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(14)
CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

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

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

BRUCE J. KELMAN & GLOBALTOX, INC.,
including concealed GLOBALTOX owner,
BRYAN D. HARDIN, who is a retired U.S.
Assistant Surgeon General & Deputy Director of
Centers for Disease Control & Prevention,
National Institute for Occupational Safety and
Health "CDC NIOSH"

Plaintiffs,

v.

SHARON KRAMER

Defendant

CASE NO. GIN044539

DEFENDANT'S REPLY TO
PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION TO VACATE
[VOID] JUDGMENT; DECLARATION
OF SHARON KRAMER

[Assigned for All Purposes To Hon. EARL
H. MAAS III, Department 28]

Filed May 2005

Motion Hearing Date: October 12, 2012
1:30 PM

In lawful accordance with Code of Civil Procedure 1209(b)¹, this filing may be read online
at the blog, ContemptOfCourtFor.ME <http://wp.me/p20mAH-ks>

Keith "SCHEUER" is the attorney of record for the six owners of "VERITOX", Inc.,
including the corporation president, Bruce J. "KELMAN" and litigation undisclosed VERITOX
owner, Bryan D. "HARDIN". VERITOX used to be known as GlobalTox, Inc. Shortly after filing
this lawsuit in 2005, the corporation principals changed the name of their corporation to VERITOX.
The additional four owners of VERITOX along with KELMAN and HARDIN are: Coreen Robbins,
Loni Swenson, Robert Schreibe and Robert Clark.

On September 28, 2012, SCHEUER filed and mailed by standard mail, PLAINTIFF'S
"OPPOSITION"² TO DEFENDANT'S MOTION TO VACATE [VOID] JUDGMENT³;

¹ C.C.P.1209(b) A speech or publication reflecting upon or concerning a court or an officer thereof shall not
be treated or punished as a contempt of the court unless made in the immediate presence of the court while in
session and in such a manner as to actually interfere with its proceedings."

² Sept 28, 2012 Scheuer's Opposition <http://freepdfhosting.com/543fbb3c7f.pdf>

³ Sept 20, 2012 Kramer's Motion To Vacate VOID JUDGMENT <http://freepdfhosting.com/c88675ba9a.pdf>

DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO VACATE [VOID]
JUDGMENT; DECLARATION OF SHARON KRAMER

1 DECLARATION OF KEITH SCHEUER". Kramer received the filing on the afternoon of October
2 1, 2012. The gist or sting of the SCHEUER OPPOSITION and circular argument submitted under
3 penalty of perjury, is:

4 "If prior courts chose to suppress the defendant's evidence of the plaintiffs' and
5 their counsel's crimes in the litigations they are overseeing, then when this Court
6 has jurisdiction over the case, this Court is legal bound to suppress the evidence of
7 the crimes that have been aided to continue by suppression of evidence of prior
8 courts. Sharon "KRAMER"s direct and undisputed evidence of the crimes and
9 their continued adverse impact on her, her family, the taxpayer, the
10 environmentally disabled and the chilling of speech for the public good, are
11 irrelevant for this Court's consideration when determining what lawful ruling to
12 make. If I and my clients commit crimes and the courts suppress the evidence as
13 their clerks falsify court records to conceal the courts have suppressed evidence of
14 our crimes; then our criminal actions are no longer crimes because prior courts said
15 they are not and this court should rule accordingly. Therefore, this Court must not
16 vacate the known fraudulent "VOID JUDGMENT" of September 24, 2008 because
17 we need it to help continue to commit additional crimes against the public,
18 taxpayer and Kramer; and we need it to conceal that the courts have aided us with
19 the crimes for now over seven years by relentlessly harassment, including cyber
20 stalking, and character assassination of KRAMER.

21 Additionally, this Court should be super duper impressed and swayed by me
22 because I can file pretty briefs with zero, nada, zilch evidence to refute Kramer's
23 evidence that I, my clients, the courts and their clerks have committed crimes,
24 suppressed evidence and falsified court document; but I do have superior skills at
25 using flame throwing terms to inflame ignorant courts such as, "obsessive, willful
26 disregard, unemployed real estate agent, libelous statement, disobeyed, Kramer
27 refuses to recognize the court's authority". I have honed these skills by litigating
28 by these means in California for now over thirty years. See *Roston v. Edwards* 127
Cal.App.3d 842 (1982) W. Patrick O'Keefe, Jr., Costello & Watchler, Edward J.
Costello, Jr., and Keith Schemer for Defendants and Respondents. Please do not
do anything that would stop me from continuing to use them. There are many
unethical litigants out there who rely on my ability to be able to continue to use
these techniques in courts of law.

If this Court could please just ignore its Canon of Judicial Ethics 3(D)(2) which
states "*Whenever a judge has personal knowledge that a lawyer has violated any
provision of the Rules of Professional Conduct, the judge shall take appropriate
corrective action.*", and ignore that I am bound by license provided to me by the
State of California to cease litigating when I know I have been benefiting from
court improvidently entered orders, (See *Datig v. Dove Books*, 73 Cal.App.4th,
964, (1999)); it would be sincerely appreciated by me and many other criminals
involved in this case and the secondary case founded upon this one, in the

1 furtherance of financially motivated hate crimes against the environmentally
2 disabled, dying and KRAMER, while we defraud the taxpayer with insure fraud.

3 If this Court could please just ignore that every court has autonomous control over
4 its case files (See *In the Marriage of Nichols*, 186 Cal.App.4th 1566 (2010) 1573.
5 *"We reject Nicholas's efforts to transform one of the initial trial judge's prior*
6 *sealing orders into a juridical black hole from which no light can ever escape...*
7 *Erecting a jurisdictional barrier would effectively prevent the court from*
8 *exercising custody and control over its own files"*.); and ignore that this Court has
9 taken a sworn oath to protect the public, the Constitution and litigants that come
10 before this Court while aiding us in our collusion to defraud; then the sick, dying,
11 taxpayers, KRAMER and those whose speech has been chilled for fear of
12 retribution may not like it -- but us crooks surely would appreciate it. Our asses,
13 those of many of your judicial peers and their clerks, and politicians & government
14 agencies from California to DC are on the line if you do not help us to conceal that
15 the VOID JUDGMENT of September 24, 2008 is known to us to be is void and
16 fraudulent.

17 Please do not forget, that these are your peers that you must face everyday. If you
18 take me down, you take them down. You would also take down the CA Chief
19 Justice, numerous members of the Judicial Council, the Commission on Judicial
20 Performance, the State Bar and the Administrative Offices of the Courts for
21 conspiracy to defraud the public and deliberate indifference of hate crimes via the
22 weapon of mass destruction for the Constitution of the United States that the
23 compromised legal system of California has become. So please, please, please
24 ignore KRAMER's undeniable and direct evidence that the Judgment on record of
25 this case is void to be used for any purpose."

26 Argument

27 1. *"Uncontradicted and unimpeached evidence is generally accepted as true."* (Garza v.
28 Workmen's Comp. App. Bd. (1970) 3 Cal.3rd 312 317-318 [90 Cal.Rptr. 355]; Keulen v. Workers'
Comp. Appeals Bd., supra, 66 Cal.App.4th at p. 1099.) In these cases, KRAMER's uncontroverted
and unimpeached evidence proving massive fraud aided to continue by officers of the courts
themselves, is simply suppressed and ignored by ALL courts to oversee this matter for now seven
and one half years. **THIS type of unethical, unlawful and down right criminal misconduct by**
officers of the courts is the greatest threat to the Constitution of the United States that
democracy depends upon for survival in a free society.

2. In his OPPOSITION, SCHEUER does not provide any refuting evidence or deny he and
his clients have committed crimes while litigating and that KRAMER's uncontroverted and direct

1 evidence of it has been repeatedly suppressed by the courts. Amazingly, he simply attached the
2 evidence that the Fourth District Division One Appellate Court falsely stated in their 2010 Appellate
3 Opinion that a judgment had been entered in KRAMER's favor. This Court has already rendered an
4 amended judgment, October 28, 2011, while providing evidence that this Court knows that the
5 Appellate Opinion is a fraudulent legal document and so is the Remittitur sent to this Court.

6 3. SCHEUER glosses over the facts in evidence provided to this Court by KRAMER that
7 his misconduct are egregious Business and Professions Code violations for which he should be
8 losing his license and sent to jail; yet they have been repeatedly rewarded in other courts and used to
9 conceal the collusive misconduct of many officers of the California courts. He again submits a
10 declaration to this Court, under penalty of perjury, ridiculously asserting that it is legal these crimes
11 and the ramifications of them on KRAMER and the public should continue to go unaddressed,
12 including unaddressed by this Court. He amazingly attempts to argue that a court of law with subject
13 matter jurisdiction, is helpless to undo the continued damage to a litigant before them, to the tax
14 payers, to the environmentally disabled & dying and to the Constitution itself from his and his
15 clients' crimes aided to continue by the collusive misconduct of prior courts and their clerks. He
16 argues that this Court has a legal duty to issue a ruling that will collude to defraud.

17 4. **It is a false and unlawful argument on many levels in an attempt to COERCE this**
18 **Court with subject matter jurisdiction into rendering a ruling which would aid hate crimes,**
19 **insurer fraud, taxpayer fraud, the chilling of free speech in the United States of America and**
20 **unlawful destruction of a litigant who has been relentlessly denied lawful due process by**
21 **compromised officers of the courts.** It is the same old, evidence void, flame throwing, character
22 assassinating schtick, that SCHEUER submitted to this Court in 2011, when this Court acknowledged
23 it has legal jurisdiction and autonomous control over its own case files by amending the VOID
24 JUDGMENT on record – yet, while still leaving the VOID JUDGMENT of September 24, 2008, un-
25 vacated and able to be used to further harass KRAMER via its use of more malicious litigation,
26 unlawful incarceration, bodily harm, emotional distress and financial ruination – Coram non judice.

27 5. The evidence is undeniable that the VOID JUDGMENT awards interest accruing, co-
28 mingled costs incurred by the trial loser owners of VERITOX, including an undisclosed owner,
HARDIN, to the corporation's president, KELMAN. This, with interest accruing from September
24, 2008 on the abstract/lien recorded by SCHEUER on December 31, 2008/January 19, 2009, via

1 the submission of the September 24, 2008 VOID JUDGMENT to obtain the fraudulent abstract/lien.
2 The date from which interest accrues, September 24, 2008, is three weeks before SCHEUER even
3 submitted the co-mingled costs of VERITOX's as being KELMAN's on October 16, 2008; and three
4 months before they are stated as awarded on December 18, 2008, on the twice clerk of the court,
5 ante-dated, VOID JUDGMENT. Mid October 2008, the dollar amount was added without dating the
6 change to the legal document making it appear costs were awarded on impossible date of September
7 24, 2008. Sometime after the Abstract was recorded on December 31, 2008, "12/18/08 mgarland"
8 was added next to the dollar amount that was filled in, in mid October 2008, making it appear that
9 costs were first awarded by judgment on December 18, 2008. There is no Notice of Entry of
10 Judgment in existence for the VOID JUDGMENT from the Court to either SCHEUER or KRAMER.

11 **6. KRAMER is not asking this Court to re-examine the facts of the case as SCHEUER**
12 **is attempting to falsely argue. It comes down to one fact not in evidence that establishes that**
13 **the VOID JUDGMENT must be vacated: SCHEUER has not provided a Notice of Entry of**
14 **Judgment for the September 24, 2008 judgment – because it does not exist. As such it is void to**
15 **be used for any purpose and must be vacated. "For example, courts have held that the**
16 **document entitled 'Notice of Entry' mentioned in the rule must bear precisely that title, and**
17 **the 'file stamped copy of the judgment' [citation] must truly be file stamped." (Id. At p. 903,**
18 **quoting rule 8.104(a)(1).)" *Citizen for Civic Accountability v. Town of Danville (2008) 167***
19 ***Cal.App.4th 1162.*** (Attached hereto as EXHIBIT⁴, is an article from WorkCompCentral, December
20 2010 of the mass defrauding of the taxpayer and hate crimes this Court would be aiding to continue
21 if it chooses of free will in a case of which it has subject matter jurisdiction, not vacate the known
22 VOID JUDGMENT; while additionally aiding the relentless harassment of KRAMER to continue.)

23 **Conclusion**

24 The VOID JUDGMENT must be vacated because, in addition to undeniable evidence of it
25 aiding the criminality by plaintiffs, officers of the courts, and their clerks; it was never noticed under
26

27 ⁴ WorkCompCentral December 10, 2010 Group Petitions ACOEM for Review of Mold Guidelines
28 <http://freepdfhosting.com/715a485427.pdf>

1 rules of the court and is thus an invalid legal document unable to be used for any purpose – legal or
2 illegal. It is as simple as that.

3 October 3, 2012

4 Sharon Kramer
Sharon Kramer, Pro Per

5 **Declaration of Sharon Kramer**

6 It is no secret that the California legal system is out of control from the top down and that
7 its corrupt Administrative Offices of the Courts has attempted to strip the courts of their ability to act
8 autonomously. It has become one, giant, corrupt, deceptive, vindictive, manipulative and malicious
9 machine being run by a compromised oligarchy that defiles the Constitution, abuses judges and
10 defrauds the taxpayer, the public and California litigants on a regular basis⁵.

11 Plainly stated: Judge Mass, you can be part of the process or you can be part of the
12 problem. I will not be silenced of how the courts framed me for libel over the first public writing of
13 how it became a fraud in policy that moldy buildings do not harm for the purpose of misleading U.S.
14 Courts to deny financial responsibility for causation of environmental illness and death, while they
15 suppressed the evidence that KELMAN committed perjury to establish false light reason for my
16 alleged malice and SCHEUER repeatedly suborned it – and then have ceaselessly character
17 assassinated me, harmed me physically, cyber stalked me, financially ruined me, etc., as they have
18 tried to stop me from writing of their criminal misconduct aiding to defraud; until someone does
19 some thing to stop the mass corrupt California legal system, that in these matters, has become a
20 manifestation of hate crimes against the environmentally disabled, dying and their advocate, me.

21 Should you choose not to vacate the undeniable VOID JUDGMENT, you would aiding
22 mass corruption to continue in the California legal system while aiding to maim and even kill
23 innocent people; and while destroying me and my family my for my proving it.

24 I declare under penalty of perjury of the laws of the State of California that the foregoing is
25 true and correct and executed by me this 3rd day of October, 2012.

26 Sharon Kramer

27 ⁵ MetNews, July 16, 2012, "Frustrated Judge Lance Ito Calls AOC 'Deceptive, Vindictive,
28 Manipulated' <http://www.metnews.com/articles/2012/ito071612.htm>

Exhibit

1

Return to : Group Petitions ACOEM for Review of Mold Guidelines

N/A -- Group Petitions ACOEM for Review of Mold Guidelines: Top [12/01/10]

By , reporter

A group of physicians, attorneys and concerned citizens is asking the American College of Occupational and Environmental Medicine to allow the public to review and comment on proposed revisions to the college's position paper on the health effects of mold exposure.

More than 90 individuals have signed the petition, which was submitted to ACOEM and a number of governmental officials, including President Barack Obama, Health and U.S. Human Services Secretary Kathleen Sebelius, U.S. Attorney General Eric Holder and the chairpersons and ranking members of the House and Senate labor committees. The petition calls for a two-week review period before revisions are finalized.

"I feel almost certain that if public comment is not allowed, what they're going to continue to attempt to promote is that moldy workplaces are not a source of injury for workers who were not immunocompromised prior," said Sharon Kramer, a mold activist who organized the petition. "The spin in this document is going to be that prior healthy workers are not at risk from mold."

Kramer said the paper amounts to "aiding and abetting interstate insurer unfair advantage in workers' comp claim handling practices," and that it also "legitimized a litigation defense argument."

Dodd Fisher, an attorney with the Fisher Davis firm in Grosse Pointe, Mich., who handles toxic tort and mold exposure cases, said the paper is commonly cited by defense attorneys and courts tend to give it greater credit than they should.

"It makes it sound like 5,000 or 6,000 doctors are backing up this statement, at least from the appearance of a scientific consensus statement," he said. "The argument the defense makes is this is a universally accepted position document that expresses the general or universal acceptance of environmental physicians."

Kramer, Dodd and the other signatories claim that ACOEM's position paper on mold wasn't properly reviewed and isn't based on scientific evidence.

ACOEM confirmed that it is revising the 2002 position paper, but did not return calls asking for additional information about the reasons for the revisions, when the revisions will be finalized or who is involved in the revision process.

The ACOEM position paper, titled "Adverse Human Health Effects Associated with Molds in the Indoor Environment," relied in part on a test in which mice were exposed to a specific strain of mold and suffered no significant health effects. That test was extrapolated to reach the conclusion that exposure to mold will have no effects on humans.

The paper states that exposure to mold, and specifically secondary metabolites they produce called mycotoxins, does not harm human health. It urges treating physicians to evaluate other possible diagnoses when a patient claims to suffer from a health condition caused by exposure to mold.

Additionally, it says the possibility that mold exposure caused a symptom should be entertained only after all other possible causes are excluded "and when mold exposure is known to be uncommonly high."

The paper says mold exposure is a problem only for people with severely impaired immune systems, and concludes with the claim that "scientific evidence does not support the proposition that human health has been adversely affected by inhaled mycotoxins in home, school or office environments."

That conclusion is challenged by a study by the Institute of Medicine (IOM), published in 2004, reporting a link between "mold and other factors related to damp conditions in homes and buildings to asthma symptoms in some people with the chronic disorder, as well as to coughing, wheezing and upper respiratory tract symptoms in otherwise healthy people." The IOM report does caution that there is not sufficient evidence to draw conclusions about other health implications related to mold.

Kramer agreed that the research into the health effects of mold exposure is incomplete, but that doesn't mean that there are no effects.

"Absence of evidence is not the same thing as evidence of absence," she said. "While it is perfectly acceptable to say this is plausible and more research is needed -- that would be absence of evidence -- what is not science is to take math, add it to a rat study and profess to prove evidence of absence."

The U.S. Government Accountability Office (GAO) also looked into the issue in 2008 and determined that additional research was necessary, but that there was some evidence to link adverse health effects with exposure to mold.

Dodd, the Grosse Pointe attorney who also teaches a toxic torts class at the University of Detroit Mercy School of Law, said his concern is for attorneys and clients unaware of all the articles criticizing the ACOEM paper. Without knowing about the alleged deficiencies, an attorney will have a hard time overcoming the apparent weight of the mold statement, he said.

The International Journal of Occupational and Environmental Health and Wall Street Journal published articles critical of the ACOEM mold statement, which Dodd says has helped his cause.

"Since the Wall Street Journal article and since the IJOEH articles, it's not as difficult for me to deal with the issues, but if you're a litigator and you don't have the information I have to combat that position statement, you're going to have a very difficult time addressing the court," he said.

The articles questioned the use of Bruce Kelman and Bryan Hardin to author the ACOEM paper, because they were toxicologists and defense witnesses who testified that there was no health effect caused by exposure to mold. Additionally, ACOEM was criticized for not disclosing this fact.

The Wall Street Journal article, published in September 2007, notes that Ted Guidotti, president of ACOEM at the time, said there was no need to disclose that information because doing so would suggest that the paper expressed Hardin and Kelman's position rather than a consensus opinion of the organization.

Hardin and Kelman now work for Washington-based Veritox, an expert witness and toxicology consulting company. Calls to Veritox were not returned.

The company went by the name GlobalTox before it was called Veritox.

In an article in the International Journal of Occupational and Environmental Health, Dr. James Craner, a board-certified occupational and environmental medicine practitioner based in Reno, Nev., notes that the focus of GlobalTox and its expert witnesses "was on dismissing mold as a toxicological hazard." The article, titled, "A Critique of the ACOEM Statement on Mold," published in 2008, concludes with a call for a transparency policy at ACOEM and a more rigorous system of peer review at ACOEM's Journal of Occupational and Environmental Medicine, where the mold statement was first published.

Craner, who is an ACOEM member, told WorkCompCentral that the overall tone and focus of the mold statement is incorrect and it should be withdrawn and completely rewritten.

"The foundation of the writing of that paper is so corrupt that to quote-unquote rewrite it is almost an impossible task; it's almost an insult," he said. "Developing organizational guidelines and position statements needs to start with the constituent holders."

In a lawsuit against the Roswell (N.M.) Independent School District, the San Antonio-based law firm of Chunn,

Price and Harris, relied on these articles as part of a motion to exclude or limit the testimony of an expert who relied on the ACOEM paper.

David Harris, a partner with the firm, said on the morning he and Lonnie Chunn were expecting to argue the motion to exclude, the judge dismissed the case. The judge said Paige Taylor, the student claiming exposure, would graduate by the time the court could issue an order and because Taylor was not seeking monetary damages, the court would lack jurisdiction to issue an injunction in that case.

"If I ever get on the plaintiff's side again, I feel very confident that anyone who tries to rely on the ACOEM paper, they're just going to be in for a world of hurt," Harris said. "It's just nonsensical the extrapolations that were made."

Kramer said she does not expect ACOEM to respond to her petition or to calls for more transparency in the drafting of position papers. She said the occupational medicine field is conflicted because it has to balance the interest of patients while also limiting liability for employers and insurers.

"One way to do that is to make the workplace safe for the workers so there is limited injury, but another way to do that is to write papers that deny the workplace is causing injury," she said. "Occupational physicians sit on a fence and have to look at what's in the best interest of the workers and the employer. With the mold statement, they fell off the fence."

The 2002 ACOEM mold paper can be viewed here:

To read the 2008 GAO report, click here:

To read the 2004 IOM report, click here:

To view the letter that accompanied the petition, click here:

[http://www.workcompcentral.com/1/news/news_print2.htm?w...](#)

Return to : Group Petitions ACOEM for Review of Mold Guidelines

Print News

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Sharon 2031 Arborwood Place Escondido, Ca 90292 TELEPHONE NO.: 760-746-8026 FAX NO. (Optional): E-MAIL ADDRESS (Optional): snk1955@aol.com ATTORNEY FOR (Name): Pro PEr	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego STREET ADDRESS: 325 S. Melrose Drive MAILING ADDRESS: CITY AND ZIP CODE: Vista, Ca 92081 BRANCH NAME: North County Superior Court	CASE NUMBER: GIN044539 JUDGE: Hom. Earl Mass III DEPT.: 28
PLAINTIFF/PETITIONER: Bruce Kelman, Veritox including Bryan Hardin 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 checked="" type="checkbox"/> By Overnight Delivery <input type="checkbox"/> By Messenger Service <input checked="" 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.)

1. At the time of service I was over 18 years of age and **not a party to this action.**
2. My residence or business address is:
2031 Arborwood Place, Escondido, Ca 92029
3. ☒ The fax number or electronic service address from which I served the documents is (complete if service was by fax or electronic service): **MAKramer@aol.com 760-746-8026**
4. On (date): **Oct 3, 2012** I served the following **documents** (specify):

DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO VACATE [VOID] JUDGMENT; DECLARATION OF 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:

a. Name of person served: **Keith Scheuer**

b. ☒ (Complete if service was by personal service, mail, overnight delivery, or messenger service.)

Business or residential address where person was served:

4640 Admiralty Way #402, Marina Del Rey, CA 90292

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

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

KScheuer@aol.com & fax 310-301-0035

(2) Time of service: **before 5 Pm**

☐ 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):

a. ☐ **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 & GlobalTox v. Kramer

CASE NUMBER:

GIN044539

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: October 3, 2012

Michael Kramer

(TYPE OR PRINT NAME OF DECLARANT)

[Signature]

(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)