

1 The transcript of the Oregon trial provides the evidence that Mr. Kelman was attempting
2 to say the two medico-legal policy papers were not connected (in setting policy which aids
3 to provide undue credibility to his opinion when serving as a professional defense witness
4 in mold litigation). The transcript shows that at the same time, he had to admit their close
5 connection. This altering and obfuscating testimony transpired after Mr. Kelman attempted
6 to shut down the line of questioning of the two papers' dubious origins and their close
7 relationship by shouting "*ridiculous*" when ask about the involvement of think-tank money.

8 Mr. Kelman was forced to discuss the two medico-legal policy papers together only after
9 a prior testimony of his from Arizona (2004) was permitted into the 2005 Oregon mold trial
10 over the defense attorney's objection. All courts overseeing the libel case of Kelman &
11 GlobalTox v. Kramer, suppressed Mrs. Kramer's unimpeached explanation that this is why
12 she used the phrase, "*altered his under oath statements*" to describe Mr. Kelman's
13 obfuscating and flip flopping testimony of February 18, 2005. The courts then crafted their
14 opinions to make Mrs. Kramer's writing in question appear to have made an allegation of
15 perjury that it did not make.

16
17 **HOW THE SAN DIEGO COURTS FRAMED A US CITIZEN FOR LIBEL**
18 **OVER A WRITING IMPACTING PUBLIC HEALTH AND BILLIONS OF**
19 **INSURANCE INDUSTRY DOLLARS**

20 **THE 2006 & 2010 APPELLATE OPINIONS OMITTED FOURTEEN KEY LINES**
21 **FROM THE MIDDLE OF MR. KELMAN'S TESTIMONY IN OREGON**

22 In both the 2006 anti-SLAPP Appellate Opinion and the "reviewing" 2010 Appellate
23 Opinion, fourteen key lines were deleted from the middle of the Oregon case transcript.
24 This completely changed the color of Mr. Kelman's testimony on February 18, 2005. It
25 made it appear that Mr. Kelman willingly discussed the connection of the US Chamber
26 Mold Statement to that of ACOEM's; aiding to make Mrs. Kramer's accurate description of
27 "*altered his under oath statements*" appear false. From the actual transcript illustrating the
28 14 key lines the Appellate Court omitted from the transcript in their opinions.

1 MR. VANCE: And, you participated in those revisions?

BRUCE J. KELMAN: Well, of course, as one of the authors.

2 MR. VANCE: All right. And, isn't it true that the Manhattan Institute paid GlobalTox
3 \$40,000 to make revisions in that statement?"

KELMAN: That is one of the most ridiculous statements I have ever heard.

4 MR. VANCE: Well, you admitted it in the Killian deposition [*sic bench trial*], sir.

BRUCE J. KELMAN: No. I did not. (Typd.Opn.pp.4)

5
6 **(Omitted From the 2006 & 2010 Opinions):**

MR. VANCE: Your Honor, may I approach. Would you read into the record, please,
7 the highlighted parts of pages 905 and 906 of the trial transcript in that case.

8 MR. KECLE: Your Honor, I would ask that Dr. Kelman be provided the rest of the
transcript under the rule of completeness. He's only been given two pages.

9 JUDGE VANDYKE: Do you have a copy of the transcript?

10 MR. KECLE: I do not.

MR. VANCE: Your Honor, I learned about Dr. Kelman just a –

11 JUDGE VANDYKE: How many pages do you have?

12 MR. VANCE: I have the entire transcript from pages –

JUDGE VANDYKE: All right. Hand him the transcript.

13 MR. VANCE: I'd be happy to give it to him, Your Honor.

14 JUDGE VANDYKE: All right. (App.Opn.Brf.Erta,pp.26)

15 **(Back In The 2006 & 2010 Opinions)**

16 MR. VANCE: Would you read into the record the highlighted portions of that
transcript, sir?

17 MR. KELMAN: "And, that new version that you did for the Manhattan Institute, your
18 company, GlobalTox got paid \$40,000. Correct. Yes, the company was paid \$40,000
for it."

19
20 **ALL COURTS SUPPRESSED THE EVIDENCE OF MRS. KRAMER'S**
21 **UNIMPEACHED EXPLANATION FOR USING THE PHRASE,**
"altered his under oath statements"

22 All courts in the case of Kelman & GlobalTox v. Kramer, suppressed Mrs. Kramer's
23 unimpeached explanation of what she was referring to by the use of the sentence, "*Upon*
24 *viewing documents presented by the Haynes' attorney of Kelman's prior testimony from a*
25 *case in Arizona, Dr. Kelman altered his under oath statements on the witness stand.*"
26 .Since July of 2005, she has provided never impeached evidence that she believes Mr.
27 Kelman was obfuscating to hide the true connection of ACOEM to the US Chamber in
28 promoting false science in US public health policy for the purpose of misleading US courts.