

There has never been any question that *“Upon viewing documents presented by the Hayne's attorney of Kelman's prior testimony from a case in Arizona, Dr. Kelman altered his under oath statements on the witness stand.”* From the November 16, 2008 anti-SLAPP opinion written by Justice Judith (MCCONNELL).

“The court stated the gist of the press release statement was that Kelman committed perjury in the Haynes case, lied about a subject related to his profession, or “accepted a bribe from a political organization to falsify a peer-reviewed scientific research position statements” The court stated there was admissible evidence to show that Kramer’s statement was false; that Kelman was clarifying is testimony under oath, rather than altering it; and to show Kramer acted with actual malice....This testimony support 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 a paper issued by ACOEM. He admitted being paid by the Manhattan Institute to write a lay translation. The fact that Kelman did not clarify 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 poor phrasing of the question, rather than 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....The trial court drew the inference that Kramer was intending to imply that the payment for revisions was a bribe to obtain certain revisions favorable to the defense position in toxic mold litigation. However, the statement in her press release at issue here was limited to stating Kelman had altered his under oath testimony and did not refer to any particular testimony. As published, it was an allegation of perjury, not bribery.”

The writing accurately states that Kelman admitted he was paid by the MANHATTAN INSTITUTE to write the CHAMBER version -- not to write the ACOEM version as falsely portrayed in MCCONNELL’s fixed opinion.

Although not an allegation made in the 2005 writing, KELMAN and VERITOX co-owner, Bryan D. (HARDIN), **did** accept a no less than \$25,000 bribe from the MANHATTAN INSTITUTE to publish scientific and academic fraud for the CHAMBER. They forged co-authorship of Dr. Andrew (SAXON) of UCLA; and thus forged the University of California (UC) imprimatur on the paid for hire endeavor.