURT OF THE STATE OF CALIFORNIA 6 FOR THE COUNTY OF SAN DIEGO, NORTH DISTRICT 7 8 CASE NO.: 37-2010-00061530-CU-DF-NC BRUCE J. KELMAN, 9 Plaintiff, Assigned for All Purposes to: 10 HON. THOMAS P. NUGENT DEPARTMENT: N-30 11 SHARON KRAMER, and DOES 1 UNLIMITED CIVIL CASE through 20, inclusive, [APRIL 27, 2011 REVISED 13 Defendants. PROPOSED PRELIMINARY 14 INJUNCTION 15 Hearing Dates: April 1 and 14, 16 2011 Department: N-30 17 18 This matter came on regularly for hearing on April 1, 19 2011, in Department N-30 of the above Court, the Honorable 20 Thomas P. Nugent, Judge presiding. Keith Scheuer, Esq. of 21 Scheuer & Gillett appeared on behalf of Plaintiff Bruce J. Kelman. Defendant Sharon Kramer appeared on her own behalf. 23On April 14, 2011, the Court heard plaintiff Bruce J. 24 Kelman's ex parte application to correct a clerical error in **2**5 **2**6 the minute order and took the matter under submission. [APRIL 27, 2011 REVISED PROPOSED] PRELIMINARY INJUNCTION 28

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The Court, having taken the matter under submission and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, rules as follows:

IT IS HEREBY ORDERED that, during the pendency of this action, defendant Sharon Kramer is enjoined and restrained from stating, repeating or publishing, by any whatsoever, the following statement:

"Dr. Kelman altered his under oath statements on the witness stand" while he testified as a witness in an Oregon lawsuit.

IT IS FURTHER ORDERED that, before this order may take effect, plaintiff Bruce J. Kelman must file a written undertaking in the sum of \$5,000 as required by California Code of Civil Procedure section 529, for the purpose of indemnifying the defendant for the damages she may sustain by reason of the issuance of this preliminary injunction if the Court finally decides that the plaintiff is not entitled to it. The preliminary injunction shall issue on plaintiff's filing of such written undertaking.

reserves jurisdiction to modify this Court The injunction as the ends of justice may require.

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Judge of the Superior Court

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PROOF OF SERVICE

BY: A. LUM

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 4640 Admiralty Way, Suite 402, Marina Del Rey, California 90292. On April 27, 2011, I served the foregoing [APRIL 27, 2011 REVISED PROPOSED] PRELIMINARY INJUNCTION on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Sharon Kramer 2031 Arborwood Place Escondido, CA 92029

[X] BY MAIL – I caused each such envelope with postage thereon fully prepaid to be placed in the United States mail at Marina Del Rey, California. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited in the U.S. Postal Service on that same day with postage thereon fully prepaid at Marina Del Rey, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[] BY FACSIMILE—I sent such document from facsimile machine (310) 301-0035 on April 27, 2011. I certify that said transmission was completed and that all pages were received and that a report was generated by said facsimile machine that confirms the transmission and receipt. I thereafter mailed a copy to the interested party by placing a true copy thereof enclosed in a sealed envelope addressed to the party listed above.

EXECUTED on April 27, 2011 at Marina Del Rey, California.

[X] (STATE) – I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Keith Scheuer

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FILED Clerk of the Superior Court

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By: M. GARLAND, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO, NORTH DISTRICT

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CASE NO. GIN044539
BRUCE J. KELMAN,
                               Assigned for All Purposes to:
GLOBALTOX, INC.,
                               HON. LISA C. SCHALL
                               DEPARTMENT 31
          Plaintiffs,
                               UNLIMITED CIVIL CASE
                               Case filed: May 16, 2005
V.
                               [PROPOSED] JUDGMENT
SHARON KRAMER, and DOES 1
through 20, inclusive,
                               Trial Date: August 18, 2008
                               Department: N-31
          Defendants.
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This action came on regularly for trial by jury on August 18, 2008, with Plaintiffs appearing in person and by Keith Scheuer, Esq. of Scheuer & Gillett, and Defendant appearing in person and by Lincoln Bandlow, Esq. of Spillane Shaeffer Aronoff Bandlow. A jury of 12 persons was duly impaneled and sworn, witnesses testified, and after being duly instructed by the Court, the jury deliberated and thereon duly returned the following special verdicts:

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- That Defendant Sharon Kramer acted wrongly by 1. making the following statement: "Dr. Kelman altered his under oath statements on the witness stand" while he testified as a witness in an Oregon lawsuit; that Kramer made the above statement to persons other than Kelman; that the persons to whom the statement was made reasonably understood that the statement was about Bruce Kelman; that persons who read the statement reasonably could have understood it to mean that Kelman had committed the crime of perjury or testified falsely while on the witness stand; that the statement was false; that Kelman proved, by clear and convincing evidence, that Kramer knew the statement was false, or had serious doubts about the truth of the statement; and that Kelman be awarded a monetary sum of nominal damages in the amount of \$1.00 (one dollar and no cents).
- 2. That Kramer made the statement to persons other than GlobalTox, Inc., and that the persons to whom the statement was made did not reasonably understand that the statement was about GlobalTox.

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff Bruce Kelman recover the sum of \$1.00 (one dollar and no cents) as nominal damages from Defendant Sharon

Myonard Mislos. Kramer, and costs in the amount of \$1.00.00THE Plaintiff GlobalTox, Inc. recover nothing in this action. Dated: 9/24/08 the Superior Court LISA C. SCHALL

[PROPOSED] JUDGMENT