

1 **MEMORANDUM OF POINTS & AUTHORITIES**

2 **I**
3 **INTRODUCTION**

4 Sharon “Kramer” has a degree in marketing. In March 2005, she wrote of how a
5 science fraud was mass marketed into public health policy that it was proven mold toxins in
6 water damaged buildings “WDB” do not harm occupants and workers. This was marketed for the
7 purpose of misleading U.S courts to deny liability for stakeholders of moldy buildings when
8 injury or death occur. She tied the deceit to what occurred in a mold case in Oregon¹.

9 The architects of the deceptive science, Bruce “Kelman” and the five additional
10 principals of “Veritox” Inc., (formerly known as GlobalTox, Inc., with Bryan “Hardin” being an
11 undisclosed owner on the Certificate of Interest Persons) sued Kramer for the writing claiming
12 five innocuous words, “**altered his under oath statements**” were a maliciously false accusation
13 by Kramer of perjury on the part Kelman when testifying as expert defense witness in the mold
14 case in Oregon.² The courts then aided Kelman and his counsel to frame Kramer for libel with
15 actual malice over the words “**altered his under oath statements**” in the writing, while
16 knowingly aiding the science fraud to continue in U.S. courts.

17 They have been trying to keep their collective misdeeds that have defrauded the public
18 of billions of dollars and devastated thousands of lives, from coming to public light ever since.
19 Thus the reason they want Kramer to stop publishing the words “**altered his under oath**
20 **statements**” on the internet in conjunction with the evidence of what the courts have done over
21 those words that have aided fraud on courts and while devastating lives.

22 This Court’s “JUDGEMENT AND ORDER FOR CIVIL CONTEMPT AND
23 PERMANENT INJUNCTION” is unlawful and is an attempt to conceal mass corruption in the
24 California judicial branch from coming to public light. It demands by decree that Kramer commit
25 perjury on the Internet or face incarceration; and never write again of the massive fraud on the
26 public aided to continue by This Court’s actions in this case and the actions of officers of the
27 courts in the foundational case to this one, Kelman & GlobalTox v. Kramer.

28 ¹ March 9, 2005 Jury Finds Toxic Mold Harmed Oregon Family.. <http://freepdfhosting.com/0768872f2d.pdf>

² February 18, 2005 Kelman testimony in Oregon Trial <http://freepdfhosting.com/dc5e5f03bc.pdf>

1 This is a in violation of C.C.P.1209(b) and of the Constitution. Kramer has the right
2 to publish the truth on the internet of the unlawful actions of officers of the courts while
3 providing links to the direct evidence by way of pleadings, rulings, minute orders, judgments,
4 CCMS entries and oral statements made by and before the courts.

5 Specifically, the fraud that Kramer exposed and the courts are aiding to continue while
6 trying to hide they have aided it; is how it was marketed into U.S. public health policy that
7 Kelman and his business partner, Hardin, who are toxicologists and prolific expert defense
8 witnesses in toxic torts, could apply extrapolations to data taken from a single mechanistic
9 research of mold and magically prove that all individuals' injuries and deaths from expose to
10 mold toxins in water damaged buildings "**Could not be**".

11 Mold toxins, or mycotoxins, are secondary metabolites of mold and are naturally
12 occurring chemical. When present in water damaged buildings "WDB" there are co-
13 contaminants. **It is not even close to legitimate exposure science to make such a fraudulent**
14 **claim** that extrapolations applied to mechanistic research models can be used by themselves as
15 proof of no injury or death of individuals from an exposure in actual field conditions. As stated
16 by the National Academy of Sciences, Third Edition, References On Scientific Evidence:

17 "Models are idealized mathematical expressions of the relationship between two
18 or more variables. They are usually derived from basic physical and chemical
19 principles that are well established under idealized circumstances, but may not be
20 validated under actual field conditions. **Models thus cannot generate completely**
accurate predictions of chemical concentrations in the environment."

21 Regardless of science, they got an ethically challenged medical association, ACOEM;
22 the Manhattan Institute think-tank; a U.S. congressman from California and the U.S Chamber of
23 Commerce to mass market the science fraud into policy that Kelman and Hardin proved lack of
24 causation, and they sold the false concept to the courts to be used to add an air of legitimacy to
25 Kelman', Hardin', and other expert defense witnesses bogus testimonies in mold litigation across
26 the U.S. This is what Kramer exposed in March, 2005.

27 As is evidenced from exhibits that Scheuer submitted in April of 2012 of why Kramer
28 should be held in contempt for using the words "**altered his under oath statements**" on the
Internet; Kramer blogged about the fact that in March of 2012 This Court unlawfully

1 incarcerated her and caused her bodily harm for refusing to be coerced into a false confession of
2 being guilty of libel with actual malice over the words, “**altered his under oath statements**” in
3 the March 2005 expose’; then falsified the Sheriff Department record in April of 2012 and
4 libeled Kramer to conceal what This Court had done to make it appear Kramer was incarcerated
5 for violating a civil contempt of court order of January 19, 2012 – not that she refused to sign a
6 false confession, submitted by Kelman’s attorney, Scheuer, February 10, 2012 under the title of
7 “Retraction of Sharon Kramer”. (*Attached hereto collectively as **EXHIBIT ³1**, February 10,*
8 *2012 Retraction of Sharon Kramer, March 9, 2012 Minute Order stating Kramer was*
9 *incarcerated for refusing to sign it, April 5, 2012 falsification to Sheriff Department as signed by*
10 *This Court stating Kramer was jailed for violating January 19, 2012 Civil Contempt of Court*
11 *Order with it attached as exhibit for Sheriff)*

12 Kramer’s and Kelman’s subsequent court filings, excerpts of transcripts and This Court’s
13 rulings as placed on the internet by Kramer in lawful accordance with C.C.P.1209(b); are
14 regarding the attempted coercion, unlawful incarceration, bodily harm, libeling and falsification
15 of the Sheriff Department record by This Court. They are the foundation for this latest contempt
16 charge and permanent injunction. Although there are many who have motive to see Kramer
17 forever deemed a malicious liar over the word, “**altered his under oath statements**” and the
18 truth never again written on the internet, including many in the federal government and the state
19 of California; everyone involved knows that Kramer will never adhere to this unlawful gagging
20 even under threat of more incarceration, bodily harm and libeling by This Court. This Court has
21 not even established it has subject matter jurisdiction.

22 As taken from the transcripts of April 12, 2012 & April 24, 2012⁴:

23 April 12, 2012⁵

24 North San Diego County Superior Court Department 30

25 Mrs. Kramer:you failed to establish you have jurisdiction over this case. The
26 sole document this case is founded upon is a three-page judgment document
from the last case that you and I both know is fraudulent. It doesn’t match with

27 ³ EXHIBIT 1 Evidence Court incarcerated Kramer for refusing to sign false confession, then libeled Kramer
by falsifying sheriff dept record to conceal. <http://freepdfhosting.com/a55c02387e.pdf>

28 ⁴ **FOR AN OFFICIAL SIGNED COPY OF ANY TRANSCRIPT one must contact the court reporter.**

⁵ April 12, 2012 Transcript <http://freepdfhosting.com/4f48efb16c.pdf>

1 the abstract the same attorney recorded. It doesn't match with the lien the same
2 attorney recorded. The appellate court made it look like I had been awarded
3 costs by judgment [sic in the fraudulent September 2010 Appellate Opinion].
4 But you and I both know that Judge Maas had to amend that document after the
5 appellate court was finished with it to acknowledge I was a prevailing party in
6 trial. So your whole case is relying upon a fraudulent judgment document
7 submitted to by the other side. You've been suppressing the evidence they
8 committed perjury to establish malice. You incarcerated me for refusing to sign
9 a lie under penalty of perjury that would aid this to continue, and all the while
10 thousands of lives are being devastated. My writing was the first to expose how
11 it became a fraud in policy moldy buildings don't harm, and you and I both
12 know the appellate court made it look like I falsely accused Mr. Kelman of
13 lying about being paid to author the ACOEM mold statement when you can't
14 get around it. My writing is one hundred percent accurate. The money was for
15 the US Chamber paper. So I want the sheriff department record amended. I
16 want restitution for being unlawfully incarcerated for refusing to commit
17 perjury. I want the \$19,000 back. That there's no – and **I'm not show up in
18 your court tomorrow. You don't have jurisdiction over this case.**

19
20 Mrs. Kramer:I'm not showing up in your court tomorrow. **You have no
21 jurisdiction.**

22 Judge Thomas Nugent: **I understand.**

23 Mrs. Kramer: Thank you, your Honor.

24 Judge Thomas Nugent: **I understand.**

25 April 24, 2012⁶

26 North San Diego County Superior Court, Department 30

27 Mrs. Kramer: ...Your Honor, I'd like it on the record that you declined to
28 answer whether you have jurisdiction or not.

29
30 Mrs. Kramer:: **I just want it on the record that you didn't answer yes or no
31 to that question.**

32 Judge Nugent: **Fine**

33 **II.**

34 **THIS COURT IS ATTEMPTING TO KEEP EVIDENCE OFF OF THE INTERNET 35 OF THE COURTS CONSPIRING WITH PLAINTIFF TO DEFRAUD THE PUBLIC**

36 **A.** The JUDGEMENT AND ORDER FOR CIVIL CONTEMPT AND PERMANENT
37 INJUNCTION states in relevant parts on pages 2, 3, 4: (*Attached hereto as EXHIBIT 2* ⁷as

38 ⁶ April 24, 2012 Transcript <http://freepdfhosting.com/e8a6339fd8.pdf>

⁷ EXHIBIT 2 July 2, 2012 Judgment, Order, Decree <http://freepdfhosting.com/bfd5fbd368.pdf>

1 noticed to Kramer by Scheuer on July 6, 2012 and stating this is an Unlimited Case, Amount
2 demanded exceeded \$25,000)

3 1. Defendant willfully failed to comply with the Court's order and violated the
4 preliminary injunction as follows: With full knowledge of the preliminary injunction,
5 Defendant republished the defamatory statement by posting it on the internet on three
6 separate occasions: **[sic, "Dr. Kelman altered his under oath statements on the witness**
7 **stand' while he testified as a witness in an Oregon lawsuit."]** On March 19, 2012 on the
8 online discussion board of the American Industrial Hygiene Association, on March 27,
9 2012 on the blog ContemptOfCourtFor.Me; and April 2, 2012 on the blog
10 ContemptOfCourtFor.Me. Each of these publications constitutes a separate act of civil
11 contempt and, pursuant to C. C. P. 1218(a) subjects Defendant/Contemner for each act of
12 contempt to a fine not exceeding one thousand dollars (\$1000.00) payable to the Court or
13 imprisonment not exceeding five days, or both and payment of Plaintiff's attorney's fees
14 and costs incurred in seeking the Order to Show Cause.[sic \$8400.00]

15 2. The preliminary injunction is a valid order. The contemner at all times was
16 able to comply with its terms, and she willfully chose not to do so.

17 3. Upon the application of Plaintiff, a Revised Order to Show Cause re contempt
18 was issued and filed on April 24, 2012. **[the same day this Court refused to answer**
19 **Kramer's "yes" or "no" question if this Court has jurisdiction after stating on April**
20 **12, 2012 that this Court understands it does not]** The Revised Order to Show Cause
21 ordered her to appear before this Court on June 25, 2012, and show cause of why she
22 should not be held in contempt for violating a preliminary injunction by republishing libel
23 as set forth above. **[sic, "Dr. Kelman altered his under oath statements on the witness**
24 **stand' while he testified as a witness in an Oregon lawsuit."]**

25 4. After due consideration, the Court finds, beyond a reasonable doubt:

26 (a.) That contemner Sharon Kramer is guilty of civil contempt of court in violation
27 of section 1209(a)(5) of the Code of Civil Procedure, for disobedience of a lawful
28 judgment, order, or process of the Court, by republishing the defamatory statement as set
forth above. **[sic, "Dr. Kelman altered his under oath statements on the witness stand'**
while he testified as a witness in an Oregon lawsuit."]

(b.) That contemner had knowledge of the preliminary injunction, was able to
comply at the time of the preliminary injunction and continues to have such ability, and
has willfully failed to comply with the preliminary injunction.

(c.) That pursuant to C. C. P. section 1218(a), contemner is ordered to pay to
Plaintiff the attorney's fees of \$8,400 incurred by Plaintiff in bringing the Order to Show
Cause for contempt.

(d.) That Contemner shall, not more than thirty (30) days from the entry of this
Judgment and Order, publish on the American Industrial Hygiene Association website and
on the blog ContemptOfCourtFor.ME a retraction of the defamatory statement set forth

1 above. [sic, "Dr. Kelman altered his under oath statements on the witness stand'
2 while he testified as a witness in an Oregon lawsuit."]

3 (e.) At the conclusion of such thirty (30) day period, the Court will determine the
4 appropriate punishment, pursuant to C. C. P. section 1218(a), and in making such a
5 determination the Court will take into consideration whether contemner has published the
6 retraction as set for in this paragraph. [sic, "Dr. Kelman altered his under oath
7 statements on the witness stand' while he testified as a witness in an Oregon
8 lawsuit."]

9 IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that judgment
10 be entered in favor of Plaintiff and against Defendant Sharon Kramer on the Complaint in
11 this action, and that Defendant Sharon Kramer is hereby permanently enjoined and
12 restrained from stating, repeating or publishing, by any means whatsoever, the following
13 statement:

14 **Dr. Kelman altered his under oath statements on the witness stand' while he**
15 **testified as a witness in an Oregon lawsuit.**

16 IT IS FURTHER ORDERED, ADJUDICATED AND DECREED that in
17 addition to the \$8,400.00 in attorney's fees as set forth above, Plaintiff hereby is awarded
18 One Dollar (1.00) in nominal damages; and costs of suit in an amount to be determined
19 pursuant to code.

20 **B.** In violation of C.C.P.1209(b) and the Constitution, This Court has decreed by Order,
21 Judgment and Permanent Injunction that Kramer publish perjury on the internet or be
22 incarcerated again for Kramer and others placing the direct evidence of This Court unlawfully
23 incarcerating her March 2012, if she does not agree to be coerced into committing perjury on the
24 internet by August 5, 2012; and does not agree to never speak of the matter.

25 i.) March 19, 2012 post on AIHA chatboard is titled, "Let's discuss the jailing of Sharon
26 Kramer for contempt of court over her refusal to keep quiet about one of the author's past
27 statement concerning the ACOEM paper." Ordered by this Court with no subject matter
28 jurisdiction on July 2, 2012, five days in jail and a \$1000.00 fine for the post "*On March 19,*
29 *2012 on the online discussion board of the American Industrial Hygiene Association*".
30 (*Attached hereto as EXHIBIT 3*⁸ is the March 19, 2012 AIHA post as submitted to this Court by
31 Kelman on April 10, 2012 alleging it is contempt of court to discuss This Court's unlawful
32 jailing of Kramer on the internet.).

⁸ EXHIBIT 3 Kelman's version of contempt of court <http://freepdfhosting.com/b69395648f.pdf>

1 The AIHA discussion was not even started by Kramer and nowhere in the exhibit
2 provided by Kelman does Kramer use the phrase, “**altered his under oath statements**” on the
3 AIHA board. Apparently This Court, Kelman and Scheuer want no one to be able to talk about
4 these cases. Kramer did link to the direct evidence that this Court incarcerated her for alleged
5 civil contempt for refusing to commit criminal perjury and sign a false confession of being guilty
6 of libel, and then falsified the Sheriff Department record to conceal what this Court has done –
7 after first giving Kramer a false criminal record. The link she provided on the AIHA board is:
8 <http://freepdfhosting.com/22464c3748.pdf> It has many links within it that tell the tale of mass
9 criminality by the California courts over these cases and their efforts to keep it from coming to
10 public light.

11 **ii.)** The March 27, 2012 post on ContemptOfCourtFor.Me is titled, “**March 13 ~While Mrs.**
12 **Kramer was unlawfully incarcerated and being given a false criminal record in the County**
13 **of San Diego, California; Mr. Kelman was rendering an “Expert Toxicologist Opinion on**
14 **behalf of the County of Orange, California....**”⁹ Ordered by this Court with no jurisdiction,
15 five days in jail and a \$1000.00 fine for the post “on March 27, 2012 on the blog
16 *ContemptOfCourtFor.Me*” (Attached hereto as ***EXHIBIT4***¹⁰ is the first 2 pages of the March 27,
17 2012 post as submitted to this Court by Kelman as evidence of alleged contempt of court)

18 It provides the direct evidence that while Kramer was incarcerated by this Court for
19 refusing to commit perjury; **Kelman, who did commit perjury to establish malice**¹¹ was out
20 destroying someone else’s lives by falsely claiming extrapolations applied to mechanistic
21 research are scientific proof a building is safe for hundreds of workers at a Social Security office
22 in Orange County, CA. It also links to the false confession Kramer refused to sign containing
23 the statement “**I do not believe Dr. Kelman committed perjury**”. The direct evidence of
24 exactly how the courts, Kelman and Scheuer framed Kramer for libel in the prior case, and is a
25 court filing in This Court by Kramer in March of 2012 is linked in this post and read online at:
26 <http://freepdfhosting.com/67a0fec942.pdf>

27 ⁹ March 27, 2012 Post on ContemptOfCourtFor.Me <http://wp.me/p20mAH-cU>

28 ¹⁰ First pages 3.27.12 post Kelman’s version of contempt <http://freepdfhosting.com/6a8f652856.pdf>

¹¹ Suppressed evidence of KELMAN’S perjury: <http://freepdfhosting.com/066df133b3.pdf>

Additionally the March 27, 2012 post quotes This Court in damning statements made on the morning of March 14, 2012¹². From the March 27, 2012 post:

On the morning of March 14, 2012, Mrs. Kramer was shackled to a drug addict for an hour bus ride, in the dark, from the Women's Detention Center in Santee, CA to the Vista, Courthouse after being unlawfully incarcerated for refusing to commit perjury which would aid to defraud the public. She was made to appear before the Court, Plaintiff Counsel and her husband in handcuffs, chains and jail garb with no make up, unbrushed hair & two nights of very little sleep while housed in a dorm setting with criminals and drug addicts.

While feigning confusion, the Court acknowledged the evidence that Mrs. Kramer was framed for libel by Mr. Kelman's attorney and the prior courts. No longer mandatory, the Court still strongly urged Mrs. Kramer to sign the fraudulent retraction under penalty of perjury after giving her a false criminal record and incarcerating her for refusing to retract something that she did not do – with the underlying matter having broad adverse impact on public health policy and US courts for now seven years past and many years in the future if she had signed.

March 14, 2012

~ North San Diego Superior Court, Dept. 30 ~

THE HONORABLE THOMAS NUGENT: "...I recalled you even said that it wasn't you who had accused the gentleman of perjury or of altering his testimony. It was rather counsel's efforts to try to make it sound that way. I don't know if I remember that right or not, if you did say that or that is how you feel. More importantly, **I would really strongly urge you give every consideration to agreeing to the proposal counsel made** which simply said, "I didn't mean that". "I didn't mean to suggest that". I'm not saying you have to do that. I'm not. You didn't hear that from me. But you did hear the important thing.

SHARON KRAMER: “No. I did not hear the important thing. I did not hear an apology that the courts framed me for libel seven years ago and I am sitting here in handcuffs for speaking the truth about fraud and policy. If you want to send me back to jail, fine. But I’m not signing an apology for the courts doing that.”

SHARON KRAMER: “No. What you’re asking me to do is fraud – to collude with the court to defraud the public after seven years.”

THOMAS NUGENT: “**Right**. But I’m not conditioning my decision this morning on that. **That’s not a condition. It was merely a wish.**”

SHARON KRAMER **"This is a crime."**

¹² March 14, 2012 Transcript <http://freepdfhosting.com/801f246896.pdf>

1 iii.) The April 2, 2012 post on ContemptOfCourtFor.Me is “**Kelman v. Kramer 3rd**
2 **Request For ExParte ~ Re: Court, Remove March 26, 2012 Libelous Sheriff Dept Record**”

3 Ordered by this Court with no subject matter jurisdiction, five days in jail and a \$1000.00 fine
4 for the post on “*April 2, 2012 on the blog ContemptOfCourtFor.Me*” (Attached hereto as
5 **EXHIBIT 5**¹³ is the first couple of page of April 2, 2012 post as submitted to this Court by
6 Kelman as alleged contempt of court)

7 This post is Kramer’s actual court filing complete with file stamp. It is titled basically
8 same as the pleading when this Court would not even grant an exparte hearing after unlawfully
9 incarcerating Kramer and giving her a false criminal record, only to replace it with a false civil
10 contempt of court record to conceal this Court incarcerated Kramer for refusing to commit
11 perjury and sign a false confession. (The false misdemeanor is still on Kramer’s Sheriff
12 Department record). The post quotes directly from Kramer’s 3rd Request of five for an ExParte
13 before this Court which begins:

14 “On March 23, 2012, after being told by the Scheduler of Department 30 to
15 submit something in writing, notice Keith “Scheuer” and maybe the judge would
16 grant an exparte hearing to correct the false Criminal Contempt of Court record it
17 had given Sharon “Kramer”; Kramer submitted a “Request For Exparte Re:
18 Court’s Intent To Remove False Criminal Record Of Defendant Sharon Kramer”.
19 *She did not state*, “and please replace the false Criminal Contempt record with a
20 false Civil Contempt record to conceal the Court unlawfully incarcerated me for
refusing to commit perjury by signing a fraudulent document that my signature
would have absolved seven years of judicial, clerk, attorney and plaintiff
misconduct in the cases of Kelman & GlobalTox v. Kramer and Kelman v.
Kramer.”

21 The evidence is undeniable. On March 19, March 27 and April 2, 2012, Kramer
22 republished or linked on the internet to the phrase, “**altered his under oath statements**” in the
23 context of what occurred in the litigations by the wickedly awful, unlawful actions of This Court
24 and other officers of the court, including Scheuer, as is her legal right to do under CCP1209(b)
25 and under the Constitution of the United States.

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27
28 ¹³ April 2, 2012 Post alleged by Kelman to be contempt <http://freepdfhosting.com/21667c2fe3.pdf> Read in its
entirety at: [http://contemptofcourtfor.me/2012/04/02/kelman-v-kramer-3rd-request-for-exparte-re-court-
remove-march-26-2012-libelous-sheriff-dept-contempt-record/](http://contemptofcourtfor.me/2012/04/02/kelman-v-kramer-3rd-request-for-exparte-re-court-remove-march-26-2012-libelous-sheriff-dept-contempt-record/)

1 **C.** Kramer was never even sued by Kelman and Veritox for the sentence of which This
2 Court has permanently enjoined her, fined her tens of thousands of dollars for allegedly rewriting
3 and ordered that she must retract from the internet or be jailed: **“Dr. Kelman altered his under
4 oath statements on the witness stand’ while he testified as a witness in an Oregon lawsuit.”**

5 JUDGEMENT AND ORDER FOR CIVIL CONTEMPT AND PERMANENT
6 INJUNCTION attempts to conceal from the public light that Kramer was framed for libel over
7 the words, **“altered his under oath statements”** in the Fourth District Division One “Appellate
8 Court” 2006 anti-SLAPP opinion of the prior case, Kelman & GlobalTox v. Kramer written by
9 the Chair of the California Commission on Judicial Performance; and that this was concealed in
10 the 2010 appellate opinion concurred with by the Chair of the Executive Committee of the
11 Judicial Council.

12 The sentence in Kramer’s March 2005 writing is, **“Upon viewing documents
13 presented by the Hayne’s attorney of Kelman’s prior testimony from a case in Arizona, Dr.
14 Kelman altered his under oath statements on the witness stand.”** (see fn 1)

15 The reason for the difference in the two sentences and why This Court could not enjoin
16 Kramer from the actual sentence she wrote containing the words **“altered his under oath
17 statements”** is that This Court knows the Appellate Court interpreted Kelman’s February 18,
18 2005 Oregon testimony in question exactly how Kramer had published it on the internet on
19 March 9, 2005 – i.e., that Kelman changed his testimony after being confronted with a prior
20 testimony of his from a prior case; and only after that confrontation admitted he was paid by the
21 Manhattan Institute to write a mold position statement for the U.S. Chamber that was closely tied
22 to that of ACOEM’s. The Appellate Court falsely stated in the 2006 anti-SLAPP opinion that a
prima facie showing Kramer’s writing was false had been established. 2006 anti-SLAPP opinion:

23 “This testimony supports a conclusion Kelman did not deny he had been paid by
24 the Manhattan Institute to write a paper, but only denied being paid by the
25 Manhattan Institute to make revisions in the paper issued by ACOEM. He
26 admitted being paid by the Manhattan Institute to write a lay translation. The fact
27 that Kelman did not clarify that he received payment from the Manhattan
28 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.’

1 From Kramer's accurate writing stating the exact same thing:

2 "Upon viewing documents presented by the Hayne's attorney of Kelman's prior
3 testimony from a case in Arizona, Dr. Kelman altered his under oath statements
4 on the witness stand. He admitted the Manhattan Institute, a national political
5 think-tank, paid GlobalTox \$40,000 to write a position paper regarding the
6 potential health risks of toxic mold exposure. Although much medical research
7 finds otherwise, the controversial piece claims that it is not plausible the types of
8 illnesses experienced by the Haynes family and reported by thousands from
9 across the US, could be caused by "toxic mold" exposure in homes, schools or
10 office buildings. In 2003, with the involvement of the US Chamber of Commerce
11 and exdeveloper, US Congressman Gary Miller (R-CA), the GlobalTox paper
12 was disseminated to the real estate, mortgage and building industries'
13 associations. A version of the Manhattan Institute commissioned piece may also
14 be found as a position statement on the website of a United States medical policy-
15 writing body, the American College of Occupational and Environmental
16 Medicine.'

17 Upon review again in 2010, the Appellate Court concealed that they had framed a
18 whistleblower of science fraud in policy and on U.S. courts for libel over the words, "**altered his**
19 **under oath statements**" in their prior opinion. From the 2010 Appellate Opinion:

20 "In a prior opinion, a previous panel of this court affirmed an order denying
21 Kramer's motion to strike under the anti-SLAPP statute. In doing so, **we largely**
22 **resolved the issues Kramer now raises on appeal. In our prior opinion, we**
23 **found sufficient evidence Kramer's Internet post was false and defamatory**
24 **as well as sufficient evidence the post was published with constitutional**
25 **malice.**"¹⁴

26 **III**

27 **COURT KNOWS IT LACKS SUBJECT MATTER JURISDICTION**

28 **A.** In violation of Code of Civil Procedure 1209(b) and the Constitution to keep the evidence
off of the internet so that a court with no subject matter jurisdiction can proceed on like an
Emperor with a New Robe and no one will see the naked truth; This Court keeps suppressing the
evidence that the three page judgment from the prior case as submitted to This Court on
November 4, 2010 by Kelman and Scheuer, under penalty of perjury, is known to This Court to
be fraudulent and thus void to be used for any purpose.

¹⁴ January 6, 2012 This Court knows prior courts framed Kramer & This Court has no jurisdiction,
<http://freepdfhosting.com/7629915ea3.pdf>

1 The posts of March 19, March 27, and April 2, 2012 are not the only ones This Court,
2 Kelman and Scheuer would like to see off of the internet and never written again of what the
3 courts have done to Kramer over the words, "altered his under oath statements" to conceal
4 mass corruption. Kramer has been posting the evidence since October of 2011 that This Court
5 knows it lacks jurisdiction because the sole foundation to this case, the three page judgment from
6 the prior case is known to this Court to be fraudulent and void to be used for any purpose.¹⁵

7 The judgment of 2008, the sole foundation for this case, is known to This Court to be
8 inconsistent with the verdict after trial of 2008 in which Kramer prevailed over Veritox, but it is
9 not stated so on the judgment Kelman submitted to This Court. It is known to This Court to be
10 contradictory to the 2008 Abstract of Judgment/lien obtained by Scheuer on behalf of Kelman
11 which contains commingled cost of trial losing party Veritox awarded to Kelman. It is known to
12 This Court to have never been properly noticed by the trial court to Kramer in violation of
13 C.C.P.664.5(b). It is known to have never been amended to reflect Kramer was a prevailing party
14 awarded costs by ruling in 2009. It is known that the Appellate Court falsely stated that the
15 judgment on record states Kramer was found to be a prevailing party by judgment who was
16 awarded costs. It is known to This Court that the judgment was amended in October of 2011 –
17 one year after it was submitted to This Court as the final judgment. And it is known to This
18 Court to still contain client commingled costs by Scheuer with interest accruing from three
19 months before the costs are even stated as submitted. It is known to This Court that the judgment
20 was antedated twice by the trial court clerk and was never properly noticed to Kramer by the trial
21 court in violation of C.C.P.664.5(b) – which renders it void to be used for any purpose.^{16 17}

22 **B.** Court with no jurisdiction misstated that Kramer did not appear and entered a default
23 judgment while striking Kramer's appearance by declaration. On June 22, 2012, Kramer filed an
24 appearance by declaration under duress for the alleged civil contempt while again providing the
25

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27 ¹⁵ Nov 4, 2010 False jdgmt, costs, abstract, lien, remittitur <http://freepdfhosting.com/0c76fee3e7.pdf>

28 ¹⁶ September 2011 Motion To Nullify Void TIRO <http://freepdfhosting.com/0d8f5bc068.pdf>

¹⁷ October 21, 2011 Transcript Court ignored case foundational document is fraudulent
<http://freepdfhosting.com/e0d4f10bce.pdf>

1 evidence that this Court has no jurisdiction to hold a trial, issue a judgment or issue a contempt
2 order Kramer submitted the following statements and supporting case law,

3 “My appearance by this declaration filed under duress cannot be interpreted as giving
4 this Court jurisdiction. My appearance is only being made so this Court cannot feign
5 legal right to put a bench warrant out for my arrest for failure to appear while again
6 suppressing evidence of its lack of jurisdiction.

7 “The accused must appear at the hearing because of the quasi-criminal nature of a
8 civil contempt proceeding. The appearance may be in person, by an attorney, or by
9 affidavit or declaration.’ *Farace v Superior Court, (1983) 148 CA3d at 917–918.*
10 (Attached hereto as EXHIBIT 8 is this Court stating on the record on April 24, 2012
11 that the charge is CIVIL contempt of court while refusing to answer “yes” or “no” if
12 the Court has jurisdiction while setting this trial/hearing date.)”

13 Within the notice and appearance, Kramer submitted the following statements:

14 “Based on KELMAN’s and SCHEUER’s newest COMPLAINT for contempt of court
15 of April 10, 2012, **with exhibits being my court filings & declarations of website**
16 **owners refusing to take the evidence of the courts’ conspiring to defraud off of**
17 **the Internet**; this Court is obviously moving full speed ahead with unlawfully
18 defrauding the public while harassing and terrorizing me in an effort to silence and
19 ruin me. Beside a judge with no jurisdiction issuing rulings, judgments, orders,
20 incarcerating, intimidating, terrorizing, causing bodily harm, aiding to financially
21 ruin, libeling, attempting to deem mentally incompetent and falsifying public records
22 while knowingly aiding to defraud the public and endanger the safety of thousands –
23 this latest attempt of KELMAN, SCHEUER and this Court to conceal misconduct in
24 the courts via unlawful abuse of contempt of court power is **egregious violation of**
25 **CCP 1209(b) and of the Constitution.**”¹⁸.

26 True to form, this Court’s interpretation of the law when the facts do not fit the desired out
27 come, was that Kramer did not appear on June 22, 2012¹⁹; and this Court knew Kramer did not
28 appear because his scheduling clerk told him so. This Court then reasoned he would strike “this
29 thing”, the evidence in Kramer’s notice and appearance by declaration under duress, including
30 the evidence submitted **again** that this Court lacks jurisdiction, but include “this thing” for
31 (suppressed) evidence for trial the following Monday. Transcript of June 22, 2012:

32 THE COURT: Yes. There’s no one else in the courtroom. It’s now 10:35. I’m informed
33 by my independent calendar clerk that Mrs. Kramer did not appear this morning and
34 declared her intention to not appear either today or on Monday. We can’t assume that
35 and won’t for Monday’s purposes at least. We’ll go forward as scheduled and I’ll get to

36 ¹⁸June 22, 2012 Notice AGAIN Court lacks jurisdiction <http://freepdfhosting.com/7e43fa27d9.pdf>

37 ¹⁹ June 22, 2012 Transcript <http://freepdfhosting.com/9350c51d8d.pdf>

1 that in a moment, but for purposes – we have two purposes today. One of which is to
2 determine whether or not the responsive pleading that Mrs. Kramer has filed should be
3 stricken for her failure to appear previously [sic June 8, 2012²⁰]. And given the fact that
4 she is not here to answer that call, the responsive pleading will be stricken. We will
5 therefore proceed Monday by way of default on the Complaint. And I understand that
6 there's a complaint, a contempt citation set for hearing as well and that was noticed for
7 9:00 am?²¹

8 And the other thing is, I'm going to add this thing she filed today to the Exhibit list.
9 (Aka the stricken evidence this Court knows it lacks jurisdiction and that Kramer
10 lawfully appeared by declaration under duress before an unlawful court).

11 **C. Kramer is precluded from filing a Writ of Prohibition** to stop unlawful jailing and
12 continued harassment by a court with no jurisdiction and she is highly anticipating a unlawful
13 bench warrant will be issued for her arrest when This Court receives this Motion and the notice it
14 is placed on the internet in lawful accordance with C.C.P.1209(b) containing the words, **"altered**
15 **his under oath statements"**. She can do nothing about it when the courts are so severely
16 compromised from the top down and no one step up to stop them.

17 On October 5, 2011, Kramer was called on the telephone by the Clerk of the Appellate
18 Court²² who informed her that should she pursue appeal for the Clerk's Government Code 6200
19 violation of falsifying the December 2010 remittitur under seal of the State of California, the
20 same presiding justice who first framed Kramer for libel in the anti-SLAPP opinion of 2006,
21 Appellate Court Presiding Justice McConnell, would deem Kramer to be a vexatious litigant
22 even though Kramer has only filed one in 2003 that was filed by an attorney. Being falsely
23 deemed a vexatious litigant by the justice with the most to hide, besides this Court, means
24 Kramer could never file in any US court without first posting a \$25,000 bond.

25 If Kramer filed a Writ of Prohibition to stop the unlawful incarceration, the writ would go
26 directly to the presiding appellate justice, who is one with great interest to see Kramer
27 incarcerated, discredited and silenced in violation of CCP1209(b). While McConnell sits on the
28 California Commission for Judicial Performance – which oversees ethics in the judicial branch;

²⁰ June 8, 2012 Kramer's Notice She Would Not Appear Because Court Had Failed To Establish Jurisdiction
<http://freepdfhosting.com/cb90b992dd.pdf>

²¹ June 25, 2012 Corum non judice trial <http://freepdfhosting.com/93fc6c8fb4.pdf>

²² October 5, 2011 follow up fax to Kelly's call <http://freepdfhosting.com/8dc35da911.pdf>

1 her Clerk who falsified the remittitur and made the threatening call sits on the Judicial Council,
2 the policy setters of the judicial branch who have mismanaged the branch funds, miserably.

3 **IV.**
4 **ARGUMENT**

5 **“Once challenged, jurisdiction cannot be assumed, it must be proved to exist”** *Stuck v.*
6 *Medical Examiners, 94 Ca 2d 751, 211 P2d 389.* “Acts in excess of judicial authority constitutes
7 misconduct, particularly where a judge deliberately disregards the requirements of fairness and due
8 process.” *Gonzalez v. Commission on Judicial Performance, (1983) 33 Cal.3d 359, 371,374* Even if
9 This Court had established it has subject matter jurisdiction – which it has repeated failed to do while
10 proceeding on like an Emperor with a New Robe; Kramer cannot lawfully be held in contempt of
11 court, jailed or fined for these publishing or refusal to retract a sentence from the internet for which
12 she was never sued for writing, **“Dr. Kelman altered his under oath statements on the witness**
13 **stand’ while he testified as a witness in an Oregon lawsuit.”** – by a court who obviously wants to
14 conceal he incarcerated Kramer for refusing to be coerced into perjury and a false confession; to
15 conceal his peers framed her for libel in a prior case over a writing impacting public health &
16 suppressed the evidence Kelman committed perjury to establish malice & Scheuer repeatedly
suborned it.

17 Then in violation of Government Code 6203(a) which states, **“Every officer authorized**
18 **by law to make or give any certificate or other writing is guilty of a misdemeanor if he or**
19 **she makes and delivers as true any certificate or writing containing statements which he or**
20 **she knows to be false”**, This Court falsified the Sheriff record to conceal what this Court has
21 done in conjunction with Scheuer and Kelman. Falsifying public records is an offense
22 punishable by jail time for a court with no jurisdiction, as it is for clerks of courts – and the
23 evidence of This Court’s criminal actions cannot be ordered to be removed from the internet,
24 never to be written of again, under threat of more unlawful incarceration.

25 If the court cannot lawfully find Kramer in contempt for publishing the words **“altered**
26 **his under oath statement”** in lawful accordance with C.C.P.1209(b), it also cannot award
27 Kelman \$8400.00 in attorney fees for the alleged contempt or find that Kramer was lawfully
28 enjoined in the past or present; or can be permanently enjoined in future for republishing the

1 phrase “**altered his under oath statements**” on the internet and exposing that the corrupt courts
2 of California have aided to defraud the public of billions of dollars in furtherance of crimes
3 against humanity over the mold issue with Kelman and others.

4 **V.**
5 **CONCLUSION**

6 **The JUDGEMENT AND ORDER FOR CIVIL CONTEMPT AND PERMANENT**
7 **INJUNCTION** is not only unlawful and void, it is disgustingly criminal when it is known to This
8 Court how many lives are continuing to be harmed and some even lost because of it; and it is an
9 attempt by This Court, corum non judice, to stop the mass corruption in the California judicial
10 branch from coming to public light via the internet. When the courts are so severely
11 compromised from the top down, public light is the only hope citizens have to obtain justice. In
12 lawful accordance with C.C.P.1209(b) and the Constitution of the United States, Kramer will
13 continue to lawfully post the evidence on the internet of the weapon of mass destruction for the
14 Constitution of the United States that the California judicial branch has become; including the
15 words for which she was framed for libel “**altered his under oath statements**”, while the courts
16 suppressed the evidence Kelman commit perjury to establish malice and Scheuer repeatedly
17 suborned it – until someone does something about the corrupt courts of California. The Judgment
18 and Order for Civil Contempt and Permanent Injunction must be vacated. It is void. It is issued
19 corum non judice. It is C-R-I-M-I-N-A-L. And This Court is fully expected to suppress the
20 evidence again that proves it while **many standby in deliberate indifference while lives**
21 **continue to be devastated daily.**

22 August 9, 2012

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24 **Sharon Kramer**
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