September 18, 2008

Mrs. Sharon Noonan Kramer
2031 Arborwood Place
Escondido, CA 92029

Mr. Keith Scheuer, Esq. Cal. Bar. No 82797
4640 Admiralty Way, Suite 402
Marina Del Rey, California 90292

Dear Mr. Scheuer,

Thank you for your email confirmation that you are in receipt of the supplemental objection to proposal of costs/judgment I submitted to the courts on September 15, 2008, with regard to the case of Bruce J. Kelman and GlobalTox, Inc. vs. Sharon Kramer. Case No. GIN044539 North San Diego County Superior Court.

As you are aware, there was false testimony given in this case on the part of your client that was an untrue reason presented to the courts, several times over, as to why I would harbor personal malice for your clients, Bruce Kelman and GlobalTox, Inc. You client, Bruce Kelman, wrote, "*I testified that the type and amount of mold in the Kramer house could not have caused the life-threatening illnesses that she claimed"* within his declarations. As you are aware, no such testimony was ever given by your client in the case of Mercury vs. Kramer. Yet, the misrepresentation to the courts of this prior testimony in the Mercury case, has had significant impact on several rulings with this case.

This false testimony was offered by you in your brief to the trial court in September of 2005 when defeating the anti-SLAPP motion as to the only reason that I would be, as you wrote in your brief, *"Apparently furious that the science conflicted with her dreams of a remodeled house, Kramer launched into an obsessive campaign to destroy the reputation of Dr. Kelman and GlobalTox."* The misrepresentation played a key role in defeating the anti-SLAPPP motion, as the trial court wrongfully surmised from this that I would have reason to harbor personal malice for your clients. You wrote the above statement again in May of 2006, in your appellate court brief as to the only reason provided I would harbor personal malice for your clients. You were made aware, knew, or should have known, that this was false testimony and false reason for malice being provided to the courts, no later than June 29, 2006. Yet, you made no effort to correct the error, even when the appellate court determined, six months later in November of 2006, your clients had met their prima facie burden of proof of malice, based largely on the misperception instilled by this false testimony that was ratified within your briefs. The appellate court proceeded to affirm the trial court's denial of the anti-SLAPP motion

while you remained silent regarding the false premise on which they founded their affirmation.

In March of 2008, when defeating the summary judgment motion, you again submitted a declaration on behalf of your client that stated, "*I testified that the type and amount of mold in the Kramer house could not have caused the life-threatening illnesses that she claimed.*" This is after you had been made aware this was false testimony to present to the courts no less than three times, complete with documentation of your client's actual testimony in the Mercury case, proving to you the above was false testimony to present to the courts on the issue of malice. The trial court again determined I *could* have malice for your clients stemming from the Mercury case, based on no evidence whatsoever provided as such. No evidence was ever presented that I had malice for any of the other seven expert witnesses for the defense in the Mercury case. I had no reason to harbor malice for your client stemming from the Mercury case, as your client's involvement actually helped me to prove the claim of cross-contamination and bad faith claims handling practices. Only your client's false declarations that were repeatedly ratified by your briefs caused the courts to believe a prima facie showing of malice had been achieved, when you were defeating all motions.

In August of 2008, when the trial judge framed the scope of the trial and what evidence I would and would not be permitted to present in my defense and logic of writing the phrase "altered his under oath statements"; and when providing evidence of reasons your clients have been impacted by other key sentences within my public participation press release that they sought to chill; you sat in silence, saying not a word as the trial judge determined the case should be framed on her misperception there was a bad "history between Plaintiff and Defendant" stemming from the case of Mercury vs. Kramer. And this purported bad history was a reason for malice. This, even after this matter was discussed in detail in your client's deposition on July 22, 2008 less than a month prior to the commencement of trial - at which you were present and witnessed.

As a licensed attorney in the state of California, you have an affirmative duty to the courts to present the truth and to not attempt to benefit from improvidently entered orders based on misrepresentations to the courts. You also have an affirmative duty to inform the courts if you have presented misrepresentations, whether initially intentional or not, and to request that the courts set aside any and all orders founded on misrepresentations you have presented.

This situation, caused by you and your clients' repeated misrepresentations to the courts on the issue of malice, has now cost me approximately $400,000.00 in legal defense costs and fees; not to mention much distress and financial hardship over the past three and a half years. As such, I would like for you to fulfill your obligations to the courts as a licensed attorney in the State of California and to inform Superior Court Judges Michael P. Orfield and Lisa Schall; Appellate Court Judges, Justice Cynthia Aaron and Justice J. McDonald and Appellate Court Administrative Presiding Justice, Judith McConnell, that your client gave false testimony before their courts on the issue of malice; that you ratified this false testimony in your briefs to the benefit of your clients,

several times over when defeating motions and helping to frame the scope of the trial; and that you would now like for the courts to re-examine all rulings based on the significant and repeated misrepresentations on the part of you and your clients, Bruce Kelman and GlobalTox, Inc., on the issue of malice. You are welcome to use the exhibit documentation that was attached to the supplement you received from me yesterday when explaining the matter to all courts.

Please let me know as soon as possible, if and when you intend to inform all courts of the above. Time is of the essence. Thank you for your prompt attention to this important matter.

Sincerely,

Mrs. Sharon Kramer

Copy to: Michael Garland, Clerk of the Court, Dept 31
Enclosed: Email, Mr. Scheuer 9.17.08

Subj: **Re: From Mrs.Kramer 9.16.08 Re: Supplemental Objection To Proposed Costs Of J...**
Date: 9/17/2008 3:24:04 P.M. Pacific Daylight Time
From: Kscheuer
To: SNK 1955

Mrs. Kramer--

I have received your substitution of attorney (which I assume has been filed with the Court) and your supplemental objection.

Generally, I think it would be preferable if we communicate in writing, either by email or letter, to forestall any misunderstandings about what actually was said. I suppose that exceptional circumstances may arise that would justify a telephone conversation between us, but those situations should be quite rare.

Keith Scheuer
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In a message dated 9/16/2008 5:42:32 P.M. Pacific Daylight Time, SNK 1955 writes:

> Dear Mr. Scheuer,
>
> I left you a phone message today, but thought perhaps email may be a better way to communicate. Which do you prefer? I wanted to make certain that you are aware that I have substituted in as my own counsel as of yesterday and that I have submitted to the courts, a supplemental objection to the disbursement of costs (9.15.08) related to the case of Kelman & GlobalTox vs. Kramer. A copy was mailed to you. I believe you should have it no later than tomorrow.
>
> Sincerely,
> Mrs. Kramer
>
> ec: Mr. Lincoln Bandlow

Psssst...Have you heard the news? There's a new fashion blog, plus the latest fall trends and hair styles at StyleList.com.