

Sharon Noonan Kramer  
2031 Arborwood Place  
Escondido, Ca 92029  
760-746-8026  
January 31, 2013

Court of Appeal Fourth District  
**RECEIVED**  
FEB 01 2013  
Stephen M. Kelly, Clerk  
DEPUTY

Justice Judith McConnell  
Presiding Justice of the  
Fourth District Division  
One Appellate Court  
750 "B" Street  
San Diego, CA 92101

Justice Patricia Benke  
Acting Presiding Justice  
*Kelman & ? v. Kramer*  
Case No. D054496  
Fourth District Division One  
Appellate Court  
750 "B" Street  
San Diego, CA 92101

**NOTICE AND 2<sup>ND</sup> DEMAND APPELLATE COURT PROVE SUBJECT  
MATTER JURISDICTION, RECALL & RESCIND CRIMINALLY  
FRAUDULENT REMITTITUR & VACATE VOID JUDGMENT; &  
DECLARATION UNDER DURESS OF SHARON KRAMER**

RE: *Kelman, GlobalTox & ? v. Kramer* Fraudulent Anti-SLAPP Case (2005-06)  
No. D047758; Fraudulent Review Case (2009-10) No. D054496; Superior Court  
Case No. GIN044539 & Current Appeal Case (D062764), Superior Court Case  
No. 37-2010-00061530-CU-DF-NC (2010-13)

**2<sup>nd</sup> DEMAND** of Appellate Court proof of subject matter jurisdiction to hear  
Appellate Case No. D062764 *Kelman & ? v. Kramer*. **2<sup>nd</sup> DEMAND** (fifth  
request including three App. motions) that Justice Benke recall and rescind the  
criminally fraudulent December 20, 2010 Appellate Remittitur Case No. D054496  
*Kelman & ? v. Kramer* awarding costs to undisclosed "Respondents" & set  
aside/Vacate the Void Judgment antedated "MGarland 12/18/08" in *Kelman &  
GlobalTox v. Kramer* GIN044539, submitted as the foundational document to this  
case 31-2010-00061530 on November 4, 2010, as a valid legal document;

**2<sup>nd</sup> DEMAND** (along w/five motions) that the Appellate Court recall and rescind  
the Remittitur from the November 2006 anti-SLAPP opinion and reverse opinion,  
Case No. D047758 in which this court, Justice McConnell, framed Sharon  
Kramer for libel w/actual malice over the first public writing of how it became a  
false concept in US public health policy that it was scientifically proven by Bruce  
(Kelman) and Bryan (Hardin) that toxins in moldy buildings do not harm for the  
purpose of misleading US courts to deny liability for causation of environmental  
illnesses.; as this court suppressed the evidence Hardin, retired US Assistant



Surgeon General, Deputy Director CDC/NIOSH was an improperly undisclosed party to the appeal and that his co-owner of GlobalTox, Kelman committed perjury to establish false light reason for malice. This NOTICE & DEMANDS are written in first person to Justice Judith McConnell and Justice Patricia Benke, who are caught red handed conspiring to defraud, now with no jurisdiction and thus no judicial immunity.

Justices McConnell and Benke,

Give it up, Justice McConnell. **You do not have subject matter jurisdiction to hear this appeal because of documents falsified by the courts.** Issuing rulings without jurisdiction while refusing to recall and rescind criminally fraudulent, court issued documents which were written to conceal your prior unlawful and criminal behavior means you have no judicial immunity for your years of actions in these cases.

I received your January 29, 2013 DENIAL to my DEMAND that you prove that the Appellate Court has subject matter jurisdiction to hear my appeal in Case No. D062764. The DENIAL reiterates that the Appellate Court justices, (Justice Benke), refuse to recall and rescind the undeniably criminally fraudulent December 20, 2010 Remittitur which awards costs to undisclosed parties on appeal "Respondents"; and refuses to set aside/vacate the undeniably void ante-dated Judgment of "MGarland 12/18/08" from the foundational case, *Kelman and GlobalTox v. Kramer*, to this case. These two documents that are both fraudulent and void to be used for any purpose are the sole foundation to this case, *Kelman v. Kramer* Case No. 37-2010-00061530 CU-DF-NC; now on appeal, Appellate Case No. D062764. Officers of the courts cannot refuse to acknowledge fraudulent court documents and simultaneously feign these void legal documents give them subject matter jurisdiction to refuse to acknowledge they are void, fraudulent and criminal – and pretend they will be proceeding with an lawful unbiased case review.

Again, I cannot lawfully file an opening brief until the Appellate Court Presiding Justice lawfully establishes the Appellate Court subject matter jurisdiction to hear the appeal. If I file an appeal in a court with no subject matter jurisdiction, I would be aiding and abetting you to defraud the public by giving this court jurisdiction to continue to unlawfully and criminally harass an advocate for the environmentally injured, me.



The code cited by you, Justice McConnell, in the January 29, 2013 DENIAL ruling, C.C.P. 904.1(a), allegedly giving this court subject matter jurisdiction while suppressing the direct evidence of criminally falsified court documents as the foundation to this case, is irrelevant. It does not establish subject matter jurisdiction to hear an appeal when a party on appeal has repeatedly challenged this court's jurisdiction after the Notice to Appeal was accepted by this court.

**"Defense of lack of jurisdiction over the subject matter may be raised at any time, even on appeal." *Hill Top Developers v. Holiday Pines Services Corp*, 478 So. 2d. 368 (Fla 2<sup>nd</sup> 1985) "Once challenged, jurisdiction cannot be 'assumed', it must be proved to exist." *Stuck v. Medical Examiners*, 94 Ca2d 751.211 P2s 389 (Emphasis Added)**

A court "cannot confer jurisdiction where none existed and cannot make a void proceeding valid." *People ex rel. Gowdy v Baltimore & Ohio R.R. Co.*, 385 Ill. 86, 92, 52 N.E.2d 255 (1943). "Courts are constituted by authority, and they cannot [act] beyond the power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgments and orders are regarded as nullities. They are not voidable, but simply void, and this even prior to reversal." *Elliott v. Lessee of Piersol*, 26 U.S. (1 Pet.) 328, 340; *Old Wayne Life Assn. v. McDonough*, 204 U.S. 8, 27 S.Ct. 236

"[T]he scope of the judge's jurisdiction must be construed broadly where the issue is the immunity of the judge. A judge will not be deprived of immunity because the action he took was in error, was done maliciously, or was in excess of his authority; rather, he will be subject to liability only when he has acted in the clear absence of all jurisdictions." *Stump v. Sparkman*, 435 US at 356-57

"When a judge does not follow the law, i.e., they are a trespasser of the law, the judge loses subject-matter jurisdiction and the judges orders are void of no legal force or effect." The U.S. Supreme Court, in *Scheuer v. Rhodes*, 416 U.S. 232, 94 S.Ct. 1683, 1687 (1974) stated that, "when a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States."



"Fraud upon the court" has been defined by the 7<sup>th</sup> Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication." *Kennerv. C.I.R.*, 387 F.3d 689 (1968); 7 *Moore's Federal Practice*, 2d ed., p. 512, 60.23.

"Obviously a judgment, though final and on the merits, has no binding force and is subject to collateral attack if it is wholly void for lack of jurisdiction of the subject matter or person, and perhaps for excess of jurisdiction, or where it is obtained by extrinsic fraud." [Citations.] 7 *Witkin, Cal. Procedure, supra, Judgment*, § 286, p. 828.).

### **DECEMBER 2010 REMITTITUR & SEPTEMBER 2009 CERTIFICATE & JULY 2006 CERTIFICATES ARE FRAUDULENT AND VOID**

Certificates of Interested Entities & Persons are submitted to Appellate Courts to assure justices have no conflicts of interest in the cases they are reviewing. It is a fraud upon the court by officers of the courts to willfully conceal known undisclosed parties on appeal and proceed to issue fraudulent opinions favorable to the undisclosed entities/parties. Then, falsify Remittiturs to conceal the fraud upon the court. Issuing falsified Remittiturs is a criminal violation under Government Code 6200 & 6203.

The December 20, 2010 fraudulent Remittitur issued by this court states multiple "Respondents" were disclosed to be entities/parties on appeal who were awarded costs against me. It released jurisdiction for this case to go forward, for the sole purpose of trying to silence me of fraud upon the court in the first case defrauding the public by framing a whistleblower of scientific fraud for libel.

#### **\* \* \* REMITTITUR \* \* \***

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.  
☒ 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: 



NOTICE AND  
RECALL & RE

cc: All Parties (Copy of remittitur only, Cal. Rules of Court, rule 8.72(d))



The September 14, 2009 Certificate of Interested Persons submitted by California licensed attorney, Keith (Scheuer) and accepted by this court as valid, discloses only one "Respondent", Bruce (Kelman), on appeal and conceals officers of this court have had conflicted interests/bias since the cases' inceptions.

<b>COURT OF APPEAL, APPELLATE DISTRICT, DIVISION</b>		Court of Appeal Case Number: <b>4th Civil Case No. D054496</b>
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Keith Scheuer, Esq. Cal. Bar # 082797 Keith Scheuer & Gillett, 4640 Admiralty Way, #402, Marina Del Rey, CA 90292 TELEPHONE NO.: 310 577-1170 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Respondent Bruce J. Kelman		Superior Court Case Number: <b>GIN044539</b> FOR COURT USE ONLY
APPELLANT/PETITIONER: Sharon Kramer RESPONDENT/REAL PARTY IN INTEREST: Bruce Kelman		Court of Appeal Fourth District <b>FILED</b> SEP 14 2009 Stephen M. Kelly, Clerk
<b>CERTIFICATE OF INTERESTED ENTITIES OR PERSONS</b> Check one: <input checked="" type="checkbox"/> INITIAL CERTIFICATE <input type="checkbox"/> SUPPLEMENTAL CERTIFICATE		
Notice: Please read rules 8.208 and 8.488 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.		
This 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.

The November 2006 anti-SLAPP Opinion reveals this court has known all along that Bryan Hardin of CDC/NIOSH & US Surgeon General's office, **retired**, has been an undisclosed party to the litigations as the sixth owner of GlobalTox. If the owners of GlobalTox had been disclosed on the September 2009 Certificate, Hardin's name would have had to be including exposing that the anti-SLAPP opinion was also fraudulent.

Declaration of Sharon Kramer, July 2005, showing the courts have known of lack of disclosure of Hardin as a party since virtually the inception of these cases:

4. During Kelman's testimony, questions turned to money that the Manhattan Institute, a national political think-tank, had paid Kelman's company, GlobalTox, for a broadly marketed version (Manhattan Institute Version) of a paper he had coauthored, along with another principal of GlobalTox, Bryan Hardin (Hardin). The original paper was written for the American College of Occupational and Environment Medicine (ACOEM), a national medical policy-writing body.



In July of 2006 this court was asked by my attorney to take judicial notice of the direct evidence Hardin's name was improperly missing on the May 2006 Certificate of Interested Entities and Persons submitted to this court by California licensed attorney, Keith Scheuer. Submitted to this court, June 29, 2006 in a request to take judicial notice:

"3. The testimony of Hardin in the O'Hara case shows that he is a principal and a shareholder in GlobalTox/ Veritox. 4. The deposition of Bruce Kelman in the ABAD case shows that there are six principals in Veritox".

Page 3 of the November 2006 anti-SLAPP Opinion suppressing the evidence of undisclosed parties on appeal, states:

<sup>1</sup> 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.

The second of three falsified Certificate of Interested Entities/Persons submitted by Scheuer, July 10, 2006 in the anti-SLAPP matter, even after this court was made aware Hardin was an improperly undisclosed party:

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

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 402  
(Address)  
Marina Del Rey, CA 90292  
(City/State/Zip)  
(714) 377-1170 kscheuer@aol.com  
(Telephone Number / e-mail address)  
*[Signature]*  
(Signature of Attorney Submitting Form)

Party Represented

Plaintiffs Bruce J. Kelman  
(Name) and GlobalTox, Inc.  
*[Signature]*  
(Signature)  
July 10, 2006  
(Date)

*No Bryan Hardin disclosed*

NOTICE AND 2<sup>ND</sup> DEMAND APPELLATE COURT PROVE SUBJECT MATTER JURISDICTION,  
RECALL & RESCIND CRIMINALLY FRAUDULENT REMITTITUR & VACATE VOID JUDGMENT;  
& DECLARATION UNDER DURESS OF SHARON KRAMER



Attached hereto as **Exhibit 1** is the direct evidence that Justice Judith McConnell rendered an anti-SLAPP opinion while suppressing the direct evidence:

1. of concealed true parties on appeal
- 2 the plaintiff, Kelman, committed criminal perjury to establish false theme for my alleged malice; and his attorney, Scheuer, suborned it
- 3 that I gave an unimpeached explanation for the allegedly libelous words "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."
- 4 that Kelman's and Hardin's science had been thrown out of court in April 2006 as being a "huge leap" to claim false proof of lack of causation of illness from toxins in moldy buildings.

"If the remittitur issues by inadvertence or mistake or as a result of fraud or imposition practiced on the appellate court, the court has inherent power to recall it and thereby reassert its jurisdiction over the case. This remedy, though described in procedural terms, is actually an exercise of an extraordinary substantive power....its significant function is to permit the court to set aside an erroneous judgment on appeal obtained by improper means. In practical effect, therefore, the motion or petition to recall the remittitur may operate as a belated petition for rehearing on special grounds, without any time limitations." (9 Witkin, Cal. Procedure (4th ed.1997) Appeal, § 733, pp. 762-763.)

**THE JUDGMENT FROM THE 1<sup>ST</sup> CASE, FOUNDATION TO 2<sup>ND</sup> IS  
UNDENIABLY FRAUDULENT AND VOID TO BE USED FOR ANY  
PURPOSE**

The judgment as submitted by Scheuer on November 4, 2010 as the sole foundation to this case, of which this court is now attempting to fraudulently claim lawful and unbiased subject matter jurisdiction, is undeniably antedated "MGarland 12/18/08" as the stated date of judgment awarding costs in the amount of \$7,252.65 to Kelman. It is void on its face. The sequentially numbered Register of Action entries along with other evidence proves nothing happened in the case on December 18, 2008, including "MGarland 12/18/08 being written on the void document.

ROA #212 12/15/2008 Miscellaneous Minute Order Finalized

**[Note: Sequential entry numbers. Nothing occurred in the case on 12/18/2008]**

ROA #213 12/19/2008 Proof of Service filed by KRAMER, SHARON Refers to:

ROA #214 12/22/2008 Motion for Reconsideration filed by KRAMER, SHARON



c/o Veritox, Inc., 18372 Redmond-Fall City Rd  
Redmond, Washington 98052  
Date: December 22, 2008  
Keith Scheuer, Esq.

a. Date:

b. Instrument No.:

(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:  
\$7,253.65

7. All judgment creditors and debtors are listed on this abstract.

8. a. Judgment entered on (date): September 24, 2008  
b. Renewal entered on (date):

9. ☐ This judgment is an installment judgment.

10. ☐ An ☐ execution lien ☐ attachment lien  
is endorsed on the judgment as follows:  
a. Amount: \$  
b. In favor of (name and address):

11. A stay of enforcement has

a. ☒ not been ordered by the court.  
b. ☐ been ordered by the court effective until  
(date):

12. a. ☒ I certify that this is a true and correct abstract of  
the judgment entered in this action.  
b. ☐ A certified copy of the judgment is attached.



Form Adopted for Mandatory Use  
Judicial Council of California

www.EJ-001 (Rev. January 1, 2008)

This abstract issued on (date):

DEC 31 2008

ABSTRACT OF JUDGMENT—CIVIL  
AND SMALL CLAIMS

Clerk, by Plasencia, Deputy

Page 1 of 2

Code of Civil Procedure, §§ 488.480,  
674, 700.190

Contrary to the stated date of entry of costs awards by judgment, December 18, 2008 on the fraudulent foundational document submitted into this case by Scheuer -- on January 20, 2009, Scheuer and Kelman recorded a Lien on my property with interest accruing on costs by judgment allegedly commencing on September 24, 2008. This is based on the fraudulent Abstract of Judgment recorded by the Superior Court on December 31, 2008 and submitted for Abstract by Scheuer on December 22, 2008 -- four days after the judgment allegedly awarded Kelman costs on December 18, 2008 as stated on the ante-dated void legal document.

No costs were awarded on September 24, 2008 and no judgment was entered on that date. The Superior Court recorded a fraudulent Abstract of Judgment on December 31, 2008. Scheuer and Kelman then collusively with the courts, recorded a fraudulent Lien on January 30, 2009.

Kramer, and costs in the amount of \$ \_\_\_\_\_, and that

Plaintiff GlobalTox, Inc. recover nothing in this action.

Dated: 9/24/08

Judge of the Superior Court  
LISA G. SCHALL

Scheuer did not even submit Kelman's costs until October 14, 2008. And as this court knows, when he did he commingled the costs incurred by his trial loser clients, the five additional owners of GlobalTox including Hardin, in the amount of \$3,627.33, as being the costs of Kelman's

TOTAL COSTS ..... \$ 7,252.65

I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

Date: October 14, 2008

Keith Scheuer, Esq.

(TYPE OR PRINT NAME)

(Proof of service on reverse)

(SIGNATURE)

RI

Form Approved for Optional Use  
Judicial Council of California  
MC-010 (Rev. July 1, 1999)

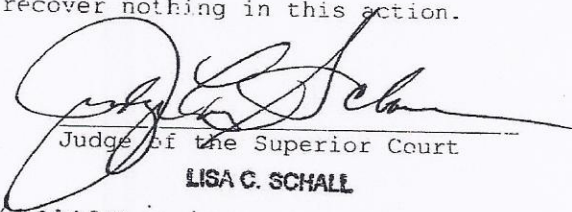
MEMORANDUM OF COSTS (SUMMARY)

Code of Civil Procedure,  
§§ 1032, 1032.5

& DECLARATION UNDER OATH OF SHARON KRAMER



The clerk of the court, Michael Garland, filled in the dollar amount on the judgment sometime after Scheuer submitted costs on October 14, 2008 without dating or initialing making it appear judgment was first entered on September 24, 2008. On December 22, 2008, Scheuer then submitted the fraudulent judgment back to the court for recording of Abstract. On December 31, 2008 the court recorded the fraudulent Abstract of Judgment with the date of entry falsely stated as September 24, 2008. On January 20, 2009, Scheuer then recorded a fraudulent Lien on my property with interest accruing by fraudulent judgment from September 24, 2008 – three weeks before Scheuer even submitted costs on October 14, 2008. On or after December 22, 2008, when the document was falsely submitted as a valid judgment for recording, “MGarland 12/18/08” was added next to the dollar amount that had been filled in earlier. One year after this case began, on October 28, 2011, the void judgment was amended to acknowledge Kramer was a trial prevailing party entitled to costs.

1 Kramer, and costs in the amount of \$ 7,252.65 <sup>MGarland 12/18/08.</sup>, and that  
2 Plaintiff GlobalTox, Inc. recover nothing in this action.  
3  
4 Dated: 9/24/08   
5 Judge of the Superior Court  
6 LISA C. SCHALL  
7 OCT 28 2011 Defendant Kramer is the prevailing  
8 party as to Plaintiff GlobalTox, Inc. The judgment  
9 shall include costs of \$2,545.18 in favor of  
10 defendant Kramer and as against Plaintiff  
11 GlobalTox, Inc. / Dietrich  
12  
13

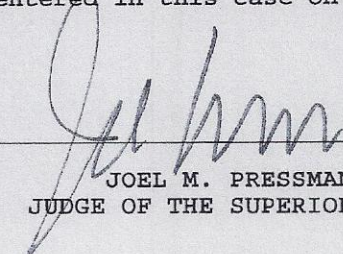
Even with amendment, it is still a void, antedated judgment that was fraudulently used to record a fraudulent Abstract and Lien; and used for the lower court to claim loss of jurisdiction on January 7, 2009, based on the “MGarland 12/18/08” being added to the document sometime on or after December 22, 2008 when it was submitted for abstract. December 22, 2008 is the same day Kramer filed a Motion for Reconsideration after the December 12, 2008 oral arguments after the August 2008 Kagaroo Court trial --of which this court of appeal suppressed the evidence in the September 2010 opinion of the unlawful finding of libel with actual malice; and that the void judgment did not state Kramer was a trial prevailing party, etc.



this Court lacks jurisdiction to rule on the motions. The court loses jurisdiction to rule on a pending motion for reconsideration after entry of judgment. APRI Ins. Co. v. Sup.Ct. (1999) 76 CA4th 176, 181. The Amended Judgment was entered in this case on December 18, 2008.

IT IS SO ORDERED.

Date: 1/7/09

  
JOEL M. PRESSMAN  
JUDGE OF THE SUPERIOR COURT

As you both have been repeatedly been provided the direct evidence, the fraudulent December 20, 2010 Remittitur awards costs to undisclosed "Respondents" on appeal. It conceals that the ante-dated judgment from the lower court case, Case No. GIN044539, with "MGarland 12/18/08" being the stated date of entry of judgment on the document was not added to the document until sometime after December 22, 2008 – when it was submitted for Abstract of Judgment stating judgment was entered on September 24, 2008. You have repeatedly been provided the direct evidence that the judgment antedated "MGarland 12/18/08" was the sole foundational document to this case, which was meant for the sole purpose to try to harass me into silence of your framing me for libel over a matter of public health thereby aiding to defraud the public in financially motivated discrimination of US environmentally disabled.

Those criminal violations by Clerks of the Court are punishable by up to four years in prison under Government Codes 6200(a)(c) and 6203(a)(b)(c). Under Government Code 6203(b), I have until December 23, 2014 to file criminal charges for the Remittitur you are concealing is fraudulent. Under the same Government Code, I have until July 2015 to sue for the court/clerk of the court for the fraudulent Abstract of Judgment issued by the lower court on December 31, 2008, which falsely states judgment was entered on September 24, 2008. I also have until July 2015 to sue the crooked attorney you are shielding who is shielding you, Keith Scheuer, and his clients at Veritox – formerly known as GlobalTox, for the fraudulent interest accruing lien with stated judgment date of September 24, 2008. I also have until November 28, 2014, to sue for the false submission of a known void judgment as the sole foundation for a second, malicious litigation, this case. I have until April 5, 2016 to sue Judge Thomas Nugent for incarcerating me, having me stripped searched, caused bodily harm and emotional distress; for my refusing to be coerced to sign a false confession of being guilty of libel and then ordering the falsification of the Sheriff Department Record (and state and FBI



Record) to conceal what he had done with no subject matter jurisdiction and thus no judicial immunity. And I have until January 30, 2017, to sue you, Justice McConnell, for issuing a ruling stating you have subject matter jurisdiction to refuse to recall and rescind the known fraudulent Remittitur and Vacate the known Void Judgment in Appellate Case No. D054496; and the anti-SLAPP remittitur/opinion of November 2006. And I have forever to sue you for conspiring to defraud by criminal means with no subject matter jurisdiction.

So, your falsely stated reason on January 29, 2013, that the Appellate Court has subject matter jurisdiction because I had to file a Notice of Appeal or the fraudulent judgments from this case and the prior case would have stayed on the record as valid -- is as corrupt as all other actions you have taken in this matter for the past seven years **Only this time, I can prove you know you have no subject matter jurisdiction, you lied and said you did; and thus have no judicial immunity for your criminal behavior aiding to defraud the public of billions of dollars in financially motivated discrimination against the environmentally disabled and full blown hate crimes against their advocate, me.**

Had I not filed a Notice of Appeal, you and your corrupt cronies would have gotten away with what you have been doing to me, and thus the public, for eight years for my daring to expose a scientific fraud in policy and in US courts over the mold issue involving the plaintiffs – including undisclosed plaintiff, Bryan Hardin, the US Chamber of Commerce, the Manhattan Institute think-tank, the American College of Occupational & Environmental Medicine (ACOEM) and US Congressman Gary Miller (R-CA). Had I not forced you into a situation where you are making rulings with no subject matter jurisdiction, I would have had to sue all of you in Federal court. I have no desire to sue anyone. Nor have I.

I want to rightfully see you, Justice Huffman, Justice Benke, Justice McDonald, Justice Irrion and Justice Aaron off of the bench and behind bars along with a few judges and clerks of the Superior and Appellate courts for collusively defrauding the public by criminal means; along with attorney, Keith Scheuer, and his clients, Bruce Kelman, Bryan Hardin, Coreen Robbins, Loni Swenson, Robert Schreibe and Robert Clark, the six owners of Veritox. **You people have been ruining the California judicial branch long enough by your collusive corruption.**

That requires your little friend, District Attorney Bonnie Dumanis, to do her job she has been elected and is paid to do. She feigns ignorance of the criminality of these cases and accepts money from the CA Fraud Assessment Commission to investigate Workers Comp Insurer Fraud and cost shifting onto taxpayers, which this court has been aiding and abetting for now many years.



And if not Dumanis, it requires the California Attorney General, Kamala Harris, to do her job to get rid of Bonnie for not doing her job to stop corruption in this county by judiciaries with no jurisdiction; court clerks who falsify documents and attorney; Keith Scheuer, who commits perjury under oath, records fraudulent liens and submits known fraudulent documents to the courts.

And if the California Attorney General does not do her job to stop corruption in the courts being shielded by DA Dumanis, then the Federal Attorney General prosecuting for the fraud upon the US courts and US citizens/taxpayers from what has occurred in these cases by collusive criminal means with no judicial immunity; along with falsification of court documents and public records by clerks of the court, et.al. So with that said, you write as alleged proof that you have subject matter jurisdiction to hear this appeal on January 29, 2013,

on September 28, 2012. (See Cal. Const., art. VI, § 11, subd. (a); Code Civ. Proc., § 904.1, subd. (a) [recognizing that a court of appeal has subject matter jurisdiction over appeals from judgments or appealable orders arising in unlimited civil cases].)

C.C.P 904.1(a) has nothing to do with the fact that you are concealing a criminally fraudulent Remittitur and Void judgment being the sole foundation of this case; and that your subject matter jurisdiction has been challenged and proved to be nonexistent because of prior fraud upon the court by YOU and your cronies. As a United States citizen who has been unlawfully and criminal harassed, financial ruined, physically harmed and terrorized long enough by corrupt officers of the California courts, their clerks and plaintiffs, **I NOW DEMAND:**

1. that you, Justice Judith McConnell, prove this court has subject matter jurisdiction or reverse the criminally obtained judgments, liens, sanctions that have occurred in these cases since 2005. You cannot prove that which does not exist. Reverse the prior Appellate Opinions and vacate all judgments in these cases.

2. that you, Justice Patricia Benke, recall and rescind the fraudulent December 20, 2010 Remittitur and set aside/vacate the "MGarland 12/18/08" judgment Case No D054496; and order the fraudulent lien of January 20, 2009 & February 2011 be removed from my property.

3. that you, Justice Judith McConnell, recall and rescind the fraudulent remittitur of your November 2006 anti-SLAPP opinion, *Kelman & GlobalTox v. Kramer* Case No. D047758, and award me my costs and attorney fees and **eight years of damages** as anti-SLAPP prevailing party.



“Paterno asks for her attorney fees in preparing this writ petition. Under subdivision (c) of the anti-SLAPP statute, successful litigants who prevail on a special motion to strike are entitled to attorney fees as a matter of right “to compensate . . . for the expense of responding to a SLAPP suit.” (*Wanland v. Law Offices of Mastagni, Holstedt & Chiurazzi* (2006) 141 Cal.App.4th 15, 22 [45 Cal.Rptr.3d 633].) The trial court should consider Paterno’s request for attorney fees in connection with Paterno’s special motion to strike....Paterno is awarded her costs in this proceeding. *Paterno v. Superior Court* (2008) 163 Cal.App.4th 1342, 1357-1358.

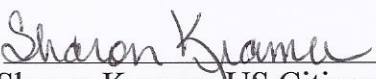
4. that you, Justice McConnell, Justice Benke along with Justice Richard Huffman, Justice Cynthia Aaron, Justice Alex McDonald and Justice Joan Irrion immediately remove yourselves from the bench; and that Clerks of the Court, Stephen Kelly and Michael Roddy immediately resign.

5. that Richard Huffman, Stephen Kelly, Michael Roddy and Robert Trentacosta immediately resign as members and advisors to the California Judicial Council.

6. that you, Judith McConnell, remove yourself from the Commission on Judicial Performance and any other committee of which you are influencing the direction of the California Judicial Branch.

7. that Judge Robert Dahlquist immediately cease with the Vexatious Litigant order he is anticipated to sign while relying on criminal perjury of California licensed attorney, Keith Scheuer, and my motions to vacate void judgments as evidence I am allegedly vexatious – then step off the bench.

February 1, 2013

  
Sharon Kramer, US Citizen Under Duress



## DECLARATION OF SHARON KRAMER UNDER DURESS

On February 1, 2013 I served this "NOTICE AND 2<sup>ND</sup> DEMAND APPELLATE COURT PROVE SUBJECT MATTER JURISDICTION, RECALL & RESCIND CRIMINALLY FRAUDULENT REMITTITUR & VACATE VOID JUDGMENT; & DECLARATION UNDER DURESS OF SHARON KRAMER" on Keith Scheuer, Judge Robert Dahlquist, Judge Robert Trentacosta, Michael Roddy, District Attorney Bonnie Dumanis, Solicitor General for California Attorney General Kamala Harris, California Chief Justice Tani Cantil-Sayauke, State Bar President Patrick Kelly, Commission on Judicial Performance Chair Lawrence Simi, State Auditor Elaine Howle, Governor Jerry Brown and United States Senator Dianne Feinstein (D-CA).

It is particularly telling of just how deep the corruption and cronyism runs in the California judicial branch that Justice Judith McConnell would even have the nerve to feign subject matter jurisdiction with so much direct evidence of criminality, falsified court documents, abusive harassment, concealment and the adverse impact on the public directly because of these cases -- in the face of this being noticed to many who have been noticed of the fraud upon the court by officers of the court, McConnell, Benke, Huffman et.al, many times before.

This is an Unruh civil rights violation case, as what has occurred in these cases by criminal means has aided and abetted discrimination and lack of appropriate accommodations for those environmentally injured by biocontaminants in water damaged buildings; by trying to shoot, discredit, terrorize, physically, financially and emotionally harm and destroy their messenger of the scientific fraud in policy and in US courts, harmful and sometimes deadly to them.

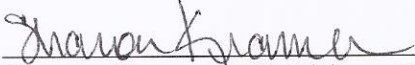
I have every right in the world to write of the intrinsic criminality and fraud upon the courts that have occurred in these cases; and that continues to devastate the lives of many while shifting costs for the burden of environmental illnesses onto US and California taxpayers. **I am going to continue to write until someone gets off their political ass and does something about the corrupt appellate justices in the Fourth District Division One Appellate Court;** including Justice Judith McConnell who just rendered a ruling with no subject matter jurisdiction.

This Notice and Demands may be read online at the blog "ContemptOfCourtFor.ME" in lawful accordance with C.C.P. 1209(b). (Attached hereto as **Exhibit 2**, is the deadly mass marketing campaign to mislead the courts to deny liability for causation of illness on behalf of the affiliates of the US Chamber of Commerce; as penned and paid by a think-tank to be penned by Bryan Hardin and Bruce Kelman, 2003 & cancelled checks to Kelman & Hardin for the endeavor.)



I have a degree in marketing. This paper and how it was connected to the medical policy writing body, ACOEM, via Kelman and GlobalTox, to aid false credibility to scientific fraud for the purpose of misleading U.S. courts, was the subject of my March 2005 writing -- of which the courts framed me for libel with actual malice over the words, "altered his under oath statements" to cast doubt on all my truthful words of scientific fraud in policy and courts, thereby aiding the fraud to continue by criminal actions of officers of the courts and clerks, particularly the Fourth District Division One Appellate Court.

I declare under penalty of perjury under the laws of California that the forgoing is true and correct. Executed by me this 1<sup>st</sup> day of February 2013 in Escondido, California.

  
Sharon Kramer, US Citizen Under Duress



EXHIBIT

1



1 William J. Brown III (Bar No. 86002)  
2 P.O. Box 231216  
3 Encinitas, California 92023-1216  
4 (760) 334-3800  
5 (760) 334-3815 Fax

6 Attorneys for Defendant/ Appellant  
7 SHARON KRAMER

8 COURT OF APPEAL OF THE STATE OF CALIFORNIA  
9  
10 FOURTH APPELLATE DISTRICT- DIVISION ONE

11 BRUCE KELMAN, GLOBALTOX, INC., )

12 Plaintiffs and Respondents, )

13 v. )

14 SHARON KRAMER, )

15 Defendant and Appellant. )  
16 )  
17 )  
18 )  
19 )  
20 )

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

21 COMES NOW APPELLANT, through her attorney of record, who requests that the  
22 Court take judicial notice pursuant to Evidence Code section 452(d), 455, and 459 of the  
23 following documents:

- Kelman committed perjury to establish malece*
- 24 1. The deposition transcript of Bruce Kelman from the Mercury v Kramer action,  
25 case number GIN024147 at pages 45:20-25, 46: 8-12, 102, 103 and 107.
  2. Settlement documents from the Court file of the Mercury v Kramer action dated  
October, 2003 and indicating court recorded \$450,000 settlement to the Kramers.  
Honorable Judge Michael P. Orfield presiding.



Hardin is Owner

3. 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.
4. 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.
5. Case entitled Harold v. California Casualty Insurance Company, et al., County of Sacramento Superior Court case number O2AS04291. Motion to exclude testimony regarding Veritox principal authored "Risk from inhaled mycotoxins in indoor office and residential environments." Robbins CA, Swenson LJ, Hardin BD. Included are parts of the deposition of Veritox principal, Robbins.
6. Excerpts from the Order re: Coreen Robbins, excluding testimony determining human health solely from extrapolated rodent study data under Kelly-Frye, in case number O2AS04291 dated 4/16/06.

DATED: June 29, 2006

William J. Brown III  
Attorneys for Defendant/ Appellant



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**DECLARATION OF WILLIAM J. BROWN III**

I, William J. Brown III, hereby declare that I am the attorney of record for the Defendant/  
Appellant in the within action. As such, if called as a witness, I could and would of my own  
personal knowledge testify to the following:

*Kelman committed perjury to establish malice*  
1. The deposition testimony of Bruce Kelman in the Mercury v. Kramer case  
reveals that he could not testify about health effects of mold exposure regarding Erin Kramer,  
Defendant's daughter.

2. The settlement documents in the same case show that there was a substantial  
settlement which occurred on October 0f 2003, thus impeaching Plaintiffs' thesis of a bitter sour-  
grapes litigant, and impeaching Bruce Kelman's declaration in opposition to the 425.16 motion.

*concealment Hardin was undisclosed Owen*  
3. The testimony of Hardin in the O'Hara case shows that he is a principal and a  
shareholder in GlobalTox/ Veritox.

4. The deposition of Bruce Kelman in the ABAD case shows that there are six  
principals in Veritox.

*Appellant KNEW of Kelman's perjury on court*  
5. The motion under Kelly-Frye in the Harold case shows that Coreen Robbins is yet  
another principal in GlobalTox/ Veritox and that relying on one rat study to extrapolate a  
conclusion regarding health risks in humans is not scientifically supportable.

6. The Court's ruling on the Kelly-Frye hearing regarding Coreen Robbins professed  
testimony in the Harold matter concludes that:

THE COURT: I can. With regard to Dr. Robbins relying upon her  
literature review and then jumping to animal studies and then  
jumping to modeling conclusions, my ruling there is she will not be  
allowed to present that. There is not a generally accepted view of  
that particular approach in the scientific community and so therefore



1 it's inappropriate to present that to the jury.

2 This greatly impeaches Plaintiffs' assertions regarding their greater science and the  
3 flimsy façade of argument (not evidence) that defendant Kramer had actual malice towards  
4 Bruce Kelman.

5  
6 I declare under the penalty of perjury under the laws of the State of California that the  
7 foregoing is true and correct to the best of my knowledge. This declaration is executed on June  
8 29, 2006 at Encinitas, California.

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1 We take judicial notice of our prior unpublished opinion in this case, *Allegretti*  
2 & Company v. County of Imperial (Apr. 19, 2000, D031154) [nonpub. Opn.]  
(*Allegretti I*). (Evid. Code, §§ 452, subd. (d), 459, subd.(a).)

3 California Evidence Code § 455 states:

4 With respect to any matter specified in Section 452 or in subdivision (f) of Section 451  
5 that is of substantial consequence to the determination of the action:

6 (a) If the trial court has been requested to take or has taken or proposes to take judicial  
7 notice of such matter, the court shall afford each party reasonable opportunity, before the  
8 jury is instructed or before the cause is submitted for decision by the court, to present to  
the court information relevant to (1) the propriety of taking judicial notice of the matter  
and (2) the tenor of the matter to be noticed.

9 (b) If the trial court resorts to any source of information not received in open court,  
10 including the advice of persons learned in the subject matter, such information and its  
11 source shall be made a part of the record in the action and the court shall afford each  
party reasonable opportunity to meet such information before judicial notice of the matter  
may be taken.

12 Therefore, the application for judicial notice is well-taken and it is requested that this

13 Court take judicial notice as prayed.

14  
15 DATED: June 29, 2006

16  
17 William J. Brown III

18 Attorneys for Defendant/ Appellant  
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EXHIBIT

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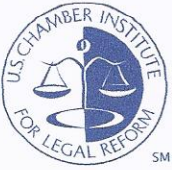


# **The Growing Hazard of Mold Litigation**



*Papers commissioned by the U.S. Chamber Institute for Legal Reform and the Center for Legal Policy at The Manhattan Institute*

Released July 17, 2003



### ***About The Authors***

**Dr. Bryan D Hardin**  
GLOBALTOX

Bryan D. Hardin, Ph.D., holds positions as a senior consultant with GlobalTox and Adjunct Assistant Professor at the Rollins School of Public Health, Emory University. He was commissioned into the US Public Health Service and began his public health career with the National Institute for Occupational Safety and Health (NIOSH) in 1972, where he served in research, policy, and management roles, culminating as Deputy Director of NIOSH and Assistant Surgeon General in the Public Health Service.

Dr. Hardin holds a Ph.D. in Environment Health Sciences from the University of Cincinnati. Dr. Hardin is a full member of the American Association for the Advancement of Science, the American Industrial Hygiene Association, the American Public Health Association, and the Teratology Society. He has served on working groups of the World Health Organization, the International Labor Office, and the International Agency for Research on Cancer.

**Coreen A. Robbins, Ph.D., C.I.H.**  
GLOBALTOX

Coreen A. Robbins, M.H.S., Ph.D., CIH, holds a position with GlobalTox, Inc. as a consulting Industrial Hygienist for projects in field investigations and in litigation support activity. She has approximately 13 years of experience in industrial hygiene and has served as a consultant in many investigations throughout the U.S.

Dr. Robbins holds a master's degree in Occupational Safety and Health (1989), and a Ph.D. (1995) in Environmental Science from the Johns Hopkins University. Dr. Robbins is also a Certified Industrial Hygienist (CIH). Dr. Robbins has extensive practical experience in conducting industrial hygiene surveys in areas including indoor air quality, mold, asbestos and man-made mineral fibers, chemical exposure assessment and industrial noise exposure. Dr. Robbins is a full member of the American Academy of Industrial Hygiene and the American Industrial Hygiene Association (AIHA), and an affiliate member of the American Conference of Governmental Industrial Hygienists. She is currently serving on the AIHA's Task Force on Microbial Growth as the representative for the AIHA Toxicology Committee.



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**Andrew Saxon**

*Chief, Division of Clinical Immunology and Allergy*  
UCLA School of Medicine

Andrew Saxon, MD, is a professor and Chief of the Division of Clinical Immunology and Allergy at the UCLA School of Medicine. Dr. Saxon has over 25 years of experience in immunology, he has published approximately 165 peer-reviewed research articles, and he has three patents in the immunology field. Since 1999, Dr. Saxon has served as editor-in-chief of the journal *Clinical Immunology*.

Dr. Saxon received his MD from Harvard Medical School. He is board-certified in Internal Medicine, Allergy and Immunology, and Diagnostic Laboratory Immunology. He is a member of the American Academy of Allergy and Immunology, where he serves on the Research Awards Committee, the Nominating Committee, the Primary Immunodeficiency Disease Committee and the Clinical and Diagnostic Immunology Committee; and where has served in the past as Chairman of the Basic and Clinical Immunology Section.

**Dr. Bruce J. Kelman**

GLOBALTOX

Bruce J. Kelman, Ph.D., D.A.B.T., holds positions as Principal and President of GlobalTox, Inc. Dr. Kelman has approximately 25 years experience in toxicology and has served as a consultant and expert in numerous investigations across North America. He has evaluated numerous claims of personal injury and health impacts from many chemicals and drugs, and has presented a variety of health risk concepts to policy makers, government regulators, citizen groups, and individuals involved in all aspects of the legal process.

Dr. Kelman holds a Ph.D. from the University of Illinois (1975) and is certified in toxicology by the American Board of Toxicology (original certification in 1980 with recertifications in 1985, 1990, 1995 and 2000). Dr. Kelman is a member of the Society of Toxicology, American College of Occupational and Environmental Medicine, American College of Toxicology, American Society for Experimental Pharmacology and Therapeutics, Society for Experimental Biology and Medicine, and Teratology Society.

**A SCIENTIFIC VIEW****OF THE HEALTH EFFECTS OF MOLD**

Nevertheless, except for persons with severely impaired immune systems, indoor mold is not a source of fungal infections, and current scientific evidence does not support the idea that human health has been adversely affected by inhaled mold toxins in home, school, or office environments. Thus, the notion that “toxic mold” is an insidious, secret “killer,” as so many media reports and trial lawyers would claim, is “junk science” unsupported by actual scientific study.



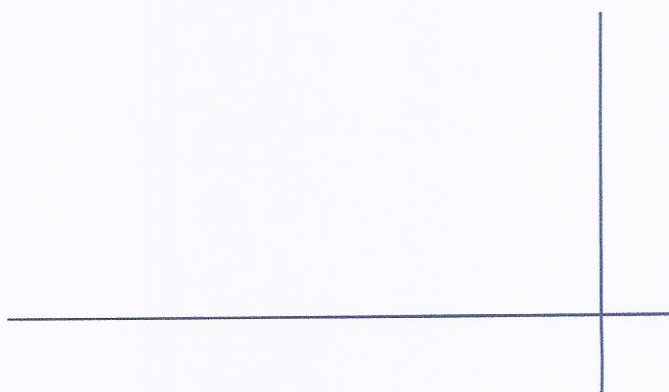


## ***U.S. Chamber Institute for Legal Reform***

The U.S. Chamber Institute for Legal Reform was founded in 1998 as a 501(c)(6) tax-exempt, separately incorporated affiliate of the U.S. Chamber of Commerce. The mission of ILR is simple: to make America's legal system simpler, fairer and faster for everyone. ILR's multi-faceted program seeks to promote civil justice reform through legislative, political, judicial and educational activities at the national, state and local levels.

## ***Center for Legal Policy at the Manhattan Institute***

The Center for Legal Policy at the Manhattan Institute is a leading voice for reform of America's civil justice system. The Center's mission is to communicate thoughtful ideas on civil justice reform to real decision-makers through books, publications, conferences and public or media appearances. Founded in 1986, hundreds of news reports have cited the Center's work, with The Washington Post going so far as to call Senior Fellows Peter Huber and Walter Olson the "intellectual gurus of tort reform."



**March 09, 2005**

**Jury Finds "Toxic Mold" Harmed Oregon Family, Builder's Arbitration Clause Not Binding**

*The case (Haynes vs. Adair Homes Inc.) is a first in the Northwest to award personal injury damages to a family exposed to toxic mold in a newly built home. "This verdict is significant because it holds construction companies responsible when they negligently build sick buildings," said Kelly Vance, the family's attorney.*

(PRWEB) March 9, 2005 -- A Clackamas County jury on Friday (March 4, 2005) held Adair Homes Inc. responsible for faulty construction practices that caused toxic mold to thrive inside Paul and Renee Haynes' new home in Sandy, Oregon. The jury also found Adair's negligence caused illness in Mrs. Haynes and the couple's two small children – Michael, 6, and Liam, 4. The family experienced severe respiratory, digestive and cognitive impairment. One half of a million dollars was awarded to the injured family.

The case is a first in the Northwest to award damages for personal injury to a family exposed to mold in a newly built home. "This verdict is significant because it holds construction companies responsible when they negligently build sick buildings," said Kelly Vance, the family's attorney.

Adair Homes, Inc. which builds hundreds of residences each year in Oregon, Washington and Idaho, built the house on the Haynes' five acres in early 2002. Four months after moving in and becoming ill, the family discovered rampant mold growth inside the walls of their new home. Dry wall and insulation were installed while the frame was wet from recent heavy rains. Evidence presented during the trial proved there was standing water in the wall cavities and the crawl space long after the construction was completed. This led to the growth of the toxigenic fungi. "You couldn't have made the framing in that house more wet if you had sprayed it with a firehose," stated Vance.

By the time the Haynes discovered the mold, it was too late. Mrs. Haynes and the children were exhibiting neurologic and immune system damage. Paul Haynes reported the problem to Adair Homes, but the company refused to take responsibility. The family was forced to flee their new house in an effort to save the health of the mother and young sons.

Two separate medical evaluations substantiated that both Renee Haynes and her son, Michael, had mold antibodies in their blood, indicative of dangerous exposure levels to mold. Numerous experts, including a fungal immunologist, an occupational therapist and a neuropsychologist testified concerning the Haynes children's developmental and sensory integration disorders that began shortly after moving into the Adair built home. The family's treating physicians and therapists agreed that Liam's and Michael's medical needs from the mold exposure will continue for several years to come. Michael's teacher testified that he was placed in a special disabled room at school and may need to remain there until at least junior high school. She expects Liam to suffer the same fate.

Amazingly, the Haynes family almost did not even get to tell their story to a jury. Adair, like many other commercial entities, utilizes an arbitration clause in its contract. That clause designates a specific preferred arbitration service. Adair uses Construction Arbitration Services, Inc., a company based far away from Adair's



market, in Dallas, Texas. After the case was filed, Adair moved to stay the case pending arbitration and submitted an affidavit from the owner of the arbitration service, Marshall Lippman. The judge allowed the case to go to trial when the family's attorney showed that Lippman had submitted a false affidavit concealing the fact that he had been disbarred by the State of New York and Washington D.C. The disbarments occurred because Lippman had been found to have stolen funds from his clients.

Dr. Bruce Kelman of GlobalTox, Inc, a Washington based environmental risk management company, testified as an expert witness for the defense, as he does in mold cases throughout the country. 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. Although much medical research finds otherwise, the controversial piece claims that it is not plausible the types of illnesses experienced by the Haynes family and reported by thousands from across the US, could be caused by "toxic mold" exposure in homes, schools or office buildings.

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.

Contact:  
Sharon Kramer  
Mycotic Disease Awareness  
760-822-8026

<b>PROOF OF SERVICE (Court of Appeal)</b> <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Personal Service	FOR COURT USE ONLY
<b>Notice: This form may be used to provide proof that a document has been served in a proceeding in the Court of Appeal. Please read <i>Information Sheet for Proof of Service (Court of Appeal)</i> (form APP-009-INFO) before completing this form.</b>	
Case Name: Kelman & ? v. Kramer Court of Appeal Case Number: D054496 Superior Court Case Number: 37-2010-00061530 CU DF NC	

1. At the time of service I was at least 18 years of age and **not a party to this legal action**. *because court lacks jurisdiction*
2. My ☒ residence ☐ business address is (specify):  
2031 Arborwood Place, Escondido, CA 92029
3. I mailed or personally delivered a copy of the following document as indicated below (fill in the name of the document you mailed or delivered and complete either a or b): **NOTICE AND 2ND DEMAND APPELLATE COURT PROVE SUBJECT MATTER JURISDICTION, RECALL & RESCIND REMITTITUR, ETC.**
  - a. ☒ **Mail.** I mailed a copy of the document identified above as follows:
    - (1) I enclosed a copy of the document identified above in an envelope or envelopes **and**
      - (a) ☒ **deposited** the sealed envelope(s) with the U.S. Postal Service, with the postage fully prepaid.
      - (b) ☐ **placed** the envelope(s) for collection and mailing on the date and at the place shown in items below, following our ordinary business practices. I am readily familiar with this business's practice of 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 U.S. Postal Service, in a sealed envelope(s) with postage fully prepaid.
    - (2) Date mailed: February 1, 2013
    - (3) The envelope was or envelopes were addressed as follows:
      - (a) Person served:
        - (i) Name: Keith Scheuer
        - (ii) Address:  
4640 Admiralty Way, Marina Del Rey, CA 90292
      - (b) Person served:
        - (i) Name: Judge Robert Dahlquist
        - (ii) Address:  
Dept 29, North San Diego County Superior Court  
Vista, CA 92083
      - (c) Person served:
        - (i) Name: District Attorney Bonnie Dumanis
        - (ii) Address:  
Hall of Justice, 300 W. Broadway, San Diego, CA 92101
  - ☒ Additional persons served are listed on the attached page (write "APP-009, Item 3a" at the top of the page).
  - (4) I am a resident of or employed in the county where the mailing occurred. The document was mailed from (city and state): Sharon Kramer



CASE NAME: **Kelman & ? v. Kramer**CASE NUMBER: **D054496**3. b. ☒ **Personal delivery.** I personally delivered a copy of the document identified above as follows:

(1) Person served:

(a) Name: **US Senator Dianne Feinstein**

(b) Address where delivered:

**750 "B" Street, San Diego, California 92101**(c) Date delivered: **February 1, 2013**

(d) Time delivered:

(2) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered:

(d) Time delivered:

(3) Person served:

(a) Name:

(b) Address where delivered:

(c) Date delivered:

(d) Time delivered:

☐ Names and addresses of additional persons served and delivery dates and times are listed on the attached page (*write "APP-009, Item 3b" at the top of the page*).

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

Date: **February 1, 2013****Sharon Kramer**

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

**Sharon Kramer**

(SIGNATURE OF PERSON COMPLETING THIS FORM)

App-009 Item 3a Additional California government employees served by mail who are to protect the public from corrupt judges, justices and attorneys.

1. Solicitor General for California Atty General Kamala Harris  
110 W. "A" Street #110, San Diego, CA 92101
2. Judge Robert Trentacosts, Presiding Judge of the San Diego Superior Court  
Court Main Courthouse THIRD FLOOR 220 W.Broadway San Diego, CA 92101
3. Michael Roddy, CEO of the San Diego Superior Court  
Court Main Courthouse THIRD FLOOR 220 W.Broadway  
San Diego, CA 92101
4. Tani Cantil-Sayauke, Chief Justice of the State of California  
450 Golden Gate Ave, San Francisco, CA 94102
5. Patrick Kelly, President of the California State Bar  
180 Howard Street San Francisco, CA 94105
6. Lawrence Simi, Chair of the California Commission on Judicial  
Performance  
450 Golden Gate Ave, Suite 14400 San Francisco, CA 94102
7. Elaine Howle, Auditor for the State of California  
555 Capitol Mall, Suite 300, Sacramento, CA 95814
8. Jerry Brown, Governor for the State of California  
c/o State Capitol, Suite 1173  
Sacramento, CA 95814