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2 Keith Scheuer, Esq. Cal. Bar No. 82797
3 4640 Admiralty Way, Suite 402
4 Marina Del Rey, CA 90292
5 (310) 577-1170
6 Attorney for Plaintiff
7 BRUCE J. KELMAN

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

BRUCE J. KELMAN,) **CASE NO.:**
) **37-2010-00061530-CU-DF-NC**
Plaintiff,)
) **Assigned for All Purposes to:**
v.) **HON. THOMAS P. NUGENT**
) **DEPARTMENT: N-30**
SHARON KRAMER, and DOES 1)
through 20, inclusive,) **UNLIMITED CIVIL CASE**
)
Defendants.) **PLAINTIFF'S EX PARTE**
) **APPLICATION FOR AN ORDER TO**
) **SHOW CAUSE RE: CONTEMPT BY**
) **DEFENDANT SHARON KRAMER;**
) **DECLARATION OF KEITH SCHEUER**

Hearing Date: October 14, 2011
Time: 1:30 a.m.
Department: N-30

Trial Date: None

PLEASE TAKE NOTICE that on October 14, 2011, at 1:30
p.m. in Department N-30 of the above-entitled Court, located
at 325 South Melrose, Vista, California 92081, Plaintiff
will apply ex parte for an Order to Show Cause why Defendant
Sharon Kramer should not be held in contempt for violating

1 the preliminary injunction issued by this Court on May 2,
2 2011.

3 The preliminary injunction prohibits Kramer from
4 republishing a statement that was determined to be libelous
5 at the trial of the prior action (San Diego Superior Court
6 case no. GIN 044539). Specifically, the injunction prohibits
7 republication of the following:
8

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

11 On or about September 13, 2011, Kramer caused the
12 language prohibited by the preliminary injunction to be
13 republished on the Internet website known as "Katy's
14 Exposure." (A copy of the offending Internet posting is
15 attached to the accompanying Scheuer declaration as Exhibit
16 1. The defamatory language is highlighted on the sixth page
17 of Exhibit 1.)
18

19 The preliminary injunction is a valid order. Kramer was
20 present during oral arguments and was served with the
21 written preliminary injunction and at all times had actual
22 knowledge of its existence and terms. Kramer at all times
23 was able to comply with the terms of the preliminary
24 injunction, but she willfully disobeyed the Court's order
25
26

1 and chose to violate the preliminary injunction. Plaintiff
2 has not previously requested that Kramer be held in
3 contempt.
4

5 Defendant Sharon Kramer represents herself in this
6 action. Her address is 2031 Arborwood Place, Escondido,
7 California 92029. Her fax number is (760) 746-7540. On
8 October 12, 2011, at approximately 10:45 a.m., Plaintiff's
9 counsel served her with this ex parte application by email,
10 fax and U.S. Mail. A cover letter notifying her of this ex
11 parte application is attached hereto as Exhibit 2.

12 Dated: October 12, 2011

Respectfully submitted,
SCHEUER & GILLET
a professional corporation

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15 By 

16 Keith Scheuer
17 Attorney for Plaintiff
18 BRUCE J. KELMAN
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1 order and chose to violate the preliminary injunction.
2 Plaintiff has not previously requested that Kramer be held
3 in contempt.

4 4. On September 14, 2011, I learned that Kramer had
5 republished the defamatory statement on the Internet website
6 "Katy's Exposure" the previous day. A copy of the "Katy's
7 Exposure" posting is attached hereto as Exhibit 1. I have
8 highlighted the defamatory material, which appears on the
9 sixth page.

10
11 5. Kramer represents herself in this action. Her
12 address is 2031 Arborwood Place, Escondido, California
13 92029. Her fax number is (760) 746-7540. On October 12,
14 2011, at approximately 10:45 a.m., I served her with this ex
15 parte application by email, fax and U.S. Mail. A cover
16 letter notifying her of this ex parte application is
17 attached hereto as Exhibit 2.

18
19 I declare under penalty of perjury under the laws of
20 the State of California that the foregoing is true and
21 correct.

22
23 Executed on October 12, 2011 at Marina Del Rey,
24 California.



Keith Scheuer

Katy's Exposure

Exposing Environmental Health
Threats & Those Responsible

Is The California Court Case Management System (CCMS) Being Misused For Politics In Policy & Litigation.....And The Fleecing Of The California Taxpayer Over The Mold Issue?

Posted on September 13, 2011 by katy

Could someone please explain to us why an author of fraudulent medico-legal policy over the mold issue for the US Chamber of Commerce with strong ties to the US Centers for Disease Control and Prevention, National Occupational Safety and Health Division ("NIOSH") has been an undisclosed party to a Strategic Litigation Against Public Participation ("SLAPP") for six years...and the California Court Case Management System ("CCMS") has been altered and falsified to conceal this?

Entry in the CCMS, stating the corporation of GlobalTox, Inc., of which retired Deputy Director of NIOSH, Bryan Hardin, is a principal and falsely stating GlobalTox was disclosed to be a party on appeal on September 14, 2009:

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.**

The actual Certificate of Interested Parties received by the Clerk of the Court, Stephen Kelly, on September 14, 2009, discloses only one Interested Party, only one "Respondent" – Bryan Hardin's co-owner of GlobalTox, Inc., Bruce Kelman. GlobalTox is now known as VeriTox, Inc:

NAME ADDRESS TELEPHONE		Court of Appeal, Fourth District
ATTORNEY FOR NAME: Respondent Bruce J. Kelman		FILED SEP 14 2009 Stephen M. Kelly, Clerk
APPELLANT/PETITIONER: Sharon Kramer		
RESPONDENT/REAL PARTY IN INTEREST: Bruce Kelman		
CERTIFICATE OF INTERESTED ENTITIES OR PERSONS		
check one: <input checked="" type="checkbox"/> INITIAL CERTIFICATE: <input type="checkbox"/> SUPPLEMENTAL CERTIFICATE		
<small>Use: Please read rules 8.208 and 8.486 before completing this form. You may use this form for the initial certificate in an appeal when you file your brief or a prebriefing motion, application, or opposition to such a motion or application in the Court of Appeal, and when you file a petition for an extraordinary writ. You may also use this form as a supplemental certificate when you learn of changed or additional information that must be disclosed.</small>		
This form is being submitted on behalf of the following party (name): Respondent Bruce J. Kelman		
<input checked="" type="checkbox"/> There are no interested entities or persons that must be listed in this certificate under rule 8.208		
<input type="checkbox"/> 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 after appeal issued on December 20, 2010. Signed by the Clerk of the Court, Stephen Kelly's

hand, and the seal of the State of California it states plural "Respondents" on appeal. Who are "et. al."? Who are "Respondents"?... Who killed Jon Bonet?

RE: BRUCE KELMAN et al.,
Plaintiffs and Respondents,
v.
SHARON KRAMER,
Defendant and Appellant.
D054496
San Diego County No. GIN044539

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 13, 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
☒ 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:



cc: All Parties (Copy of remittitur only); Cal. Rules of Court, Rule 8.226(d)

The Appellate Opinion of September 13, 2010 awarded costs to undisclosed "Respondents", *plural* on appeal. (Is Anonymous part of this lawsuit?) As taken from the Appellate Opinion:

"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

As a principal of GlobalFox, this is the second time Bryan Hardin was an undisclosed party on appeal. The California courts have known since June 2006 that Hardin, (who was the link in the George Bush years between the US Chamber of Commerce, CDC NIOSH and the American College of Occupational & Environmental Medicine (ACOFEM) in mass marketing misinformation over the mold issue), has been an undisclosed party to this SLAPP litigation over the mold issue and public health. This, as the courts framed for libel, the first person (c'est moi) to publicly write of how the above named entities were connected to market the fraud. This has been used to discredit all my words - not just the five for which I was sued, "*altered his under oath statements*".

This shameful misuse of the courts, by the court, to practice politics has aided the scientific fraud in policy to continue. I.e., that it had been scientifically proven moldy buildings pose little to no health threat. It is indicative that the leadership of the California judicial system has become the epitome of what courts are meant to protect against.

The Fourth District Division One Appellate Court concealed Hardin's involvement, both times when the case was on appeal - in 2006 and 2010. Submitted to the Appellate Court, June 2006, they were evidenced that Hardin's name was improperly missing from the Certificate of Interested Parties:

"Appellate Case Do: Do47758 Superior Cour Case No. GINo44539 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 that Hardin was improperly undisclosed on the Certificate of Interested Parties, in 2006, the Appellate Panel of Justices McConnell, Aaron and McDonald refused to take notice of the evidence stating 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 appeal these items were presented to the trial court.**"

A supplemental Certificate of Interested Parties was submitted by Kelman and GlobalTox in July 2006. Even AFTER being evidenced, as noted above, that Hardin's name was missing from the disclosure of who owns the corporation and who has an interest in the litigation; they again did not disclose and the courts again pretended they were not provided the evidence of the non-disclosure of interest (by a newly retired, high level, CDC NIOSH employee) in a litigation over public health.

(Check One) INITIAL CERTIFICATE	SUPPLEMENTAL CERTIFICATE XX	
Full Name of Interested Person / Entity	Party (Check One)	Nature of Interest (Explain)
Bruce J. Kelman	<input checked="" type="checkbox"/> Non-Party	Ownership interest
Lonie J. Swenson	<input checked="" type="checkbox"/> Non-Party	Ownership interest
Robert A. Clark	<input checked="" type="checkbox"/> Non-Party	Ownership interest
Robert R. Scheibe	<input checked="" type="checkbox"/> Non-Party	Ownership interest
Coreen A. Robbins	<input checked="" type="checkbox"/> Non-Party	Ownership interest
	<input type="checkbox"/> Party	
	<input type="checkbox"/> Non-Party	

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 or 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 202 (Address) Marina Del Rey, CA 90292 (City/State/Zip) (310) 377-1170 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)
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California Government Code 6200 states, "Every officer having the custody of any record, map, or book, or of any paper or proceeding of any court, filed or deposited in any public office, or placed in his or her hands for any purpose, is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years if, as to the whole or any part of the record, map, book, paper, or proceeding, the officer willfully does or permits any other person to do any of the following:(a) Steal, remove, or secrete.(b) Destroy, mutilate, or deface(c) Alter or falsify."

Government Code 68150(d) states, “No additions, deletions, or changes shall be made to the content of court records, except as authorized by statute or the California Rules of Court.”

If a superior court keeps a computerized Case History, then that would seem to be a court record that would be presumptively subject to public access, and governed by laws that control accurate recording. California law defines “judicial record” as “the record or official entry of the proceeding in a court of justice, or of the official act of a judicial officer, in an action or special proceeding” Code Civ.Proc 1904.

A CCMS Case History would seem to fall within this definition of entries made by clerks of the court and therefore qualify as a judicial record to which parties to a litigation and public right of access attaches. This is particularly relevant in a litigation involving public health and public policy impacting hundreds of thousands of lives and where entries in the Case Summary that are available for litigant view are evidenced false entries.

Yet, County Administration of the San Diego Court indicates the court legal department states CCMS Case History data entries are not available to be accessed by parties to the litigation or by the public – even when errors are known to be present in the CCMS Case History.

WHY? THIS IS NOT A SEALED CASE

.....

September 11, 2011

TO: Chief Justice Tani Cantil-Sayauke, Chair of the Judicial Council of California

Justice Douglas Miller, Chair of Executive & Planning

Senator Noreen Evans, Legislative Member Judicial Council

Assemblyman Michael Feuer, Legislative Member Judicial Council

“I am a whistle blower of how it became a fraudulent concept in US public health policy in the early 2000s’ that it was scientifically established moldy buildings do not harm. I am the catalyst that caused a Federal GAO audit over the issue in 2006, which has aided tremendously to remove the fraud from Federal policy.

My co-writing on the blog, *Katy’s Exposure*, was recently cited as reference for a Federal OSHA occupational safety publication over the mold issue in April of 2011. I am published in medical journals regarding the marketing of misinformation over the issue in the medical community and to the courts.

My endeavors to reshape public health policy have been beneficial to public health, but adverse to the interests of those who sell doubt of causation of illness for a living and their clients; such as the insurance industry. In October of 2005, Governor Schwarzenegger endorsed the fraudulent concept into California Workers’ Compensation policy under the platform of Workers Comp Reform — that it had been proven moldy work environments pose little to no health threat to workers. He instructed that occupational physicians must adhere to the guidelines of ACOEM over the mold issue.

This has aided many California workers comp insurers to be able to shift the cost burden of worker injury

onto the taxpayer funded, state and federal disability and social services, when insurers have a bogus legitimizing factor written into policy aiding them to deny financial responsibility....

Unfortunately, some of the judiciaries and court clerks involved in this fiasco of aiding this fraud in policy to continue are leading judiciaries and court officers in the state of California. They are present and past members of the Judicial Council. They have aided the continuance of an Insurer Cost Shifting scheme (that was endorsed by Governor Schwarzenegger) by being willing participants in a malicious, strategic litigation carried out by criminal means. CCMS is being used by the clerks to conceal the judiciaries' "indiscretions".....

Is this the intended usage for a computer system that will eventually link all courts in California and will be the electronic record of all legal cases?

From what I have witnessed, CCMS is being used against the best interest of the citizens and taxpayers of California— *not for* their best interest. Adding insult to injury for the taxpayers of California, I am aware that CCMS deployment is being funded by the use of tax dollars — while diverting needed funds away from our beleaguered trial courts, who are financially struggling to stay open to serve the public...

In its current form, CCMS is a blank slate that is asking for special and conflicted interests to be able to enter false data into the Court Records, some that only the courts see, should the motivation and opportunity arise.

As such, I am requesting that the Judicial Council review the Court Records, including those that are in the CCMS, in Kelman & GlobalTox v. Kramer Case No GINo44539 San Diego Superior Court, Kramer v. Kelman Defendant/Appellate v. Plaintiff/Respondent, Fourth District Division One Appellate Court D054496.

This is needed to help the Judicial Council understand how their computer system can and is being used to aid judiciaries who chose to breach their judicial vows to practice politics instead of law; and how their clerks are able to add, edit, delete, remove and falsify CCMS records in the Case Record in violations of GC 6200, while aiding to conceal of the actions of the compromised judiciaries....

READ THE ENTIRE LETTER HERE....

TO: Justice Judith McConnell, Chair of the California Commission On Judicial Performance.

“As the Presiding Judge of the San Diego Appellate Court, please take measure to remove the Government Code 6200 Clerk of the Court violations from the Case Record, CCMS Case Summary & Docket, and Case File. Please evidence for me when these corrections are made in accordance with Government Code 62150(d)....

As the Chair of the California Commission on Judicial Performance, by now, you must realize your grave errors when overseeing this case in its anti-SLAPP phase. You must realize the damage done to many because of the content of your anti-SLAPP Appellate Opinion written in November of 2006. You must realize this is a breach of judicial ethics and a huge waste of taxpayer dollars and lives to allow this to continue further. To reiterate:

In November 2006, you wrote an unpublished Appellate Opinion with Cynthia Aaron and Alex McDonald concurring that **A.)** framed me for libel; **B.)** aided to conceal that a retired Deputy Director for CDC National Institute of Occupational Safety and Health (“NIOSH”), Bryan Hardin, was an undisclosed party to the litigation. You refused to take judicial notice of the evidence that Hardin’s name was improperly missing from the Certificate of Interested Parties as the sixth owner of GlobalTox (now known as VeriTox); and **C.)** rewarded Kelman’s use of perjury to establish libel law needed reason for malice.”

A. FRAMED A DEFENDANT FOR LIBEL OVER A MATTER OF FRAUD IN PUBLIC HEALTH

In their unpublished anti-SLAPP Opinion of November 2006, the Appellate Panel of McConnell, Aaron and McDonald, made it appear that I had accused Kelman of getting caught on the witness stand lying about being paid by by the Manhattan Institute think-tank to author a position statement for a medical trade association, ACOEM: To quote from the anti-SLAPP Appellate Opinion:

“This testimony supports a conclusion Kelman did not deny he had been paid by the Manhattan Institute to write a paper, but only denied being paid by the Manhattan Institute to make revisions in the paper issued by ACOEM. He admitted being paid by the Manhattan Institute to write a lay translation. The fact that Kelman did not clarify that he received payment from the Manhattan Institute until after being confronted with the Kilian deposition testimony could be viewed by a reasonable jury as resulting from the poor phrasing of the question rather from an attempt to deny payment. In sum, Kelman and GlobalTox presented sufficient evidence to satisfy a prima facie showing that the statement in the press release was false.”

I made no such accusation. My purportedly libelous writing of March 2005 speaks for itself and is a 100% accurate writing. It accurately states the exchange of money from the Manhattan Institute think-tank was for the US Chamber’s mold position statement, ACOEM’s was a version of the “Manhattan Institute commissioned piece”.

As written by McConnell and accurately stated in my writing, Kelman admitted being paid by the think tank to author a paper for the US Chamber of Commerce, only after a prior testimony of his from another case in Arizona came into an Oregon trial proceeding. From there, he flip flopped back and forth and tried to say ACOEM’s mold statement was not connected to the US Chamber’s while having to admit they were – because his Arizona bench trial testimony proved they were.

From my purportedly libelous writing stating the think-tank money was for the US Chamber paper -- not ACOEM’s. This is contrary to what McConnell **FRAMED ME** for in a double-speak Opinion, while interpreting Kelman’s testimony in question exactly how I had written it:

“Upon viewing documents presented by the Hayne’s attorney of Kelman’s prior testimony from a case in Arizona, Dr. Kelman altered his under oath statements on the witness stand. He 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 version of the Manhattan Institute commissioned piece 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.”

[Of worthy note, in both the 2006 and 2010 Appellate Opinions, the Appellate Justices deleted 14 key lines from the middle of the transcript of Kelman's testimony of which I was writing. These 14 Appellate Opinion omitted lines evidence that Kelman and the defense counsel tried to keep the Arizona testimony out of the Oregon trial and did not want to have to discuss how ACOEM's mold policy statement was connected to one bought and paid for with think-tank money (for the US Chamber of Commerce)]

READ LETTER TO JUSTICE MCCONNELL HERE....

TO: Justice Richard Huffman, Chair of the Advisory Committee on Financial Accountability & Efficiency for the Judicial Council:

“A VIDEO OF THE DEPOSITION OF KELMAN’S PERJURY, TRYING TO 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, you 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 was made aware of where to view it on the net in 2010. The Appellate Panel of you, Irion and Benke have the transcript of the depositions specifically called out for you in Briefs and Appellate Appendix.

In September of 2010, the Appellate Panel of you, Patricia Benke and Joan Irion rendered an Appellate Opinion. Fully evidenced that in 2006, your 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 the 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.”

READ LETTER TO JUSTICE HUFFMAN HERE...

TO: Judicial Council Member Judge Enright, Supervising Judge for the San Diego Superior Court & Clerk of the Court, Michael Roddy:

“There are false entries made in the ROA stating a date of judgment that is not supported by the Case File. There is an ROA entry after the Remittitur issued, falsely stating who were the Prevailing Parties.

There are documents of judgment of which I was noticed that are not in the Case File. There are documents of judgments of which I was not properly noticed under CCP 664.5(b) that are in the Case File.

There is an Abstract of Judgment in the Case File, based on a not valid and not properly noticed entry of judgment. There is a judgment lien on my home based on this void Abstract of Judgment.

As you are aware, this has been a very ugly case over a matter of public health, that has cost me everything I own to defend the truth of my words for the public good. It just keeps getting uglier. Attached is a rather lengthy and direct letter to the Clerk of the Appellate Court, Stephen Kelly and the Clerk of the Superior Court, Michael Roddy.

As the Presiding Judge of the San Diego Superior Court, please take measure to remove the Government Code 6200 Clerk of the Court violations from the San Diego Superior Court Case Record, CCMS ROA & Case History, and Case File. Please evidence for me when these corrections are made in accordance with Government Code 62150(d).

I am also requesting of you and Clerk of the Court, Michael Roddy, that I be provided access and a copy of the complete CCMS Case History – not just those items that print when I request a copy of the ROA. This is not a sealed case. I am aware that there are incorrect entries in the Case History that do not print on the ROA. The Case History is the CCMS Court Record that is shared among the judiciaries and court personnel.

It is a violation of my First Amendment Rights and prejudicial to me as a litigant, that judges are seeing inaccurate information of which I am not even permitted to see – or know what all they are seeing in the CCMS to be able to challenge the CCMS entries as incorrect.

READ LETTER TO JUDGE ENRIGHT HERE.....

TO: Judicial Council Members Stephen Kelly & Michael Roddy, Clerks of the San Diego Appellate & Superior Courts:

September 11, 2011

Re: Correct Government Code 6200 Violations in Court Records of (“Kramer v. Kelman”)
/Defendant/Appellant v. Plaintiff/Respondent, Case No. D054496 Fourth District Division One Appellate Court & (“Kelman & GlobalTox v. Kramer”), Case No. GIN044539, North San Diego Superior Court

Appellate Court: Erred December 20, 2010 Remittitur; Altered & erred entries in Appellate CCMS Case History, Awarded costs to undisclosed parties on Appeal, States false judgment date in Case History. Issued a Remittitur based on a back dated Superior Court Proof of Service that was certified signed and mailed by a San Diego Superior Court Deputy Clerk of the Court.

Superior Court: Altered and erred Register of Action entries & “stealth” Case History in CCMS. Issued an Abstract of Judgment in violation of CCP 664.5(b). Back dated a Proof of Service of a Minute Order that

was certified, signed and mailed by a San Diego Superior Court Deputy Clerk of the Court.

Dear Mr. Kelly and Mr. Roddy,

This is going to be a very direct letter. Errors, deletions, additions and false entries in your respective Court Records have caused me extreme financial damage and much distress. They have aided and abetted a malicious, strategic litigation carried out by criminal means; and over a matter of public health.

They have aided to conceal the judiciaries for whom you clerk or oversee their Deputy Clerks have been participants in the malicious, strategic litigation; and have been playing fast and loose with the law. Their actions and your actions have aided to defraud the California taxpayers by aiding with the continuance of an Insurer Cost Shifting Scheme, written into California Workers' Compensation policy by ex-Governor Schwarzenegger in October of 2005.

While certain judiciaries in California appear to enjoy the privilege of being above the law; the same privilege is not afforded to Clerks of the Court or their Deputies. Under Government Code 6200, it is a criminal offense to alter, falsify, remove and/or secrete Court Records. These are not actions in accordance with Government Code 68150(d)....

There are incorrect Court Clerk entries in the ("Court Record"), ("Case File"), Register of Action ("ROA"), ("Case History") and Court Case Management System ("CCMS") of the San Diego Superior Court libel case of Bruce J. ("Kelman") & ("GlobalTox"), Inc., v. Sharon ("Kramer"). There are incorrect Court Clerk entries in the Court Record, CCMS, Case File, ("Case Summary") and ("Docket") when on appeal in the Fourth District Division One Appellate Court, ("Kramer v. Kelman") Defendant/Appellant v. Plaintiff/Respondent....

Please take notice that the Notice of Appeal in the above-entitled case was filed on 01/14/2009 by SHARON KRAMER from the

Judgment/Order of December 12, 2008

CLERK OF THE SUPERIOR COURT

Date: 01/28/2009

 , Deputy

Which is it? A judgment was entered on December 12, 2008 and Presiding Justice McConnell accepted my intent to appeal on January 14, 2009 in violation of Rules of the Court 8.75? Or a judgment was not entered on December 12, 2008, and the Appellate Case Records are violations of Government Code 6200 stating a judgment that was not entered – with the lower court records made to match after the Remittitur issued in December of 2010?

Rather than attach and mail a mountain of evidence to an already lengthy letter, I am going to put this letter to you, the Clerk of the Fourth District Division One Appellate Court, Mr. Kelly; and Clerk of the San Diego Superior Court, Mr. Roddy; online. I will link to the evidence of errors, alterations and false documents in your Case Records that need to be corrected under Government Codes 6200 and .68150(d).

This letter and the linked Court Records referenced as follows, may be read online at the reputable and Federal Occupational Safety and Health Administration source reference, health advisory blog, "*Katy's Exposure – Exposing Environmental Health Threats and Those Responsible*". This letter may be found on

the Internet by searching the blog title of this letter:

“Is The California Court Case Management System (CCMS) Being Misused For Politics In Policy & Litigation....And The Fleecing Of The California Taxpayer?”

As Clerks of the Court and members of the California Judicial Council; how you choose to address the needed corrections of errors, falsifications, additions, deletions, and secret & false entries in the CCMS Case History in your Court Records will answer the questions raised in the blog title regarding your intended usage of CCMS.

If I have any errors or misstatements of fact in this letter, please let me know so we (the owner of the blog and I) may then correct the online version. My apologies for typos in this letter. I do not type well and can no longer afford to hire a typist directly because of the mishandling by the courts of this case.

I currently have an interest accruing judgment lien on my home for costs incurred by a party I prevailed over in trial (with one being an undisclosed party), based on a false judgment never properly entered or noticed; false abstract of judgment; false Remittitur awarding costs to undisclosed parties on appeal. I am gagged by the court from writing a sentence for which I was never sued – which, coincidentally, would gag me from writing of what the judiciaries and their clerks in this case have done that aids abets insurer fraud and the fleecing of the public....

I am not going to shut up. I am not going to go away until someone acknowledges that every single judge and justice to oversee the case of Kelman & GlobalTox v. Kramer ignored the evidence that Bruce J. Kelman, author of medico-legal policy over the mold issue for the US Chamber of Commerce and ACOEM, committed criminal perjury to establish needed reason for malice while strategically litigating against public participation against the first person, Sharon Kramer, to publicly write of how these papers were connected to mass market a scientific fraud in US health and California workers' comp policies. This, as the courts **FRAMED ME** for libel.

False Clerk of the Court CCMS entries of judgments never entered, parties never disclosed as the judiciaries practiced politics, not law, are aiding and abetting insurer fraud in violation of Government Code 6200. That is criminal.

When this is acknowledged, the fraudulent concept in public health policy that it has been scientifically proven all claims of illness from the toxins of mold found in water damaged buildings are only being made because of “*trial lawyers, media and Junk Science*” will immediately cease. Lives will instantly be saved....

Appellate Court Record To Be Corrected By Clerk of the Appellate Court, Stephen Kelly:

1. Either provide evidence from the Case File on Appeal that GlobalTox and the owners of the corporation where disclosed as parties on appeal on the Certificate of Interested Parties stamped received on September 14, 2009 by the Clerk of the Court or Remove the word “*Respondents*” and “*et. al*” from the December 20, 2010 Remittitur, evidence and date its removal; and send me proof when removed.

2. Either provide evidence from the Case File on Appeal that GlobalTox and the owners of the corporation where disclosed as parties on appeal on the Certificate of Interested Parties stamped received

on September 14, 2009 by the Clerk of the Court or Remove from the CCMS Docket that GlobalTox's name was on the Certificate of Interested Parties, September 14, 2009; evidence and date its removal; and send me proof when it is removed.

3. Either provide evidence from the Case File on Appeal that a judgment was entered on December 12, 2008 or Remove from the CCMS Docket that a judgment was entered on 12/12/08, evidence and date its removal; and send me proof when it is removed..

4. Provide the dated, file stamped, signed, and noticed legal judgment document that gave the Appellate Court jurisdiction to hear the appeal.

5. The Appellate Court was provided evidence that Kelman committed criminal perjury in his declarations, three times, to establish needed reason for malice. Quote, *"I testified the types and amounts of mold in the Kramer house could not have caused the life threatening illnesses she claimed"* The Appellate Court was evidenced that Scheuer suborned Kelman's perjury, even in his Appellate Brief of September 2009. His theme in his briefs: *"Apparently furious that the science conflicted with her dreams of a remodeled home, Kramer launched into an obsessive campaign to destroy the reputation of Dr. Kelman and GlobalTox"*. Either provide evidence from the Case File on Appeal that corroborates the stated reason for malice or cease and desist with using the CCMS in violation of GC6200 to conceal that all judges and justices overseeing this case rewarded a plaintiff's criminal perjury to establish needed reason for malice while strategically litigating.

6. The Appellate Court was provided evidence that I found Kelman's testimony when retained as an expert witness in Oregon of flipping back and forth to describe the relationship of the ACOEM & US Chamber mold statements from "lay translation" to "two separate papers, two separate works" and back to "translations" to be "altered under oath statement". Either provide evidence from the Case File I was ever impeached as to the subjective belief in the validity of my words or cease and desist with using CCMS in violation of GC 6200 to conceal that all judges and justices overseeing this case deemed a never impeached US citizen to be guilty of being a malicious liar.

Trial Court Record To Be Corrected By Clerk of the Court, Michael Roddy

1. Either provide evidence from the Case File that a judgment was entered on December 12, 2008 or Remove from the stealth Case History that a judgment was entered on 12/12/08, evidence and date its removal and send me proof it is removed.

2. Either provide evidence from the Case File that a judgment was entered on September 24, 2008, was filed stamped, signed and noticed under CCP 664.5(b) to both prevailing parties or Remove from the CCMS ROA and Case History, Abstract of Judgment that there was a legal judgment entered on September 24, 2008, evidence and date its removal and send me proof it is removed.

3. The courts were evidenced that Kelman submitted and was awarded costs that were incurred by GlobalTox in the amount of \$3,626,33. Either provide evidence from the Case File to refute that the courts awarded costs to a party, not incurred by the party, or Remove from the CCMS stealth Case History that an amended judgment was properly entered awarding Kelman \$7,252.65 on 12/18/08, evidence and date its removal; and send me proof it is removed..

4. On the Minute Order dated December 12, 2008, it states, *"The Record in this case reflects that Plaintiff Bruce J. Kelman is the prevailing party solely as against Defendant Sharon Kramer. Defendant Sharon Kramer is the prevailing party solely as against Defendant GlobalTox, Inc."*. Provide evidence from the Case File that the Amended Entry of Judgment dated 12/18/08 (after the Minute Order was finalized) states both Kelman and Kramer are prevailing parties) was entered.

5. Either provide evidence from the Case File that Kelman and GlobalTox were the prevailing parties or Remove from the CCMS ROA and Case History that Kelman & GlobalTox were the prevailing parties as falsely entered in the ROA and Case History on December 23, 2010, evidence and date its removal; and send me proof it is removed.

6. Either provide evidence from the Case File that Judge Maas, now presiding judge over this case affirmed on December 23, 2008, that a judgment was entered on December 12, 2008 deeming Kelman and GlobalTox to be the prevailing parties or Remove from the CCMS ROA and Case History that on December 23, 2010, the lower court presiding judge quote: "the Remittitur (Judgment of 12-12-08 is affirmed) filed by The Superior Court of San Diego". Evidence and date the removal; and send me proof it is removed.

7. If is evidenced by the Case File as legitimate CCMS entries, Add back the deleted entry #183 thru #187 made between October 23 & October 28, 2008, to the ROA and Case History; evidence and date their addition; and send me proof if and when they are added back..

8. Either provide evidence from the Case File that a Judgment was entered on September 24, 2008; or Rescind the Clerk of the Court issued Abstract of Judgment that was entered on December 31, 2008, stating a date of entry of judgment of September 24, 2008. This is a further abuse and violation of Code of Civil Procedure 664, 664.5(b) and Government Code 6200. Send me proof when the Abstract is withdrawn.

9. Provide from the Case File, the dated, file stamped, signed, and noticed legal judgment document upon which the December 31, 2008, Abstract of Judgment is based awarding Kelman \$7,252.65 in costs (plus one dollar).

10. Provide from the Case File, the dated, file stamped, signed, and noticed legal judgment document as it appeared prior to the Entry of Amended Judgment dated 12/18/08, after Kelman's costs were submitted in October 2008.

READ LETTER TO COURT CLERKS KELLY & RODDY HERE. (long one. takes a bit to open pdf)

BTW, California citizens, did you know there is actually a policy that the California Judicial Council enacted that some people do not have to disclose when they are a party to a litigation? (like, say, um, maybe.... an author of fraudulent medico-legal policy for the US Chamber of Commerce & ACOEM with close ties to NIOSH and the Governor!)

Rule 8.208. Certificate of Interested Entities or Persons (d) Serving and filing a certificate (2) If the

identity of any party or any entity or person subject to disclosure under this rule has not been publicly disclosed in the proceedings and a party wants to keep that identity confidential, the party may serve and file an application for permission to file its certificate under seal separately from its principal brief, motion, application, or opposition. If the application is granted, the party must file the certificate under seal and without service within 10 days of the court's order granting the application.

Since when is it acceptable in America to sue a US citizen to silence them of a deceit in public health of which you are involved...and not even have to disclose that you are the one who sued them?

The **US Chamber of Commerce, the insurance industry and the Compromised Courts of California** may not like us and want us to be silenced of what they have coluded to do to defraud the public.

But OSHA likes us! They cited *Katy's Exposure Blog* as a scientific reference as we exposed the false science over the mold issue that is adversely impacting US public health and workers' comp policies.

[OSHA Issues Public Health Advisory Regarding Poor Indoor Air Quality \(we're reference #15\)](#)

This entry was posted in Temp and tagged acoem, Bryan Hardin, corns, judicial council, Mold, NIOSH, schwarzenegger, US Chamber, Veritox. Bookmark the [permalink](#).

Katy's Exposure

Theme: Twenty Ten Blog at WordPress.com.

SCHEUER & GILLETT
a law corporation
4640 Admiralty Way, Suite 402
Marina Del Rey, California 90292
Tel: (310) 577-1170
Fax: (310) 301-0035
email: Kscheuer@aol.com

VIA FAX, EMAIL AND US MAIL

October 12, 2011

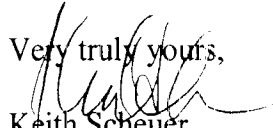
Sharon Kramer
2031 Arborwood Place
Escondido, CA 92029

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

Dear Ms. Kramer:

Please take notice that at 1:30 p.m. on October 14, 2011, Plaintiff will apply ex parte in Department N-30 in the Vista Courthouse of the San Diego Superior Court for an Order to Show Cause why you should not be held in contempt for violating the preliminary injunction that was filed in this matter on May 2, 2011. A copy of Plaintiff's ex parte application and proposed order is attached.

Very truly yours,


Keith Scheuer
KS/sel

1 **PROOF OF SERVICE**

2

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18
4 and not a party to the within action. My business address is 4640 Admiralty Way, Suite
5 402, Marina Del Rey, California 90292. On October 12, 2011, I served the foregoing
6 **PLAINTIFF'S EX PARTE APPLICATION FOR AN ORDER TO SHOW CAUSE**
7 **RE: CONTEMPT BY DEFENDANT SHARON KRAMER; DECLARATION OF**
8 **KEITH SCHEUER** on the interested parties in this action by placing a true copy thereof
9 enclosed in a sealed envelope addressed as follows:

10 Sharon Kramer
11 2031 Arborwood Place
12 Escondido, CA 92029

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

21 [X] BY FACSIMILE—I sent such document from facsimile machine (310) 301-0035
22 on October 12, 2011. I certify that said transmission was completed and that all pages were
23 received and that a report was generated by said facsimile machine that confirms the
24 transmission and receipt. I thereafter mailed a copy to the interested party by placing a true
25 copy thereof enclosed in a sealed envelope addressed to the party listed above.

26 EXECUTED on October 12, 2011 at Marina Del Rey, California.

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

Keith Scheuer

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

BRUCE J. KELMAN,)	CASE NO. :
)	37-2010-00061530-CU-DF-NC
Plaintiff,)	
)	Assigned for All Purposes to:
v.)	HON. THOMAS P. NUGENT
)	DEPARTMENT: N-30
SHARON KRAMER, and DOES 1)	
through 20, inclusive,)	UNLIMITED CIVIL CASE
)	
Defendants.)	[PROPOSED] ORDER TO SHOW CAUSE
_____)	

TO DEFENDANT SHARON KRAMER:

YOU ARE HEREBY ORDERED TO SHOW CAUSE on _____,
2011, at _____ or as soon thereafter as the matter may
be heard, in Department N-30 of the above-entitled Court,
located at 325 South Melrose, Vista, California 92081, why
you should not be held in contempt for violating the
preliminary injunction filed in this action on May 2, 2011.

IT IS FURTHER ORDERED that any opposition to this Order

1 to Show Cause is to be filed in Department N-30 and served
2 on Plaintiff's counsel by personal service, facsimile
3 transmission or email no later than the close of business on
4 _____, 2011. Any reply is to be filed in Department
5 N-30 and served on Defendant by personal service, facsimile
6 transmission or email no later than the close of business on
7 _____, 2011.
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9 IT IS SO ORDERED.

10 _____
11 Judge of the Superior Court
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Sharon Kramer
2031 Arborwood Place
Escondido, CA 92029

[X] BY FACSIMILE—I sent such document from facsimile machine (310) 301-0035 on October 12, 2011. I certify that said transmission was completed and that all pages were received and that a report was generated by said facsimile machine that confirms the transmission and receipt. I thereafter mailed a copy to the interested party by placing a true copy thereof enclosed in a sealed envelope addressed to the party listed above.

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

Keith Scheuer