

Mrs. Sharon Noonan Kramer
2031 Arborwood Place
Escondido, California 92029
Tele 760-746-8026 Fax 760-746-7540 Email snk1955@aol.com

September 11, 2011

Chief Justice Tani Cantil Sayauke
Supreme Court of California
Chair of the Judicial Council
455 Golden Gate Avenue
San Francisco, CA 94102-3660

Justice Douglas Miller
Chair of the Executive and Planning
Committee, Judicial Council
3389 Twelfth Street
Riverside, CA, 92501

California Senator Noreen Evans
Legislative Member, Judicial Council
State Capitol,
1303 10th Street
Sacramento, CA 95814

California Assemblyman Michael Feuer
Legislative Member, Judicial Council
9200 Sunset Blvd, Suite 1212
West Hollywood, CA 90069

Re: CCMS entries in Appellate and Superior Court being used by Clerks to conceal judicial indiscretions in violation of Government Code 6200.. Kelman & GlobalTox v. Kramer Case No GIN044539 San Diego Superior Court, Kramer v. Kelman Defendant/Appellate v. Plaintiff/Respondent, Fourth District Division One Appellate Court D054496.

Chief Justice Cantil Sayauke, Justice Miller, Senator Evans and Assemblyman Feuer,

I am a whistle blower of how it became a fraudulent concept in US public health policy in the early 2000s; that it was scientifically established moldy buildings do not harm. I am the catalyst that caused a Federal GAO audit over the issue in 2006, which has aided tremendously to remove the fraud from Federal policy. My co-writing on a blog, *Katy's Exposure*, was recently cited as reference for a Federal OSHA occupational safety publication over the issue in April of 2011. I am published in medical journals regarding the marketing of misinformation over the issue in the medical community and to the courts.

My endeavors to reshape public health policy have been adverse to the interests of those who sell doubt of causation of illness for a living and their clients; such as the insurance industry. In October of 2005, Governor Schwarzenegger endorsed the fraudulent concept into California Workers' Compensation policy under the platform of Workers Comp Reform that it had been proven moldy work environments pose little to no health threat to workers.. This has aided many California workers comp insurers to be able to shift the cost and burden of worker injury onto the taxpayer funded, state and federal, disability and social services, when insurers have a bogus legitimizing factor written into policy aiding them to deny responsibility.

In May of 2005, I was sued for libel for the phrase “*altered his under oath statements*” used in the first to publicly writing, mine, to expose who was involved and how they were connected to mass market the scientific fraud into policy as I named names. The US Chamber of Commerce; the Manhattan Institute think-tank; the American College of Occupational and Environmental Medicine; US Congressman Gary Miller (R-CA); the corporation of GlobalTox, Inc., and their president, Bruce J. Kelman. The authors of the scientifically void concept are the plaintiffs who sued me, Kelman and Globaltox, Inc – now known as VeriTox, Inc.. They make a substantial portion of their livings as professional toxic tort insurer defense witnesses.

Their sole claim was that the use of my phrase “*altered his under oath statements*” was a maliciously false accusation of perjury. Bruce Kelman then proceeded to use perjury to establish needed reason for purported malice. Each and every judiciary to oversee the case has been provided the uncontroverted evidence of the plaintiff’s perjury. In six years time, there is no evidence of me ever being impeached as to the subjective belief in the validity of my words. The California courts framed me for libel with actual malice over the first public writing to expose how it became a fraud in policy that it was proven moldy buildings do not harm – while aiding insurer cost shifting written into California workers comp policy by Governor Schwarzenegger.

If that were not bad enough, the California Court Case Management System (CCMS) has been used in violation of Government Code 6200 by Clerks of the Court to conceal these and other judicial indiscretions.

There is a Remittitur awarding costs to undisclosed parties on Appeal. Instead of recalling and correcting the Remittitur as requested; a name was added to the Appellate online Case Summary falsely portraying via the Internet that the unidentified party was disclosed on the Certificate of Interested Parties in the Case File. This aided to conceal that the Appellate Opinion awarded costs to “*Respondents*” on Appeal, as did the Remittitur – when there is only one named “*Respondent*” on the Certificate of Interested Parties. This makes the second time in the Fourth District Division One Appellate Court that a retired Deputy Director of CDC/NIOSH and sixth owner of a corporation, GlobalTox, was an undisclosed party, with the Appellate Court being fully evidenced of the omission both times while awarding an undisclosed party costs on appeal.

There were judgment dates added to the “stealth Case History” of judgments never entered and not found in the Case File in the Superior Court CCMS Case Record. These do not print on the Register of Action (ROA). There is no way to determine who made these entries in the stealth CCMS Case Record that judges share; or on what date they made them. I have asked for a complete print out of the Case History, not just those that show on the ROA. I am told the court legal department says they are not available to me; a litigant who is being impacted by false entries in CCMS that I am not even able to view.

After the Remittitur issued back to the lower court, someone entered a false date of entry of judgment not supported by the Case File in the ROA. This is not supported by the prior sequentially numbered entries in the ROA. However, this make the lower court CCMS consistently false with the Appellate Court CCMS.

There was an entry made after the Remittitur issue back deeming the wrong parties to be the prevailing parties to the litigation. This made the ROA and Case History consistent with the fasle Abstract of Judgment entered. From reading the ROA (and most like stealth Case History), one would never know that I prevailed over GlobalTox in trial and the case is still pending in the lower court after the issuance of the Remittitur.

There is an Abstract of Judgment in the Case File of the lower court, based on a not valid and not properly noticed entry of judgment that is never mentioned in the Appellate Opinion as a date of entry of judgment. It, like the stealth Case History entries, deems the wrong parties as the prevailing parties. There is a judgment lien on my home based on this void Abstract of Judgment, based on the void judgment – that the CCMS was edited to provide false validation after the Remittitur issued.

There are three data entry numbers removed from the ROA that were entered within three days after the plaintiff submitted his costs and a judgment by the Clerk of the Court should have been entered. There is no judgment document after the plaintiff's costs were submitted in the Case File.

It has cost me well over three million dollars to defend the truth of my words and to refuse to be silenced of what the courts are doing over a matter of public health – including the misuse of CCMS. The amount of costs shifted from insurers to taxpayers in California while the courts have maliciously aided Strategic Litigation Against Public Participation (“SLAPP”) is in the multi-millions, if not billions.

Unfortunately, some of the judiciaries and court clerks involved in this fiasco are leading judiciaries and court officers in the state of California. They are present and past members of the Judicial Council. They have aided and abetting an insurer cost shifting scheme that was endorsed by Governor Schwarzenegger by being willing participants in a malicious litigation carried out by criminal means. CCMS is being used by the clerks to conceal this.

Is this the intended usage for a computer system that will eventually link all courts in California with all actions to a litigation being electronically recorded?

From what I have witnessed, CCMS is being used against the best interest of the citizens and taxpayers of California – not *for* their best interests. Adding insult to injury for the tax payers of California, I am aware that CCMS deployment is being funded by the use of tax dollars; while diverting needed funds away from our beleaguered trial courts who are fighting to open to serve the public.

I shudder to think what would happen to my child and me if I was a single mother in a custody battle with a well connected abusive ex-husband; and some Clerk of the Court decided the CCMS should be altered to appear favorable to my ex-husband. I would have no way to determine who made false entries in the CCMS impacting the case; on what date they made them; or if they were even a Clerk involved in the case. Most single mothers, fighting to keep there children, would not even know an electronic ROA and stealth Case History even existed and was impacting their lives. In its current form, CCMS is a blank slate that is asking for special and conflicted interests to be able to enter false data, should the motivation and opportunity arise.

As such, I am requesting that the Judicial Council review the Court Records, including those that are in the CCMS, in Kelman & GlobalTox v. Kramer Case No GIN044539 San Diego Superior Court, Kramer v. Kelman Defendant/Appellate v. Plaintiff/Respondent, Fourth District Division One Appellate Court D054496.

This is needed to help the Judicial Council understand how their computer system can and is being used to aid judiciaries who chose to breach their judicial vows to practice politics instead of law; and how their clerks are able to add, edit, delete, remove and falsify CCMS records in the Case Record in violations of GC 6200, while aiding to conceal of the actions of the compromised judiciaries.

Please let me know, in writing, how and when the Judicial Council will be addressing these gravely serious shortcomings in the CCMS; and what action the Judicial Council will be taking to aid with corrections that are in violation of GC6200 in this specific case. This is necessary to stop the fleecing of the California taxpayer in egregious violation of my Constitutional rights.

Attached is a rather lengthy letter to Clerks of the Court and Judicial Council Members, Stephen Kelly and Michael Roddy. It details and evidences *some* the altered, erred and edited CCMS entries and the impact they are having in a litigation over a matter of public health. This letter, the letter to the Clerks and linked evidence may be read online at the Federal OSHA cited blog, "*Katy's Exposure, Exposing Environmental Health Threats and Those Responsible*" Simply search the blog title to find it. Title:

"Is The California Court Case Management System (CCMS) Being Misused For Politics In Policy & Litigation....And The Fleecing Of The California Taxpayer?"

Thank you for your prompt attention to this gravely serious matter.

Sincerely,

Mrs. Sharon Kramer

CC: Mr. Michael Roddy, Clerk of the Court, San Diego Superior Court;
Mr. Stephen Kelly, Clerk of the Court, Fourth District Division One Appellate Court;
Justice Judith McConnell, Presiding Judge of the Fourth District Division One Appellate Court;
Judge Kevin Enright, Supervising Judge of the San Diego Superior Court;

Enclosures: Letter to **Judicial Council Members**, Mr. Kelly & Mr. Roddy (Clerk of the Court in Kelman & GloablTox v. Kramer; Letter to **Judicial Council Member** Judge Enright;. Letter to **Chair of Advisory Committee of Judicial Council**, Justice Huffman & (concurring justice in 2010 Appellate Opinion); and Letter to Justice McConnell, **Chair of the California Commission on Judicial Performance** & (author of the 2006 anti-SLAPP Opinion.

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September 11, 2011

The Honorable Kevin Enright
Presiding Judge, San Diego Superior Court
Member, Executive Committee of the Judicial Council
220 W. Broadway, Third Floor
San Diego, CA 92101

Re: Kelman & GlobalTox v. Kramer Case No GIN044539 San Diego Superior Court.

Honorable Judge Enright,

I am writing to request your assistance, again. After delving into the Register of Action ("ROA") and understanding there is a CCMS Case History that only court personnel may see; it has come to my attention there are "stealth" entries in the Case History of judgments supposedly entered in the case that were not entered.

There are false entries made in the ROA stating a date of judgment that is not supported by the Case File. There is an ROA entry after the Remittitur issued, falsely stating who were the Prevailing Parties. There are documents of judgment of which I was noticed that are not in the Case File. There are documents of judgments of which I was not properly noticed under CCP 664.5(b) that are in the Case File.

There is an Abstract of Judgment in the Case File, based on a not valid and not properly noticed entry of judgment. There is a judgment lien on my home based on this void Abstract of Judgment.

As you are aware, this has been a very ugly case over a matter of public health, that has cost me everything I own to defend the truth of my words for the public good. It just keeps getting uglier. Attached is a rather lengthy and direct letter to the Clerk of the Appellate Court, Stephen Kelly and the Clerk of the Superior Court, Michael Roddy. As the Presiding Judge of the San Diego Superior Court, please take measure to remove the Government Code 6200 Clerk of the Court violations from the San Diego Superior Court Case Record, CCMS ROA & Case History, and Case File. Please evidence for me when these corrections are made in accordance with Government Code 62150(d)..

I am also requesting of you and Clerk of the Court, Michael Roddy, that I be provided access and a copy of the complete CCMS Case History – not just those items that print when I request a copy of the ROA. This is not a sealed case. I am aware that there are incorrect entries in the Case History that do not print on the ROA. The Case History is the CCMS Court Record that is shared among the judiciaries and court personnel.

It is a violation of my First Amendment Rights and prejudicial to me as a litigant, that judges are seeing inaccurate information of which I am not even permitted to see – or know what all they are seeing in the CCMS.

California recognizes a public right to access court records under both the state and federal constitutions. *NBC Subsidiary (KNBC-TV) v. Superior Court*, 20 Cal. 4th 1178 (1999); *In re Marriage of Burkle*, 135 Cal. App. 4th 1045 (2006). The basic rule is that the public must be permitted to review court records unless the court makes specific findings of fact that establish the following:

- (1) There exists an overriding interest that overcomes the right of public access to the record;
- (2) The overriding interest supports sealing the record;
- (3) A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
- (4) The proposed sealing is narrowly tailored; and
- (5) No less restrictive means exist to achieve the overriding interest.

If a superior court keeps a computerized Case History, then that would seem to be a court record that would be presumptively subject to public access. California law defines "judicial record" as "the record or official entry of the proceedings in a court of justice, or of the official act of a judicial officer, in an action or special proceeding." Code Civ Proc § 1904. A CCMS Case History would seem to fall within this definition and therefore qualify as a judicial record to which a public and party to the litigation right of access attaches.

Please let me know when and how I may receive a copy of the complete CCMS Judicial Record of this case with all data entries made. Please let me know when and how, as the Supervising Judge of the San Diego Superior Court, you will be addressing the Government Code 6200 violations by (Deputy) Clerks of the Courts.

Should you require further information from me, please do not hesitate to ask. Thank you in advance for your assistance.

Sincerely,

Mrs. Sharon Kramer

CC: Mr. Michael Roddy, Clerk of the Court, San Diego Superior Court; Mr. Stephen Kelly, Clerk of the Court, Fourth District Division One Appellate Court; & Justice Judith McConnell, Presiding Judge of the Fourth District Division One Appellate Court; Justice Richard Huffman; Justice Douglas Miller; Chief Justice Tani Cantil-Sayauke

Enclosed: Letter to Mr. Kelly & Mr. Roddy

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2031 Arborwood Place
Escondido, California 92029
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September 11, 2011

The Honorable Judith McConnell
Presiding Judge, San Diego Appellate Court
Chair of the California Commission on Judicial Performance
750 B Street, Third Floor
San Diego, CA 92101

Re: Kelman & GlobalTox v. Kramer Case No GIN044539 San Diego Superior Court,
Kramer v. Kelman Defendant/Appellate v. Plaintiff/Respondent, Appellate Court
D054496.

Honorable Justice McConnell,

As Presiding Justice of the Fourth District Division One Appellate Court, I am writing to request your assistance, again. There are Government Code 6200 violations that have occurred by the Clerk of your Court.

There is a Remittitur awarding costs to undisclosed parties on Appeal. There are CCMS Docket entries that are not in the Case File. There is no evidence on Appeal of what judgment document you relied upon when you agreed the Appellate Court should hear this case in 2009.

There are false entries made in the Superior Court ROA stating a date of judgment that is not supported by the Case File – but making the Superior Court ROA consistently incorrect with the Appellate Case Record.

There is an alteration in the CCMS Case Summary adding names of parties as supposedly on the Certificate of Interested Parties that are not on the Certificate of Interested Parties. .

There is an Abstract of Judgment in the Case File of the lower court, based on a not valid and not properly noticed entry and never mentioned in the Appellate Opinion date of entry of judgment. There is a judgment lien on my home based on this void Abstract of Judgment.

As you are aware, this has been a very ugly case over a matter of public health, that has cost me everything I own to defend the truth of my words for the public good. It just keeps getting uglier. Attached is a rather lengthy and direct letter to the Clerk of the Appellate Court, Stephen Kelly and the Clerk of the Superior Court, Michael Roddy.

As the Presiding Judge of the San Diego Appellate Court, please take measure to remove the Government Code 6200 Clerk of the Court violations from the Case Record, CCMS Case Summary & Docket, and Case File. Please evidence for me when these corrections are made in accordance with Government Code 62150(d).

As the Chair of the California Commission on Judicial Performance, you must realize your grave errors when overseeing this case in its anti-SLAPP aspect. You must realize the damage done to many because of the content of your Appellate Opinion written in November of 2006. You must realize this is a breach of judicial ethics and a huge waste of taxpayer dollars to allow this to continue further. To reiterate:

In November 2006, you wrote an unpublished Appellate Opinion with Cynthia Aaron and Alex McDonald concurring that A.) framed me for libel; B.) aided to conceal that a retired Deputy Director for CDC National Institute of Occupational Safety and Health (“NIOSH”), Bryan Hardin, was an undisclosed party to the litigation. You refused to take judicial notice of the evidence that Hardin’s name was improperly missing from the Certificate of Interested Parties as the sixth owner of GlobalTox (now known as VeriTox); and C.) rewarded Kelman’s use of perjury to establish libel law needed reason for malice.

A. FRAMED A DEFENDANT FOR LIBEL OVER A MATTER OF PUBLIC HEALTH

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

“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 from an attempt to deny payment. In sum, **Kelman and GlobalTox presented sufficient evidence to satisfy a prima facie showing that the statement in the press release was false.**”

I made no such accusation. My purportedly libelous writing of March 2005 speaks for itself and is a 100% accurate writing. It accurately states the exchange of money from the Manhattan Institute think-tank was for the US Chamber’s mold statement, ACOEM’s was a version of the “Manhattan Institute commissioned piece”. From my purportedly libelous writing stating the think-tank money was for the Chamber paper:

*“He [Kelman] 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.....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.**”*

B. VIOLATED THE PURPOSE OF CERTIFICATES OF INTERESTED PARTIES.

The Appellate Court was evidenced in 2006, that there was a sixth owner of GlobalTox and an undisclosed party to the litigation, Bryan Hardin, whose name was missing from the Certificate of Interested Parties –even on the supplemental certificate:

(Check One)	INITIAL CERTIFICATE	SUPPLEMENTAL CERTIFICATE XX		
Full Name of Interested Person / Entity	Party	Non-Party	Nature of Interest	
	(Check One)	(Check One)	(Explain)	
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 R. Scheibe	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ownership interest	
Coreen 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	Party Represented
Keith Scheuer	Plaintiffs Bruce J. Kelman
(Name)	(Name) and GlobalTox, Inc.
4640 Admiralty Way, Suite 402	
(Address)	
Marina Del Rey, CA 90292	
(City/State/Zip)	
(310) 577-1170 Kscheuer@aol.com	
(Telephone Number / E-mail address)	
<i>[Signature]</i>	July 10, 2006
(Signature of Attorney Submitting Form)	(Date)

Certificate of Interested Parties are to assure that Appellate Justices have no conflicts of interest with the parties on appeal. Unless there was ExParte communication of which I am not aware giving reason why Hardin was not disclosed, the justices simple chose to ignore the evidence . This is evidence itself of conflicted of interest and self perception of being above the law. As the Appellate Panel of McConnell, Aaron and McDonald were evidenced by a June 2006 request to take judicial notice:

“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

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.

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**. DATED: June 29, 2006 William J. Brown III"

Stating a nonsense reason for refusal to acknowledge Hardin was improperly not disclosed on the Certificate of Interested Parties, in 2006, the Appellate Panel of Justices McConnell, Aaron and McDonald refused to take notice of the evidence because it was not presented in the lower court. Lower courts do not receive Certificates of Interested Parties. Appellate courts do. As stated in the Appellate anti-SLAPP Opinion of November 2006, as a footnote:

"3. 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."

C. REWARDED A PLAINTIFF'S PERJURY TO ESTABLISH MALICE WHILE LITIGATING OVER A MATTER OF PUBLIC HEALTH

As the Appellate Court was evidenced in 2006 and again in 2010, undisclosed party, Hardin's business partner, Kelman, committed perjury to establish needed reason for malice while strategically litigating against public participation. Kelman claimed to have given a testimony when retained as an expert in my own mold litigation of long ago, that he never gave. Every single California judiciary to oversee this case along with the Commission on Judicial Performance and the State Bar have been provided the uncontroverted evidence the following is criminal perjury to establish libel law needed reason for malice:

PERJURY BY KELMAN TO ESTABLISH MALICE FALSELY STATING IN DECLARATIONS, TESTIMONY HE NEVER GAVE IN MY MOLD LITIGATION WITH MY HOMEOWNER INSURER IN WHICH I RECEIVED A HALF A MILLION DOLLAR SETTLEMENT:

"I testified the types and amounts of mold in the Kramer house could not have caused the life threatening illnesses she claimed."

SUBORNING OF PERJURY BY SCHEUER TO ESTABLISH FALSE
REASON FOR MALICE:

“Dr. Kelman testified the types and amounts of mold in the Kramer house could not have caused the life threatening illnesses she claimed. Apparently furious that the science conflicted with her dreams of a remodeled house, Kramer launched into an obsessive campaign to destroy the reputations of Dr. Kelman and GlobalTox.”

A VIDEO OF THE DEPOSITION OF KELMAN’S PERJURY, TRYING TO
COERCE ME TO ENDORSE THE FRAUD IN POLICY AND THE DAMAGE TO ME
MAY BE VIEWED AT: <http://blip.tv/conflictedsciencemold/3-minute-video-of-perjury-attempted-coercion-into-silence-by-bruce-kelman-2073775>

Justice McConnell, you and many others have this video including the California Commission on Judicial Performance and the Chief Trial Intake Division of the California State Bar.. Judge Enright has been made aware of where to view it on the net in 2010. The Appellate Panel of Huffman, Irion and Benke have the transcript of the depositions specifically called out for them in Briefs and Appellate Appendix.

Please do the right thing as an ethical judiciary, Chair of the Commission on Judicial Performance and Presiding Justice of the Appellate Court, and work with your Clerk of the Court, Mr. Kelly, to remove the Government Code 6200 from the Case Records, that aiding to conceal you actively participated in a malicious litigation over a matter of public health that was carried out by criminal means.

Should you require further information from me, please do not hesitate to ask. Thank you in advance for your assistance.

Sincerely,

Mrs. Sharon Kramer

CC: Mr. Michael Roddy, Clerk of the Court, San Diego Superior Court; Mr. Stephen Kelly, Clerk of the Court, Fourth District Division One Appellate Court; & Judge Kevin Enright, Supervising Judge of the San Diego Superior Court; Justice Richard Huffman; Justice Douglas Miller; Chief Justice Tani Cantil-Sayauke

Enclosed: Letter to Mr. Kelly & Mr. Roddy

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September 11, 2011

The Honorable Richard Huffman
San Diego Appellate Court
Chair of the Advisory Financial Accountability and Efficiency for the Judicial Council
750 B Street, Third Floor
San Diego, CA 92101

Re: Kelman & GlobalTox v. Kramer Case No GIN044539 San Diego Superior Court,
Kramer v. Kelman Defendant/Appellate v. Plaintiff/Respondent, Appellate Court
D054496.

Honorable Justice Huffman,

As Chair of the Advisory Financial Accountability and Efficiency for the Judicial Council and concurring justice for the September 2010 ("Appellate Opinion"), I am writing to request your assistance, again. There are Government Code 6200 violations that have occurred by the Clerk of your Court regarding an opinion you rendered.

There is a Remittitur awarding costs to undisclosed parties on Appeal. There are CCMS Docket entries that are not in the Case File. There is no evidence on Appeal of what judgment document you relied upon to base your Opinion.

There are false entries made in the Superior Court ROA stating a date of judgment that is not supported by the Case File – but making the Superior Court ROA consistently incorrect with the Appellate Case Record.

There is an alteration in the CCMS Case Summary adding names of parties as supposedly on the Certificate of Interested Parties that are not on the Certificate of Interested Parties. This falsely validates your phrase, "Respondents awarded costs on Appeal", when there was only one "Respondent disclosed. There is an Appellate Docket entry stating a date of judgment that does not exist. .

There is an Abstract of Judgment in the Case File of the lower court, based on a not valid and not properly noticed entry of judgment that is never mentioned in the Appellate Opinion as a date of entry of judgment. There is a judgment lien on my home based on this void Abstract of Judgment.

As you are aware, this has been a case over a matter of public health, that has cost me everything I own to defend the truth of my words for the public good. Attached is a rather lengthy and direct letter to the Clerk of the Appellate Court, Stephen Kelly and the Clerk of the Superior Court, Michael Roddy.

As a leading judiciary in the State of California, who rendered the Opinion in which Government Code 6200 Clerk of the Court violations occurred that aid to conceal the errors in your Opinion; please take measure to assure these errors are corrected. Please evidence for me when these Government Code 6200 violations are corrected; and are made in accordance with Government Code 62150(d).

Justice Huffman, you must realize your grave errors when overseeing this case. You must realize the damage done to many because of the content of your Appellate Opinion written in September 2010. You must realize this is a breach of judicial ethics and a huge waste of taxpayer dollars to allow this to continue further. To reiterate:

In November 2006, Justice McConnell wrote an unpublished Appellate Opinion with Cynthia Aaron and Alex McDonald concurring that A.) framed me for libel; B.) aided to conceal that a retired Deputy Director for CDC National Institute of Occupational Safety and Health ("NIOSH"), Bryan Hardin, was an undisclosed party to the litigation. You refused to take judicial notice of the evidence that Hardin's name was improperly missing from the Certificate of Interested Parties as the sixth owner of GlobalTox (now known as VeriTox); and C.) rewarded Kelman's use of perjury to establish libel law needed reason for malice.

A. FRAMED A DEFENDANT FOR LIBEL OVER A MATTER OF PUBLIC HEALTH

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

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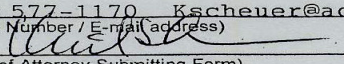
"He [Kelman] admitted the Manhattan Institute, a national political think-tank, paid GlobalTox \$40,000 to write a position paper regarding the potential health risks of toxic mold exposure.....In 2003, with the involvement of the US Chamber of Commerce and ex-developer, US Congressman Gary Miller (R-CA), 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."

B. VIOLATED THE PURPOSE OF CERTIFICATES OF INTERESTED PARTIES.

The Appellate Court was evidenced in 2006, that there was a sixth owner of GlobalTox and an undisclosed party to the litigation, Bryan Hardin, whose name was missing from the Certificate of Interested Parties –even on the supplemental certificate:

(Check One)	INITIAL CERTIFICATE	SUPPLEMENTAL CERTIFICATE XX		
Full Name of Interested Person / Entity	Party (Check One)	Non-Party (Check One)	Nature of Interest (Explain)	
Bruce J. Kelman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ownership interest	
Lonie J. Swenson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ownership interest	
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Coreen A. Robbins	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ownership interest	
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	<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	Party Represented
Keith Scheuer	Plaintiffs Bruce J. Kelman
(Name)	(Name) and GlobalTox, Inc.
4640 Admiralty Way, Suite 402	
(Address)	
Marina Del Rey, CA 90292	
(City/State/Zip)	
(310) 577-1170 Kscheuer@aol.com	
(Telephone Number / E-mail address)	
	July 10, 2006
(Signature of Attorney Submitting Form)	(Date)

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“Appellate Case No.: D047758 Superior Court Case No.: GIN044539
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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.

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Stating a nonsense reason for refusal to acknowledge Hardin was improperly not disclosed on the Certificate of Interested Parties, in 2006, the Appellate Panel of Justices McConnell, Aaron and McDonald refused to take notice of the evidence because it was not presented in the lower court. Lower courts do not receive Certificates of Interested Parties. Appellate courts do. As stated in the Appellate anti-SLAPP Opinion of November 2006, as a footnote:

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PERJURY BY KELMAN TO ESTABLISH MALICE FALSELY STATING IN DECLARATIONS, TESTIMONY HE NEVER GAVE IN MY MOLD LITIGATION WITH MY HOMEOWNER INSURER IN WHICH I RECEIVED A HALF A MILLION DOLLAR SETTLEMENT:

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Justice McConnell, you and many others have this video including the California Commission on Judicial Performance and the Chief Trial Intake Division of the California State Bar.. Judge Enright has been made aware of where to view it on the net in 2010. The Appellate Panel of Huffman, Irion and Benke have the transcript of the depositions specifically called out for them in Briefs and Appellate Appendix.

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In September of 2010, the Appellate Panel of you, Patricia Benke and Joan Irion rendered an Appellate Opinion. Fully evidenced that in 2006, their peers framed a defendant for libel over a matter of public health; rewarded a plaintiff's use of perjury to establish needed reason for malice; and ignored the evidenced that a retired Deputy Director from NIOSH & author of "health policy" for the US Chamber/ACOEM was an undisclosed party to the litigation; the trio of justices had the audacity to write the following in their unpublished Appellate Opinion:

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In September of 2009, Hardin's name was again missing from the Certificate of Interested Parties. This time, none of the principles of GlobalTox were disclosed as parties on Appeal – Yet your Opinion and the Remittitur states ***“Respondents”*** to recover costs on appeal leaving me liable for cost to someone not even disclosed to be a party to the litigation on appeal.

Please do the right thing as an ethical judiciary, Chair of the Advisory Committee on Accountability for the Judicial Council; and work with your Clerk of the Court, Mr. Kelly, to remove the Government Code 6200 from the Case Records, that is aiding to conceal you actively participated in a malicious litigation over a matter of public health that was carried out by criminal means, while concealing that Justices McConnell, Aaron and McDonald did the same thing in their anti-SLAPP Opinion of November 2006. Please correct your Appellate Opinion accordingly – without forcing me to file another request to Recall and Rescind the Remittitur.

Should you require further information from me, please do not hesitate to ask. Thank you in advance for your assistance.

Sincerely,

Mrs. Sharon Kramer

CC: Mr. Michael Roddy, Clerk of the Court, San Diego Superior Court; Mr. Stephen Kelly, Clerk of the Court, Fourth District Division One Appellate Court; Justice Judith McConnell, Presiding Judge of the Fourth District Division One Appellate Court; Judge Kevin Enright, Supervising Judge of the San Diego Superior Court; Justice Douglas Miller; Chief Justice Tani Cantil-Sayauke

Enclosed: Letter to Mr. Kelly & Mr. Roddy

Mrs Sharon Noonan Kramer
2031 Arborwood Place
Escondido, California 92029
Tele 760-746-8026 Fax 760-746-7540 Email SNK1955@aol.com

September 11, 2011

Mr. Stephen Kelly, Clerk of the Court
Fourth District Division One Appellate Court
California Judicial Council Member
750 B Street, Third Floor
San Diego, California 92101

Mr. Michael Roddy, Clerk of the Court
San Diego Superior Court Executive Office
California Judicial Council Member
220 West Broadway
San Diego, California, 92101

Re: Correct Government Code 6200 Violations in Court Records of ("Kramer v. Kelman") /Defendant/Appellant v. Plaintiff/Respondent, Case No. D054496 Fourth District Division One Appellate Court & ("Kelman & GlobalTox v. Kramer"), Case No. GIN044539, North San Diego Superior Court

Appellate Court: Erred December 20, 2010 Remittitur; Altered & erred entries in Appellate CCMS Case History, Awarded costs to undisclosed parties on Appeal, States false judgment date in Case History. Issued a Remittitur based on a back dated Superior Court Proof of Service that was certified signed and mailed by a San Diego Superior Court Deputy Clerk of the Court.

Superior Court: Altered and erred Register of Action entries &; "stealth" Case History in CCMS. Issued an Abstract of Judgment in violation of CCP 664.5(b). Back dated a Proof of Service of a Minute Order that was certified, signed and mailed by a San Diego Superior Court Deputy Clerk of the Court.

Dear Mr. Kelly and Mr. Roddy,

This is going to be a very direct letter. Errors, deletions, additions and false entries in your respective Court Records have caused me extreme financial damage and much distress. They have aided and abetted a malicious, strategic litigation carried out by criminal means; and over a matter of public health. They have aided to conceal the judiciaries for whom you clerk or oversee their Deputy Clerks have been participants in the malicious, strategic litigation; and have been playing fast and loose with the law. Their actions and your actions have aided to defraud the California taxpayers by aiding with the continuance of an Insurer Cost Shifting Scheme, written into California Workers' Compensation policy by ex-Governor Schwarzenegger in October of 2005.

While certain judiciaries in California appear to enjoy the privilege of being above the law; the same privilege is not afforded to Clerks of the Court or their Deputies. Under Government Code 6200, it is a criminal offense to alter, falsify, remove and/or secrete Court Records. These are not actions in accordance with Government Code 68150(d).

Government Code 6200 states, *“Every officer having the custody of any record, map, or book, or of any paper or proceeding of any court, filed or deposited in any public office, or placed in his or her hands for any purpose, is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years if, as to the whole or any part of the record, map, book, paper, or proceeding, the officer willfully does or permits any other person to do any of the following:(a) Steal, remove, or secrete.(b) Destroy, mutilate, or deface(c) Alter or falsify.”*

GC 68150(d) states, *“No additions, deletions, or changes shall be made to the content of court records, except as authorized by statute or the California Rules of Court.”*

There are incorrect Court Clerk entries in the (“Court Record”), (“Case File”), Register of Action (“ROA”), (“Case History”) and Court Case Management System (“CCMS”) of the San Diego Superior Court libel case of Bruce J. (“Kelman”) & (“GlobalTox”), Inc., v. Sharon (“Kramer”). There are incorrect Court Clerk entries in the Court Record, CCMS, Case File, (“Case Summary”) and (“Docket”) when on appeal in the Fourth District Division One Appellate Court, (“Kramer v. Kelman”) Defendant/Appellant v. Plaintiff/Respondent.

Rather than attach and mail a mountain of evidence to an already lengthy letter, I am going to put this letter to you, the Clerk of the Fourth District Division One Appellate Court, Mr. Kelly; and Clerk of the San Diego Superior Court, Mr. Roddy; online. I will link to the evidence of errors, alterations and false documents in your Case Records that need to be corrected under Government Codes 6200 and .68150(d).

This letter and the linked Court Records referenced as follows, may be read online at the reputable and Federal Occupational Safety and Health Administration source reference, health advisory blog, *“Katy’s Exposure – Exposing Environmental Health Threats and Those Responsible”*.. This letter may be found on the Internet by searching the blog title of this letter:

“Is The California Court Case Management System (CCMS) Being Misused For Politics In Policy & Litigation....And The Fleecing Of The California Taxpayer?”

As Clerks of the Court and members of the California Judicial Council; how you choose to address the needed corrections of errors, falsifications, additions, deletions, and secret & false entries in the CCMS Case History in your Court Records will answer the questions raised in the blog title regarding your intended usage of CCMS.

If I have any errors or misstatements of fact in this letter, please let me know so we (the owner of the blog and I) may then correct the online version. My apologies for typos in this letter. I do not type well and can no longer afford to hire a typist directly because of the mishandling by the courts of this case. I am about to lose my home because I, a never impeached US citizen who has helped to reshape US public health policy, have been falsely deemed a malicious liar by the courts. It is all over the Internet, making it difficult for me to find viable, professional, employment.

I currently have an interest accruing judgment lien on my home for costs incurred by a party I prevailed over in trial (with one being an undisclosed party), based on a false judgment never properly entered or noticed; false abstract of judgment; false Remittitur awarding costs to undisclosed parties on appeal. I am gagged by the court from writing a sentence for which I was never sued – which, coincidentally, would gag me from writing of what the judiciaries and their clerks in this case have done that aids abets insurer fraud and the fleecing of the public.

I am a never impeached whistle blower who has evidenced for six years that the plaintiff committed perjury to establish needed reason for malice while strategically litigating. It has cost me well over three million dollars to defend the truth of my words of the public good. I have been forced to watch in horror as lives continue to be ruined by the fraud in policy continuing by the California courts practicing politics – not law. I do not appreciate the judiciaries and their clerks practicing politics in egregious violation of my civil and Constitutional rights. The financial and emotional damage to my husband and me have been horrendous.

This letter is also being copied to the presiding judiciaries of the courts for whom you clerk. They are Justice Judith McConnell, Presiding Justice of the Fourth District Division One Appellate Court, Chair of the California Commission on Judicial Performance and author of the (“anti-SLAPP Appellate Opinion”), November 2006; & Judge Kevin Enright, Presiding Judge of the San Diego Superior Court and member of the Executive and Planning Committee of the Judicial Council.

Additionally, a copy is being sent to California Supreme Court Chief Justice and Chair of the Judicial Council, Tani Cantil-Sayuake; along with Justice Richard Huffman of the Fourth District Division One Appellate Court, ex-Chair of the Executive and Planning Committee of the Judicial Council, current Chair of the Advisory Committee on Financial Accountability and Efficiency for the Judicial Council, and concurring Justice for the (“Appellate Opinion”) October 13, 2010, in (“Kramer v. Kelman”) Defendant/Appellant v. Plaintiff/Respondent.

A copy is also being sent to Justice Douglas Miller, Chair of the Executive and Planning Committee of the Judicial Council; and Legislative Members of the Judicial Council, Noreen Evans and Michael Flores,. After reading this letter and the linked evidence, it should be apparent that there are vast problems with the manner in which

entries can and are being made in the CCMS – not consistent with the Case Files. Not consistent with the law.

According to their website, *“the Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice”*.

According to their website, *“the Commission on Judicial Performance, established in 1960, is the independent state agency responsible for investigating complaints of judicial misconduct and judicial incapacity and for disciplining judges, pursuant to article VI, section 18 of the California Constitution. **The Commission's mandate is to protect the public, enforce rigorous standards of judicial conduct and maintain public confidence in the integrity and independence of the judicial system.**”*

PART 1 HISTORY OF CASE ERRORS, INDECRETIONS & DAMAGES

I. BRIEF BACKGROUND OF THE FRAUD IN POLICY THAT CLERK OF THE COURT GOVERNMENT CODE 6200 VIOLATIONS ARE AIDING TO CONCEAL

As the courts involved in this case are aware, my purportedly libelous writing of March 2005, was the first to publicly expose how it became a fraud in US public health policy that it was scientifically proven moldy buildings do not harm. Two PhDs, who make their livings as professional defense witnesses in toxic torts, applied math extrapolations to data they borrowed from a researcher's single, acute exposure to mold, rodent study. They professed their calculations scientifically proved all claims of illness from the toxic components of mold found in water damaged buildings were only being made because of *“trial lawyers, media and Junk Science”*

An occupational physician trade association, the American College of Occupational and Environmental Medicine (“ACOEM”), legitimized the unscientific concept by making the concept their position statement and US health policy over the issue. The Manhattan Institute think-tank paid the two PhDs to author a lay version of ACOEM's mold statement for the US Chamber of Commerce.

The US Chamber then mass marketed the concept to the courts that anyone claiming illness from moldy buildings were only doing so because of *“trial lawyers, media and Junk Science”*; thereby impacting claims handling practices and litigations nationwide in a manner financially favorable to the insurance, building and real estate industries and adverse to public health.

In my March 2005 writing, I named the names of those who conspired to mass market the scientific fraud into policy and to the court. I later caused a Federal GAO audit over

the issue. This has helped to remove the fraud from Federal public health policy. It still lingers in private sector policy, some state policies – including California’s, - in insurer claims handling practices - including workers comp, and in many courts throughout the US.

This lingering is a direct result of the courts for whom you clerk, aiding with a malicious Strategic Litigation Against Public Participation (“SLAPP”) that has been carried out by criminal means. This is aiding the continuance of insurers being able to continue to **Cost Shift Onto Taxpayers** and off of themselves when workers, who are injured by moldy buildings, do not receive rightfully due benefits and are forced onto state and federally funded disability and social services for survival of themselves and their families. **This is directly because your courts had and (still have) the ability to shut down the fraud by acknowledging they have been overseeing a SLAPP carried out by criminal means. Shamefully, they have chosen to aid the fraud to continue and you have assisted them.**

In May of 2005, Bruce (“Kelman”) and GlobalTox sued me for libel for my March 2005 writing in which I named names.. Their sole claim of the case is that my use of the phrase with the writing, “*altered his under oath statements*”, was a maliciously false accusation of perjury.

In September of 2005, the first lower court judge, Michael Orfield, denied my anti-SLAPP motion while being evidenced that Kelman committed perjury to establish needed reason for malice and his California licensed attorney, Keith (“Scheuer”) willfully suborned it.

One month later, in **October of 2005, Governor Schwarzenegger endorsed the scientific fraud of ACOEM and the US Chamber into California’s workers compensation policy as part of his platform of Workers Comp Reform.** This caused further bogus legitimizing of the Insurer Cost Shifting scheme for California workers’ comp insurers and their hired expert witnesses such as Kelman and GlobalTox co-owner, Bryan (“Hardin”). Kelman and Hardin are the co authors the scientifically void mold issue policy papers for the US Chamber and ACOEM. The Chamber paper the two PhDs were paid by a think-tank to author, cites false UCLA physician authorship.

How these two papers are connected and how they are used in litigation to stave off liability for insurers and others was the underlying subject of my purportedly libelous writing. As the courts have been repeatedly evidenced, I used the phrase “*altered his under oath statements*” to describe Kelman’s obfuscating testimony to unsuccessfully try to hide their connection from the eyes of a jury when testifying as a professional witness in a trial in Oregon, February 2005. In six years time, one will never see any mention in any ruling or Opinion that I even provided the courts with evidence of why I used that phrase. As such, one will also not see any evidence impeaching me.

The trial of which I wrote regarding Kelman altering his under oath statements was a nationally significant jury verdict. It was a first in the Northwest to award damages to a

family injured by the toxins of mold in their water damaged new home. The verdict evidenced that it was possible to overcome the scientific fraud of the US Chamber, ACOEM, the Manhattan Institute and GlobalTox being policy, by the exposure of their conspiring to mass market the scientific fraud into policy. My writing was a public service announcement of how to stop fraud in the courts over the mold issue. Since I first wrote of the matter in March of 2005, the fraud has been written of many times. As noted prior, it is still able to be used to sell doubt of causation in the courts, directly because the judiciaries overseeing this case have not shut it down – instead, they have willfully aided it.

II.

2006 anti-SLAPP APPELLATE OPINION AIDED FRAUD TO CONTINUE

In November 2006, Justices Judith McConnell, Cynthia Aaron and Alex McDonald wrote an unpublished anti-SLAPP Opinion that A.) framed me for libel; B.) aided to conceal that a retired Deputy Director for CDC National Institute of Occupational Safety and Health (“NIOSH”), Bryan Hardin, was an undisclosed party to the litigation. They refused to take judicial notice of the evidence that Hardin’s name was improperly missing from the Certificate of Interested Parties as the sixth owner of GlobalTox (now known as VeriTox); and C.) rewarded Kelman’s use of perjury to establish libel law needed reason for malice.

A. FRAMED A DEFENDANT FOR LIBEL OVER A MATTER OF PUBLIC HEALTH

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

“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 from an attempt to deny payment. In sum, Kelman and GlobalTox presented sufficient evidence to satisfy a prima facie showing that the statement in the press release was false.”

I made no such accusation. My purportedly libelous writing of March 2005 speaks for itself and is a 100% accurate writing. It accurately states the exchange of money from the Manhattan Institute think-tank was for the US Chamber’s mold statement, ACOEM’s

was a version of the “Manhattan Institute commissioned piece”. From my purportedly libelous writing stating the think-tank money was for the Chamber paper:

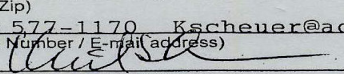
*“He [Kelman] admitted the Manhattan Institute, a national political think-tank, paid GlobalTox \$40,000 to write a position paper regarding the potential health risks of toxic mold exposure.....In 2003, with the involvement of the US Chamber of Commerce and ex-developer, US Congressman Gary Miller (R-CA), 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.**”*

B. VIOLATED THE PURPOSE OF CERTIFICATES OF INTERESTED PARTIES.

The Appellate Court was evidenced in 2006, that there was a sixth owner of GlobalTox and an undisclosed party to the litigation, Bryan Hardin, whose name was missing from the Certificate of Interested Parties –even on the supplemental certificate:

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Attorney Submitting Form	Party Represented
Keith Scheuer (Name)	Plaintiffs Bruce J. Kelman (Name) and GlobalTox, Inc.
4640 Admiralty Way, Suite 402 (Address)	
Marina Del Rey, CA 90292 (City/State/Zip)	
(310) 577-1170 Kscheuer@aol.com (Telephone Number / E-mail address)	
 (Signature of Attorney Submitting Form)	July 10, 2006 (Date)

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IV. APPELLATE JUSTICE KNEW IN 2010, THE ADVERSE IMPACT ON HEALTH POLICY BY CONCEALING THE FRAUD IN THE 2006 anti-SLAPP OPINION

Before they rendered the Appellate Opinion in 2010 that aided to conceal their peers were participants in a SLAPP; Huffman, Benke and Irion were informed and evidenced of the future impact on policy if they rendered an Opinion that concealed their peers had rewarded a SLAPP suit over public health. As merely one example of this, is an excerpt from my Reply to Court's Query, January 2010:

"Kelman and undisclosed party to this litigation, VeriTox owner Hardin, are the authors of the US mold policy paper "*Adverse Human Health Effects Of Molds In An Indoor Environment*", ACOEM (2002). They are also the authors of the legal mold policy paper, "*A Scientific View Of The Health Effects Of Mold*" US Chamber of Commerce Institute For Legal Reform & Manhattan Institute Center For Legal Policy (2003).

This means an author of influential US medical and legal mold policy papers has been proven by uncontroverted and irrefutable evidence to have been committing criminal perjury before the San Diego courts, in a libel action against the first person to publicly write of how these two "questionable" policy papers were closely connected and how they are used in litigation; while the other author did not disclose he was a party to the strategic litigation. ...

When this Reviewing Court acknowledges what legally cannot be denied: Kramer's overwhelming, uncontroverted and irrefutable evidence that seven judges and justices ignored Kramer's overwhelming, uncontroverted and irrefutable evidence of Kelman's perjury on the issue of malice and ignored Kramer's vast evidence of Scheuer's willful suborning of Kelman's criminal perjury; then seven years worth of scientific fraud perpetrated on US Courts over the mold issue by the US Chamber of Commerce et al, will immediately cease by the acknowledgment that their author of their scientific fraud has no qualms about lying under oath to the courts and strategically litigating; and while their other author does not disclose he is a party to the strategic litigation."

IV CALIFORNIA SUPREME COURT REFUSED TO REVIEW TWICE

In January of 2007, ex Chief Justice of the California Supreme Court, Ronald George, who was also Chair of the Judicial Council, refused to review Justice McConnell's unpublished anti-SLAPP Opinion. He had been fully evidenced of the ignored perjury in the litigation over a matter of public health, etc. Seven amicus letters were sent to the Supreme Court by non-profit organizations and individuals.

In October of 2010, George was presented with the evidence that now two unpublished Appellate Opinion were written from the bench of the Fourth District

Division One Appellate Court that both ignored the evidence of a plaintiff strategically litigating over a matter of public health by the use of perjury to establish malice, etc. On December 16, 2010, again he declined to review.

V. EVERY JUDGE TO OVERSEE THIS CASE REWARDED THE PLAINTIFF'S CRIMINAL PERJURY USED TO ESTABLISH MALICE

Twelve plus California judiciaries to oversee the case at various times, each and every one, ignored the uncontroverted evidence of Kelman's perjury to establish libel law needed reason for malice. They ignored the uncontroverted evidence of Kelman's attorney repeatedly suborning the perjury.

The judiciaries, each and every one, ignored the basic tenets of libel law. I.e., - the fact that there was never any evidence presented (*emphasis* never ANY evidence presented) impeaching me as to the subjective belief in the validity of my words that Kelman "altered his under oath statements" while unsuccessfully obfuscating on the witness stand to hide from a jury, how all the above named entities were involved and connected in mass marketing the scientific fraud into policy and to courts throughout the US.

By December 20, 2010 your erred Remittitur awarding costs on appeal to undisclosed parties, Judicial Councilman Mr. Kelly, had issued back to the lower court, "Clerk of the Court, San Diego Superior Court – Main." By December 23, 2010, Judicial Councilman Mr. Roddy, false entries were made in the Superior Court CCMS ROA and Case History. They made it appear that the Superior Court judge had signed off on the Remittitur while acknowledging a date of entry of judgment (not supported by the Case File and unedited ROA); and deemed Kelman and GlobalTox the prevailing parties to the litigation. (I prevailed over GlobalTox in trial).

VI. NEW SUIT TO TRY TO SILENCE ME OF COMPROMISED COURTS

Before Chief Justice George had even refused to review the case, on November 4, 2010, Kelman and Scheuer filed a new lawsuit in the San Diego Superior Court, seeking to gag me from writing of what the California judiciaries - and their Clerks - have done that has aided and abetted interstate insurer fraud and workers comp fraud by being participants in a malicious SLAPP over a matter of public health. ("Kelman v. Kramer") Case No. 37-2010-00061530 CU-DF-NC, North County Superior Court Department 30.

I currently have a temporary gag order not to write of this fiasco. I have as respectfully as possible informed the court, the Honorable Judge Thomas Nugent, that I am not adhering to the order and will not be bullied into silence from writing of judicial indiscretions aiding fraud and an insurer cost shifting scheme by a ruling founded upon the exact same judicial indiscretions. Too many lives are being ruined and the First Amendment of the Constitution is being threatened by incredibly audacious abuse of the judicial system by the courts.

The owner of Katy's Exposure blog has been threatened with litigation by Kelman and Scheuer, interstate, via the US postal service; if she writes of this matter or publishes my writings regarding the errors of this litigation and its impact on public health.. Never properly entered or properly noticed judgment documents from these cases that were used to obtain the gag order (and a fraudulent lien based on a void judgment/abstract of judgment), were enclosed with the interstate mailed threat to blog owner who is cited as a reference for an OSHA health advisory. What the courts have aided to continue, is what the OSHA advisory citing Katy's aiding to dispel. She, like I, has no intention of being bullied into silence by the compromised judicial system of California, falsified legal documents, false & stealth CCMS entries and interstate mail fraud. (the "*oh what a tangled web we weave when first we practice to deceive*" adage goes here)

PART 2 APPELLATE COURT RECORDS IN NEED OF CORRECTION

Clerks of the Court and Judicial Council Members, Mr. Kelly, please correct your Court Records, Case Files and CCMS entries in that are in violation California Government Codes 6200 & in accordance with Government Code 68150(d).

I.

IN VIOLATION OF GC 6200, THE DECEMBER 20, 2010 REMITTITUR AWARDED COSTS TO UNDISCLOSED PARTIES ON APPEAL. CCMS DOCKET WAS ALTERED TO STATE MULTIPLE PARTIES NAMED ON CERTIFICATE OF INTERESTED PARTIES; AND CONCEALS. FALSE DATE OF ENTRY OF JUDGMENT IN CCMS

I have received a cost bill from Kelman's attorney, Scheuer, indicating I am responsible for costs on appeal in the amount of \$700.00 in Kramer v. Kelman D054406. It does not state to whom I am responsible for these costs other than the lone disclosed Respondent, Kelman.

There is a problem with the December 20, 2010 Remittitur in Kramer v. Kelman impacting the judgments in the **still pending case** of Kelman & GlobalTox v. Kramer GIN044539, and the newest litigation Kelman v. Kramer 37-2010-00061530 CU-DF-NC, North County Superior Court, Department 30. The Remittitur issued by you, Mr. Kelly, Clerk of the Appellate Court, states "*et, al*" and "*Respondents*" were awarded costs on appeal. (Blogged hereto as **EXHIBIT 1** is the Remittitur witnessed by Stephen Kelly stating plural "**Respondents**")

RE: BRUCE KELMAN et al.,
Plaintiffs and Respondents,

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.
X Other (See Below)

Respondents to recover their costs of appeal.

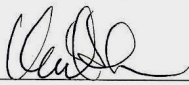
Witness my hand and the seal of the Court affixed this DEC 20 2010

STEPHEN M. KELLY, Clerk

By: 

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

There were no multiple Respondents disclosed to be a party on appeal. I prevailed over GlobalTox. They did not appeal. The Certificate of Interested Parties received and stamped by you, Mr. Kelly, on September 14, 2009, discloses only one Respondent, Kelman. (*Blogged hereto as EXHIBIT 2* is Kelman's Certificate of Interested Parties stating singular "*Respondent*")

-MAIL ADDRESS (Optional):		Court of Appeal Fourth District
ATTORNEY FOR (Name): Respondent Bruce J. Kelman		FILED SEP 14 2009 Stephen M. Kelly, Clerk DEPUTY
APPELLANT/PETITIONER: Sharon Kramer		
RESPONDENT/REAL PARTY IN INTEREST: Bruce Kelman		
CERTIFICATE OF INTERESTED ENTITIES OR PERSONS		
Check one: <input checked="" type="checkbox"/> INITIAL CERTIFICATE <input type="checkbox"/> SUPPLEMENTAL CERTIFICATE		
Instructions: 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		
<input checked="" type="checkbox"/> There are no interested entities or persons that must be listed in this certificate under rule 8.208. <input type="checkbox"/> Interested entities or persons required to be listed under rule 8.208 are as follows:		
Full name of interested entity or person	Nature of interest (Explain):	
Date: September 10, 2009		
Keith Scheuer, Esq.		
(TYPE OR PRINT NAME)	(SIGNATURE OF PARTY OR ATTORNEY)	

The Appellate Opinion falsely states “*Respondents*” awarded costs on appeal. As written in the Opinion: (*Blogged hereto as EXHIBIT 3*, is the last page of the Appellate Opinion stating plural “*Respondents*”)

“*APPEAL from a judgment of the Superior Court of San Diego County, Lisa C. Schall, Judge. Affirmed....*

Judgment affirmed. Respondents to recover their costs of appeal.
BENKE, Acting P. J. WE CONCUR: HUFFMAN, J IRION, J”

The Appellate Court CCMS Docket was altered to state that the corporation of GlobalTox, Inc. was disclosed as a party on appeal on the September 14, 2009, Certificate of Interested Parties. This is a false entry into the CCMS. (*Blogged hereto as EXHIBIT 4*, is the alteration of the CCMS Docket adding GlobalTox as disclosed on the 9.14.09 Certificate of Interested Parties.) .

09/14/2009	Certificate of interested entities and parties filed by:	Plaintiff and Respondent: Kelman, Bruce J. Attorney: Keith Scheuer Plaintiff and Respondent: Globaltox, Inc
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-MAIL ADDRESS (Optional):		Court of Appeal Fourth District
ATTORNEY FOR (Name): Respondent Bruce J. Kelman		FILED SEP 14 2009 Stephen M. Kelly, Clerk DEPUTY
APPELLANT/PETITIONER: Sharon Kramer		
RESPONDENT/REAL PARTY IN INTEREST: Bruce Kelman		
CERTIFICATE OF INTERESTED ENTITIES OR PERSONS		
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		
<input checked="" type="checkbox"/> There are no interested entities or persons that must be listed in this certificate under rule 8.208. <input type="checkbox"/> Interested entities or persons required to be listed under rule 8.208 are as follows:		
Full name of interested entity or person	Nature of interest (Explain):	

The Remittitur was filed in violation of Rule 8.208, if there are “*Respondents*” on appeal. If not, then the Court Clerks violated GC 6200 by altering documents in the Court Record and issuing a false Remittitur stating “*Respondents*”. If the corporation of GlobalTox, Inc. was disclosed as a party on appeal as falsely stated in the edited Appellate Court CCMS, where are the disclosures of who owns this corporation?

Who are the individuals to whom I owe costs on appeal by the issuance of your Remittitur, stating “Respondents”, Mr. Kelly?

The edited Appellate Court CCMS Docket; the September 13, 2010 Appellate Opinion, and your Remittitur all falsely state *plural* “**Respondents**” on appeal. The Certificate of Interested Parties itself discloses only Kelman, singular “**Respondent**”. This is aiding to conceal that Bryan Hardin, the sixth owner of GlobalTox has been an undisclosed party to this litigation for six years. By your Remittitur, he was most likely just stealthily awarded costs again.

Twice, I have filed motions with the Appellate Court, in October of 2010 and January of 2011, to recall the Remittitur and correct this error that leaves me liable for costs on appeal to undisclosed individuals. Are there five or six owners of GlobalTox? Is GlobalTox a “Respondent”? **Twice, Justice Patricia Benke has refused to correct the error in the Appellate Opinion and the Remittitur that awards costs to undisclosed parties on appeal – and aids to conceal that Justice McConnell ignored the evidence of Bryan Hardin being an owner of Globalt in her anti-SLAPP Opinion of 2006.**

II. APPELLATE DOCKET FALSELY STATES JUDGMENT ENTERED ON DECEMBER 12, 2008, AS DOES THE APPELLATE OPINION. CORRECT THE DOCKET AND CASE FILE GC 6200 VIOLATIONS, MR. KELLY.

The Appellate Opinion states known falsehoods of the date of entry of judgment awarding Kelman \$7,252.65 on appeal. Read verbatim they do not actually state that a judgment was entered on December 12, 2008, just infer it: **They also do not state on what date a judgment was legally entered – because there never was one** that was properly entered and noticed under CCP 664 & 664.5(b). As read from the Appellate Opinion:

“The jury awarded Kelman nominal damages of one dollar and the trial court awarded Kelman \$7,252.65 in costs. The jury found that Kramer did not libel GlobalTox and judgment against GlobalTox was entered. The trial court awarded Kramer \$2,545.28 in costs against GlobalTox

On December 12, 2008, the trial court awarded Kelman the \$7,252.65 in costs he claimed.....

On this record we cannot disturb the trial court's award of costs to Kelman.....

Judgment affirmed. Respondents to recover their costs of appeal.

BENKE, Acting P. J. WE CONCUR: HUFFMAN, J. IRION, J.

Within the CCMS Appellate Case Summary, the Docket entry that is available for public view on the Internet states under the heading of “Trial Court” that a judgment was entered on December 12, 2008. From the Appellate Docket:

Kelman et al. v. Kramer

Case Number D054496 [Note: Appellate Case No.]

Trial Court Name: San Diego County Superior Court - Main

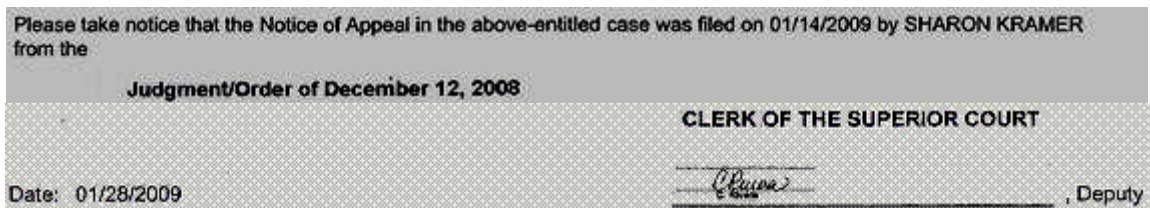
County: San Diego

Trial Court Case Number: GIN044539

Trial Court Judge: Guy-Schall, Lisa

Trial Court Judgment Date: 12/12/2008

There is a document in the Case File of the Appellate Court, signed by Celia Rivera NC Clerk, Appellate Division, that states a judgment was entered on December 12, 2008 and that I filed my intent to appeal on January 14, 2009. As taken from the Case File:



If a judgment had been entered in the lower court on December 12, 2008, as falsely stated in the Case Docket and falsely stated in the Case File, the Appellate Court would not have been able to accept my Appeal under Rule of the Court 8.751. My intent to appeal of January 14, 2009 would have been filed well over ninety days from the date of the stated entry of judgment, September 24, 2008, in the falsified file the Superior Court Case File. It also would have been well over thirty days past December 12, 2008.

Which is it? A judgment was entered on December 12, 2008 and the justices accepted my intent to appeal in violation of Rules of the Court? Or a judgment was not entered on December 12, 2008 and the Appellate Case Records are violations of Government Code 6200?

PART 3 SUPERIOR COURT RECORDS IN NEED OF CORRECTION

Clerks of the Court and Judicial Council Members, Mr. Roddy, please correct your Court Records that are in violation California Government Codes 6200 & in accordance with Government Code 68150(d).

I.

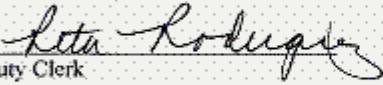
THE FALSE ENTRIES MADE IN THE SUPERIOR COURT CCMS ROA & "STEALTH" CASE HISTORY; FALSE ABSTRACT OF JUDGMENT, WITH LIEN ON MY HOME THEN RECORDED WITH COUNTY

On December 20, 2010, the copy of the erred Remittitur was mailed from the Appellate Court to the "*Clerk of Court, Superior Court -Main*" - not to the North County division where the Case File is located and is still pending. That would be your office, Judicial Council Member Mr. Roddy, to which Judicial Council Member Mr. Kelly mailed the erred Remittitur of Judicial Council Member Mr. Huffman's Opinion, that knowingly awarded costs to undisclosed parties on appeal and rewarded a plaintiff's use of criminal perjury; -- while aiding to conceal the Chair of the Commission on Judicial Performance, Ms. McConnell, did the same thing when rendering her anti-SLAPP Opinion in 2006.

That said envelopes were sealed and shipping fees fully paid thereon, and thereafter were sent as indicated via the U.S. Postal System from San Diego, CA 92101.

I certify under penalty of perjury that the foregoing is true and correct.

Stephen M. Kelly, Clerk of the Court


Deputy Clerk

DEC 20 2010
Date

CASE NUMBER: D054496

Office of the Clerk
San Diego County Superior Court - Main
P.O. Box 120128
San Diego, CA 92112

Material Sent YES: ☒

On December 23, 2010, false entries were then made in the Superior Court's CCMS ROA and Case History, Mr. Kelly. The edits misstate the judgments entered. They falsely state that the Superior Court case presiding judge acknowledged the Remittitur and closed the case on December 23, 2010 - while deeming the wrong parties to the litigation to be the prevailing parties.

Adding to the tangle web, the false entries made to the lower court CCMS ROA on December 23, 2010, are ROA entry Nos. 264, 268. These false entries in the Superior Court CCMS ROA and Case History state that a judgment was entered in the Superior Court on December 12, 2008, and that Kelman & GlobalTox were the prevailing parties. Case closed by the Superior Court. The CCMS Lower Court ROA states:

ROA Entry No. 264, December 23, 2010. Quote: "**the Remittitur (Judgment of 12-12-08 is affirmed) filed by The Superior Court of San Diego**

[Note, **Entries # 265, 266 & 267 are missing from the ROA** – I am aware of three false entries made in the stealth "Case History"]

ROA# 268 12/23/2010 Judgment was entered as follows: **Judgment entered for GLOBALTOX INC: KELMAN BRUCE J and against KRAMER, SHARON** for \$0.00 punitive damages \$0.00 attorney fees

\$0.00 interest
\$0.00 prejudgment costs:
\$0.00 other costs
\$0.00 amount payable to court

There are no documents in the Superior Court Case File evidencing the above false CCMS entries made by the Superior Court, Clerk of the Court - main office on December 23, 2010. The case is rightfully marked still pending in the ROA. I prevailed over GlobalTox in trial. With this December 23, 2010 stated entry in the CCMS; both the Appellate and Superior Courts, were made consistently false to state a judgment was entered on December 12, 2008. **There was no judgment entered in the case on December 12, 2008. Again, not possible or the Appellate Court could not have heard the appeal with my intent to appeal filed on January 14, 2009.**

Additionally, I am aware there are additional edits made to the Superior Court CCMS "stealth" Case History, (that does not print when I ask for a copy of what has occurred in this case, the ROA), stating a judgment was entered on December 12, 2008, an amended judgment was entered on December 18, 2008 – and a denial to hear my motion for reconsideration, based in the false 12/18/08 entry. None of these are in the ROA on the pages or in sequence of when they would have occurred and would have been properly entered.

There is no entry of any judgment on December 12, 2008 evidenced in the ROA (prior to the entries made two years later on December 23, 2010). Nor is there a valid ("Minute Order") finalized on December 12, 2008, or one evidenced as finalized on December 12, 2008 in the ROA. Oral arguments concluded at 3:31 pm on, Friday, December 12, 2008. According to the ROA, the Minute Order was finalized on, Monday, December 15, 2008.

The Superior Court ROA, Pages 34 & 35, make no mention of any judgment entered or Minute Order finalized on December 12, 2008. This is evidenced by the ROA pages 34 & 35, sequentially numbered entries:

ROA #207 **12/11/2008** Tentative Ruling for Motion Hearing (Civil) published

ROA #208 **12/12/2008** Motion Hearing (Civil)scheduled for 03/06/2009 at 01:30:00 PM at North County in N-28 Michael B. Orfield.

[Note: No Minute Order Finalized on 12/12/08, No Entry of Judgment]

ROA #209 **12/15/2008** Minutes finalized for Motion Hearing (Civil) heard 12/12/2008 01:30:00 PM

ROA #210 **12/15/2008** Minutes finalized for Motion Hearing (Civil) heard 12/12/2008 01:30:00 PM

ROA #211 **12/15/2008** 12/15/2008 Minutes finalized for Motion Hearing (Civil)
heard 12/12/2008 01:30:00 PM

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

[Note: No Amended Entry of Judgment dated 12/18/08]

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. Refers to:

The Appellate Court was evidenced the Minute Order, dated 12/12/08 was mailed on December 16, 2008. Under rules of the court, that would make it the date of entry of judgment. The ROA, of which I obtained a copy in June 2011, evidences that the Minute Order was actually finalized on December 15, 2008. If the Minute Order was not finalized until December 15, 2008; then the **Proof of Service dated 12/12/08, was falsified and backed dated making any judgment or Minute Order attached invalid.** The Proof of Service could not have been finalized on December 12, 2008 when the Minute Order it was attached to was not even completed until December 15, 2008.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input type="checkbox"/> COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101-3814 <input type="checkbox"/> HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101-3827 <input type="checkbox"/> FAMILY COURT, 1555 6TH AVE., SAN DIEGO, CA 92101-3294 <input type="checkbox"/> MADGE BRADLEY BLDG., 1409 4TH AVE., SAN DIEGO, CA 92101-3105 <input type="checkbox"/> KEARNY MESA BRANCH, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123-1187 <input checked="" type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92083-6643 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020-3941 <input type="checkbox"/> RAMONA BRANCH, 1428 MONTECITO RD., RAMONA, CA 92065-5200 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910-5649 <input type="checkbox"/> JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123-2792 <input type="checkbox"/> JUVENILE COURT, 325 S. MELROSE DR., VISTA, CA 92083-6634		FILED Clerk of the Superior Court DEC 12 2008 By: M. GARLAND, Deputy	
PLAINTIFF(S)/PETITIONER(S) Bruce J. Kelman		JUDGE: LISA C. SCHALL	
DEFENDANT(S)/RESPONDENT(S) Sharon Kramer		DEPT: 31	
CLERK'S CERTIFICATE OF SERVICE BY MAIL (CCP 1013a(4))		CASE NUMBER GIN044539	

I, certify that: I am not a party to the above-entitled case; that on the date shown below, I served the following document(s):
COURT'S RULING ON DEFENDANT'S MOTION TO STRIKE COSTS OR TO AWARD COSTS TO PREVAILING PARTIES
(RULING ATTACHED)

on the parties shown below by placing a true copy in a separate envelope, addressed as shown below; each envelope was then sealed and,
with postage thereon fully prepaid, deposited in the United States Postal Service at: ☐ San Diego ☒ Vista ☐ El Cajon
☐ Chula Vista ☐ Ramona, California.

NAME & ADDRESS	NAME & ADDRESS
Keith Scheuer SCHEUER & GILLET 4640 Admiralty Way, Suite 402 Marina Del Rey, CA 90292	Sharon Noonan Kramer 2031 Arborwood Place Escondido, CA 92029

CLERK OF THE SUPERIOR COURT

Date: December 12, 2008 by Michael Garland, Deputy
Michael Garland

SDSC CIV-286 (Rev. 12-02) **CLERK'S CERTIFICATE OF SERVICE BY MAIL**

While accepting my Notice of Intent to Appeal that was filed on September 14, 2009, (evidencing they knew no judgment was entered on December 12, 2008 or they would not have been able to hear my appeal – with the intent filed 33 days later); they ignored this and rendered an Appellate Opinion on September 13, 2010 that states,

“The jury awarded Kelman nominal damages of one dollar and the trial court awarded Kelman \$7,252.65 in costs. The jury found that Kramer did not libel GlobalTox and judgment against GlobalTox was entered. The trial court awarded Kramer \$2,545.28 in costs against GlobalTox

On December 12, 2008, the trial court awarded Kelman the \$7,252.65 in costs he claimed.....

On this record we cannot disturb the trial court's award of costs to Kelman.....

Judgment affirmed. Respondents to recover their costs of appeal.

BENKE, Acting P. J. WE CONCUR: HUFFMAN, J. IRION, J.

Additionally, there was no judgment ever entered awarding cost to me as the prevailing party. Read verbatim, the Appellate Opinion does not say I have a judgment against GlobalTox for \$2,545.28. It does not say there was a judgment entered on December 12, 2008, awarding costs to Kelman of \$7,252.65.

It is false, double speak in the Appellate Opinion, indicating that **they knew exactly what they were doing**. No judgments in the Case File, except one dated September 24, 2008 – with no notice of entry of judgment attached. No judgments in the ROA. False judgments added in the CCMS stealth Case Histories.

PART 4

MR. KELLY, MR. RODDY, YOU HAVE A SERIOUS PROBLEM ON YOUR HANDS. FOR ME PERSONALLY, FRAUD BY JUDICIARIES IN THEIR OPINIONS AIDED TO BE CONCEALED BY CLERK GC 6200 VIOLATIONS, HAVE COST OVER THREE MILLION DOLLARS THERE WAS NO JUDGMENT EVER PROPERLY ENTERED IN THE LOWER COURT. THE APPELLATE COURT SHOULD NOT HAVE EVEN HEARD THE APPEAL

CCP 664 states, *“If the trial has been had by the court, judgment must be entered by the clerk, in conformity to the decision of the court, immediately upon the filing of such decision. In no case is a judgment effectual for any purpose until entered.”*

CCP 664.5.(b)states, *“Promptly upon entry of judgment in a contested action or special proceeding in which a prevailing party is not represented by counsel, the clerk of the court shall mail notice of entry of judgment to all parties who have appeared in the action or special proceeding and shall execute a certificate of such mailing and place it in the court's file in the cause.”*

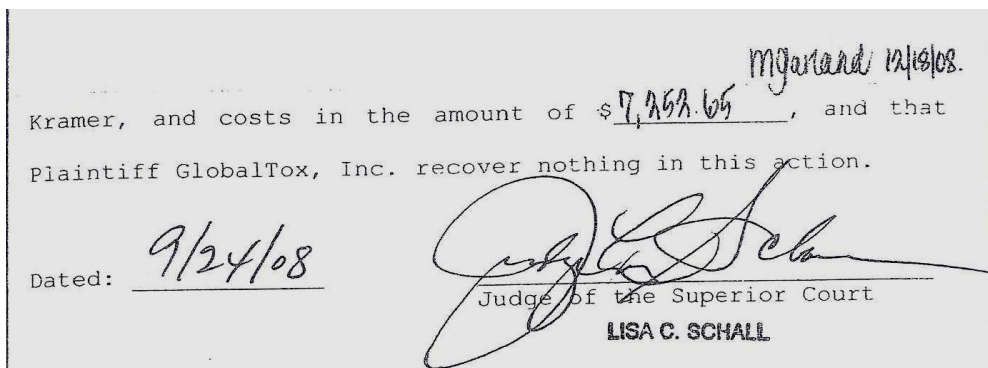
As evidenced in the ROA, Page 30: ROA # 181 "**10/20/2008 Notice of Entry of Judgment filed by KELMAN, BRUCE J; GLOBALTOX, INC., Refers to:**"

There is no judgment document dated anyway near the date 10/20/08 in the Case File. There is no judgment document attached to Kelman's "Notice of Entry of Judgment" in the Case File.

The court is all over the board of when judgments were entered in this case. This is because NONE legally were. I prevailed over GlobalTox in the August 2008 trial as is evidenced by the December 15, 2008, Minute Order (dated December 12, 2008), the Appellate Opinion and the jury verdict itself. There is no evidence that I was properly noticed by the court under CCP 664.5(b) of any judgments purportedly entered on September 24, 2008; October 20, 2008, December 12, 2008; December 18, 2008 or April 2009.

Yet there is an Abstract of Judgment that was entered on December 31, 2008. There was a lien recorded on my home on January 20, 2009. That lien states that it is, based on an Abstract of Judgment, December 31, 2008 with a judgment entered in favor of Kelman, September 2008. The lien is for \$7,253.65 (**of which half of those costs were incurred by losing party GlobalTox and undisclosed Hardin – as the courts know.**) .

There is a judgment document in the Case File that has "\$7,252.65 12/18/08 *mgarland*" on its last page, with September 24, 2008 next to Judge Schall's name. It is being used in Kelman v. Kramer as THE document the entire new gag case is founded upon. It was included in the interstate mailed threat to the owner of Katy's Exposure Blog.



If a dollar amount was not entered as judgment until December 18, 2008 on the judgment document in the Case File, six days after oral argument on December 12, 2008; then from what judgment amount awarding costs to Kelman did I file my post trial motions that were heard on December 12, 2008?

What happened to the judgment document that was attached to Kelman's Notice of Entry of Judgment on October 20, 2010 (that was in violation of CCP 664.5(b))? Why are there four entries removed from the ROA that would have occurred between October 23 and October 28, 2008? Why is there no longer a document in the Case File that Garland filled in the dollar amount in October awarding costs to Kelman and did not date it – making the document appear like the \$7,252.65 was awarded on September 24, 2008 – until the “mgarland 12/18/08 was later added to the judgment document?

The Superior Court and the Appellate Court were evidenced that I received no notice of any judgment entered on September 24, 2008 from the Clerk of the Court in violation of CCP 664.5(b). The courts were evidenced I received no notice from Scheuer of any judgment entered on September 24, 2008, until October 14, 2008.

The Minute Order of December 12, 2008, states I am a prevailing party. Yet the judgment in the Case File dated 12/18/08 does not acknowledge I am a prevailing party. The amended judgment after oral argument – is not an amended judgment that is consistent with the Ruling of Oral Arguments. There is evidence that the “12/18/08 mgarland” was not added to the judgment document on 12/12/08 and was actually added in January.

I timely filed a Motion for Reconsideration on 12/22/08 as is evidenced by the Case File and ROA. On 1/09/09 I received in the mail a denial to hear my motion dated 1/07/09. The sole reason stated was that an Amended Judgment had been entered on 12/18/08 (two days after the Minute Order was mailed to me with the direction it be mailed to the other party).

I had received no notice of anything occurring on 12/18/08. I went to the courthouse to check the file. There was nothing in the file. I went upstairs to ask Garland why my motion had been denied based on a 12/18/08 document that I could not find in the file. Garland stated, “*We’re all sick of you.*” But gave no explanation of why no document dated 12/18/08 was in the file. The next day, I received the document in the mail from the new Clerk of the Court, Lynn ????. It came with a Yellow Post it, stating “Ms. Kramer this is the info you are seeking”.

It was the same document I had seen in the file that had the dollar amount of \$7,252.65 after Kelman submitted costs in October. Only now, it had “mgarland 12/18/08” next to the amount. This was discussed in Oral Argument before the Appellate Court in June of 2010. They make no mention of any amended judgment or non- dated, non initialed change and entry of a dollar amount on a judgment document in their Appellate Opinion.

There is no mention of a 12/18/08 Amended Judgment in the ROA. I am aware it was added to the stealth CCMS Case History. There is no mention of the 1/07/09 Denial to hear my Motion for Reconsideration in the ROA. I am aware it was added to the “stealth” CCMS Case History.

The Abstract of Judgment entered on December 31, 2008 is a false entry in the ROA/Case History, with, by that time, the Clerk of the Court well knowing the September 24, 2008 first signed on the judgment document was not valid, had not been properly noticed and deemed & awarded costs to only one party. It was not properly noticed under CCP 664 and 664.5(b) and did not rightfully deem both Kelman and I to be prevailing parties to the litigation.

There was never a judgment properly entered in the Superior Court before Appeal. Double speak in the Appellate Opinion indicates they know there was never a judgment properly entered. Numerous edits, deletions and false entries in the CCMS in both the Appellate and the Superior Court are aiding to conceal that this has been a strategic, malicious litigation all along; with the courts' knowing exactly what they were doing – **PRACTICING POLITICS – NOT LAW**

PART 5 PROVIDE EVIDENCE FROM THE CASE FILE OR CORRECT YOUR CCMS ENTRIES & COURT RECORDS

II
SUMMARY OF ACTION REQUIRE BY CLERKS OF THE COURTS IN ACCORDANCE WITH GOVERNMENT CODE 68150(d).

Appellate Court Record To Be Corrected By Clerk of the Appellate Court, Stephen Kelly:

1. Either provide evidence from the Case File on Appeal that GlobalTox and the owners of the corporation were disclosed as parties on appeal on the Certificate of Interested Parties stamped received on September 14, 2009 by the Clerk of the Court or **Remove** the word “*Respondents*” and “*et. al*” from the December 20, 2010 Remittitur, evidence and date its removal; and send me proof when removed.
2. Either provide evidence from the Case File on Appeal that GlobalTox and the owners of the corporation were disclosed as parties on appeal on the Certificate of Interested Parties stamped received on September 14, 2009 by the Clerk of the Court or **Remove** from the CCMS Docket that GlobalTox's name was on the Certificate of Interested Parties, September 14, 2009; evidence and date its removal; and send me proof when it is removed.
3. Either provide evidence from the Case File on Appeal that a judgment was entered on December 12, 2008 or **Remove** from the CCMS Docket that a judgment was entered on 12/12/08, evidence and date its removal; and send me proof when it is removed..
4. **Provide the dated, file stamped, signed, and noticed legal judgment document that gave the Appellate Court jurisdiction to hear the appeal.**
5. The Appellate Court was provided evidence that Kelman committed criminal perjury in his declarations, three times, to establish needed reason for malice. Quote, “*I testified*

the types and amounts of mold in the Kramer house could not have caused the life threatening illnesses she claimed” The Appellate Court was evidenced that Scheuer suborned Kelman’s perjury, even in his Appellate Brief of September 2009. His theme in his briefs: *“Apparently furious that the science conflicted with her dreams of a remodeled home, Kramer launched into an obsessive campaign to destroy the reputation of Dr. Kelman and GlobalTox”*. **Either provide evidence from the Case File on Appeal that corroborates the stated reason for malice or cease and desist with using the CCMS in violation of GC6200 to conceal that all judges and justices overseeing this case rewarded a plaintiff’s criminal perjury to establish needed reason for malice while strategically litigating.**

6. The Appellate Court was provided evidence that I found Kelman’s testimony when retained as an expert witness in Oregon of flipping back and forth to describe the relationship of the ACOEM & US Chamber mold statements from “lay translation” to “two separate papers, two separate works” and back to “translations” to be “altered under oath statement”. **Either provide evidence from the Case File I was ever impeached as to the subjective belief in the validity of my words or cease and desist with using CCMS in violation of GC 6200 to conceal that all judges and justices overseeing this case deemed a never impeached US citizen to be guilty of being a malicious liar.**

II

Trial Court Record To Be Corrected By Clerk of the Court, Michael Roddy

:

1. Either provide evidence from the Case File that a judgment was entered on December 12, 2008 or **Remove** from the stealth Case History that a judgment was entered on 12/12/08, evidence and date its removal and send me proof it is removed.
2. Either provide evidence from the Case File that a judgment was entered on September 24, 2008, was filed stamped, signed and noticed under CCP 664.5(b) to both prevailing parties or **Remove** from the CCMS ROA and Case History, Abstract of Judgment that there was a legal judgment entered on September 24, 2008, evidence and date its removal and send me proof it is removed.
3. The courts were evidenced that Kelman submitted and was awarded costs that were incurred by GlobalTox in the amount of \$3,626,33. Either provide evidence from the Case File to refute that the courts awarded costs to a party, not incurred by the party, or **Remove** from the CCMS stealth Case History that an amended judgment was properly entered awarding Kelman \$7,252.65 on 12/18/08, evidence and date its removal; and send me proof it is removed..
4. On the Minute Order dated December 12, 2008, it states, *“The Record in this case reflects that Plaintiff Bruce J. Kelman is the prevailing party solely as against Defendant Sharon Kramer. Defendant Sharon Kramer is the prevailing party solely as against Defendant Globaltox, Inc.”*. Provide evidence from the Case File that the Amended Entry of Judgment dated 12/18/08 (after the Minute Order was finalized) states both Kelman and Kramer are prevailing parties) was entered.

5. Either provide evidence from the Case File that Kelman and GlobalTox were the prevailing parties or **Remove** from the CCMS ROA and Case History that Kelman & GlobalTox were the prevailing parties as falsely entered in the ROA and Case History on December 23, 2010, evidence and date its removal; and send me proof it is removed.

6. Either provide evidence from the Case File that Judge Maas, now presiding judge over this case affirmed on December 23, 2008, that a judgment was entered on December 12, 2008 deeming Kelman and GlobalTox to be the prevailing parties or **Remove** from the CCMS ROA and Case History that on December 23, 2010, the lower court presiding judge quote:“the Remittitur (Judgment of 12-12-08 is affirmed) filed by The Superior Court of San Diego”. Evidence and date the removal; and send me proof it is removed.

7. If is evidenced by the Case File as legitimate CCMS entries, **Add back** the deleted entry #183 thru #187 made between October 23 & October 28, 2008, to the ROA and Case History; evidence and date their addition; and send me proof if and when they are added back..

8. Either provide evidence from the Case File that a Judgment was entered on September 24, 2008; or **Rescind the Clerk of the Court issued Abstract of Judgment** that was entered on December 31, 2008, stating a date of entry of judgment of September 24, 2008. This is a further abuse and violation of Code of Civil Procedure 664, 664.5(b) and Government Code 6200. Send me proof when the Abstract is withdrawn.

Please correct Clerk of Court errors in Kelman & GlobalTox v. Kramer, in both the Appellate Court Case Records and the Lower Court CCMS. Thank you for your prompt attention to this serious matter.

9. Provide from the Case File, the dated, file stamped, signed, and noticed legal judgment document upon which the December 31, 2008, Abstract of Judgment is based awarding Kelman \$7,252.65 in costs (plus one dollar).

10. Provide from the Case File, the dated, file stamped, signed, and noticed legal judgment document as it appeared prior to the Entry of Amended Judgment dated 12/18/08, after Kelman’s costs were submitted in October 2008..

I am about to lose my home, largely as a result of your and your Deputy Clerk of the Courts, Government Code 6200 violations and abuse of CCMS, aiding to conceal the judges and justices rewarded a plaintiff’s criminal perjury and his attorney’s suborning of criminal perjury while strategically litigating over a matter of public health; as I have been forced to watch the scientific fraud in policy continue to be used to aid insurer cost shifting onto taxpayers and many people’s lives ruined in the process.

I am not going to shut up. I am not going to go away until someone acknowledges that every single judge and justice to oversee the case of Kelman & GlobalTox v. Kramer ignored the evidence that Bruce J. Kelman, author of medico-legal policy over the mold issue for the US Chamber of Commerce and ACOEM, committed criminal perjury to

establish needed reason for malice while strategically litigating against public participation against the first person, Sharon Kramer, to publicly write of how these papers were connected to mass market a scientific fraud in US health and California workers' comp policies as they **FRAMED ME** for libel.

. When this is acknowledged, the fraudulent concept in public health policy that it has been scientifically proven all claims of illness from the toxins of mold found in water damaged buildings are only being made because of "*trial lawyers, media and Junk Science*" will immediately cease. Lives will instantly be saved. Thank you both for your prompt attention to this gravely serious matter.

Sincerely,

Mrs. Sharon Kramer

Attached:

The lien on my home stating Judgment entered, September 2008

Purported legal judgment from Kelman & GlobalTox v. Kramer, submitted back to the court on November 4, 2010 by Kelman in this newest case to try to gag me, Kelman v. Kramer

Interstate mailed threat of litigation to Federal OSHA referenced blog owner not to write of this case (containing a sentence for which I was never even sued and is even in my March 2005 writing).

CC: Justice Judith McConnell, Presiding Justice of the Fourth District Division One Appellate Court and Chair of the California Commission on Judicial Performance, author of the 2006 anti-SLAPP Opinion

Judge Kevin Enright, Presiding Judge of the San Diego Superior Court & Judicial Council Executive Planning Committee Member

Justice Douglas Miller, Chair of the Executive Committee, Judicial Council

Chief Justice Tani Cantil-Sayauke, Chair of the Judicial Council

Justice Richard Huffman, Fourth District Division One Appellate Court, Concurring Appellate Justice, 2010 Appellate Opinion, Chair of the Advisory Committee on Financial Accountability and Efficiency for the Judicial Council

Noreen Evans, Legislative Member of the Judicial Council

Michael Feuer, Legislative Member of the Judicial Council

7653

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, State Bar number, and telephone number):

Recording requested by and return to:

Keith Scheuer, Esq. Cal. Bar #82797
SCHEUER & GILLETT, a professional corporation
4640 Admiralty Way, Suite 402
Marina Del Rey, CA 90292
Tel.: (310) 577-1170

☒ ATTORNEY FOR ☒ JUDGMENT CREDITOR ☐ ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego

STREET ADDRESS: 325 S. Melrose Drive

MAILING ADDRESS:

CITY AND ZIP CODE: Vista, CA 92081-6627

BRANCH NAME: North County Division

FOR RECORDER'S USE ONLY

PLAINTIFF: Bruce Kelman

CASE NUMBER:

GIN044539

DEFENDANT: Sharon Kramer

**ABSTRACT OF JUDGMENT—CIVIL
AND SMALL CLAIMS**

☐ Amended

FOR COURT USE ONLY

1. The ☒ judgment creditor ☐ assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

Sharon Kramer
2031 Arborwood Place
Escondido, CA 92029

b. Driver's license no. [last 4 digits] and state:

c. Social security no. [last 4 digits]:

d. Summons or notice of entry of sister-state judgment was personally served or

mailed to (name and address): Sharon Kramer, 2031 Arborwood Place, Escondido, CA 92029

☒ Unknown
☒ Unknown

2. ☐ Information on additional judgment debtors is shown on page 2.

4. ☐ Information on additional judgment creditors is shown on page 2.

3. Judgment creditor (name and address): Bruce Kelman
c/o Veritox, Inc., 18372 Redmond-Fall City Rd
Redmond, Washington 98052

5. ☐ Original abstract recorded in this county:

a. Date:

b. Instrument No.:

Date: December 22, 2008

Keith Scheuer, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

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

10. ☐ An ☐ execution lien ☐ attachment lien is endorsed on the judgment as follows:

a. Amount: \$

b. In favor of (name and address):

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.

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.



This abstract issued on (date):

DEC 31 2008

Clerk, by Plasencia, Deputy

PLAINTIFF:	CASE NUMBER:
DEFENDANT:	GIN044539

NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

13. Judgment creditor (name and address):

14. Judgment creditor (name and address):

15. ☐ Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:

16. Name and last known address

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (address):

17.

Name and last known address

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (address):

18. Name and last known address

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (address):

19.

Name and last known address

Driver's license no. [last 4 digits]
and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (address):

20. ☐ Continued on Attachment 20.

48
38
RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Keith Scheuer, Esq. Bar #82797
SCHEUER & GILLET
4640 Admiralty Way, Suite 402
Marina Del Rey, CA 90292

DOC # 2009-0024903



JAN 20, 2009 4:18 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
DAVID L. BUTLER, COUNTY RECORDER
FEES: 15.00

PAGES: 3



7652

ABSTRACT OF JUDGMENT

SCHEUER & GILLET
a law corporation
4640 Admiralty Way, Suite 402
Marina Del Rey, California 90292
Tel.: (310) 577-1170
Fax: (310) 301-0035
email: Kscheuer@aol.com

VIA EMAIL AND US MAIL

May 6, 2011

[REDACTED]
KATYSEXPOSURE
[REDACTED]
[REDACTED]

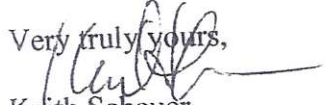
Re: KELMAN v. KRAMER
San Diego Superior Court case no. 37-2010-00061530-CU-DF-NC

Dear Ms. [REDACTED]

This firm represents Dr. Bruce Kelman in the above-referenced lawsuit. As I suspect you are aware, Dr. Kelman obtained a judgment for libel against Sharon Kramer after a trial in 2008, and recently obtained a preliminary injunction against her in the above referenced action. Copies of the judgment and preliminary injunction are attached for your reference.

Please be advised that if you republish the defamatory matter, we will pursue you personally to the fullest extent permitted by law.

Very truly yours,


Keith Scheuer

KS/sel
Encs.

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

FILED
Clerk of the Superior Court

MAY 02 2011

BY: A. LUM

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

10 BRUCE J. KELMAN,

) CASE NO.:

) 37-2010-00061530-CU-DF-NC

11 Plaintiff,

) Assigned for All Purposes to:

) HON. THOMAS P. NUGENT

) DEPARTMENT: N-30

12 SHARON KRAMER, and DOES 1
13 through 20, inclusive,

) UNLIMITED CIVIL CASE

14 Defendants.

) [APRIL 27, 2011 REVISED

) ~~PROPOSED~~ PRELIMINARY

INJUNCTION

15
16 Hearing Dates: April 1 and 14,
17 2011

18 Department: N-30

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

1 The Court, having taken the matter under submission and
2 having fully considered the arguments of all parties, both
3 written and oral, as well as the evidence presented, rules
4 as follows:

5
6 IT IS HEREBY ORDERED that, during the pendency of this
7 action, defendant Sharon Kramer is enjoined and restrained
8 from stating, repeating or publishing, by any means
9 whatsoever, the following statement: *not a sentence in*
my version

10 "Dr. Kelman altered his under oath statements on the
11 witness stand" while he testified as a witness in an
12 Oregon lawsuit.

13 IT IS FURTHER ORDERED that, before this order may take
14 effect, plaintiff Bruce J. Kelman must file a written
15 undertaking in the sum of \$5,000 as required by California
16 Code of Civil Procedure section 529, for the purpose of
17 indemnifying the defendant for the damages she may sustain
18 by reason of the issuance of this preliminary injunction if
19 the Court finally decides that the plaintiff is not entitled
20 to it. The preliminary injunction shall issue on plaintiff's
21 filing of such written undertaking.
22

23 The Court reserves jurisdiction to modify this
24 injunction as the ends of justice may require.

25 MAY 0 22011

26 THOMAS P. MURGENT
27 Judge of the Superior Court

MAY 02 2011

BY: A. LIM

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 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

not a proof of service this was mailed to me from the court on May 2, 2011 - It was mailed to Scheuer on May 2 with the proper notice attached. He then mailed this document to me on May 3, 2011 and attached the notice, that this notice was mailed to me from Him. This appears to be to make it appear the 9/24/08 judgment was properly mailed under CCP 664.5(b)

FILED
Clerk of the Superior Court

SEP 24 2008

By: M. GARLAND, Deputy

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

BRUCE J. KELMAN,
GLOBALTOX, INC.,

Plaintiffs,

v.

SHARON KRAMER, and DOES 1
through 20, inclusive,

Defendants.

CASE NO. GIN044539

) Assigned for All Purposes to:

) HON. LISA C. SCHALL

) DEPARTMENT 31

) UNLIMITED CIVIL CASE

) Case filed: May 16, 2005

) ^{mg.}
) [~~PROPOSED~~] JUDGMENT

) Trial Date: August 18, 2008

) Department: N-31

This action came on regularly for trial by jury on August 18, 2008, with Plaintiffs appearing in person and by Keith Scheuer, Esq. of Scheuer & Gillett, and Defendant appearing in person and by Lincoln Bandlow, Esq. of Spillane Shaeffer Aronoff Bandlow. A jury of 12 persons was duly impaneled and sworn, witnesses testified, and after being duly instructed by the Court, the jury deliberated and thereon duly returned the following special verdicts:

1 1. That Defendant Sharon Kramer acted wrongly by
2 making the following statement: "Dr. Kelman altered his under
3 oath statements on the witness stand" while he testified as a
4 witness in an Oregon lawsuit; that Kramer made the above
5 statement to persons other than Kelman; that the persons to
6 whom the statement was made reasonably understood that the
7 statement was about Bruce Kelman; that persons who read the
8 statement reasonably could have understood it to mean that
9 Kelman had committed the crime of perjury or testified
10 falsely while on the witness stand; that the statement was
11 false; that Kelman proved, by clear and convincing evidence,
12 that Kramer knew the statement was false, or had serious
13 doubts about the truth of the statement; and that Kelman be
14 awarded a monetary sum of nominal damages in the amount of
15 \$1.00 (one dollar and no cents).
16
17

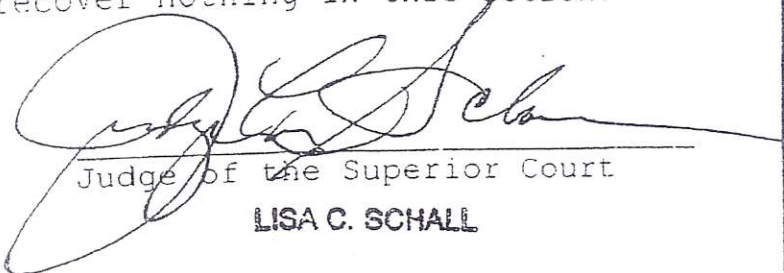
18 2. That Kramer made the statement to persons other
19 than GlobalTox, Inc., and that the persons to whom the
20 statement was made did not reasonably understand that the
21 statement was about GlobalTox.
22

23 NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that
24 Plaintiff Bruce Kelman recover the sum of \$1.00 (one dollar
25 and no cents) as nominal damages from Defendant Sharon
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Kramer, and costs in the amount of \$ 7,152.65 ^{mganard 12/18/08.}, and that Plaintiff GlobalTox, Inc. recover nothing in this action.

Dated: 9/24/08


Judge of the Superior Court

LISA C. SCHALL

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 August 28, 2008, I served the foregoing **[PROPOSED] JUDGMENT** on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

Lincoln D. Bandlow, Esq.
David Aronoff, Esq.
SPILLANE SHAEFFER ARONOFF BANDLOW
1880 Century Park East, Suite 1004
Los Angeles, California 90067-1623
Attorney for Defendant Sharon Kramer

FILED
Clerk of the Superior Court

SEP 24 2008

By: M. GARLAND, Deputy

☒ 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 PERSONAL SERVICE – I delivered by hand such envelopes to the offices of the addressees.

☐ BY FACSIMILE—I sent such document from facsimile machine (310) 301-0035 on August 28, 2008. 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 August 28, 2008 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

not a proof of service this was mailed from court on Sept 24, 2008 to me. A proof of service must be dated on or after the date of File Stamp By the Court. In violation of CCP 664.5(b) - I was never served this document.