

1 *“Dr. Kelman altered his under oath statements on the witness stand’ when he*
2 *testified in a trial in Oregon.” [sic, that based solely on his toxicology model, he*
3 *professed it was proven the Haynes children’s illnesses “Could not be” caused by*
4 *mold toxins]*

5 **MR. KELMAN DID COMMIT PERJURY – IN KELMAN & GLOBALTOX V.**
6 **KRAMER TO ESTABLISH FALSE THEME FOR MALICE**

7 Within the Retraction proposed by Mr. Kelman, it states that Mrs. Kramer is to sign
8 under penalty of perjury, *“I do not believe that Dr. Kelman committed perjury. I apologize*
9 *to Dr. Kelman and is colleagues at VeriTox, Inc. for all the statements that I have made that*
10 *stated or implied otherwise.”* The only words for which Mrs. Kramer has been sued and
11 deemed by the courts to be a malicious liar are *“altered his under oath statements”*. In libel
12 law one must establish a reason for malice. The undisputed evidence in both libel cases is
13 that Mr. Kelman committed perjury to establish a false theme for Mrs. Kramer to harbored
14 malice for him. He submitted declarations three times which falsely stated that when
15 retained as an expert defense witness in Mrs. Kramer’s mold litigation (2002-03) he had
16 testified the *“types and amount of mold in the Kramer house could not have caused the life*
17 *threatening illnesses she claimed.”* His attorney then wrote as a false reason of why Mrs.
18 Kramer was writing of the fraud in US public health policy, *“Apparently furious that the*
19 *science conflicted with her dreams of a remodeled home, Kramer launched into an*
20 *obsessive campaign to destroy the reputation of Dr. Kelman and GlobalTox.”*

21 All courts suppressed Mrs. Kramer’s uncontroverted evidence that Mr. Kelman gave no
22 such malice causing testimony in Mrs. Kramer’s mold litigation, including declarations
23 submitted by attorneys involved in the case. All courts ignored the fact that there was not a
24 single piece of evidence presented that Mrs. Kramer was in the least unhappy with Mr.
25 Kelman’s involvement in her own mold litigation. All courts ignored the evidence that
26 Mrs. Kramer received approximately \$500K in settlement from the case.

27 On July 15, 2011, Mrs. Kramer asked this Court that Mr. Kelman’s attorney be made to
28 corroborate the reason given for malice – as no court in the prior case would make him and
all suppressed the evidence that he was perjury to establish needed theme for malice.

1 This Court said it was “frivolous” that a plaintiff in a libel litigation be make to
2 corroborate reason given for malice and threatened to sanction Mrs. Kramer. The evidence
3 is undeniable in this Court’s case file. All courts in the prior case suppressed the evidence
4 that Mr. Kelman committed perjury to establish needed reason for malice.

5 After being provided no less than 28 pieces of evidence that Mr. Kelman had committed
6 perjury to establish malice while strategically litigating against public participation and all
7 courts suppressed the evidence, the Appellate Court wrote in their 2010 Opinion:

8 We recognize that with respect to malice “courts are required to independently
9 examine the record to determine whether it provides clear and convincing proof
10 thereof.” (McCoy v. Hearst Corp. (1991)227 Cal.App.3d 1657, 1664.) However, in
11 Kelman v. Kramer I (sic, the 2006 anti-SLAPP Appellate Opinion) we expressly
12 rejected Kramer’s argument that such independent review entitled her to
13 judgment....Given that disposition, we can only conclude that panel which decided
14 Kelman v. Kramer I conducted the required independent review of the record and
15 agreed with the trial court that, as the record stood at that point, there was clear and
16 convincing evidence of malice.

17 Falsely stated in the 2010 Appellate Opinion, in 2006 the Appellate Justices did no
18 review of Mrs. Kramer’s evidence that Mr. Kelman was committing perjury to establish
19 needed reason for malice. The Appellate Court even refused to acknowledge the evidence
20 that Mr. Kelman committed perjury to establish false theme for malice. They refused to
21 read Mrs. Kramer’s exhibits that were attached to briefs that were properly written by an
22 attorney who has been licensed in California for over thirty years. Specifically, in 2006, the
23 Appellate Justices wrote:

24 Kramer asked us to take judicial notice of additional documents, including the
25 complaint and an excerpt from Kelman’s deposition in her lawsuit against her
26 insurance company [sic, the evidence that Kelman submitted false declarations as a
27 reason for malice claiming to have given a malice causing testimony in Mrs.
28 Kramer’s mold litigation, that he never even gave].

29 As appellant, Kramer has the burden of showing error. (See Howard v. Thrifty Drug
30 & Discount Stores (1995) 10 Cal.4th 424, 443.) “The reviewing court is not required
31 to make an independent, unassisted study of the record in search of error or grounds
32 to support the judgment. It is entitled to the assistance of counsel.” (9 Witkin, Cal.
33 Procedure (4th ed. 1997) Appeal, § 594, p. 627.) We may ignore points that are not
34 argued or supported by citations to authorities or the record.