

1 SHARON NOONAN KRAMER, PRO PER  
2 2031 Arborwood Place  
3 Escondido, CA 92029  
4 (760) 746-8026

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

7 BRUCE J. KELMAN

8 Plaintiff,

9 v.

10 SHARON KRAMER,

11 Defendant.

Case No. 37-2010-00061530-CU-DF-NC

**NOTICE OF EXPARTE APPLICATION TO  
CANCEL CONTEMPT OF COURT  
HEARING (Order To Show Cause &  
Affidavits Defectively Served; Failure To  
Establish Temporary Injunctive Relief  
Order Is A Lawful Court Order)**

**The Honorable Thomas Nugent Presiding  
Department 30**

**Hearing Date: January 6, 2012 1:30 PM**

12 PLEASE TAKE NOTICE that on January 5, 2012 at 9 am, in Department 30 of the North San Diego  
13 County Superior Court, Defendant Sharon ("KRAMER") will make an ExParte motion that the January 6, 2012  
14 Contempt of Court hearing be cancelled. The court has failed to establish jurisdiction to hold such a hearing.

15 Good cause exists for this motion in that Plaintiff and accuser, Bruce ("KELMAN")'s attorney, Keith  
16 ("SCHEUER") of Scheuer & Gillett, has not served an affidavit by personal service on KRAMER. There was no  
17 affidavit attached to the OSC issued by the Hon. Judge Thomas Nugent in which he ordered "**OSC to be**  
18 **personally served by 11-18-11**". The work order shows the OSC, with no affidavit attached, was contracted  
19 to be served on KRAMER by the law firm of Magasinn and Feldman – a firm not connected with this case.

20 "*Unless the citee has concealed himself from the court, he must be personally served with the affidavit and*  
21 *the order to show cause; otherwise, [83 Cal. App. 4th 1287] the court lacks jurisdiction to proceed*". Cedars-  
22 Sinai Imaging Medical Group v. Superior Court (Moore) (2000) 83 Cal. App. 4th 1281

23 Good cause exists to cancel the Contempt of Court hearing. With no evidence to corroborate SCHEUER's  
24 faxed affidavits inferring KRAMER should be held in contempt for republishing false and libelous statements  
25 about KELMAN to the Judicial Council of California; KRAMER's evidenced and matter of public record  
26 statements were attached as exhibit to SCHEUER's mailed affidavit that initiated the OSC. The evidenced  
27 statements of KRAMER to her government, the Judicial Council of California on September 11, 2011 while  
28 seeking their help, establish that the Temporary Injunctive Relief Order (TIRO), upon which the Contempt of  
Court hearing is founded, is an unlawful court order enjoining KRAMER from republishing the exact words for  
which she was framed for libel by the Appellate Court, "altered his under oath statements".

1 The TIRO makes it unlawfully impossible for KRAMER to be able to explain and evidence to government  
2 and others, how and why the Appellate Court crafted their 2006 & 2010 opinions for the false finding of libel in  
3 ("KELMAN & GLOBALTOX v. KRAMER"); and the continued adverse impact on US courts and public health  
4 policy directly because of their actions – without being held in contempt by this court and threatened with  
5 incarceration.

6 It is a matter of public record that the Appellate Court crafted their opinions in 2006 & 2010 in KELMAN &  
7 GLOBALTOX v. KRAMER to falsely make it appear a prima facie finding of libel had been established. They  
8 made it appear that KRAMER accused KELMAN had *"altered his under oath statements"* while lying on the  
9 witness stand in a 2005 mold trial in Oregon about being paid by the Manhattan Institute think-tank to make  
10 edits to the American College of Occupational & Environmental Medicine (ACOEM) mold statement of 2002.

11 It is a matter of public record evidenced by SCHEUER's affidavit, that KRAMER'S March 2005 writing, for  
12 which she was falsely found guilty of libel as noted above, accurately stated the Manhattan Institute think-tank  
13 money to KELMAN's company was for the US Chamber's mold statement – not ACOEM's.

14 It is a matter of public record – found repeatedly in this court's case file that KRAMER did not accuse  
15 KELMAN *"altered his under oath statements"* and lied about being paid to make edits to ACOEM's mold  
16 statement as the Appellate Court falsely stated in their opinions while framing KRAMER for libel.

17 This court has failed to provide evidence that the TIRO of May 2, 2011, is not being used under false  
18 pretense of a lawful court order to unlawfully stop KRAMER from petitioning her government for redress of  
19 grievance while she evidences the Appellate Court crafted their 2006 & 2010 opinions for the false finding of  
20 libel with actual malice; then this court issued an unlawful TIRO to stop KRAMER from evidencing what they  
21 had done; and by doing so are aiding KELMAN'S false and unscientific expert opinion to continue in US  
22 courts. I.e. that toxicology risk models can scientifically be used by themselves to prove individuals' illness  
23 "Could not be" caused by an environmental exposure.

24 The scheduled Contempt of Court hearing is unlawful harassment by the courts and the accuser. It is  
25 based on false inferences in the accuser's affidavits that KRAMER is republishing falsehoods, when she is  
26 not. This is occurring with threat of incarceration to stop KRAMER from evidencing how and why the courts  
27 framed her for libel in the first case, gagged her from writing the words for which she was framed in the  
28 second, while suppressing uncontroverted evidence in both cases proving the framing of KRAMER for libel.

"Neither warrant nor order to show cause may issue except on proper affidavit setting forth the full facts of  
the alleged contempt" In re Ny., (1962) 201 Cal. App. 2d 728 [20 Cal.Rptr. 114]). [8]

1  
2 **I.**  
3 **COURT LACKS JURISDICTION TO PROCEED WITH CONTEMPT HEARING, NO ACCUSER AFFIDAVIT**  
4 **PERSONALLY SERVED ON ACCUSED CONTEMNER, OSC SERVICE CONTRACTED BY FIRM NOT**  
5 **CONNECTED WITH CASE**

6 1. After first scheduling a Contempt of Court hearing for November 14, 2011, with no OSC personally  
7 served on KRAMER; on November 18, 2011, Judge Nugent's signed OSC was delivered by personal service  
8 to KRAMER with the new date of trial of January 6, 2012. There was no affidavit attached stating the reason  
9 of the OSC. There was no statement of who contracted for the OSC to be delivered to KRAMER. The process  
10 server from American Legal Support Services, Inc. permitted KRAMER to make a copy of his work order. The  
11 work order states the OSC was served on behalf of "Client: 53516, MAGASINN & FELDMAN", a law firm that  
12 is not a party or representing a party in this case. (Attached hereto as **EXHIBIT 1** is the November 18, 2011,  
13 OSC and Work Order of Magasinn & Feldman's contract to serve the OSC on KRAMER, Attn Keith Scheuer)

14 2. On October 12, 2011, Keith SCHEUER of Scheuer and Gillett served KRAMER by mail and fax a  
15 "PLAINTIFF'S EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE, CONTEMPT OF COURT BY  
16 DEFENDANT SHARON KRAMER, DECLARATION OF KEITH SCHEUER". Scheuer also served the  
17 "[PROPOSED] ORDER TO SHOW CAUSE" by mail and fax - not personal service. (Attached hereto as  
18 **Exhibit 2** is SCHEUER's October 12, 2011, Proof of Services)

19 3. On November 4, 2011, Keith SCHEUER of Scheuer and Gillett served KRAMER by mail, fax and  
20 email - not personal service - a SUPPLEMENTAL DECLARATION OF KEITH SCHEUER IN SUPPORT OF  
21 PLAINTIFF'S APPLICATION FOR AN ORDER HOLDING DEFENDANT SHARON KRAMER IN  
22 CONTEMPT..(Attached hereto as **Exhibit 3** is SCHEUER's November 4, 2011 Proof of Service)

23 4. On December 19, 2011, Keith Scheuer served KRAMER by mail and email - not personal service - a  
24 "THIRD SUPPLEMENTAL DECLARATION OF KEITH SCHEUER IN SUPPORT OF PLAINTIFF'S  
25 APPLICATION FOR AN ORDER HOLDING DEFENDANT SHARON KRAMER IN CONTEMPT". Again, it  
26 was sent to KRAMER by mail and email - not personal service. (Attached hereto as **EXHIBIT 4** is Scheuer's  
27 December 19, 2011, Proof of Service).

28 5. On December 29, 2011, Keith Scheuer filed a "PLAINTIFF'S REPLY BRIEF IN SUPPORT OF  
APPLICATION ORDER HOLDING DEFENDANT SHARON KRAMER IN CONTEMPT" It was served  
electronically and by mail. No declaration was attached. (Attached hereto as **Exhibit 5** is SCHEUER's  
December 29, 2011, Proof of Service).



1        *“An adjudication for indirect contempt requires that the facts show the contemnor’s willful and*  
2 *contemptuous refusal to obey a valid order of the court’* *In re Cassil (1995) 37 CA4th 1081, 1087–1088, 44*  
3 *CR2d 267 (accused does not have burden of proving inability to comply with order). The finding must be*  
4 *beyond a reasonable doubt if the proceeding results in punitive sanctions. 37 CA4th at 1086. The court must*  
5 *advise the accused of (1) the burden of proof...’* *Morelli v Superior Court (1969) 1 C3d 328, 332, 82 CR 375;*  
6 *850. “A judgment of contempt cannot be based on a void order”. Davidson v Superior Court (1999) 70 CA4th*  
*514, 529, 82 CR2d 739.”* California Judge Bench guide 3, page 58, Contempt of Court.

7        *“A judge is responsible for knowing or researching the proper contempt procedures. A judge’s ignorance*  
8 *or misuse of these procedures may constitute bad faith and justify disciplinary proceedings for willful and*  
9 *prejudicial misconduct.”* *Kloepfer v Commission on Judicial Performance (1989) 49 C3d 826, 858, 264 CR 100*  
10 *(injudicious use of contempt power was willful and prejudicial misconduct);* *Ryan v Commission on Judicial*  
11 *Performance (1988) 45 C3d 518, 533, 247 CR 378 (experienced judge should have known that contempt*  
12 *order was both substantively and procedurally invalid);* *Cannon v Commission on Judicial Qualifications*  
13 *(1975) 14 C3d 678, 694, 122 CR 778 (judge never sought to establish grounds on which contempt citations*  
14 *were based).*

15        3. Given the magnitude of the adverse impact of the scientific fraud in public health policy and in US  
16 litigations that KRAMER exposed to the Judicial Council and others; the courts overseeing KELMAN &  
17 GLOBALTOX v. KRAMER and KELMAN v. KRAMER have aided to continue by crafting opinions to falsely  
18 find KRAMER guilty of libel and then gagged her of writing of it; KRAMER is fearful for her future safety should  
19 the court choose to proceed with a Contempt of Court hearing and incarcerate her.

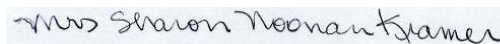
20        4. In addition to evidencing the Appellate Court crafted opinions to make the false finding of libel, KRAMER  
21 also evidenced that the courts suppressed the evidence that KELMAN (author of the fraud in mold issue policy  
22 for ACOEM and the US Chamber & user of it as a professional witness) committed perjury to establish  
23 needed reason for KRAMER’s malice while strategically litigating. This court stated that it was “frivolous” and  
24 threatened to sanction KRAMER on July 15, 2011, for asking that SCHEUER be made to corroborate reason  
25 given for malice. (Attached hereto as **Exhibit 8**, is from oral argument of July 15, 2011 regarding This Court  
26 calling it “frivolous” that all prior courts suppressed the evidence of KELMAN’s perjury while threatening to  
27 sanction KRAMER for asking SCHEUER be made to corroborate reason given for malice.)

28        5. More violation of her Constitutional rights, KRAMER is precluded from appealing by writ any order that  
this court may issue because the writ would go directly to Justice Judith McConnell, Presiding Justice of the  
Fourth District Division One Appellate Court.

1 6. Justice McConnell is the judiciary who KRAMER has evidenced wrote and crafted the 2006 Appellate  
2 anti-SLAPP Opinion to falsely find KRAMER guilty of libel with actual malice; while being evidenced her  
3 actions were aiding a scientific fraud to continue in US policy and US litigations. I.e., that toxicological risk  
4 models can be used by themselves to prove lack of causation of individual illnesses from environmental  
5 exposures. Justice McConnell is also the Chairwoman of the California Commission on Judicial Performance.

6 7. There is no trial date scheduled for this case and has not been since March of 2011. The intent of this  
7 court would appear to be to keep KRAMER permanently, "temporarily" enjoined from writing and evidencing  
8 how and why the Appellate Court framed her for libel for the words, "*altered his under oath statements*".

9 January 3, 2012




Sharon Noonan Kramer, Pro Per

### 10 DECLARATION OF SHARON KRAMER

11 I contacted Keith Scheuer by telephone at approximately 4:30PM on January 3, 2012 and informed him of  
12 the time and date of this Ex Parte. I also emailed and faxed the motion before 9AM on January 4, 2012.

13 Should this court proceed with a Contempt of Court hearing on January 6, 2012 with no proof of a lawful  
14 TIRO, no proven jurisdiction, no proof of a properly served OSC or affidavit; and while continuing to suppress  
15 my uncontroverted evidence in its case file that the Appellate Court framed me for libel and suppressed the  
16 evidence that Bruce Kelman committed perjury to establish malice in KELMAN & GLOBALTOX v. KRAMER, I  
17 am fearful for my safety that this court will incarcerate me, indefinitely, for contempt of court. This, under the  
18 false pretense that I violated a lawful court order by republishing the words for which I am evidenced by  
19 uncontroverted evidence, public record and this court's case file to have been framed for libel by the Appellate  
20 Court, "*altered his under oath statements*". (Attached hereto as **Exhibit 9**, is a partial list of recent deceased &  
incarcerated whistleblowers of US courts and/or US government collusion with industry to defraud the public.)

21 The ACOEM mold statement, the US Chamber mold statement and how they are connected in mass  
22 marketing scientific fraud for the purpose of misleading US courts to find favorably for industry in mold  
23 litigations was the subject of my March 2005 writing for which the courts crafted their opinions to frame me for  
24 libel with actual malice. The threat is now to jail me for contempt of court, indefinitely, for refusing to follow an  
25 unlawful court order which precludes me from writing and evidencing how and why the courts framed me.  
26 This, while aiding the misapplication of the science of toxicology to continue to be used in US courts to deny  
27 and delay liability for causation of environmental illnesses, adverse to the public's best interest.

28 I declare under penalty of perjury the foregoing is true and correct to the best of my knowledge and  
executed by me, this day of January 3, 2012, in Escondido, CA. 



F I L E D  
Clerk of the Superior Court

NOV 10 2011

BY: A. LUM

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

10 BRUCE J. KELMAN, ) CASE NO. :  
11 ) 37-2010-00061530-CU-DF-NC  
12 Plaintiff, )  
13 v. ) Assigned for All Purposes to:  
14 SHARON KRAMER, and DOES 1 ) HON. THOMAS P. NUGENT  
15 through 20, inclusive, ) DEPARTMENT: N-30  
16 Defendants. ) UNLIMITED CIVIL CASE  
17 ) ~~PROPOSED~~ ORDER TO SHOW CAUSE  
18 )

17 TO DEFENDANT SHARON KRAMER:

18 YOU ARE HEREBY ORDERED TO SHOW CAUSE on January 6,  
19 2012, at 1:30 pm or as soon thereafter as the matter may  
20 be heard, in Department N-30 of the above-entitled Court,  
21 located at 325 South Melrose, Vista, California 92081, why  
22 you should not be held in contempt for violating the  
23 preliminary injunction filed in this action on May 2, 2011.  
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25 IT IS FURTHER ORDERED that any opposition to this Order  
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to Show Cause is to be filed in Department N-30 and served on Plaintiff's counsel by personal service, facsimile transmission or email no later than the close of business on December 23, 2011. Any reply is to be filed in Department N-30 and served on Defendant by personal service, facsimile transmission or email no later than the close of business on December 30, 2011. OSC to be personally served by 11-18-11.

IT IS SO ORDERED.

NOV 10 2011

  
\_\_\_\_\_  
Judge of the Superior Court  
THOMAS P. NUGENT

DM

American Legal Support Services, Inc.

5503 Cahuenga Blvd., # 304 \* 16 North Hollywood, CA 91601 \* 92103

13-11B42158

SERVER WORK ORDER

13-11B42158

GP

13

Date: 11/15/11 (310) 301-3545

Case# 37-2010-00061530 N-30

Client: 53516 Fax: (310) 301-0035

Clt File#: KELMAN2KRAMER

MAGASINN & FELDMAN #####

Attn: KEITH SCHEUER

Court: SAN DIEGO SUP. COURT/VISTA NORTH

Case Title: KELMAN  
KRAMER

HEARING DATE & TIME: 01/06/12 1:30 pm

SERVE THE FOLLOWING DOCUMENTS: ORDER TO SHOW CAUSE

*Handwritten notes:*  
w.v.p. 15  
C, Title  
CLaudia

**RUSH!**

PERSONAL SERVICE ONLY

*Handwritten note:*  
Last Day To Serve  
11-18-11

ON NAME(S):  
SHARON KRAMER

DAN (H) (760) 746-8026  
2031 ARBORWOOD PLACE  
Escondido, CA 92029



13-11B42158

SPECIAL INSTRUCTIONS: PERSONAL SERVICE ONLY ON SHARON KRAMER. SHE IS APPROXIMATE 60 YEARS OLD. SHE HAS BROWN HAIR.

SERVICE ATTEMPT INFORMATION

H	B	DATE	TIME	AM/PM	COMMENTS
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SERVICE INFORMATION

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ADDRESS: \_\_\_\_\_ RES / BUS / OTHER

DOB \*\*\*\*\*DESCRIPTION\*\*\*\*\*

Sex Approx Age Race Height Weight Eyes Hair Misc.

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josephr



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PROOF OF SERVICE

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

Sharon Kramer  
2031 Arborwood Place  
Escondido, CA 92029

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

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

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

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

\_\_\_\_\_  
Keith Scheuer

1 PROOF OF SERVICE

2  
3 I am employed in the County of Los Angeles, State of California. I am over the age of 18  
4 and not a party to the within action. My business address is 4640 Admiralty Way, Suite  
5 [PROPOSED] ORDER TO SHOW CAUSE on the interested parties in this action by  
6 placing a true copy thereof enclosed in a sealed envelope addressed as follows:

7 Sharon Kramer  
8 2031 Arborwood Place  
9 Escondido, CA 92029

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

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

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

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

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Keith Scheuer



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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 4640 Admiralty Way, Suite 402, Marina Del Rey, California 90292. On November 4, 2011. I served the foregoing **SUPPLEMENTAL DECLARATION OF KEITH SCHEUER IN SUPPORT OF PLAINTIFF'S APPLICATION FOR AN ORDER HOLDING DEFENDANT SHARON KRAMER IN CONTEMPT** on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Sharon Kramer  
2031 Arborwood Place  
Escondido, CA 92029

Tracey S. Sang, Esq.  
215 South Coast Highway, Suite 205  
Oceanside, CA 92054

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

BY FACSIMILE--I sent such document from facsimile machine (310) 301-0035 on November 4, 2011. I certify that said transmission was completed and that all pages were received and that a report was generated by said facsimile machine that confirms the transmission and receipt. I thereafter mailed a copy to the interested party by placing a true copy thereof enclosed in a sealed envelope addressed to the party listed above.

EXECUTED on November 4, 2011 at Marina Del Rey, California.

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

\_\_\_\_\_  
Keith Scheuer





1 PROOF OF SERVICE

2  
3 I am employed in the County of Los Angeles, State of California. I am over the age of 18  
4 and not a party to the within action. My business address is 4640 Admiralty Way, Suite  
5 **THIRD SUPPLEMENTAL DECLARATION OF KEITH SCHEUER IN SUPPORT**  
6 **OF PLAINTIFF'S APPLICATION FOR AN ORDER HOLDING DEFENDANT**  
7 **SHARON KRAMER IN CONTEMPT** on the interested parties in this action by placing  
8 a true copy thereof enclosed in a sealed envelope addressed as follows:

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

12 Tracey S. Sang, Esq.  
13 215 South Coast Highway, Suite 205  
14 Oceanside, CA 92054

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

23 [ X ] BY FACSIMILE—I sent such document from facsimile machine (310) 301-0035  
24 on December 19, 2011. I certify that said transmission was completed and that all pages  
25 were received and that a report was generated by said facsimile machine that confirms the  
26 transmission and receipt. I thereafter mailed a copy to the interested party by placing a true  
27 copy thereof enclosed in a sealed envelope addressed to the party listed above.

28 EXECUTED on December 19, 2011 at Marina Del Rey, California.

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

\_\_\_\_\_  
Keith Scheuer



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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 4640 Admiralty Way, Suite 402, Marina Del Rey, California 90292. On December 29, 2011, I served the foregoing **PLAINTIFF'S REPLY BRIEF IN SUPPORT OF APPLICATION FOR AN ORDER HOLDING DEFENDANT SHARON KRAMER IN CONTEMPT** on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Sharon Kramer  
2031 Arborwood Place  
Escondido, CA 92029  
SNK1955@AOL.COM

Tracey S. Sang, Esq.  
215 South Coast Highway, Suite 205  
Oceanside, CA 92054  
SANGMITCHELL@ROADRUNNER.COM

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

[ X ] BY ELECTRONIC DELIVERY—I sent such document by electronic transmission based on a court order to each of their email addresses, to and from which each of them has received and sent emails previously.

EXECUTED on December 29, 2011 at Marina Del Rey, California.

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

\_\_\_\_\_  
Keith Scheuer



2006 Opinion falsely making it appear I accuse  
Kelman of lying about being paid to edit ACOEM's ~~under~~ <sup>statement</sup>  
Manhattan Institute paid GlobalTox \$40,000 to make revisions in that statement,"

Kelman was being cross-examined about revisions to the ACOEM paper and stated he had participated in making revisions after turning in the first draft. In context, the question about being paid to "make revisions in that statement" was ambiguous and a reasonable jury could conclude Kelman interpreted the question as asking whether he had been paid \$40,000 by the Manhattan Institute to make revisions in the ACOEM paper itself, a suggestion Kelman found offensive. A short while later, Kelman explained how the Manhattan Institute paper was an entirely separate project — the writing of a lay translation of the ACOEM paper — and he readily admitted he was paid by the Manhattan Institute to write the lay translation.

This testimony supports a conclusion Kelman did not deny he had been paid by the Manhattan Institute to write a paper, but only denied being paid by the Manhattan Institute to make revisions in the paper issued by ACOEM. He admitted being paid by the Manhattan Institute to write a lay translation. The fact that Kelman did not clarify that he received payment from the Manhattan Institute until after being confronted with the *Kilian* deposition testimony could be viewed by a reasonable jury as resulting from the poor phrasing of the question rather than from an attempt to deny payment.

In sum, Kelman and GlobalTox presented sufficient evidence to satisfy a prima facie showing the statement in the press release was false.

2010 Opinion concealing 2006 framed me for  
libel

In a prior opinion, a previous panel of this court affirmed an order denying Kramer's motion to strike under the anti-SLAPP statute. In doing so, we largely resolved the issues Kramer now raises on appeal. In our prior opinion, we found sufficient evidence Kramer's Internet post was false and defamatory as well as sufficient evidence the post was published with constitutional malice. We also found there was sufficient evidence to defeat Kramer's claim she was protected by the fair reporting privilege provided to journalists by Civil Code section 47, subdivision (d)(1). Under the doctrine of the law case, these determinations are binding on us and compel us to find there is sufficient evidence to support the jury's determination Kramer libeled Kelman and was not entitled to the fair reporting privilege.

We find no error in the trial court's award of costs. Accordingly, we affirm the judgment.

## I

### FACTUAL BACKGROUND

Our prior unpublished opinion, *Kelman v. Kramer* (Nov. 16, 2006, D047758) (*Kelman v. Kramer I*), fully set forth the factual background of the plaintiff's claims:

"Kelman is a scientist with a Ph.D. in toxicology who has written, consulted, and testified on various topics, including about the toxicology of indoor mold. He is also the president of GlobalTox, which provides research and consulting services, including on toxicology, industrial hygiene, medical toxicology, and risk assessment. Kramer is 'active in mold support and the pressing issue of mold causation of physical injury' after having experienced indoor mold in her own home.

From my March 2003 writing accurately stating Kelman & GlobalTox were paid for US Chamber's mold statement

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

1       16. The lower court, on January 7, 2009, then claimed loss of jurisdiction as of December 18, 2008. But on  
2 December 18, 2008 there was no such amended judgment in the CASE FILE or the CCMS. If there was, the  
3 document stating such would have been submitted by SCHEUER for the ABSTRACT, been consistent with  
4 the CCMS and the accruing interest on \$7,252.65 would have been noted to begin on December 18, 2008.

5       17. Evidence indicates this hand written addition was not actually made on the FAKE JUDGMENT  
6 DOCUMENT until January 9, 2009. KRAMER is aware the stealth ("CASE HISTORY") indicates a time this  
7 entry was purportedly made on 12/18/08. KRAMER is also aware that many entries made in this case's CCMS  
8 were hand entered with several entries in the CASE HISTORY not showing up on the ROA. **Why would an**  
9 **Entry of Amended Judgment not show on an ROA? Answer: because it would have had to show as**  
10 **being entered out of sequential numbering not on the date it was supposedly entered.**

11       18 What is also adding to the confusion is the date on the Minute Order after post trial oral arguments of  
12 December 12, 2008 and the date on its Proof of Service. Contrary to the Appellate CCMS, and inferred in the  
13 2010 Appellate Opinion, and added to the lower court ROA on December 23, 2010 after the Remittitur issued;  
14 there was no judgment entered on December 12, 2008. GLOBALTOX was not a prevailing party as falsely  
15 entered in the ROA on December 23, 2010.

16       19. Oral arguments concluded at 3:31 on December 12, 2008. SCHEUER and KRAMER both stayed and  
17 spoke with GARLAND and SCHALL for several minutes. The Minute Order states it was entered at 3:55 on  
18 December 12, 2008. The Proof of Service is dated December 12, 2008 The Minute Order was greatly  
19 changed from the Tentative Ruling. The ROA shows the Minute Order was finalized on December 15, 2008. It  
20 was mailed to Kramer on December 16, 2008 after matters were taken under submission, with the direction  
21 she mail it to KELMAN.

22       20. Had KRAMER not submitted the December 16, 2008 postal stamped envelop back to the court on  
23 December 19, 2008; it would have appeared in the CASE FILE that the Minute Order was finalized and mailed  
24 on December 12, 2008.

25       21. There is no mention of any judgment entered on December 12, 2008 until the lower court ROA was  
26 edited on December 23, 2010 to match the false entries in the Appellate CCMS stating a judgment was  
27  
28



1 entered on December 12, 2008. (*Attached hereto as **EXHIBIT 7** are pages 34 and 43 of the lower court ROA*  
2 & the Appellate Docket falsely stating date of entry of judgment of December 12, 2008).

3 22. What Judge SCHALL and GARLAND did in the Minute Order dated December 12, 2008, was fail to  
4 acknowledge the CLERK GARLAND had not properly noticed KRAMER under CCP 664.5(b) of the  
5 September 24, 2008 acceptance of SCHEUER's proposed judgment. What this also did, was cause  
6 KRAMER not to be able to submit costs until after the judgment awarding costs to KELMAN was entered  
7 October 20, 2008, when KRAMER was noticed by SCHEUER in violation of CCP 664.5(b). (*Attached hereto*  
8 *collectively as **EXHIBIT 8**, are the Tentative Ruling, the Minute Order, its Proof of Service, page 35 of the*  
9 *ROA showing finalized on December 15, 2008, (the envelop of December 16, 2008 is in the Case File); and*  
10 **KRAMER evidencing for Schall that she had not properly noticed KRAMER of the September 24, 2008**  
11 **entry of judgment, additionally making the FAKE JUDGMENT DOCUMENT void under CCP 664.5(b)**

12 23. On November 4, 2010 when filing the COMPLAINT, KELMAN submitted a proposed temporary  
13 Injunctive Relief Order of KRAMER by this lawsuit. This court originally granted it in a Temporary Ruling. As  
14 this court is aware, the proposed GAG ORDER contained many sentences for which KRAMER was not even  
15 sued from her writing. As is in her writing, KRAMER has given speeches about the exchange of money for the  
16 US Chamber mold paper while being so closely tied to ACOEM's in setting policy, has aided massive amounts  
17 of insurer fraud over this issue. To gag KRAMER from writing those sentences would have aided to conceal  
18 that the **APPELATE COURT FRAMED KRAMER FOR LIBEL IN THEIR 2006 anti SLAPP OPINION AND**  
19 **THEN COVER FOR THEIR ACTION IN THE 2010 APPELLATE OPINION.** (*Attached hereto as **EXHIBIT 9** is*  
20 *the proposed GAG ORDER which states)*

21  
22 *"Upon viewing documents presented by the Hayne's attorney of Kelman's prior testimony from a case*  
23 *in Arizona, Dr. Kelman altered his under oath statements on the witness stand. He admitted the*  
24 *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."*

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

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

9       KRAMER made no such accusation. Her purportedly libelous writing accurately states the exchange of  
10       money from the Manhattan Institute think-tank was for the US Chamber's mold statement, ACOEM's was a  
11       version of the "Manhattan Institute commissioned piece". From the purportedly libelous writing stating the  
12       think-tank money was for the Chamber paper:

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

20       26. When rendering their 2010 APPELLATE OPINION, Justices Richard Huffman, Patricia Benke and  
21       Joann Irion concealed that in the 2006 anti-SLAPP APPELLATE OPINION, Justices McConnell, Aaron and  
22       McDonald framed a defendant for libel over a matter of public health. From the 2010 APPELLATE OPINION  
23       covering for their justice peers:

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

29       27. Blatant in the gag of KRAMER from writing of what the courts have done to aid fraud by framing a  
30       whistle blower for libel, this court changed the GAG ORDER to be not even a sentence in KRAMER's writing.

31       *"Dr. Kelman altered his under oath statements on the witness stand while he testified as a witness in*  
32       *an Oregon trial."*



MAY 02 2011

BY: A. LUM

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

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

10 BRUCE J. KELMAN,  
11 Plaintiff,  
12 v.  
13 SHARON KRAMER, and DOES 1  
14 through 20, inclusive,  
15 Defendants.

CASE NO.:  
37-2010-00061530-CU-DF-NC

Assigned for All Purposes to:  
HON. THOMAS P. NUGENT  
DEPARTMENT: N-30

UNLIMITED CIVIL CASE

[APRIL 27, 2011 REVISED  
PROPOSED] PRELIMINARY  
INJUNCTION

Hearing Dates: April 1 and 14,  
2011  
Department: N-30

18 This matter came on regularly for hearing on April 1,  
19 2011, in Department N-30 of the above Court, the Honorable  
20 Thomas P. Nugent, Judge presiding. Keith Scheuer, Esq. of  
21 Scheuer & Gillett appeared on behalf of Plaintiff Bruce J.  
22 Kelman. Defendant Sharon Kramer appeared on her own behalf.  
23 On April 14, 2011, the Court heard plaintiff Bruce J.  
24 Kelman's ex parte application to correct a clerical error in  
25 the minute order and took the matter under submission.  
26  
27



MAY 02 2011

PROOF OF SERVICE

BY: A. LUM

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I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 4640 Admiralty Way, Suite 402, Marina Del Rey, California 90292. On April 27, 2011, I served the foregoing [APRIL 27, 2011 REVISED PROPOSED] PRELIMINARY INJUNCTION on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Sharon Kramer  
2031 Arborwood Place  
Escondido, CA 92029

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

[ ] BY FACSIMILE--I sent such document from facsimile machine (310) 301-0035 on April 27, 2011. I certify that said transmission was completed and that all pages were received and that a report was generated by said facsimile machine that confirms the transmission and receipt. I thereafter mailed a copy to the interested party by placing a true copy thereof enclosed in a sealed envelope addressed to the party listed above.

EXECUTED on April 27, 2011 at Marina Del Rey, California.

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

\_\_\_\_\_  
Keith Scheuer



1 MAIL THE MINUTES BACK UNTIL THE 12-18. THE 1-07  
2 JUDGE PRESSMAN DENYING MY MOTION IS NOT IN THE CASE  
3 SUMMARY. I'M AWARE IT'S IN YOUR REGISTER OF ACTION  
4 IN THE COMPUTER AS AN UNNUMBERED ITEM, WHICH MEANS  
5 SOMEBODY ADDED IT LATER.

6 AND, YOUR HONOR, I'VE BEEN TRYING TO GET  
7 ACCESS TO THE REGISTER OF ACTION THAT YOU'RE LOOKING  
8 AT IN THE COMPUTER BECAUSE IT'S NOT WHAT I HAVE.  
9 AND I'VE ASKED TO HAVE IT READ TO ME LIKE WHAT SHE  
10 THINKS, AND WHAT YOU'RE SEEING IS NOT WHAT'S 02:09PM  
11 OCCURRING.

12 AND THE SECOND THING THAT I'M GOING TO GO  
13 TO IS YOU TELL ME IF YOU THINK THIS IS A FRIVOLOUS  
14 MATTER. IN MARCH OF 2005, I WAS THE FIRST TO  
15 PUBLICLY WRITE HOW THE U.S. CHAMBER OF COMMERCE AND  
16 INCOME MARKETED A FALSE CONCEPT IN U.S. PUBLIC  
17 HEALTH POLICY THAT IT WAS SCIENTIFICALLY PROVEN  
18 MOLDY BUILDINGS DON'T HARM PEOPLE. THAT WAS MY  
19 MARCH 2-04 WRITING.

20 THE AUTHORS OF THE FRAUD AND POLICY, THESE 02:10PM  
21 GUYS APPLIED MATH EXTRAPOLATIONS TO SINGLE RODENT  
22 STUDY AND PROFESSED EVERYBODY IN THE WORLD WAS LYING  
23 WHO SAID THEY WERE SICK. SO THE AUTHORS SUED ME FOR  
24 THE PHRASE "ALTERED HIS UNDER-OATH STATEMENTS."  
25 THAT'S THE ONLY THING I'VE BEEN SUED FOR.

26 FOR SIX YEARS, I'VE EVIDENCED FOR EVERY  
27 SINGLE JUDGE TO OVERSEE THIS CASE THAT THEY  
28 COMMITTED CRIMINAL PERJURY TO ESTABLISH A FALSE



1 REASON FOR WHY I WOULD HAVE MALICE. I'VE HAD MY  
2 FEET HELD TO THE FIRE FOR SIX YEARS "ALTERED HIS  
3 UNDER-OATH STATEMENTS." MY POOR HUSBAND, WE HAVE  
4 LOST EVERYTHING TO DEFEND THE TRUTH OF MY WORDS FOR  
5 PUBLIC GOOD, AND NOT ONE PERSON WILL MAKE HIM ANSWER  
6 TO HIS SUBORNING OF CRIMINAL PERJURY TO ESTABLISH  
7 MALICE.

8 SO YOU SAY TO ME THAT'S IRRELEVANT. THAT'S  
9 FRIVOLOUS. I DON'T THINK THAT'S FRIVOLOUS. WHEN  
0 YOUR WHOLE CASE YOU'RE DEPENDING ON SOMEBODY WHO -- 02:10PM  
1 WHILE THEY'VE MADE MILLIONS AS EXPERT WITNESSES OVER  
2 THE YEARS, WHILE I'VE BEEN HAVING TO FIGHT ON MY OWN  
3 AND DEFEND MYSELF. I'M THE ONE LABELED A MALICIOUS  
4 LIAR. I GOT A WORD FROM A FRIEND OF MINE WHO SAID  
5 ABOUT THREE MONTHS AGO SHE WAS DOING SOME REGULATION  
6 STUFF FOR THE SCHOOLS IN WASHINGTON STATE, ONE OF MY  
7 WRITINGS WAS BROUGHT IN THERE. MR. KELMAN HERE  
8 BROUGHT SOMETHING OUT TO BRING IT INTO THE THING,  
9 WELL, LOOK AT THIS, SHE'S LABELLED A MALICIOUS LIAR,  
0 "ALTERED HIS UNDER-OATH STATEMENTS." I'VE CHANGED 02:11PM  
1 U.S. PUBLIC HEALTH POLICY.

2 MR. SCHEUER JUST TOOK YOUR FAKE JUDGMENT  
3 DOCUMENT AND THE GAG ORDER THAT YOU GRANTED ON THIS,  
4 AND HE MAILED IT TO MISS CRYSTAL STUCKEY IN TEXAS TO  
5 THREATEN HER TO SHUT UP. CRYSTAL STUCKEY IS THE  
6 BLOG THAT I USE. OUR LITTLE BLOG -- THIS DOESN'T  
7 HAPPEN, YOUR HONOR. OUR LITTLE BLOG WAS JUST CITED  
8 AS A REFERENCE FOR A FEDERAL OSHA HEALTH AND SAFETY

1 THE COURT: THAT'S WHAT THE ISSUE IS.

2 MRS. KRAMER: THAT'S NOT THE ISSUE. THE ISSUE  
3 IS IN THE UNITED STATES OF AMERICA YOU'RE ALLOWED TO  
4 SPEAK THE TRUTH WITHOUT RETRIBUTION.

5 THE COURT: WE MAY HAVE A DIFFERENCE ON OPINION  
6 ON THAT. AFTER A JURY REACHES THE CONCLUSION THAT  
7 IT'S DEFAMOUS, WE MAY NOT AGREE WITH ONE ANOTHER ON  
8 WHETHER YOU CAN KEEP SAYING...

9 MRS. KRAMER: A JURY NEVER DID REACH THAT  
10 VERDICT. DID YOU KNOW THERE WERE DOCUMENTS THAT  
11 WENT INTO THE JURY THAT CAUSED THAT VERDICT? THERE  
12 WERE DEPOSITIONS FROM TWO OF THE JURORS.

02:13PM

13 SO ANYWAY, I'M DONE, YOUR HONOR, MY  
14 QUESTIONS ARE NOT FRIVOLOUS. I NEED THEM TO SHOW --  
15 I ONLY REQUIRE THAT HE ADMIT HE SUBORNED PERJURY AND  
16 THAT IF HE -- IF HE SAYS, NO, I DID NOT, THEN I CAN  
17 EVIDENCE THAT HE'S SUBORNING PERJURY AGAIN IN THIS  
18 CASE. AND IF HE SAYS YES, I DID, THEN THAT'S OVER.

19 I NEED HIM TO PROVIDE SOME EVIDENCE THAT  
20 THIS DOCUMENT THAT HAS A 12-18 ON IT CAME FROM  
21 SOMEWHERE BECAUSE IT DIDN'T. WHERE HE GOT IT, I'M  
22 ALMOST POSITIVE WHERE HE GOT IT WAS OUT OF MY  
23 APPENDIX BECAUSE I'VE NEVER SEEN THAT DOCUMENT WITH  
24 A 12-18-08.

02:14PM

25 AND, YOU KNOW, THAT'S NOT TOO COOL FOR THE  
26 COURTS TO DO THAT EITHER. THERE'S A CODE ON THAT  
27 WHEN SOMEBODY GOES IN AND CHANGES A DOCUMENT AND  
28 DOESN'T PUT IT IN THE COURT RECORD FILE AND

1 ADVERSELY IMPACTS PEOPLE. SO ANYWAY. SO DID I MAKE  
2 MY POINT, YOUR HONOR?

3 THE COURT: YOU ALWAYS DO. WE JUST DON'T AGREE.  
4 BUT THAT HAPPENS IN THIS PARTICULAR ROOM ALL THE  
5 TIME. I CAN'T AGREE WITH EVERYBODY.

6 MRS. KRAMER: I UNDERSTAND. BUT YOU DO  
7 UNDERSTAND, DON'T YOU, THAT THIS IS A FAKE LEGAL  
8 DOCUMENT THAT WAS SUBMITTED TO YOU.

9 THE COURT: OKAY. I HEARD YOU.

10 MRS. KRAMER: DO YOU UNDERSTAND THAT? 02:15PM

11 THE COURT: I REVIEWED ALL YOUR PAPERS. I  
12 THOUGHT ABOUT THE CASE. I WROTE A VERY LENGTHY  
13 TENTATIVE OPINION WHICH IS NOW MY FINAL OPINION, AND  
14 THE ONLY THING I WAS THINKING ABOUT AS YOU WERE  
15 TALKING IS SHOULD I SANCTION YOU FOR REQUIRING THE  
16 COUNSEL TO APPEAR, AND SINCE HE APPEARED BY PHONE  
17 AND SINCE I TOLD YOU I WASN'T GOING TO, I WON'T THIS  
18 TIME.

19 BUT IF THERE'S ANOTHER MOTION THAT I  
20 CHARACTERIZE AS BEING WITHOUT MERIT FOR WHATEVER 02:15PM  
21 REASON, KNOW THIS, I WILL HAVE NO CHOICE IN FAIRNESS  
22 TO COUNSEL WHO IS BEING REQUIRED TO PARTICIPATE IN A  
23 PROCEEDING THAT'S NOT NECESSARY.

24 MRS. KRAMER: SO YOU DON'T HAVE ANY PROBLEM WITH  
25 THE FACT THAT HE SUBMITTED A FAKE LEGAL DOCUMENT TO  
26 YOU THAT'S NOT IN THE FILE?

27 THE COURT: I'M NOT PREPARED TO REACH THAT  
28 CONCLUSION.



**April 2009, Richard Fine**, who holds a PhD in international law and served as an anti-trust prosecutor at the Department of Justice in Washington D.C., has been in jail in the L.A. County Jail for over a year in solitary confinement. He never had a trial, there has been no conviction, nor any sentence to keep him there. Sheriff LeRoy Baca claims he does not know why Fine is in jail, yet he keeps him there and failed to answer Fine's Writ of Habeas Corpus. Baca refused to allow a filmed interview with Fine until Judicial Watch filed a lawsuit on behalf of Full Disclosure Network, and then, out of the blue, he "changed his mind" and granted a filmed interview with them!

**June 2011, Thomas Drake** , The Department of Justice had been pursuing Drake for alleged violations of the Espionage Act that might have sent him to prison for up to 35 years. But the government withdrew the evidence supporting several of the central charges after a judge ruled Drake would not be able to defend himself unless the government revealed details about one of the National Security Agency's telecommunications collection programs. On two other counts, documents the government had claimed were classified have either been shown to be labeled unclassified when Drake accessed them or have since been declassified. Faced with the prospect of trying to convict a man for leaking unclassified information, the government frantically crafted a plea deal in the last days before the case was due to go to trial. The collapse of the case against Drake may have repercussions beyond just this one case. This is the third time the government's attempt to use the Espionage Act to criminalize ordinary leaking has failed in spectacular fashion. The first such example—against Pentagon Papers leaker Daniel Ellsberg—got dismissed when the government's own spying on Ellsberg was exposed.

**March 2011, Georgia Senator Nancy Schaefer**, whistleblower of mass corruption in Child Protective Services and the Courts, reported to have been murdered by her husband who then killed himself. Locals and those who knew the Schaefer family are not buying the story. According to InfoWars.com:

"Specifically in Georgia, former Senator Nancy Schaefer had found during the last few years that:- in Georgia housed children in a foster home with a known pedophile who molested the children.- in Habersham County failed to remove six children from a home where they are being abused and tortured.- in Georgia turned two girls over to a California father who had a pornographic video business. A report that Nancy Schaefer produced on these remarkable cases can be found here:

<http://fightcps.com/2008/02/29/report-of-georgia-senator-nancy-schaefer-on-cps-corruption/> Nancy Schaefer was also interviewed extensively by talk show host Alex Jones about corruption in Child Protection Services nationally. A multi-part series of her interview and an Eagle Forum presentation can be found on You Tube here: [http://www.youtube.com/results?search\\_query=nancy+schaefer&search\\_type=&q=f](http://www.youtube.com/results?search_query=nancy+schaefer&search_type=&q=f)

**Nov 30, 2011 Tracy Lawrence** Whistleblowing Loan Process Servicer for Countrywide Mortgage and Bank of America Turns Up Dead

“Tracy Lawrence, a whistleblower who robo-signed tens of thousands of foreclosure documents and then aided the state of Nevada in their eventual indictments over the scheme, turned up dead yesterday: NBC station KSNV of Las Vegas reported that the woman, Tracy Lawrence, 43, was scheduled to be sentenced Monday morning after she pleaded guilty this month to notarizing the signature of an individual not in her presence. She failed to show up for her hearing, and police found her body at her home later in the day. It could not immediately be determined whether Lawrence, who faced up to one year in jail and a fine of up to \$2,000, died of suicide or of natural causes, KSNV reported. Detectives said they had ruled out homicide. Lawrence came forward earlier this month and blew the whistle on the operation, in which title officers Gary Trafford, 49, of Irvine, Calif., and Geraldine Sheppard, 62, of Santa Ana, Calif. — who worked for a Florida processing company used by most major banks to process repossessions — allegedly forged signatures on tens of thousands of default notices from 2005 to 2008.

**July 2011, Sean Hoare**, News of the World reporter, Sean Hoare, reported to have committed suicide. Hoare blew the whistle on Rupert Murdoch’s new organization hacking the phones of prominent politicians and citizens.



“Sean Hoare, the first person to link former News of the World editor Andy Coulson to Britain’s phone hacking scandal, was found dead Monday. Police say his death is not considered suspicious. (News International/ Associated Press)” Sean Hoare was found dead in his home in July of 2011. He blew the whistle on phone hacking by News of the World, which is owned by US’s Rupert Murdoch. Murdoch also owns publications in the US, such as the Wall Street Journal. Shortly after purchasing the WSJ, Murdoch closed down the investigative branch in Boston. This branch was responsible for the January 2007 ARTICLE about Kelman, Hardin and others involved; and how they were able to mass market a scientific fraud into policy over the mold issue for the purpose of misleading the courts. The WSJ writer became interested in the subject after being sent a paper that Kramer had written in 2006, “ACOEM Exposed, A Case Study in Sham Peer Review & Conflicts of Interest”.

## **“BP Oil Spill Whistleblowers And Experts Continue To Mysteriously Die” Now ten.**

According to the Intel Hub, “In the last year and a half at least 10 experts, whistleblowers and BP connected individuals have died under mysterious circumstances. This information was widely reported in an April 10th, 2011 video which at the time listed 9 deaths and 3 imprisonments, disappearances, or attempted assassinations. Now, another BP oil spill connected individual has mysteriously died, moving the number of oil spill connected deaths to at least 10.

George Thomas Wainwright, a BP ROV pilot was supposedly killed in a freak shark attack in Australia. The avid outdoorsman and Texas A&M graduate was a marine systems engineer involved with capping the Macondo well after last year’s BP oil spill in the Gulf of Mexico. Wainwright – whose body was recovered by the college friends he was boating with – is the third man killed by a great white in the state in two months.

While this is obviously a very sad story, it may have a more sinister meaning considering the fact that at least 9 other BP and oil spill related whistleblowers or experts have died since the oil spill that saw a horrendous amount of openly toxic dispersant sprayed throughout the gulf.”

**October 22nd/23rd 2011 – BP ROV pilot George Wainwright** was killed in apparent freak shark attack off the coast of Australia where some believe he was hiding out in fear of his life. (unconfirmed)



Marine Systems Engineer George Thomas Wainwright

**April 2, 2011 – Tucker Mendoza**, gulf truth activist, still recovering, along with his niece. Shot four times through his front door, niece hit twice. Anyone with information regarding this shooting incident should call St. John the Baptist Parish Detectives at 985-359-8769 or Crimestoppers at 504-822-1111.



Tucker Mendoza

**February 17, 2011 – LSU scientist Gregory Stone, 54 –** Died of Unknown Illness. Stone was an oft-quoted expert concerning the damage the leaked oil might cause to the coast.



Gregory Stone

**January 19, 2011 – Dr. Thomas B. Manton,** former President and CEO of the International Oil Spill Control Corporation – imprisonment and subsequent murder while jailed.



Dr. Thomas B. Manton

**December 31, 2010 – John P. Wheeler III,** a former Pentagon official and presidential aide and a defense consultant and expert on chemical and biological weapons – was beaten to death in an assault, body was discovered in a Wilmington landfill.



John P. Wheeler III

**November 23, 2010 – James Patrick Black,** an incident commander for BP's Gulf of Mexico oil spill response team, died Tuesday night near Destin, Florida in a small plane crash



James Patrick Black



**November 15, 2010 – Chitra Chaunhan**, age 33, worked in the USF Center for Biological Defense and Global Health Infectious Disease Research – Found dead in an apparent suicide by cyanide at a Temple Terrace hotel. She leaves behind a husband and a young child.



Chitra Chaunhan

**November, 2010 – MIA Status – Dr. Geoffrey Gardner** of Lakeland, FL – Swan expert who “ran into legal trouble over an expired prescription license has closed his practice” — Was investigating unexplained bird deaths near Sarasota abruptly and immediately closed his practice, and apparently his investigation into the deaths of swans in Sarasota, suspected to have been impacted by the BP Oil Disaster. No one has heard or spoken with him since. Watch this news report covering his investigation before his disappearance: [http://www.youtube.com/watch?v=sqbx2TnbYlc&feature=player\\_embedded](http://www.youtube.com/watch?v=sqbx2TnbYlc&feature=player_embedded)



Dr. Geoffrey Gardner

**October 6, 2010 – Roger Grooters**, age 66, was hit by a truck as he passed through Panama City, Florida. Mr. Grooters had been knocked down and killed close to the end of a 3,200-mile trans-America charity ride to raise awareness about the Gulf Coast oil disaster. He began his cross-country bike ride in Oceanside, California, on September 10th. Grooters’s family and friends will cycle the final stretch of the journey from the Pacific to the Atlantic in his honour, raising cash to support Gulf Coast families.



Roger Grooters

**August 9, 2010 – Senator Ted Stevens** of Alaska, 86, the longest-serving Republican senator in history, was among nine people on board when the 1957

DeHavilland DHC-3 Otter, crashed into a brush- and rock-covered mountainside Monday afternoon about 17 miles north of the southwest Alaska fishing town of Dillingham, federal officials said. Stevens was the recipient of a whistleblower's communication relative to the BP Oil Disaster blow-out preventer, and a conspiracy of secrecy to hide the facts from the public. "You and your fellow Committee members may wish to require BP to explain what action was ultimately instituted to cease the practice of falsifying BOP tests at BP Prudhoe drilling rigs. It was a cost saving but dangerous practice, again endangering the BP workforce, until I exposed it to Senator Ted Stevens, the EPA, and the Alaska Oil and Gas Conservation Commission." The cause of the crash is still an OPEN investigation by the NTSB  
(<http://www.nts.gov/ntsb/GenPDF.asp?id=ANC10MA068&rpt=p>)



Senator Ted Stevens

**August 13, 2010 – Matthew Simmons**, age 67 – Simmons' body was found Sunday night in his hot tub, investigators said. An autopsy by the state medical examiner's office concluded Monday that he died from accidental drowning with heart disease as a contributing factor – "It was painful as can be" to be only insider willing to speak out against the "officials" during the BP Oil Disaster in the Gulf of Mexico.



Matthew Simmons

**April 6, 2010 – Scientist Joseph Morrissey**, age 46 – cell biologist and college professor, a near-native Floridian who chose to return to South Florida after studying at elite universities – was fatally shot during what police say was a home invasion robbery.



Scientist Joseph Morrissey

“These mysterious deaths absolutely must be investigated but without widespread media coverage they will most likely remain largely unknown. The sad fact is most journalists may actually fear reprisal if they even bring up these deaths.”

**June 2011, EMAIL from Keith Scheuer meant for Bruce Kelman and accidentally sent to Sharon Kramer**

In a message dated 6/21/2011 9:47:36 A.M. Pacific Daylight Time, kscheuer@aol.com writes:

**“Bruce--**

**We're making her stronger on a federal level. If so, I'm ashamed.”**

Keith Scheuer  
SCHEUER & GILLETT, APC  
4640 Admiralty Way, Suite 402  
Marina Del Rey, CA 90292  
Tel.: 310 577-1170  
Fax: 310 301-0035

-----Original Message-----

From: SNK1955@aol.com

To: kscheuer@aol.com

Cc: SNK1955@aol.com

Sent: Mon, Jun 20, 2011 6:55 pm

Subject: Re: Cut the BS. I can evidence you have read the emails. I just want to know...

“Mr. Scheuer, I will have Mike mail the hard copy w/attachments to you in the morning. Attached is the scanned copy with exhibits. I have not had the opportunity to review if all documents scanned correctly and my scanner has been acting up. But, I believe this to be identical to what you will be receiving by mail. Mrs. Kramer

**PS. I still don't understand why you and Kelman keep doing this or what you think this will accomplish. As I told you, all you are doing is making me stronger on a Federal level.”**

In a message dated 6/21/2011 10:45:50 A.M. Pacific Daylight Time, kscheuer@aol.com writes:

“Ms. Kramer--

Obviously, I intended to send my email to my client as a confidential communication. I mistakenly sent it to you instead. I apologize for any inconvenience. Keith Scheuer, SCHEUER & GILLETT, APC”

**The Fourth District Division One Appellate Court suppressed the evidence that the sixth owner of Globaltox was an undisclosed party to the litigation of KELMAN & GLOBALTOX v. KRAMER. Bryan Hardin is the sixth owner of GlobalTox, now known as Veritox.**

**He is a retired Deputy Director for CDC NIOSH and co-author with Kelman of the US Chamber & ACOEM mold statements. When the anti-SLAPP motion was denied in 2006, Veritox was serving as expert defense witnesses for the US Department of Justice to defeat liability for military family illness caused in moldy military housing.**