

1 SHARON NOONAN KRAMER, PRO PER
2 2031 Arborwood Place
3 Escondido, CA 92029
4 (760) 746-8026

F I L E D
Clerk of the Superior Court

MAR 23 2012

Clem
BY: A. LUM

5 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
6 FOR THE COUNTY OF SAN DIEGO, NORTH DISTRICT

7 BRUCE J. KELMAN,

8 Plaintiff

9 v.

10 SHARON KRAMER,

11 Defendant

CASE NO. 37-2010-00061530-CU-DF-NC

REQUEST FOR EXPARTE RE: COURT'S INTENT
TO REMOVE FALSE CRIMINAL RECORD OF
DEFENDANT SHARON KRAMER

[Assigned for All Purposes To Hon. Thomas
Nugent]

Wrongful Incarceration & False Criminal Record
Date: March 12, 2012

ExParte Hearing Date: Unknown

12 This Request for an ExParte Hearing by the Court, which is a matter of public record, may be read
13 online at ContemptOfCourtFor.Me Short Link: <http://wp.me/p20mAH-cU> Some pdf links are large and
14 may take several seconds to open.

15 I.

16 **REQUEST FOR EXPARTE HEARING FOR CLARIFICATION FROM COURT OF INTENT**
17 **MITIGATE ITS DAMAGE TO SHARON KRAMER OF GIVING HER A FALSE CRIMINAL**
18 **RECORD**

19 On March 14, 2012, alleged contemner Sharon "Kramer" was released from two days of unlawful
20 incarceration at the Los Colinas Women's Detention Center in Santee, California. She was
21 incarcerated for refusing to sign a retraction of something she did not do in a 2005 writing of her's.
22 The accurate writing has had broad impact on public health, but the courts, Plaintiff Bruce "Kelman"
23 and his legal counsel, Keith "Scheuer" made it appear that the writing was a libelous accusation by
24 Kramer that Kelman lied on a witness stand in Oregon about being paid to author the Mold Position
25 Statement for the American College of Occupational and Environmental Medicine "ACOEM". The
26 accurate writing of Kramer's made no such allegation. Kramer refused to retract the allegation that
27 she never made and for this was sent to jail on March 12, 2012.

1 The day after her release, on March 15, 2012, Kramer called the Court scheduler of Department
2 30, North San Diego Superior Court, Cheryl "Karini" and requested an ExParte hearing as soon as
3 possible. Kramer was charged with Indirect Civil Contempt of Court. While in jail, the charge
4 morphed into Criminal Contempt and a false misdemeanor was placed on Kramer's record. Kramer
5 was told by Karini, that the Honorable Judge Nugent said to submit something in writing and notice
6 Plaintiff Bruce "Kelman"s attorney, Keith "Scheuer" and maybe the Court would grant an ExParte
7 hearing – after unlawfully incarcerating her for two days and giving her a false criminal record.

8 This hearing is necessary for the Court to explain how it will be mitigating the damage to Kramer of
9 giving her a false criminal record for Criminal Contempt of Court – a misdemeanor - for refusing to be
10 coerced into perjury on March 9, 2012 to avoid incarceration. If she had been successfully coerced it
11 would have absolved seven years worth of judicial, clerk and attorney misconduct of framing Kramer
12 for libel – while aiding a false science to continue in US public health policy and US courts over the
13 mold issue. Kramer was never charge with Criminal Contempt of Court, let alone found guilt of it.
14 (Attached hereto as **Exhibit 1** is evidence of Kramer's false criminal record and how it was achieved)
15 How Kramer Was Given A False Criminal Record, online at <http://freepdfhosting.com/ea0050a69a.pdf>

16 II 17 **COURT INCARCERATED KRAMER FOR REFUSING TO COMMIT PERJURY WHICH** 18 **WOULD DEFRAUD THE PUBLIC**

19 *February 10, 2012*, Scheuer crafted a Proposed "Retraction" by Sharon Kramer and presented it to
20 the Court. After seven years of falsely and willfully presenting the concept that Kramer accused
21 Kelman of lying on a witness stand in Oregon about being paid to author the Mold Position Statement
22 of ACOEM by the use of her phrase, "*altered his under oath statements*" and was guilty of libel with
23 actual malice; Scheuer had the audacity to ask Kramer to sign a statement that she did not accuse
24 Kelman of perjury on the witness stand in Oregon – or go to jail.

25 Kelman has taken seven years of Kramer's life and financially ruined and her and her family by
26 presenting this false concept of a maliciously libelous accusation of perjury – aided by the courts
27 writing in opinions that Kramer made this false accusation. (Attached hereto as **Exhibit 2**, is the
28 Retraction with a detailed description of why Kramer could not sign it without committing perjury,

1 absolving seven years of judicial, clerk and attorney misconduct while aiding to defraud the public).

2 Why Kramer Would Not Sign Fraudulent Retraction, online <http://freepdfhosting.com/ce5fe87905.pdf>

3 March 9, 2012. Minute Order, Kramer was incarcerated for refusing to be coerced to sign the
4 fraudulent Retraction and apologize for something she did not do. (Attached hereto as **Exhibit 3**)

5 Online <http://freepdfhosting.com/d2e2c6dfb3.pdf>

6 March 9, 2012 Minute Order: **"Ms. Kramer indicates that she will not sign the proposed**
7 **retraction. Court find Mrs. Kramer is in contempt and sentences her to five consecutive days**
8 **in custody and directs her to report to the Los Colinas Detention Facility at 9:00 am, March 12,**
9 **2012"**

10 March 9, 2012, The Court was aware why Kramer could not sign the Retraction without committing
11 perjury by retracting something she did not do. Nor was it a stipulation of the "(Revised) Order" &
12 Judgment for [Civil] Contempt of Court she sign the fraudulent retraction to avoid incarceration.
13 (Attached hereto as **Exhibit 4**, are relevant portions of the sentencing transcript March 9, 2012) Court
14 Knew It Unlawfully Incarcerated Kramer, online at: <http://freepdfhosting.com/aadb9ccc79.pdf>

15 March 9, 2012 The COURT:... I THEN SENTENCED YOU AS YOU KNOW TO FIVE DAYS
16 BECAUSE I DIDN'T KNOW OF ANYTHING ELSE I COULD DO.I WAS IMPRESSED WITH WHAT
17 IS CHARACTERIZED AS A RETRACTION BY SHARON KRAMER, A VERY BRIEF TWO-PAGE
18 DOCUMENT, WHICH WILL BE FILED WITH THE COURT, INVITING YOU TO SIMPLY SAY IT WAS
19 NOT YOUR INTENTION IN WRITING THE PRESS RELEASE TO STATE OR IMPLY THAT DR.
20 KELMAN HAD COMMITTED PERJURY.IT GOES ON "I DO NOT BELIEVE THAT DR. KELMAN
21 COMMITTED PERJURY. I APOLOGIZE TO DR. KELMAN AND HIS COLLEAGUES AT VERITOX,
22 INC. FOR ALL STATEMENTS THAT I HAVE MADE THAT STATED OR IMPLIED OTHERWISE. I
23 SINCERELY REGRET ANY HARM OR DAMAGE THAT I MAY HAVE CAUSED." ALL THAT WAS
24 NECESSARY WAS FOR YOU TO AGREE TO THAT AND WE WOULDN'T BE HERE TODAY. BUT
25 YOU CHOSE NOT TO, AND THAT'S YOUR RIGHT, CERTAINLY YOUR RIGHT, BUT YOU LEAVE
26 ME WITH ABSOLUTELY NO ALTERNATIVE, AND I THINK YOU KNOW THAT; AND SO
27 THEREFORE, I WILL BE REMANDING YOU TO THE CUSTODY OF THE SHERIFF FOR FIVE
28 DAYS TODAY.

23 MS. KRAMER: YOUR HONOR, YOU'RE SKIPPING A KEY POINT IN ALL OF THIS. I NEVER
24 ACCUSED MR. KELMAN OF COMMITTING PERJURY. MY WRITING IS 100 PERCENT CORRECT.
25 MR. SCHEUER AND THE COURTS MADE IT LOOK LIKE MY WRITING FALSELY ACCUSED HIM
26 OF LYING ABOUT TAKING MONEY FOR THE ACOEM MOLD STATEMENT. MY WRITING
27 ACCURATELY STATES THE MONEY WAS FOR THE US CHAMBER OF COMMERCE.

26
27 THE COURT: YOU DON'T BELIEVE THAT HE COMMITTED PERJURY?

27 MS. KRAMER: I THINK THAT HE ALTERED HIS UNDER OATH STATEMENTS, WHICH IS WHAT
28 I'VE SAID ALL ALONG. HE WAS FLIP-FLOPPING BACK AND FORTH.

1 MS. KRAMER: I DO UNDERSTAND COMPLETELY, YOUR HONOR. YOU'RE ASKING ME TO
2 APOLOGIZE FOR BEING FRAMED FOR LIBEL AND SPENDING SEVEN YEARS DEFENDING
3 THE TRUTH OF MY WORDS. THIS MAN [Scheuer] IS THE ONE WHO MADE IT LOOK LIKE I
4 ACCUSED MR. KELMAN OF COMMITTING PERJURY IN HIS BRIEFS. WHAT HE DID WAS HE
5 TOOK THE WORDS OF KELLY VANCE, THE ATTORNEY WHO WAS QUESTIONING KELMAN ON
6 THE STAND, AND VANCE WASN'T REAL CLEAR ABOUT THE MONEY FROM THE CHAMBER OR
7 NOT. SO THIS IS WHAT MR. SCHEUER HERE WROTE REPEATEDLY IN HIS BRIEFS.
8 RESPONDENTS BRIEF -- AND THIS IS ON THE APPELLATE LEVEL THE SECOND TIME
9 DESCRIBING MR. VANCE'S ACTIONS. "DURING THE HAYNES TRIAL, THE HAYNES COUNSEL,
10 CALVIN KELLY VANCE, INSINUATED THAT DR. KELMAN HAD ACCEPTED MONEY FROM THE
11 MANHATTAN INSTITUTE, AND IN RETURN HAD SKEWED THE CONTENT OF THE ACOEM
12 SCIENTIFIC STUDY"

13 .SO THEN HE TOOK IT AND HE FLIPPED THAT TO MY WRITING AND SAID, IN HER PRESS
14 RELEASE, "APPELLATE STATES UPON VIEWING DOCUMENTS PRESENTED BY THE HAYNES
15 ATTORNEY OF KELMAN'S PRIOR TESTIMONY IN THE CASE IN ARIZONA, DR. KELMAN
16 ALTERED HIS UNDER OATH STATEMENTS ON THE WITNESS STAND. HE ADMITTED THE
17 MANHATTAN INSTITUTE, A NATIONAL POLITICAL THINK TANK, PAID GLOBALTOX \$40,000 TO
18 WRITE A POSITION PAPER." OKAY, HE STOPS THERE AND LEAVES OUT THE PART, WHERE I
19 SAY "YEAH, PAID HIM TO AUTHOR A POSITION PAPER FOR THE US CHAMBER OF
20 COMMERCE. THIS MAN MADE IT LOOK LIKE I ACCUSED MR. KELMAN OF PERJURY. AND
21 THEN THE APPELLATE COURT ACTUALLY WROTE IT IN THEIR'S THAT DR. KELMAN DID NOT -
22 - DR. KELMAN DID NOT DENY BEING PAID FOR THE MANHATTAN INSTITUTE HE ONLY
23 DENIED BEING PAID FOR IT TO WRITE THE ACOEM PAPER. THAT'S EXACTLY WHAT MY
24 WRITING SAID. HE WAS PAID BY THE MANHATTAN INSTITUTE TO WRITE THE US CHAMBER
25 OF COMMERCE PAPER. THE ACOEM PAPER WAS JUST A VERSION. SO I'M NOT THE ONE
26 THAT ACCUSED MR. KELMAN OF PERJURY. MR. SCHEUER HERE IS THE ONE FOR SEVEN
27 YEARS WHO CRAFTED THE THING TO MAKE IT LOOK LIKE I'D ACCUSED HIS CLIENT OF
28 THAT, AND THE REASON BEING IS, SEVEN YEARS AGO TODAY, THE VERY DAY, I WAS THE
FIRST PERSON TO PUBLICALLY WRITE OF HOW IT BECAME A FALSE CONCEPT IN US
PUBLIC HEALTH POLICY THAT MOLDY BUILDINGS DON'T HARM. I NAMED THE NAMES OF
THOSEI'M NOT THE ONE WHO ACCUSED MR. KELMAN OF PERJURY. MR. SCHEUER
MADE IT LOOK THAT WAY, AND THE COURT WROTE THAT I HAD ACCUSED HIM OF LYING
ABOUT BEING PAID FOR THE ACOEM PAPER, WHEN I DIDN'T.

THE COURT: YOU AND I BOTH KNOW I DON'T WANT YOU TO GO TO JAIL. HOW MANY TIMES
HAVE I SAID THAT AND YOU ACKNOWLEDGED IT. BUT HERE'S THE ONLY QUESTION
THAT I'M AFRAID THAT WE'RE LEFT WITH. IS TODAY CONVENIENT?

MS. KRAMER: WELL, WE HAVE ANOTHER PROBLEM, YOUR HONOR; BY LAW, YOU CAN'T
ORDER ME TO JAIL FOR SOMETHING THAT I CAN'T DO. YOU'VE GOT ME SENTENCED
TO FIVE DAYS IN JAIL FOR THESE POSTS. ONE POST IS NOT EVEN MINE. THAT'S KAREN
GAINES. ANOTHER POST IS NOVEMBER 5TH ON KATIE'S EXPOSURE. THERE IS NO POST OF
THAT. AND YOU'RE TELLING ME, THE COURT ORDER SAYS I HAVE TO RETRACT THESE
STATEMENTS FROM THESE TWO WEBSITES. BOTH OF THE WEBSITE OWNERS SUBMITTED
DECLARATIONS TO YOU SAYING NO, THEY'RE NOT TAKING THEM DOWN.

1 THE COURT: OR YOU COULD SIMPLY AGREE TO THIS.

2 MS. KRAMER: I CAN'T AGREE TO THIS. THAT WOULD BE LIKE AGREEING TO -- THAT
3 WOULD BE LIKE AGREEING TO GIVE UP WHAT I -- THAT WOULD BE EVERYTHING THAT
4 I'VE DONE TO CHANGE THE POLICY.

5 THE COURT: I RESPECT YOUR STANDING ON YOUR PRINCIPLES AND YOUR BELIEFS.

6 MS. KRAMER: IT'S NOT MY PRINCIPLES, YOUR HONOR. IT'S KIND OF LIKE THIS GUY, THE
7 GUY THAT WAS HERE BEFORE ONLY I'M NOT QUITE AS BAD.

8 THE COURT: YOU'RE NOT EVEN CLOSE. BUT THAT'S NOT THE QUESTION. THE ONLY
9 QUESTION, DOES TODAY WORK FOR YOU? ARE YOU READY TO START DOING THAT
10 FIVE DAYS BECAUSE THAT'S WHAT'S GOING TO HAPPEN?

11 MS. KRAMER: IT'S NOT LAWFUL FOR YOU TO DO THAT.

12 **III**
13 **COURT KNEW KRAMER COULD NOT COMPLY WITH REVISED ORDER TO AVOID**
14 **INCARCERATION FOR CIVIL CONTEMPT**

15 *January 19, 2012, the Revised Order stated Kramer was to remove five posts from the Internet*
16 *containing the words, "altered his under oath statements" by February 6, 2012 or be jailed five days*
17 *under CCP 1218(a), Civil Contempt. (Attached hereto as **Exhibit 5** is the Revised Order) Online*
18 *<http://freepdfhosting.com/80883d2ba8.pdf>*

19 *February 10, 2012 Code of Civil Procedure §1219(a) states. "The 'coercive' imprisonment must*
20 *end when the contemner no longer has the power to comply." The Court was aware that Kramer*
21 *could not comply with the Revised Order. Website owners refused to remove the posts because of*
22 *the adverse impact on the public by doing so.*

23 *Kramer submitted a Notice To Court Inability To Comply With Unlawful Order & Judgment of*
24 *January 19, 2012. Attached as exhibit were the declarations of website owners Kevin "Carstens" and*
25 *Crystal "Stuckey" stating they would not remove the five posts, of which one was not even made by*
26 *Kramer and one that does not exist. The validity of the posts of what has occurred in this case and in*
27 *Kelman & GlobalTox v. Kramer that has greatly harmed the public has never been challenged as*
28 *false or inaccurate. (Attached hereto as **Exhibit 6 & 7** are the Declarations of Carstens & Stuckey*
submitted to the Court) Online:

1 Carstens Declaration (2.05.12): <http://freepdfhosting.com/33b2d76d81.pdf>

2 Stuckey Declaration (2.06.12): <http://freepdfhosting.com/5534e07fdf.pdf>

3 Kramer's Notice To Court (2.10.12): <http://freepdfhosting.com/5002768ab6.pdf>

4 *February 5, 2012 Carstens Declaration*

5 If this court would like to post an explanation of why it is sentencing Sharon Kramer to jail for
6 republishing the phrase the prior courts are evidenced in this court's case file to have framed her for
libel with actual malice and with one post for which she is to be jailed not even being made by her, I
will share the court's post with the 2800 members of Sickbuildings.

7 Until the California judicial system, Mr. Kelman and Mr. Scheuer provide an explanation of why the
8 courts framed a defendant for libel, suppressed the evidence the plaintiff committed perjury, falsified
9 court documents and computer entries, gagged the defendant from republishing the words for which
10 she is evidenced to have been framed by the courts, and is now going to be incarcerate her for
refusing silence of how the courts' actions continue to harm the 2800 members of Sickbuildings; no
posts of Sharon Kramer's or any other member of Sickbuildings regarding this matter will be retracted.

11 *February 6, 2012 Stuckey Declaration*

12 As the owner of Katy's Exposure I do not give Sharon Kramer permission to retract the
13 truthful and well evidenced post of September 13, 2011 from Katy's Exposure, *"Is The
14 California Court Case Management System (CCMS) Being Misused For Politics In Policy &
Litigation.....And The Fleecing Of The California Taxpayer Over The Mold Issue?"* Based
15 on the evidence I have posted on Katy's Exposure, the answer appears to be a resounding
"Yes".

16 In relevant part, the November 4, 2011 post on my blog accurately states,
17 By precluding us from writing the phrase *"altered his under oath statements"*, the words that
18 are the sole cause of action of the case; the courts are essentially taking a case that is a
19 matter of public record and deceptively making it a sealed case where we cannot write of
20 how the courts framed a US citizen for libel while aiding a multi-billion dollar fraud to
21 continue in public health and workers' comp policies. We cannot publicly evidence what the
22 courts did to frame a US citizen for libel and are now harassing and threatening to block the
23 citizen's movement (incarceration for Contempt of Court) to keep their misdeeds from
24 coming to greater public light.

25 *March 1, 2012* The Court called an ExParte hearing of its own accord to postpone the sentencing
26 until March 9, 2012. Kramer could not appear in person. It cost her \$78.00 to make the effort to
27 appear telephonically. (which Kramer does not have because the courts, Kelman and Scheuer have
28 been harassing her for seven years). This was for the Court to state that it was postponing sentencing
for a week. The Court knew that Kramer had been framed for libel by the prior courts to make her
writing falsely appear that she had accused Kelman of lying about being paid to author the ACOEM
Mold Statement – it is all over the case file in undeniable evidence. (Attached hereto as **Exhibit 8** is

1 the transcript of March 1, 2012) March 1, 2012 Transcript, online at
2 <http://freepdfhosting.com/cf1ae4fa75.pdf>

3 THE COURT:.... AND PLEASE CONSIDER, IF YOU HAVEN'T ALREADY TO A CONCLUSION,
4 THE OFFER THAT WAS MADE PREVIOUSLY WHEN WE WERE ALL TOGETHER. IT SEEMED
5 SO REASONABLE TO ME. (sic, signing an apology that was crafted by Kelman's attorney for being
6 framed for libel with actual malice by Kelman's attorney and the courts)

7 MS. KRAMER: OKAY. WELL, I DO HAVE SOMETHING TO SAY, YOUR HONOR. YOU'RE NOT
8 ACKNOWLEDGING THE UNCONTROVERTED EVIDENCE THEY FRAMED ME FOR LIBEL
9 [OVERLAPPING BY MS. KRAMER.]

10 THE COURT: I JUST FINISHED TELLING YOU THAT I'M GOING -- [OVERLAPPING BY MS.
11 KRAMER.] WHY DO I TRY?

12 MS. KRAMER:I DON'T APPRECIATE THE COURTS TRYING TO SILENCE ME OF WHAT
13 THEY'VE BEEN DOING TO DEFRAUD THE PUBLIC....YOU CAN PUT ME IN JAIL IF YOU
14 WANT, BUT I'M NOT SHUTTING UP. I'M SORRY, YOUR HONOR, TO BE SO DIRECT, BUT I'VE
15 HAD IT.

16 **IV**
17 **WHILE KRAMER WAS UNLAWFULLY INCARCERATED, THE CIVIL CONTEMPT**
18 **CHARGE MORPHED INTO CRIMINAL CONTEMPT-A MISDEAMENOR**

19 *December 7, 2011*, Kramer had requested a jury trial for the contempt charges. The Court denied
20 the request in a Minute Order stating this was Civil Contempt and Kramer was not entitled to a jury
21 trial. (Attached hereto as **Exhibit 9A** is the Minute Order of December 7, 2011) Online:
22 <http://freepdfhosting.com/a90c2a2762.pdf>

23 **"Defendant's request for a jury trial in the civil contempt matter is denied.** There is no
24 constitutional right to a jury trial in civil contempt proceedings in which the sentence impose
25 does not exceed six months imprisonment. *Codispoti v. Pennsylvania* (1974) US 506, 512,
26 *Mitchell v. Superior Court* (1989) 49 Ca. 3d. 1230, 1244. **Defendant has not been charged**
27 **with a criminal contempt. See Penal Code 166(a)(4) and Mitchell. Supra, as 1240"**

28 *March 12, 2012*, While unlawfully incarcerated with no ability to comply with the Revised Order for
Civil Contempt, Kramer was given a misdemeanor on her record for Criminal Contempt of Court.
Kramer was never charged with Criminal Contempt of Court, let alone found guilty of it. (Attached
hereto as **Exhibit 9B** is the false charge of being incarcerated for Criminal Contempt & false
misdemeanor on Kramer's record) Online: <http://freepdfhosting.com/9797be4ad4.pdf>

166 PC CRIMINAL CONTEMPT M * Note: CL - Charge Class (M – Misdemeanor)

1 This error of the Court to place a false misdemeanor on Kramer's record will preclude her from
2 being able to obtain a state license and practice her profession as a California licensed real estate
3 agent, - when she is not forced to spend her all of her time defending from the harassment of the
4 courts, Kelman & Scheuer to conceal seven years of judicial, clerk and attorney misconduct – aiding
5 to defraud the public. (Attached hereto as **Exhibit 9C** the Court failed to state the charge was Civil
6 Contempt In its Order Remanding To Sheriff) Online at: <http://freepdfhosting.com/191eabe361.pdf>

7 **V**
8 **COURT HAD CHANGE OF HEART ON MARCH 12th – LEFT KRAMER UNLAWFULLY**
9 **INCARCERATED FOR TWO NIGHTS WITH CRIMINALS**

10 *March 12, 2012* Kramer reported to the Los Colinas Women's Detention Center as she was
11 unlawfully ordered to do by the Court on March 9, 2012, to avoid having a bench warrant issued for
12 her arrest. By the afternoon of March 12th, before Kramer had even spent one night in jail, it was
13 available on the Sheriff's Department website that the Court had scheduled a hearing on March 14,
14 2012. At the hearing, the Court stated Kramer did not have to serve five days after she had already
15 spent two nights for refusing to commit perjury & sign the fraudulent retraction of what she did not do.

16 The Court unlawfully left Kramer incarcerated in a dorm setting for two nights with "tweekers",
17 prostitutes, shop lifters and heroine addicts. On the morning of March 14th, she was shackled to a
18 drug addict for an hour bus ride, in the dark, from the Lost Colinas Women's Detention Center in
19 Santee to the courthouse in Vista.

20 She was forced to appear before the Court in handcuffs and chains, no make up, unbrushed hair,
21 in prison garb and with barely any sleep for two nights. In the room were Kelman's attorney, Scheuer;
22 the court appointed attorney, Tracey "Sang" (who Kramer had expressly terminated as a legal advisor
23 on March 9, 2012 and had complained to the Court of her on January 12 & January 18 asking she be
24 dismissed from the case); Kramer's husband (who the Court called and notified of the hearing); her
25 91 year old mother and her sister. Kramer's clothes had been sent to Vista and she was immediately
26 released from Vista – not Los Colinas - after the intentionally humiliating hearing for daring to speak
27 the truth in America adverse to the interest of the US Chamber of Commerce.
28

1 After leaving Kramer unlawfully incarcerated for two nights in an unsafe setting and being given a
2 false criminal record, the Court again suggested on March 14, 2012 that Kramer perjure herself and
3 sign the fraudulent Retraction.

4 What had caused the Court to incarcerate Kramer on March 9th, by March 14th had become
5 merely a wish of the Court – after Kramer had been given a false criminal record, spent two nights
6 housed with criminals and punished for refusing to commit perjury which would have concealed seven
7 years of judicial, clerk and attorney misconduct defrauding the public. -. (Attached hereto as **Exhibit**
8 **10** is the transcript) March 14, 2012 Transcript, online: <http://freepdfhosting.com/6edbe0059d.pdf>

9 *March 14, 2012* THE COURT:... **I INVITED COUNSEL TO BE HERE OUT OF COURTESY.**
10 **THIS IS ULTIMATELY MY CALL AND THAT IS MY CALL. AND, HOPEFULLY, YOU'LL BE**
11 **RELEASED FORTHWITH. I KNOW YOU'LL BE TAKEN BACK TO WHERE YOU JUST**
12 **CAME FROM, AND I UNDERSTAND THE ARRANGEMENTS HAVE BEEN MADE THAT**
YOU'LL BE RELEASED AT THAT TIME.

13
14 THE COURT:.... YOU KNOW WHAT MY HOPE IS -- AND I'M NOT ASKING YOU TO RESPOND.
15 I'M NOT ASKING YOU TO SAY ANYTHING. -- BUT **THAT IS, IT SEEMED TO ME IN OUR LAST**
16 **MEETING I RECALLED YOU EVEN SAID THAT IT WASN'T YOU WHO HAD ACCUSED THE**
17 **GENTLEMAN OF PERJURY OR OF ALTERING HIS TESTIMONY, IT WAS RATHER COUNSEL'S**
18 **EFFORTS TO TRY TO MAKE IT SOUND THAT WAY. I DON'T KNOW IF I REMEMBERED IT**
19 **RIGHT OR NOT. IF YOU DID SAY THAT OR IF THAT'S HOW YOU FEEL, MORE IMPORTANTLY,**
20 **I WOULD REALLY STRONGLY URGE THAT YOU GIVE EVERY CONSIDERATION TO**
21 **AGREEING TO THAT PROPOSAL THAT COUNSEL MADE, WHICH SIMPLY SAID "I DID NOT**
22 **MEAN THAT." I DIDN'T MEAN TO SUGGEST THAT. I'M NOT SAYING YOU HAVE TO DO THAT.**
23 **I'M NOT. DON'T HEAR THAT FROM ME. BUT YOU DID HEAR THE IMPORTANT THING FROM**
24 **ME.**

25 MS. KRAMER: NO, I DID NOT HEAR THE IMPORTANT THING. **I DIDN'T HEAR AN APOLOGY**
26 **THAT THE COURT'S FRAMED ME FOR LIBEL SEVEN YEARS AGO. I'M SITTING HERE IN**
27 **HANDCUFFS FOR SPEAKING THE TRUTH ABOUT A FRAUD AND POLICY. IF YOU WANT TO**
28 **SEND ME BACK TO JAIL, FINE, BUT I'M NOT SIGNING AN APOLOGY FOR THE COURT**
DOING THAT.

THE COURT: OKAY. THAT'S NOT A CONDITION OF ANYTHING.

MS. KRAMER: **NO. WHAT YOU'RE ASKING ME TO DO IS COLLUDE WITH THE FRAUD -- WITH THE**
COURT TO DEFRAUD THE PUBLIC AFTER SEVEN YEARS.

THE COURT: **RIGHT.** BUT I'M NOT CONDITIONING MY DECISION THIS MORNING ON THAT. THAT'S
NOT A CONDITION. **IT WAS MERELY A WISH.**

VI.

IRREGULARITY IN TRIAL PROCEEDINGS ~ IT APPEARS IT WAS THE COURT'S INTENT TO FALSELY GIVE KRAMER A CRIMINAL RECORD

March 9, 2012, Kramer noticed the court of the express termination of Sang as her court appointed legal advisor. Read online at <http://freepdfhosting.com/52f989deef.pdf> is Kramer's express termination of Sang. Twice before Kramer had asked that Sang be removed from the case and that the Court, Kelman and Sang stop misrepresenting she was Kramer's Legal Counsel.

January 12, 2012 and January 18, 2012, after viewing the Proposed Order of January 10th and Revised Proposed Order of January 17th, both prepared by Scheuer, Kramer submitted objections to the Court trying to force Sang on her. Kramer's Motions regarding misrepresentations in the Order and Revised Order regarding Sang may be read online at: <http://freepdfhosting.com/f00eb3eb5e.pdf> (1.12.12) and <http://freepdfhosting.com/7c6e1fc461.pdf> (1.18.12)

January 6, 2012 THE TRIAL The reason Kramer expressly terminated Sang stems from the Contempt of Court hearing. Sang, who is not a party to the litigation and is retained as no one's legal counsel testified at the hearing without being sworn in as a witness. She gave testimony adverse to Kramer's best interest. Sang was in favor of the Court attempting to deem Kramer mentally incompetent with the acknowledgment that she must first be charged with a misdemeanor before the Court could order such examination. TRIAL AT: <http://freepdfhosting.com/4a4b7b80ed.pdf>

Sang stated in the trial that she, too, has reservations of Kramer's mental state and had discussed this with Scheuer before the contempt hearing. At no time had Sang ever mentioned mental issues to Kramer and in fact, had commended her stating in an email, "You do good work". (Attached hereto as **Exhibit 11** in relevant part the transcript of the Civil Contempt of Court hearing, January 6, 2012)

January 6, 2012 COURT:... I HAVE SEEN AND HEARD FROM THE VERY BEGINNING, IF THIS WERE A TRUE CRIMINAL CASE, PEOPLE VERSUS, I WOULD BE ORDERING HER DOWN TO THE PSYCHIATRIC UNIT FOR AN EXAMINATION, NOT THAT SHE NEEDS INSTITUTIONALIZATION OR ANYTHING LIKE THAT, BUT IF SHE'S NOT COMPETENT TO GO FORWARD IN THESE PROCEEDINGS, SHE HAS A RIGHT TO SAY THAT AND HAVE SOMEONE SAY IT FOR HER.....

MS. SANG: I, TOO, HAVE GIVEN THOUGHT TO THIS VERY ISSUE, YOUR HONOR. AND COUNSEL AND I WERE DISCUSSING IT BEFORE THIS HEARING. WHAT I AM -- AS A CRIMINAL ATTORNEY, THE MECHANISMS THAT I USUALLY USE IN SITUATIONS LIKE THIS IS A 1368.

1 THE COURT: 1368. I KNOW IT WELL.

2 MS. SANG: IT'S REALLY THE ONLY THING THAT I BELIEVE WE HAVE AT OUR DISPOSAL.

3
4 **THE COURT: SHE'S GOT TO BE CHARGED WITH A MISDEMEANOR.** I JUST READ THE
5 SECTION. BUT I'M NOT SO SURE THAT WE COULDN'T AT LEAST ATTEMPT TO GET HER
6 EXAMINED. I'VE GOT THE PAPERS. YOU KNOW, IF WE COULD DOCTOR UP AN ORDER AND
7 IF SHE WOULD GO....,

8 Kramer appeared by affidavit on her own behalf for the Contempt hearing as is her legal right to
9 do. After reading the transcript of the Contempt hearing, Kramer was forced to spend \$600.00 (which
10 she does not have after seven years of harassment by the courts, Kelman and Scheuer) to quickly
11 have a mental status exam on January 12, 2012 with Dr. Lorna Swartz. This was to thwart off the
12 "Nice Lady, But Crazy" defense of the court, Sang, Scheuer and Kelman for colluding to defraud the
13 public and concealing seven years worth of judicial, clerk and attorney misconduct.

14 *January 21, 2012* The examination results, which were submitted to the court on February 10,
15 2012, find Kramer quite competent and doing well considering she has been **"in a hostile**
16 **environment, aligned and subject to libel"** for now seven years at the hands of the court. (Attached
17 hereto as **Exhibit 11** with 01.06.12 TRIAL Exhibit 11 ~ Court, Sang & Scheuer were attempting a
18 mental incompetence defense on behalf of courts and Kelman.) Mental evaluation of Kramer online
19 at <http://freepdfhosting.com/299bc42586.pdf>

20 *January 6, 2012*, Kramer's appearance by affidavit <http://freepdfhosting.com/5681a3dffc.pdf>

21 *January 6, 2012* I am not physically appearing before any judge with unbridled Contempt
22 of Court and incarceration power, who is i.) suppressing the uncontroverted evidence in his
23 case file that all prior courts suppressed the evidence the plaintiff committed perjury in a
24 prior case to establish needed reason for malice, ii.) is suppressing the evidence that the
25 plaintiff's attorney repeatedly suborned the perjury, and iii.) is suppressing the evidence that
26 the prior courts in the prior case, KELMAN & GLOBALTOX v. KRAMER, framed me for libel
27 over a writing impacting public health and safety.

28 This court's Temporary Injunctive Relief Order (TIRO), is precluding me from writing and
evidencing the corruption of prior courts by stopping me from writing the exact words for
which I was framed for libel in the prior case, *"altered his under oath statements"*.

The direct evidence in this court's case file is that the Fourth District Division One Appellate
Court framed me for libel in their 2006 anti-SLAPP Appellate Opinion to make my writing
appear false. Then in their 2010 Appellate Opinion suppressed the evidence of what they
had done in 2006. In their unpublished anti-SLAPP Opinion of November 2006, made it
appear that I had accused Kelman of getting caught on the witness stand lying about being

1 paid by the Manhattan Institute think-tank to make edits to a position statement for a
2 medical trade association, the American College of Occupational and Environmental
3 Medicine, ACOEM:

4 **VII**
5 **KRAMER HAS A \$19, 343.95 LIEN ON HER PROPERTY – NO EXPLANATION GIVEN BY**
6 **COURT**

7 *February 23, 2012*, Scheuer placed a judgment lien on Kramer's name in the amount of
8 \$19,343.95. (Attached hereto as **Exhibit 12**) Online at <http://freepdfhosting.com/d1ee390418.pdf>

9 *October 20, 2011* False CCMS entry, it is stated that a Tentative Ruling was issued regarding
10 Kramer's Motion To Nullify the Void Temporary Relief Order "TIRO". No such Temporary Ruling was
11 ever issued. The Court gave no explanation for this denial or awarding of costs in writing or orally at
12 anytime. Yet it is in the Revised Order & Judgment For Contempt of Court (Attached hereto
13 collectively as **Exhibit 13 & Exhibit 14** is the false court record stating a Tentative Ruling was issued
14 on October 20, 2011 and the actual record showing no Tentative Ruling was ever issued.) October
15 20, 2011 CCMS falsifications, online at <http://freepdfhosting.com/5cd42b5834.pdf> &
16 <http://freepdfhosting.com/28a4d2dc39.pdf>

17 *October 21, 2011* The transcript of oral argument in which the Court denied Kramer's Motion to
18 Nullify the TIRO with no explanation is online at: <http://freepdfhosting.com/9f89e496b1.pdf>

19 *January 6, 2012* The transcript of the Contempt of Court hearing on, again gave no explanation
20 for the denial or the \$19,343.95. TRIAL AT: <http://freepdfhosting.com/4a4b7b80ed.pdf>

21 Kramer's Motion was to lift the TIRO was because if she could not write the words for which she
22 was framed for libel with actual malice in the prior case without violating a court order, "*altered his*
23 *under oath statements*.; she also cannot write of the misconduct that caused her to be falsely deemed
24 guilty of libel with actual malice over the first public writing of how it became a fraud in US public
25 health policy that it was scientifically proven moldy buildings do not harm. **There is nothing frivolous**
26 **about this or what the courts, particularly the Appellate Court, did in Kelman & GlobalTox v.**
27 **Kramer to frame a whistleblower of fraud in policy for libel with actual malice.**
28

1 October 17, 2011 Scheuer submitted an Opposition to Kramer's motion. Under the pretense that
2 Kramer's Motion to Nullify the TIRO was "frivolous" and Kramer was a "vexatious litigant". Without
3 stating what was "frivolous" or "vexatious" the Court denied Kramer's Motion to nullify the TIRO.
4 Kelman's Opposition to Kramer's Motion, online at: <http://freepdfhosting.com/aefe257405.pdf>

5 As brought to the Courts attention before in prior pleadings – and simply ignored - the court must
6 find several elements to hold an action frivolous or in bad faith: (1) The action must be determined to
7 be without merit; (2) the action is prosecuted for an improper motive, including harassment or delay;
8 or (3) the action indisputably has no merit, when any reasonable attorney would agree that the action
9 is totally and completely without merit. Winick Corp. v County Sanitation Dist. No. 2 (1986) 185 CA3d
10 1170, 1176, 230 CR 289. The finding must be beyond a reasonable doubt if the proceeding results in
11 punitive sanctions. 37 CA4th at 1086.

12 VIII

13 UNDER THREAT OF THE APPELLATE COURT CLERK, KRAMER IS PRECLUDED FROM 14 APPEAL/WRIT FOR THIS COURT'S JUDGMENT & ORDER

15 On October 5, 2011, Kramer was politely threatened by the "Clerk" of the Appellate Court that
16 should she file a lawsuit for his falsification of court records as to who were the parties on appeal and
17 who prevailed in trial, the Appellate Court would deem her to be a vexatious litigant. The Clerk stated
18 this to Kramer in a telephone call he made to her that this is what would occur if she pursued legal
19 action for the Government Code 6200 violations. Kramer's follow up fax to Kelly's threatening phone
20 call regarding the falsified remittitur of December 20, 2011 and alteration of the CCMS as to who were
21 disclosed parties on appeal may be read online at: <http://freepdfhosting.com/75c475f4f4.pdf>
22 (Attached hereto as **Exhibit 15** collectively is the falsified Remittitur & alteration of the Appellate
23 Court's CCMS to match, with the evidence the Appellate Clerk knows he falsified the Remittiter
24 awarded costs to undisclosed parties, aided to conceal that in the anti-SLAPP of 2006, Bryan Hardin
25 was an undisclosed party on Appeal & knows he changed the CCMS entry of Certificate of Interested
26 Parties to match the falsified Remittitur) Online at: <http://freepdfhosting.com/127cb42866.pdf>

27 October 5, October 12, & October 17, 2011, So on October 5, 2011, the Clerk of the Appellate
28 Court, called Kramer and threatened her if she pursued legal action for his Government Code 6200
violations of falsifying court documents. The threat was that the Presiding Justice of the Appellate

1 Court would deem Kramer to be a vexatious litigant. On October 17, 2011, Kelman submitted an
2 Opposition to Kramer's Motion to Nullify with the statement that Kramer is a "vexatious litigant". The
3 letter from Kramer to Clerks of the Appellate & Superior Court (who are both members of the Judicial
4 Council) on September 11, 2011 questioning the discrepancies in Case Record of the disclosure of
5 parties on appeal, etc., was attached as exhibit in its online version to Kelman's Complaint (10.12.11)
6 of why Kramer should be held in contempt. **In other words, Kramer sought help from the Clerks to**
7 **correct errors of awarding costs to wrong parties and ended up unlawfully incarcerated with a**
8 **false criminal record, while Clerk of the Court Government Code 6200 violations – which are**
9 **criminal – have continued to go unaddressed.**

10 (09.11.11) Kramer's letter to Appellate & Superior Court Clerks re: discrepancies in the Case Record:
11 <http://freepdfhosting.com/d7f0716cd1.pdf>

12 (10.05.11) Kramer's follow up fax to Clerk after he threatened her that McConnell would deem her a
13 "vexatious" if she pursued action for his record falsification <http://freepdfhosting.com/8dc35da911.pdf>

14 (10.12.11) Scheuer's Complaint for Contempt of Court with letter to Clerks in its online version as
15 exhibit of Contempt <http://freepdfhosting.com/70e4353dc6.pdf>

16 (10.17.11) Scheuer's Opposition to Kramer's Motion to Nullify the TIRO falsely stating Kramer has
17 been found to be a "vexatious litigant" <http://freepdfhosting.com/968c263ced.pdf>

18 *October 28, 2011*, Kramer was able to have the judgment document amended from Kelman &
19 GlobalTox v. Kramer to finally reflect that she prevailed over GlobalTox in trial and was awarded
20 costs. The Appellate Opinion of September 2010, falsely stated this judgment had already been
21 entered – when they knew it had not. The CCMS was then falsified on December 23, 2011 to match
22 the false judgment that was really on record that Kelman & GlobalTox prevailed in trial. It is still not a
23 valid judgment on file, even after Kramer was able to be recognized as a prevailing party on October
24 28, 2011 because, as the Court is aware, it shows Kelman was awarded costs on December 18, 2008
25 which is not even possible and does not match with the Abstract of Judgment recorded. Judgment
26 amended on October 28, 2011, online at <http://freepdfhosting.com/eb670f25d6.pdf>

27 *January 20, 2009* The Abstract of Judgment and Lien placed on Kramer's property, shows costs
28 were awarded to Kelman on September 24, 2008 (and included costs incurred by GlobalTox). **The**
judgment document with only Kelman being awarded costs, supposedly on December 18,

1 2008, is the sole foundation document for the second case, Kelman v. Kramer, that Scheuer
2 submitted to this Court as a valid judgment document on November 4, 2010 This Court being
3 provided evidence on September 22, 2011, that the judgment document from the prior case that this
4 entire case is founded upon is fraudulent along with how the courts framed Kramer for libel, etc., may
5 be read online at: <http://freepdfhosting.com/9664d78467.pdf> (huge pdf)

6 *December 18, 2008* The evidence that the judgment document from the first case that this entire
7 case is founded upon is fraudulent and that Kelman placed a fraudulent lien on Kramer's property as
8 of January 20, 2009, with interest accruing from three weeks before he even submitted costs & three
9 months before the court supposedly awarded him costs on December 18, 2008 may be read online
10 at: <http://freepdfhosting.com/dfed8e0765.pdf>

11 Kramer has never been found to be a vexatious litigant. She has only filed one lawsuit in her
12 entire life, 2004, via an attorney. The case was dismissed by Judge Nugent in a Motion for Summary
13 Judgment. Kramer did not appeal. The numerous false court documents and unchecked false
14 statements that always seem to go in Kelman's favor are undeniable. Kramer has a lien with interest
15 accruing before costs were even submitted. She is to pay costs on appeal to undisclosed
16 "Respondents".

17
18 This Court denied Kramer's Motion to Nullify the TIRO with no explanation given and awarded
19 Kelman \$19,343.95 via the Revised Order & Judgment for [Civil] Contempt of Court, with Kramer
20 seeking help from the Clerks of the Court to correct the false court documents being part of the
21 evidence of why Kramer is in Contempt. This, all under the false pretense that she is in contempt,
22 needed to be locked away and deemed a criminal because she repeated the words, "*altered his*
23 *under oath statements*".

24 **VIII**
25 **EXPARTE COMMUNICATION WITH PLAINTIFF & FALSIFICATION OF COURT RECORD**
26 **WHEN DRAFTING THE ORDER & JUDGMENT FOR CONTEMPT**

27 "*The trial judge should personally prepare the contempt order and not delegate that duty to*
28 *counsel or the clerk. The judge should take meticulous care in preparing the order to increase the*
likelihood that it will be upheld." Hawk v Superior Court (1974) 42 CA3d 108, 125 n16, 116 CR 713.

1 *March 9, 2012*, Kramer submitted a Request to the Court that the Government Code 6200
2 violations, secretions and alterations of records be corrected in the online court record. This included
3 the omission that Scheuer, not the Court, drafted the Revised Order & Judgment for Contempt
4 submitted to the Court on January 17, 2012 and drafted the original order on January 11, 2012.
5 While other omission were corrected and added to the record, these two entries were not.

6 This begs the questions: **How did Scheuer know that he needed to draft a revision?** Why
7 has it been secreted from the record that Scheuer, not the Court, wrote the original Order and the
8 Revised Order? Why was the record not amended to properly add that Scheuer wrote the Original
9 and the Revised when Kramer brought this to the Court's attention on March 9, 2012? Other
10 omissions were added upon her Notice to the Court.

11 *March 9, 2012* Kramer's Notice To Court & Counsel of Government Code 6200 Violations and
12 request that the file be properly amended to show in the computer record that Scheuer drafted the
13 original & Revised Order, etc., online at <http://freepdfhosting.com/2487bcac6b.pdf>

14 1/11/2012 Omitted

15 (Proposed) Order and Judgment of Contempt filed by Kelman, Bruce J, which falsely
16 states Ms. Tracey Sang was representing Mrs. Kramer at the trial. (Ms. Sang, without
17 being sworn in as a witness, was encouraged by the Court to testify. She testified
18 that the Courts' only option was to have a psychological examination of Mrs. Kramer
19 (who the court assigned Ms. Sang to "help" with a legal defense, October 21, 2011);
20 and she had discussed this with plaintiff counsel before the hearing. Omitted
21 Proposed Order read online at: <http://freepdfhosting.com/9b1237ef39.pdf>

22 Ms. Sang's testimony read online at: <http://tinyurl.com/7h25v4w>

23 1/17/2012 Omitted:

24 (Revised) Proposed Order and Judgment of Contempt filed by Kelman, Bruce J. This
25 was revised after Mrs. Kramer's Notice To Court on January 12, 2012 to still falsely
26 state Ms. Sang is Mrs. Kramer's Counsel, but that she did not testify on Mrs. Kramer
27 behalf at the Contempt of Court hearing. Read online at
28 <http://freepdfhosting.com/1056e73b21.pdf>

(THIS OMISSION WAS ADDED AFTER MARCH 9, 2012, BUT NOT THE OTHERS)

 1/18/2012 Omitted SECOND NOTICE - Other (To Court Regarding Tracey Sang)
filed by Sharon Kramer, noting irregularities in trial proceedings, failure of Judgment
to state this is Civil Contempt, etc. Read Online at:
<http://freepdfhosting.com/cdc000a511.pdf>

1 1/19/2012 FALSIFICATION OF COURT RECORD

2 Mr. Kelman did not submit a Proposed Order on this date. Judge Nugent did not sign
3 a Proposed Order on this date. He signed a Revised Proposed Order while ignoring
4 the evidence in Mrs. Kramer's Notice of 1/18/2012 – which is omitted from the online
5 ROA.

6 *January 11, 2012* The original by Scheuer, online at: <http://freepdfhosting.com/c8ad376455.pdf>

7 *January 17, 2012* The revised by Scheuer at: <http://freepdfhosting.com/0944496b46.pdf>

8 (Attached hereto as **Exhibit 16**, is the CCMS with both draftings by Scheuer, January 11th and
9 January 17th omitted from the record even after Kramer's request to amend & Proofs of Service of
10 Scheuer writing the Order & Revised Order) Online: <http://freepdfhosting.com/a8750ae4cb.pdf>

11 **IX**
ROUNDING OUT THE REWARDING OF BILLION\$ IN BAD BEHAVIOR

12 *November 19, 2006* The undeniable evidence that is being suppressed in this Court's case file is
13 that the current Chair of the California Commission on Judicial Performance crafted an anti-SLAPP
14 Appellate Opinion in November of 2006 in which she took a truthful writing of a fraud in policy and
15 made it appear to be a false accusation of perjury. Additionally, she suppressed the evidence that the
16 plaintiff committed perjury to establish false theme for personal malice. She also suppressed the
17 evidence that the plaintiff's expert opinion of denying causation of illness based on a toxicology model
18 was found to be a "huge leap" of science in a litigation in Sacramento. And she suppressed the
19 evidence that a newly retired Deputy Director of NIOSH, Bryan Hardin, was an undisclosed party to
20 the litigation. A brief description of the evidence she suppressed is online at:

21 <http://freepdfhosting.com/29f946dad9.pdf>

22 *September 14, 2010* The then Chair of the Executive Committee of the Judicial Council suppressed
23 the evidence of what the Chair of the California Commission on Judicial Performance had done in
24 2006 to frame a whistle blower of fraud in policy for libel with actual malice – with all courts following
25 her lead. Along with concealing that the Administration of the Court, Clerk of the Appellate Court &
26 Judicial Council member had falsified the Remittitur under seal of the State of California. Kramer's
27 Petition for Rehearing of September 30, 2010 provides the direct evidence of exactly how they did it.
28 Online at: <http://freepdfhosting.com/1c081515dd.pdf>

1 *April 30, 2010* The Regents of the University of California, who generate income every time one of
2 their employees testifies as an expert witness (they keep over half the money) were informed that
3 their imprimatur being on the US Chamber's Mold Position Statement was being used in a litigation in
4 Arizona. The university's name was lending false credibility to Kelman's testimony that a moldy
5 apartment could not have caused the deaths of two newborns – all claims of illness and death from
6 "toxic mold" were only being made because of "trial lawyers, media and Junk Science". They did
7 nothing to stop the California Constitution, Article IX, Section 9 violation of the University name
8 being misused for political and sectarian purposes on behalf of the insurance industry in a litigation
9 involving deceased infants and a \$25 million dollar insurance policy. Online of the Regents being
10 informed of how the public university's name was being used to defraud the public:

11 <http://freepdfhosting.com/b8b0e0e95f.pdf>

12 *December 2010* Mayoral Candidate and current District Attorney for San Diego County, was
13 provided the direct evidence that the Appellate Court justices framed a whistle blower of fraud in
14 policy – which is workers comp insurer fraud in the State of California – for libel with actual malice; as
15 the suppressed the evidence that the plaintiff and author of the workers comp fraud committed perjury
16 to establish malice. Although heavily funded to stop insurance fraud, the District Attorney claimed
17 she could not intercede. A brief overview of some of what the District Attorney, the California Attorney
18 General and the Governor know of this case that has aided the insurance fraud aided to continue by
19 what the courts have done over this case is online at: <http://freepdfhosting.com/1c081515dd.pdf>

20 *December 14, 2011* The California State Bar, whose job it is to protect the public from unethical
21 attorneys claimed there was no evidence Kelman committed perjury to establish malice or that
22 Scheuer repeatedly suborned it. They made this claim while simultaneously claiming the lost the file.

23 Kramer submitted a second complaint against Scheuer. This one was for commingling of his
24 clients' funds and placing a fraudulent lien on Kramer's property with interest accruing from three
25 weeks before he even submitted his clients' costs, along with submitting (and awarded) costs
26 incurring by his client that Kramer prevailed over in trial, GlobalTox. The State Bar did not even
27 bother to send a response in writing that they received the complaint of December 14, 2011.
28

1 The complaint, filed in Los Angeles, was oddly sent to San Francisco. In a telephone conversation
2 with the State Bar in January of 2012, no explanation could be given as to why the State Bar did not
3 even acknowledge receipt of the complaint and the undeniable evidence of a California licensed
4 attorney commingling client funds and placing a false lien on the opposition's property. Online is the
5 complaint not even acknowledged as received by the State Bar, December 2011:
6 <http://freepdfhosting.com/ff3341cf93.pdf>

7 October 2005 **Last but not least** and as found in this Court's case file. One month after the first
8 court denied Kramer's anti-SLAPP motion in September of 2005, while suppressing the evidence that
9 Kelman committed perjury to establish needed reason for malice & suppressing the evidence that
10 Kramer gave a logical and unimpeached reason for her use of the phrase, "*altered his under oath*
11 *statements*" in the first public writing of how the US Chamber was connected to ACOEM in marketing
12 false science into policy over the mold issue – **Governor Arnold Schwarzenegger** endorsed the
13 false science of Kelman and Hardin over the mold issue – the ACOEM Mold Statement - into
14 California's workers comp policy under the platform of "Workers Comp Reform". ACOEM wrote the
15 workers comp guidelines under SB889. It proved to be a field day for California workers comp
16 insurers while many injured workers lives were forever ruined and taxpayer picked up the tab.

17 As a result of Schwarzeneggers' endorsement of the ACOEM Mold Statement, workers made ill
18 from moldy buildings could obtain no benefits and no medical treatment. Insurers were able to shift
19 the cost of illness off of themselves and onto the defrauded public. Schwarzenegger's endorsement
20 of the ACOEM Mold Statement in CA workers comp policy October 2005 is no longer available on the
21 Internet.

22 It is deceptive nonsense that two PhDs, Kelman & Hardin, could apply math to data taken from a
23 single rodent study and profess they have scientifically proven all claims of illness and death from
24 moldy buildings are only being made because of "trial lawyers, media and Junk Science" Yet that is
25 exactly what the California courts have aided to continue by being willing participants in a malicious,
26 strategic litigation against public participation, carried out by unlawful means – and would now like
27 their role in the matter to stay hidden from public light.
28

IX
ARGUMENT

If Kramer is lying about the courts unlawfully practicing politics from the bench, unlawfully incarcerating a US citizen because she would not agree to conspire to defraud the public by signing a fraudulent apology for being framed for libel by the courts over a writing impacting public health; and incarcerated and given a false criminal record to try to scare her, humiliate her and discredit the truth of her words about the courts colluding to defraud; it would be real simple for this Court to prove Kramer is liar. All the Court would need to do is produce two pieces of evidence to corroborate Kramer was not framed for libel and the courts did not reward Kelman's use of perjury to establish malice while strategically litigating against public participation. Those two pieces are:

1. That Kramer was ever impeached as to her belief that Kelman "altered his under oath statements" while obfuscating to hide how ACOEM was connected to the US Chamber to market false science into policy over the mold issue for the purpose of misleading the courts.
2. The direct evidence proving that Kelman did not commit perjury and Scheuer did not suborn it to establish a false theme for Kramer's purported malice while strategically litigating against public participation.

The Court cannot do it. The evidence does not exist that Kramer was ever impeached.

Kramer's writing of March 2005 is completely accurate that the exchange of think-tank money to Kelman's company, GlobalTox/Veritox, was for the US Chamber's Mold Statement of 2003. The Court, with no legal grounds to do so, incarcerated Kramer for refusing to perjure herself and apologize for something she did not do, i.e., libelously accuse Kelman of lying on a witness stand in Oregon about being paid by the think-tank to author the ACOEM Mold Statement of 2002.

There can be no question that Kramer believes Kelman was obfuscating, flip flopping and "*altering his under oath statements*" when force to discuss the close connection of the US Chamber to ACOEM while setting false policy over the mold issue. Since July of 2005, she has provided all courts involved in this travesty of justice with the evidence that this is what she meant by the use of this phrase – even citing to the exact words of Kelman's from the Oregon transcript that she considers obfuscating and altering.

1 All courts suppressed the evidence that a defendant in a libel suit was never impeached as to the
2 subjective belief in the validity of her words – with the Appellate Court going out of their way in 2010
3 to suppress the evidence they did this in the 2006 anti-SLAPP as did the trial court and the court that
4 denied the MSJ (2008) and anti-SLAPP (2005).

5 Kramer was even willing to be unlawfully incarcerated if that's what it took to defend the truth of
6 her words because so many lives continue to be devastated by the unlawful actions of the California
7 judiciary, clerks and attorneys involved in this litigation. These are libel cases, in which the second
8 case precludes the defendant from writing of what the courts did in the first case to frame her for libel
9 over the words, “altered his under oath statements” and its continued damaged to her and the public.
10 The first prong of libel is that must be proven that the defendant does not believe the truth of their
11 words. If there is anyone who the courts cannot prove this, as she has gone above and beyond to
12 defend the truth of her words – it is Kramer.

13 The Appellate Court, *twice*, falsely made it appear that Kramer had libelously accused Kelman of
14 lying about being paid by the think-tank to author the ACOEM Mold Statement of 2002, even deleting
15 14 key lines from the middle of the transcript of Kelman's testimony to change the color of what
16 occurred (see Exhibit 2, pages 7-10) . Kelman's attorney did a bait and switch in his briefs of taking
17 the words of the attorney questioning Kelman in Oregon, Kelly “Vance”; made Vance's words appear
18 to be the writing of Kramer's and a false accusation of perjury. In their 2010 Appellate Opinion, this
19 evidence of Scheuer's deception was suppressed by the Appellate Court. (see Exhibit 2, page 8, 9)

20 The court cannot erase history and Kramer cannot retract what the courts, Kelman and his attorney
21 have done to her for daring to speak the truth in America of a fraud in policy over the mold issue
22 involving the US Chamber of Commerce & an expert witness who was trying to hide from a jury how
23 the false science was marketed into policy for the purpose of misleading US courts and while harming
24 thousands.

25
26 By this Court enjoining Kramer from being able to write the words for which she was framed for
27 libel by prior courts in May of 2011, this Court has also played a significant role in aiding a fraud in
28 policy to be able to be used to sell doubt of causation of environmental illness in all US courts.


1 (I'm sorry Judge Nugent, its obvious you do not want to be here - but you know that is the truth) That
2 is why Kramer sought help from the Judicial Council and the Chief Justice on September 11, 2011 –
3 only to be unlawfully incarcerated and given a false criminal record.

4 An adjudication for indirect contempt requires that the facts show the contemner's willful and
5 contemptuous refusal to obey a valid order of the court. *In re Cassil* (1995) 37 CA4th 1081, 1087–
6 1088, 44 CR2d 267 (accused does not have burden of proving inability to comply with order). For
7 contempt for willful disobedience of a court's order (see *CCP §1209(a)(5)*), include facts establishing
8 the court's jurisdiction to make the disobeyed order and the contemner's knowledge of the order,
9 ability to comply, and willful disobedience. See *In re Cassil* (1995) 37 CA4th 1081, 1086–1088, 44
10 CR2d 267. The order must be in writing or entered in the court minutes; an oral order that has not
11 been reduced to writing or entered in the minutes is insufficient to support an adjudication of
12 contempt. *In re Marcus* (2006) 138 CA4th 1009, 1015–1016, 41 CR3d 861; *Ketscher v Superior Court*
13 (1970) 9 CA3d 601, 604–605, 88 CR 357. The order must also be "definitive"; otherwise, it lacks the
14 certainty required to punish in a proceeding that is regarded as criminal or quasicriminal. 9 CA3d

12 VIII 13 CONCLUSION

14 The Court has clearly violated its Contempt of Court jurisdiction by, among other actions,
15 unlawfully incarcerating Kramer and giving her a false criminal record –when she refused to perjure
16 herself and sign a retraction for something she did not do – accuse Kelman of lying about being paid
17 by a think-tank to author the Mold Position Statement for the American College of Occupational &
18 Environmental Medicine. The Fourth District Division One Appellate Court justices falsely made a
19 truthful writing to be libelous with the aid of Kelman's. There can be no doubt that this Court
20 understands. This Court's actions have caused extreme damage to Kramer physically, financially and
21 emotionally. This is piled on to the seven years of damage to Kramer by prior courts, Kelman and
22 Scheuer framing her for libel with actual malice over a writing impacting public health. An ExParte
23 hearing is required for the Court to explain its plan to mitigate this damage to Kramer and to remove
24 her false criminal record for alleged Civil Contempt of Court.

25 March 21, 2012

26 
27 Sharon Kramer, Pro Per
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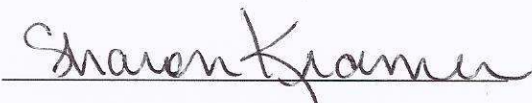
1 & Globaltox v. Kramer, -and all courts suppressed the evidence; someone's health is being potentially
2 endangered. You are aiding the science of toxicology to be misused & abused to falsely deny
3 causation of environmental illnesses leaving the vulnerable to a horrible lifetime of sickness
4 and early death while the cost burden for worker illness is shifted from insurer to taxpayer.

5 It is beyond ludicrous to think that all of this wrath is over the word "altered" (while billions in
6 insurer fraud has been allowed to continue by what the courts have done to me and continue to do).

7 Please stop, Judge Nugent, I am begging you. Correct the continuing damage to me, my family
8 and to the public by the Appellate Court practicing politics from the bench in Kelman & GlobalTox v.
9 Kramer – not practicing law. Please stop trying to conceal what they have done to me and the
10 continued damage to the public from it. I am not the liar or the criminal in these litigations. Please
11 stop punishing me and trying to discredit and silence me for telling the truth of how industry
12 controls its liability for causation of environmental illnesses by bastardizing the sciences of
13 toxicology and marketing -while so many lives hang in the balance.

14 I declare under penalty of perjury and the laws of State of California that the foregoing is true and
15 correct and this declaration is executed by me this day, March 21, 2012, in Escondido, California.

16
17 Submitted as Respectfully as Possible

18 
19 Sharon Kramer, Pro Per

| | | |
|--|--|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Sharon Kramer 2031 Arborwood Place Escondido, CA 92029 TELEPHONE NO.: 760-746-8026 FAX NO. (Optional): E-MAIL ADDRESS (Optional): snk1955@aol.com ATTORNEY FOR (Name): Self | | FOR COURT USE ONLY CASE NUMBER: 37-2010-00061530CU-DF-NC JUDGE: Hon Thomas Nugent DEPT.: 30 |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 325 S. Melrose MAILING ADDRESS: CITY AND ZIP CODE: Vista, CA 92081 BRANCH NAME: | | |
| PLAINTIFF/PETITIONER: Bruce Kelman DEFENDANT/RESPONDENT: Sharon Kramer | | |
| PROOF OF SERVICE—CIVIL Check method of service (only one): <input type="checkbox"/> By Personal Service <input type="checkbox"/> By Mail <input type="checkbox"/> By Overnight Delivery <input type="checkbox"/> By Messenger Service <input type="checkbox"/> By Fax <input checked="" type="checkbox"/> By Electronic Service | | |

(Do not use this proof of service to show service of a Summons and complaint.)

- At the time of service I was over 18 years of age ~~and not a party to this action.~~ **SNK**
- My residence or business address is:
2031 Arborwood Place, Escondido, CA 92029
- ☒ The fax number or electronic service address from which I served the documents is (complete if service was by fax or electronic service): **Snk1955@aol.com**
- On (date): **3.23.2012** I served the following documents (specify):

REQUEST FOR EXPARTE RE: COURT'S INTENT TO REMOVE FALSE CRIMINAL RECORD OF DEFENDANT SHARON KRAMER

☐ The documents are listed in the Attachment to Proof of Service—Civil (Documents Served) (form POS-040(D)).

5. I served the documents on the person or persons below, as follows:

- Name of person served: **Keith Scheuer**
- ☐ (Complete if service was by personal service, mail, overnight delivery, or messenger service.)
Business or residential address where person was served:

- ☒ (Complete if service was by fax or electronic service.)

- (1) Fax number or electronic service address where person was served:

KScheuer@aol.com

- (2) Time of service: **5PM**

☐ The names, addresses, and other applicable information about persons served is on the Attachment to Proof of Service—Civil (Persons Served) (form POS-040(P)).

6. The documents were served by the following means (specify):

- ☐ **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

| | |
|---------------------------------------|---|
| CASE NAME: Kelman v. Kramer | CASE NUMBER: 37-2010-00061530CU-DF-NC |
|---------------------------------------|---|

6. b. ☐ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and (specify one):

(1) ☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.

(2) ☐ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at (city and state):

c. ☐ **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

d. ☐ **By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. (A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.)

e. ☐ **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

f. ☒ **By electronic service.** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed in item 5.

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

Date: 3.23.2012

SHARON KRAMER

(TYPE OR PRINT NAME OF DECLARANT)

► Sharon Kramer

(SIGNATURE OF DECLARANT)

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

DECLARATION OF MESSENGER

☐ **By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package, which was clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on (date):

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

Date:

(NAME OF DECLARANT)

► _____
(SIGNATURE OF DECLARANT)