

1 **THE 2010 APPELLATE OPINION CONCEALED WHAT JUDICIAL PEERS HAD**
2 **DONE IN 2006 TO FRAME MRS. KRAMER FOR LIBEL**

3 In 2010, again deleting the fourteen key lines of Mr. Kelman’s testimony in the Oregon
4 trial; again suppressing the evidence that Mrs. Kramer gave a logical and unimpeached
5 explanation for the use of the phrase “*altered his under oath statements*”; and having been
6 provided the evidence of error by their peers in 2006; the Appellate Court ignored the
7 evidence Mrs. Kramer had been framed for libel in the 2006 anti-SLAPP Appellate
8 Opinion. They wrote:

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

14 **MR. KELMAN’S ATTORNEY’S ROLE IN MAKING IT FALSELY APPEAR MRS.**
15 **KRAMER ACCUSED MR. KELMAN OF LYING ABOUT BEING PAID TO**
16 **AUTHOR THE ACOEM MOLD STATEMENT**

17 Mr. Kelman’s attorney, Mr. Scheuer, deceptively encouraged the above court false
18 finding of libel in his briefs. He did this by attributing the words of the plaintiff attorney in
19 the Oregon case, Calvin Vance, to Mrs. Kramer’s writing of the case. This is illustrated by
20 Mr. Scheuer’s Respondent Brief, submitted to the Appellate Court in September of 2009:

21 i.) (Respondent’ Brief, Page 7) describing the actions of Mr. Vance:

22 *“During the Haynes trial, the Haynes’s counsel, Calvin Kelly’ Vance,*
23 *insinuated that Dr. Kelman had accepted money from The Manhattan Institute*
24 *and in return had skewed the content of the ACOEM scientific study.”*

25 ii.) (Respondent’ Brief, Page 6) attributing Mr.Vance’s words to Mrs. Kramer’s writing,
26 while leaving out the rest of Mrs. Kramer’s writing where she accurately stated the
27 exchange of Manhattan Institute think-tank money was for the US Chamber’s Mold
28 Position Statement. Mr. Scheuer’s Respondent brief willfully and falsely inferred that
Mrs. Kramer’s writing accused Mr. Kelman of lying about taking think-tank money for
the ACOEM Mold Position Statement.

1 *“In her press release, Appellant stated: ‘Upon viewing documents presented by*
2 *the Haynes [sic] attorney of Kelman’s prior testimony from a case in Arizona,*
3 *Dr. Kelman altered his under oath statements on the witness stand. He admitted*
4 *The Manhattan Institute, a national political think-tank, paid GlobalTox \$40,000*
5 *to write a position paper regarding the potential health risks of toxic mold*
6 *exposure.’” [sic, omitted, for the position statement of the US Chamber of*
7 *Commerce]*

8 **THIS COURT IS AWARE THAT MR. KELMAN AND MR SCHEUER WANT**
9 **MRS. KRAMER GAGGED FROM BEING ABLE TO WRITE OF HOW PRIOR**
10 **COURTS AND MR. SCHEUER FRAMED HER FOR LIBEL OVER THE WORDS,**
11 **“altered his under oath statements”**

12 In the original complaint of this case filed in November of 2010, Mr. Kelman wanted
13 Mrs. Kramer gagged from writing the following as illustrated by the original proposed
14 Temporary Injunctive Relief Order which states:

15 *“The libelous passage of the press release states: ‘Dr. Bruce Kelman of GlobTox, Inc,*
16 *a Washington based environmental risk management company, testified as an expert*
17 *witness for the defense, as he does in mold cases through the country. Upon viewing*
18 *documents presented by the Hayne’s [sic} attorney of Kelman’s prior testimony from a*
19 *case in Arizona, Dr. Kelman altered his under oath statements on the witness stand. He*
20 *admitted the Manhattan Institute, a national political think tank, paid GlobalTox*
21 *\$40,000 to write a position paper regarding the potential health risks of toxic mold*
22 *exposure.’”*

23 The Court is aware that they wanted Mrs. Kramer gagged from writing absolutely true
24 statements of how it became a false concept in US public health policy that it was
25 scientifically proven moldy buildings do not harm, with the prior courts framing her for
26 libel for the truthful words. This is evidenced by the fact that this Court understood Mrs.
27 Kramer’s writing accurately stated the think-tank money was for the US Chamber Mold
28 Statement and did not grant Mr. Kelman’s request that Mrs. Kramer could be gagged by
temporary injunctive relief order “TIRO” from writing all of the above.

 Instead, the Court granted a TIRO containing the five words for which Mrs. Kramer was
sued and framed for libel, “*altered his under oath statements*” while gagging her from
writing a sentence that is not even in Mrs. Kramer’s writing of March 2005. This Court
ordered by TIRO that Mrs. Kramer’ be enjoined from writing,