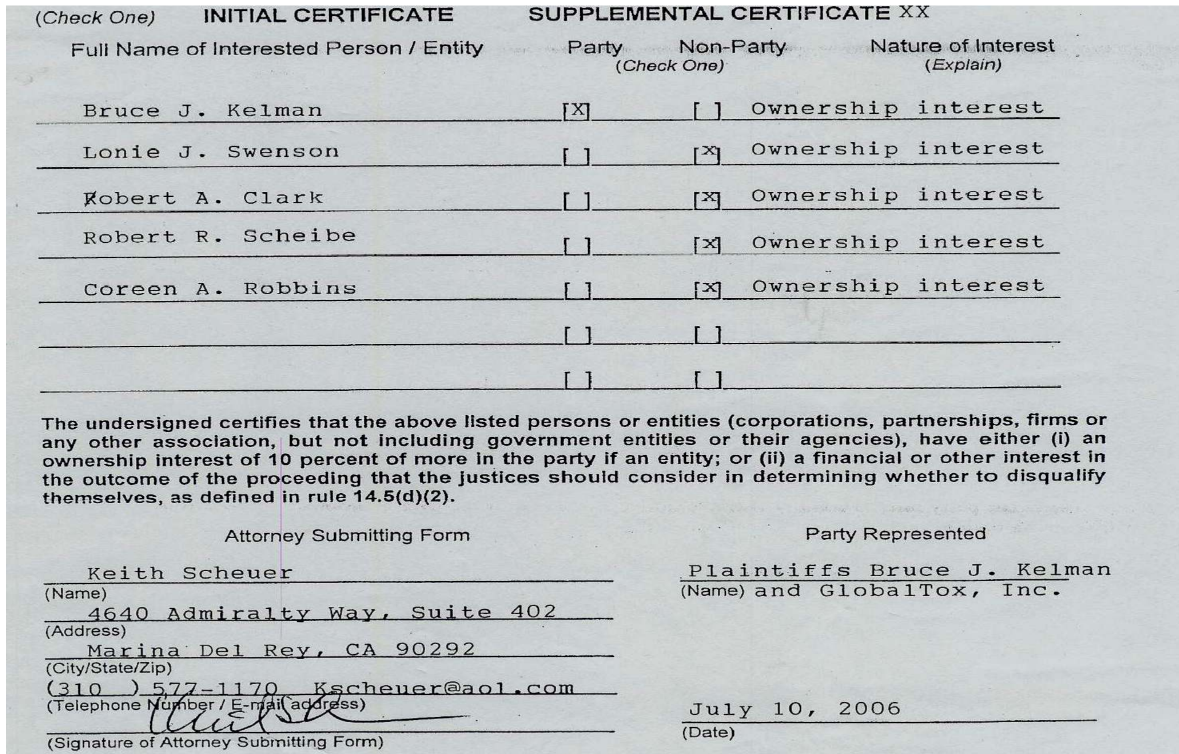
was a version of the "Manhattan Institute commissioned piece". From my purportedly libelous writing stating the think-tank money was for the Chamber paper:

> *"He [Kelman] admitted the Manhattan Institute, a national political think-tank, paid GlobalTox $40,000 to write a position paper regarding the potential health risks of toxic mold exposure.....In 2003, with the involvement of the US Chamber of Commerce and ex-developer, US Congressman Gary Miller (R-CA), the GlobalTox paper was disseminated to the real estate, mortgage and building industries' associations.* ***A <u>version of the Manhattan Institute commissioned piece</u> may also be found as a position statement*** *on the website of a United States medical policy-writing body,* ***the American College of Occupational and Environmental Medicine."***

<u>B.</u> VIOLATED THE PURPOSE OF CERTIFICATES OF INTERESTED PARTIES.

The Appellate Court was evidenced in 2006, that there was a sixth owner of GlobalTox and an undisclosed party to the litigation, Bryan Hardin, whose name was missing from the Certificate of Interested Parties –even on the supplemental certificate:


(Check One) INITIAL CERTIFICATE SUPPLEMENTAL CERTIFICATE XX

Full Name of Interested Person / Entity	Party	Non-Party	Nature of Interest (Explain)
	(Check One)		
Bruce J. Kelman	[X]	[ ]	Ownership interest
Lonie J. Swenson	[ ]	[X]	Ownership interest
Robert A. Clark	[ ]	[X]	Ownership interest
Robert R. Scheibe	[ ]	[X]	Ownership interest
Coreen A. Robbins	[ ]	[X]	Ownership interest
	[ ]	[ ]	
	[ ]	[ ]	

The undersigned certifies that the above listed persons or entities (corporations, partnerships, firms or any other association, but not including government entities or their agencies), have either (i) an ownership interest of 10 percent of more in the party if an entity; or (ii) a financial or other interest in the outcome of the proceeding that the justices should consider in determining whether to disqualify themselves, as defined in rule 14.5(d)(2).

Attorney Submitting Form

Keith Scheuer
(Name)
4640 Admiralty Way, Suite 402
(Address)
Marina Del Rey, CA 90292
(City/State/Zip)
(310) 577-1170 Kscheuer@aol.com
(Telephone Number / E-mail address)
(Signature of Attorney Submitting Form)

Party Represented

Plaintiffs Bruce J. Kelman
(Name) and GlobalTox, Inc.

July 10, 2006
(Date)

Certificate of Interested Parties are to assure that Appellate Justices have no conflicts of interest with the parties on appeal. Unless there was ExParte communication of which I am not aware giving reason why Hardin was not disclosed, the justices simple chose to ignore the evidence . This is evidence itself of conflicted of interest and self perception of

being above the law. As the Appellate Panel of McConnell, Aaron and McDonald were evidenced by a June 2006 request to take judicial notice:

> "Appellate Case No.: D047758 Superior Court Case No.: GIN044539 APPLICATION AND REQUEST FOR AN ORDER THAT THE COURT OF APPEAL TAKE JUDICIAL NOTICE; DECLARATION OF WILLIAM J. BROWN III; MEMORANDUM OF POINTS AND AUTHORITIES; PROPOSED ORDER
>
> *******************
>
> **Trial transcript of Bryan Hardin (additional Veritox principal, shareholder and party to this litigation undisclosed to this court)** dated August 11, 2005 from the Oregon case entitled O'Hara v David Blain Construction, Inc., County of Lane Case number 160417923 at pages 136 and 154.
>
> Trial transcript of Bruce J. Kelman dated April 14, 2006 from the Arizona case entitled ABAD v. Creekside Place Holdings, case number C-2002 4299, P. 31-32, P. 67-68, describing **Kelman and five additional principals of Veritox**. DATED: June 29, 2006 William J. Brown III"

Stating a nonsense reason for refusal to acknowledge Hardin was improperly not disclosed on the Certificate of Interested Parties, in 2006, the Appellate Panel of Justices McConnell, Aaron and McDonald refused to take notice of the evidence because it was not presented in the lower court. Lower courts do not receive Certificates of Interested Parties. Appellate courts do. As stated in the Appellate anti-SLAPP Opinion of November 2006, as a footnote:

> *"3. Kramer asked us to take judicial notice of additional documents, including the complaint and an excerpt from Kelman's deposition in her lawsuit against her insurance company.* ***We decline to do so as it does not appear these items were presented to the trial court."***

C. REWARDED A PLAINTIFF'S PERJURY TO ESTABLISH MALICE WHILE LITIGATING OVER A MATTER OF PUBLIC HEALTH

As the Appellate Court was evidenced in 2006 and again in 2010, undisclosed party, Hardin's business partner, Kelman, committed perjury to establish needed reason for malice while strategically litigating against public participation. Kelman claimed to have given a testimony when retained as an expert in my own mold litigation of long ago, that he never gave. Every single California judiciary to oversee this case along with the Commission on Judicial Performance and the State Bar have been provided the uncontroverted evidence the following is criminal perjury to establish libel law needed reason for malice:

PERJURY BY KELMAN TO ESTABLISH MALICE FALSELY STATING IN DECLARATIONS, TESTIMONY HE NEVER GAVE IN MY MOLD LITIGATION WITH MY HOMEOWNER INSURER IN WHICH I RECEIVED A HALF A MILLION DOLLAR SETTLEMENT:

"I testified the types and amounts of mold in the Kramer house could not have caused the life threatening illnesses she claimed."

SUBORNING OF PERJURY BY SCHEUER TO ESTABLISH FALSE REASON FOR MALICE:

"Dr. Kelman testified the types and amounts of mold in the Kramer house could not have caused the life threatening illnesses she claimed. Apparently furious that the science conflicted with her dreams of a remodeled house, Kramer launched into an obsessive campaign to destroy the reputations of Dr. Kelman and GlobalTox."

A VIDEO OF THE DEPOSITION OF KELMAN's PERJURY, TRYINGTO COERCE ME TO ENDORSE THE FRAUD IN POLICY AND THE DAMAGE TO ME MAY BE VIEWED AT: http://blip.tv/conflictedsciencemold/3-minute-video-of-perjury-attempted-coercion-into-silence-by-bruce-kelman-2073775

Justice McConnell and many others have this video including the California Commission on Judicial Performance and the Chief Trial Intake Division of the California State Bar. Judge Enright has been made aware of where to view it on the net in 2010. The Appellate Panel of Huffman, Irion and Benke have the transcript of the depositions specifically called out for them in Briefs and Appellate Appendix.

III.
2010 APPELLATE OPINION CONCEALED FRAUD IN 2006 anti-SLAPP OPINION

In September of 2010, the Appellate Panel of Justices Richard Huffman, Patricia Benke and Joan Irion rendered an Appellate Opinion. Fully evidenced that in 2006, their peers framed a defendant for libel over a matter of public health; rewarded a plaintiff's use of perjury to establish needed reason for malice; and ignored the evidenced that a retired Deputy Director from NIOSH & author of "health policy" for the US Chamber/ACOEM was an undisclosed party to the litigation; the trio of justices had the audacity to write the following in their unpublished Appellate Opinion:

"In a prior opinion, a previous panel of this court affirmed an order denying Kramer's motion to strike under the anti-SLAPP statute. In doing so, we largely resolved the issues Kramer now raises on appeal. In our prior opinion, we found sufficient evidence Kramer's Internet post was false and defamatory as well as sufficient evidence the post was published with constitutional malice."

IV. APPELLATE JUSTICE KNEW IN 2010, THE ADVERSE IMPACT ON HEALTH POLICY BY CONCEALING THE FRAUD IN THE 2006 anti-SLAPP OPINION

Before they rendered the Appellate Opinion in 2010 that aided to conceal their peers were participants in a SLAPP; Huffman, Benke and Irion were informed and evidenced of the future impact on policy if they rendered an Opinion that concealed their peers had rewarded a SLAPP suit over public health. As merely one example of this, is an excerpt from my Reply to Court's Query, January 2010:

> "Kelman and undisclosed party to this litigation, VeriTox owner Hardin, are the authors of the US mold policy paper "*Adverse Human Health Effects Of Molds In An Indoor Environment*", ACOEM (2002). They are also the authors of the legal mold policy paper, *"A Scientific View Of The Health Effects Of Mold"* US Chamber of Commerce Institute For Legal Reform & Manhattan Institute Center For Legal Policy (2003).
>
> This means an author of influential US medical and legal mold policy papers has been proven by uncontroverted and irrefutable evidence to have been committing criminal perjury before the San Diego courts, in a libel action against the first person to publicly write of how these two "questionable" policy papers were closely connected and how they are used in litigation; while the other author did not disclose he was a party to the strategic litigation. ...
>
> **When** this Reviewing Court acknowledges what legally cannot be denied: Kramer's overwhelming, uncontroverted and irrefutable evidence that seven judges and justices ignored Kramer's overwhelming, uncontroverted and irrefutable evidence of Kelman's perjury on the issue of malice and ignored Kramer's vast evidence of Scheuer's willful suborning of Kelman's criminal perjury; **then** seven years worth of scientific fraud perpetrated on US Courts over the mold issue by the US Chamber of Commerce et al, will immediately cease by the acknowledgment that their author of their scientific fraud has no qualms about lying under oath to the courts and strategically litigating; and while their other author does not disclose he is a party to the strategic litigation."

IV CALIFORNIA SUPREME COURT REFUSED TO REVIEW TWICE

In January of 2007, ex Chief Justice of the California Supreme Court, Ronald George, who was also Chair of the Judicial Council, refused to review Justice McConnell's unpublished anti-SLAPP Opinion. He had been fully evidenced of the ignored perjury in the litigation over a matter of public health, etc. Seven amicus letters were sent to the Supreme Court by non-profit organizations and individuals.

In October of 2010, George was presented with the evidence that now two unpublished Appellate Opinion were written from the bench of the Fourth District

Division One Appellate Court that both ignored the evidence of a plaintiff strategically litigating over a matter of public health by the use of perjury to establish malice, etc. On December 16, 2010, again he declined to review.

V. EVERY JUDGE TO OVERSEE THIS CASE REWARDED THE PLAINTIFF's CRIMINAL PERJURY USED TO ESTABLISH MALICE

Twelve plus California judiciaries to oversee the case at various times, each and every one, ignored the uncontroverted evidence of Kelman's perjury to establish libel law needed reason for malice. They ignored the uncontrovered evidence of Kelman's attorney repeatedly suborning the perjury.

The judiciaries, each and every one, ignored the basic tenets of libel law. I.e., - the fact that there was never any evidence presented (*emphasis* never ANY evidence presented) impeaching me as to the subjective belief in the validity of my words that Kelman "altered his under oath statements" while unsuccessfully obfuscating on the witness stand to hide from a jury, how all the above named entities were involved and connected in mass marketing the scientific fraud into policy and to courts throughout the US.

By December 20, 2010 your erred Remittitur awarding costs on appeal to undisclosed parties, Judicial Councilman Mr. Kelly, had issued back to the lower court, "Clerk of the Court, San Diego Superior Court – Main." By December 23, 2010, Judicial Councilman Mr. Roddy, false entries were made in the Superior Court CCMS ROA and Case History. They made it appear that the Superior Court judge had signed off on the Remittitur while acknowledging a date of entry of judgment (not supported by the Case File and unedited ROA); and deemed Kelman and GlobalTox the prevailing parties to the litigation. (I prevailed over GlobalTox in trial).

VI. NEW SUIT TO TRY TO SILENCE ME OF COMPROMISED COURTS

Before Chief Justice George had even refused to review the case, on November 4, 2010, Kelman and Scheuer filed a new lawsuit in the San Diego Superior Court, seeking to gag me from writing of what the California judiciaries - and their Clerks - have done that has aided and abetted interstate insurer fraud and workers comp fraud by being participants in a malicious SLAPP over a matter of public health. ("Kelman v. Kramer") Case No. 37-2010-00061530 CU-DF-NC, North County Superior Court Department 30.

I currently have a temporary gag order not to write of this fiasco. I have as respectfully as possible informed the court, the Honorable Judge Thomas Nugent, that I am not adhering to the order and will not be bullied into silence from writing of judicial indiscretions aiding fraud and an insurer cost shifting scheme by a ruling founded upon the exact same judicial indiscretions. Too many lives are being ruined. The First Amendment of the Constitution is being threatened by incredibly audacious abuse of the judicial process by the courts; and their evidenced arrogant attitude that laws are only meant for little people to have to follow.

The owner of Katy's Exposure blog has been threatened with litigation by Kelman and Scheuer, interstate, via the US postal service; if she writes of this matter or publishes my writings regarding the errors of this litigation and its impact on public health.. Never properly entered or properly noticed judgment documents from these cases that were used to obtain the gag order (and a fraudulent lien based on a void judgment/abstract of judgment), were enclosed with the interstate mailed threat to blog owner who is cited as a reference for an OSHA health advisory. What the courts have aided to continue, is what the OSHA advisory citing Katy's aiding to dispel. She, like I, has no intention of being bullied into silence by the compromised judicial system of California, falsified legal documents, false & stealth CCMS entries and interstate mail fraud. (the *"oh what a tangled web we weave when first we practice to deceive"* adage goes here)

PART 2 APPELLATE COURT RECORDS IN NEED OF CORRECTION

Clerks of the Court and Judicial Council Members, Mr. Kelly, please correct your Court Records, Case Files and CCMS entries in that are in violation California Government Codes 6200 & in accordance with Government Code 68150(d).

I.
IN VIOLATION OF GC 6200, THE DECEMBER 20, 2010 REMITTITUR AWARDED COSTS TO UNDISCLOSED PARTIES ON APPEAL. CCMS DOCKET WAS ALTERED TO STATE MULTIPLE PARTIES NAMED ON CERTIFICATE OF INTERESTED PARTIES; AND CONCEALS. FALSE DATE OF ENTRY OF JUDGMENT IN CCMS

I have received a cost bill from Kelman's attorney, Scheuer, indicating I am responsible for costs on appeal in the amount of $700.00 in Kramer v. Kelman D054406. It does not state to whom I am responsible for these costs other than the lone disclosed Respondent, Kelman.

There is a problem with the December 20, 2010 Remittitur in Kramer v. Kelman impacting the judgments in the **still pending case** of Kelman & GlobalTox v. Kramer GIN044539. and the newest litigation Kelman v. Kramer 37-2010-00061530 CU-DF-NC, North County Superior Court, Department 30. The Remittitur issued by you, Mr. Kelly, Clerk of the Appellate Court, states *"et, al"* and *"Respondents"* were awarded costs on appeal. (*Blogged hereto as **EXHIBIT 1*** is the Remittitur witnessed by Stephen Kelly stating plural ***"Respondents"***)

RE: BRUCE KELMAN et al.,
Plaintiffs and Respondents,

I, Stephen M. Kelly, Clerk of the Court of Appeal of the State of California, for the Fourth Appellate District, certify the attached is a true and correct copy of the original opinion or decision entered in the above-entitled case on September 14, 2010, and that this opinion or decision has now become final.

_____ Appellant _____Respondent to recover costs.
_____ Each party to bear own costs.
_____ Costs are not awarded in this proceeding.
__X__ Other (See Below)

Respondents to recover their costs of appeal.

Witness my hand and the seal of the Court affixed this DEC 20 2010

STEPHEN M. KELLY, Clerk

By: ______________
Deputy Clerk

cc: All Parties (Copy of remittitur only, Cal. Rules of Court, rule 8.272(d))

There were no multiple Respondents disclosed to be a party on appeal. I prevailed over GlobalTox. They did not appeal. The Certificate of Interested Parties received and stamped by you, Mr. Kelly, on September 14, 2009, discloses only one Respondent, Kelman. (*Blogged hereto as **EXHIBIT 2*** is Kelman's Certificate of Interested Parties stating singular ***"Respondent"***)

-MAIL ADDRESS *(Optional)*:
ATTORNEY FOR *(Name)*: Respondent Bruce J. Kelman
APPELLANT/PETITIONER: Sharon Kramer
ESPONDENT/REAL PARTY IN INTEREST: Bruce Kelman

Court of Appeal Fourth District
FILED
SEP 14 2009
Stephen M. Kelly, Clerk
DEPUTY

CERTIFICATE OF INTERESTED ENTITIES OR PERSONS

heck one): [✓] INITIAL CERTIFICATE [ ] SUPPLEMENTAL CERTIFICATE

tice: Please read rules 8.208 and 8.488 before completing this form. You may use this form for the initial tificate in an appeal when you file your brief or a prebriefing motion, application, or opposition to such a tion or application in the Court of Appeal, and when you file a petition for an extraordinary writ. You may o use this form as a supplemental certificate when you learn of changed or additional information that must disclosed.

his form is being submitted on behalf of the following party *(name)*: Respondent Bruce J. Kelman

[✓] There are no interested entities or persons that must be listed in this certificate under rule 8.208.
[ ] Interested entities or persons required to be listed under rule 8.208 are as follows:

Full name of interested entity or person	Nature of interest *(Explain)*:

Date: September 10, 2009

Keith Scheuer, Esq.
(TYPE OR PRINT NAME)

▶ (SIGNATURE OF PARTY OR ATTORNEY)

Page 1 of 1

m Approved for Optional Use
udicial Council of California
-008 [Rev. January 1, 2009]

CERTIFICATE OF INTERESTED ENTITIES OR PERSONS

Cal. Rules of Court, rules 8.208, 8.488
www.JuriSearch.com

The Appellate Opinion falsely states *"Respondents"* awarded costs on appeal. As written in the Opinion: *(Blogged hereto as* ***EXHIBIT 3***, is the last page of the Appellate Opinion stating plural ***"Respondents"***)

"APPEAL from a judgment of the Superior Court of San Diego County, Lisa C. Schall, Judge. Affirmed....

Judgment affirmed. **Respondents** *to recover their costs of appeal.*
BENKE, Acting P. J. WE CONCUR: HUFFMAN, J IRION, J"

The **Appellate Court CCMS Docket was altered** to state that the corporation of GlobalTox, Inc. was disclosed as a party on appeal on the September 14, 2009, Certificate of Interested Parties. This is a false entry into the CCMS. *(Blogged hereto as* ***EXHIBIT 4***, is the alteration of the CCMS Docket adding GlobalTox as disclosed on the 9.14.09 Certificate of Interested Parties.) .

09/14/2009	**Certificate of interested entities and parties filed by:**	Plaintiff and Respondent: Kelman, Bruce J. Attorney: Keith Scheuer **Plaintiff and Respondent: Globaltox, Inc**

-MAIL ADDRESS *(Optional):*
ATTORNEY FOR *(Name):* Respondent Bruce J. Kelman
APPELLANT/PETITIONER: Sharon Kramer
ESPONDENT/REAL PARTY IN INTEREST: Bruce Kelman

Court of Appeal Fourth District
FILED
SEP 14 2009
Stephen M. Kelly, Clerk
DEPUTY

CERTIFICATE OF INTERESTED ENTITIES OR PERSONS

heck one): [✓] INITIAL CERTIFICATE [ ] SUPPLEMENTAL CERTIFICATE

tice: Please read rules 8.208 and 8.488 before completing this form. You may use this form for the initial tificate in an appeal when you file your brief or a prebriefing motion, application, or opposition to such a tion or application in the Court of Appeal, and when you file a petition for an extraordinary writ. You may o use this form as a supplemental certificate when you learn of changed or additional information that must disclosed.

his form is being submitted on behalf of the following party *(name)*: Respondent Bruce J. Kelman

[✓] There are no interested entities or persons that must be listed in this certificate under rule 8.208.
[ ] Interested entities or persons required to be listed under rule 8.208 are as follows:

Full name of interested entity or person	Nature of interest *(Explain):*

The Remittitur was filed in violation of Rule 8.208, if there are *"Respondents"* on appeal. If not, then the Court Clerks violated GC 6200 by altering documents in the Court Record and issuing a false Remittitut stating *"Respondents"*. If the corporation of GlobalTox, Inc. was disclosed as a party on appeal as falsely stated in the edited Appellate Court CCMS, **where are the disclosures of who owns this corporation?**

<u>Who are the individuals to whom I owe costs on appeal by the issuance of your Remittutur, stating *"Respondents"*, Mr. Kelly?</u>

The edited Appellate Court CCMS Docket; the September 13, 2010 Appellate Opinion, and your Remittitur all falsely state *plural* ***"Respondents"*** on appeal. The Certificate of Interested Parties itself discloses only Kelman, singular ***"Respondent"***. This is aiding to conceal that Bryan Hardin, the sixth owner of GlobalTox has been an undisclosed party to this litigation for six years. By your Remittitur, he was most likely just stealthily awarded costs again.

Twice, I have filed motions with the Appellate Court, in October of 2010 and January of 2011, to recall the Remittitur and correct this error that leaves me liable for costs on appeal to undisclosed individuals. Are there five or six owners of GlobalTox? Is GlobalTox a "Respondent"? **<u>Twice, Justice Patricia Benke has refused to correct the error in the Appellate Opinion and the Remittitur that awards costs to undisclosed parties on appeal – and aids to conceal that Justice McConnell ignored the evidence of Bryan Hardin being an owner of Globalt in her anti-SLAPP Opinion of 2006</u>.**

II. APPELLATE DOCKET FALSELY STATES JUDGMENT ENTERED ON DECEMBER 12, 2008, AS DOES THE APPELLATE OPINION. CORRECT THE DOCKET AND CASE FILE <u>GC 6200</u> VIOLATIONS, MR. KELLY.

The Appellate Opinion states known falsehoods of the date of entry of judgment awarding Kelman $7,252,65 on appeal. Read verbatim they do not actually state that a judgment was entered on December 12. 2008, just infer it: **<u>They also do not state on what date a judgment was legally entered – because there never was one</u>** that was properly entered and noticed under CCP 664 & 664.5(b). As read from the Appellate Opinion:

> *"The jury awarded Kelman nominal damages of one dollar and the trial court awarded Kelman $7,252.65 in costs. The jury found that Kramer did not libel GlobalTox and judgment against GlobalTox was entered. The trial court awarded Kramer $2,545.28 in costs against GlobalTox ....*
>
> ***On December 12, 2008, the trial court awarded Kelman the $7,252.65 in costs he claimed*****.....**
>
> *On this record we cannot disturb the trial court's award of costs to Kelman.....*
>
> *Judgment affirmed. Respondents to recover their costs of appeal.*
>
> *BENKE, Acting P. J. WE CONCUR: HUFFMAN, J. IRION, J.*

Within the CCMS Appellate Case Summary, the Docket entry that is available for public view on the Internet states under the heading of "Trial Court" that a judgment was entered on December 12, 2008. From the Appellate Docket: