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FILED
Clerk of the Superior Court
SEP 20 2012
BY: C. TERRIQUEZ

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

7 BRUCE J. KELMAN & GLOBALTOX, INC.,
8 (w/Bryan D. HARDIN, US Assistant Surgeon
9 General & Deputy Director of CDC NIOSH
10 retired, being known to the court since 2006 as
11 an undisclosed principal of GLOBALTX on the
Appellate Certificates of Interested Persons and
thus undisclosed party to the litigation)

12 Plaintiffs,

13 v.

14 SHARON KRAMER

15 Defendant.

CASE NO. GIN044539

NOTICE OF MOTION; MOTION TO VACATE
VOID JUDGMENT of September 24, 2008 last
amended October 28, 2011; Memorandum of
Point and Authorities In Support Of Defendant's
Motion; & Declaration of Defendant Sharon
Kramer

[Assigned for All Purposes To Hon. EARL H.
MAAS III, Department 28]

Filed May 2005

Motion Hearing Date: October 10, 2012 1:30 PM

17 NOTICE OF MOTION & MOTION TO VACATE VOID JUDGMENT

18 TO ALL DISCLOSED AND UNDISCLOSED PARTIES AND THEIR ATTORNEY OF
19 RECORD, KEITH ("SCHEUER"), PLEASE TAKE NOTICE that on October 10, 2012 in
20 Department 28 of the North San Diego County Superior Court at 1:30 PM, Defendant Sharon
21 ("KRAMER") will make a motion that the ("VOID JUDGMENT") dated September 24, 2008 be
22 vacated by This Court in the matter of KELMAN & GLOBALTOX v. KRAMER ("K & G v. K")

23 On October 28, 2011, three years after the August 2008 trial in which KRAMER
24 prevailed over GlobalTox ("VERITOX") and Bruce J. ("KELMAN") prevailed over KRAMER,
25 This Court amended the VOID JUDGMENT to acknowledge that KRAMER was a trial prevailing
26 party entitled to costs. But This Court declined to vacate the VOID JUDGMENT while stating
27 This Court has never witnessed any situation like this (the Fourth District Division One

28 NOTICE OF MOTION; MOTION TO VACATE VOID JUDGMENT of September 24, 2008 last amended October 28,
2011; Memorandum of P & A In Support Of Defendant's Motion; Declaration of Defendant Sharon Kramer

1 (“APPELLATE COURT”) falsely stated in the September 2010 Opinion that a judgment had been
2 entered in KRAMER’s favor awarding her costs and suppressed the evidence that SCHEUER
3 commingled his clients’ costs as being the costs incurred only by KELMAN). This Court stated
4 that KRAMER should attempt to work out the discrepancies and fallout with SCHEUER from
5 the discrepancies between what actually occurred and what was recorded as the Abstract, Lien
6 and Judgment. (Attached hereto collectively as EXHIBIT 1¹ is the VOID JUDGMENT as
7 amended by This Court; and EXHIBIT 2² is KRAMER’s Reply to SCHEUER’s Opposition).

8 Upon advice of This Court, KRAMER did attempt on several occasions to give
9 SCHEUER, his clients and the California courts a graceful way out of the debacle of using
10 fraudulent legal documents in furtherance of an illicit interstate enterprise, VERITOX, aided to
11 continue by less than stellar behavior of the APPELATE COURT, to no avail.³

12 In the matter of Bruce J. (“KELMAN”) v. Sharon Kramer (“K v. K”) Case No 37-2010-
13 00061530-CU-DF-NC, North San Diego Superior Court (“DEPT 30”) Judge Thomas P. Nugent
14 presiding coram non judice, which began in November of 2010 with the sole foundational
15 document to the case being the VOID JUDGMENT from K & G v. K, KRAMER ended up being
16 incarcerated in March of 2012⁴ for refusing to sign a false confession of being guilty of libel with
17 actual malice, with the proposed false confession a.k.a RETRACTION BY SHARON KRAMER
18 that was crafted by SCHEUER, also containing the sentence “I do not believe Dr. Kelman
19 committed perjury” – when the evidence is undeniable that he did to establish false theme for
20 Kramer to harbor malice in K & G v. K and with all courts suppressing the evidence. ⁵ (Attached
21

22 ¹ EXHIBIT 1 Oct 28, 2011 Amended Jdgmt <http://freepdfhosting.com/2e5a182b7e.pdf>

23 ² EXHIBIT 2 October 2011 Kramer Reply <http://freepdfhosting.com/92958722b3.pdf>

24 ³ February 2012 email to Sang <http://freepdfhosting.com/f76db1b90c.pdf>

25 ⁴ March 9 & 14, 2012 K v K Transcripts <http://freepdfhosting.com/a804679d93.pdf> &
26 <http://freepdfhosting.com/3968f385c9.pdf>

27 ⁵ Minute sample of the amount of suppressed evidence of Kelman’s perjury to establish
28 malice. <http://freepdfhosting.com/0a6a84ab06.pdf>

1 hereto as EXHIBIT 3⁶ is the false confession KRAMER refused to sign and why she refused to
2 sign it – but was sent to jail for her refusal)

3 In the past year, another year of falsely being labeled a malicious liar, she has incurred
4 more costs, unlawful and failed coercive incarceration, bodily harm, emotional distress⁷, and
5 more libeling via more falsification of court and Sheriff Department records in April of 2012⁸ by
6 DEPT 30 – coram non judice⁹ - and inability to work as a trustworthy real estate agent because of
7 the relentless character assassination by compromised officers of the court for daring to speak the
8 truth of a fraud in policy and on U.S. courts.

9 In January 2012 DEPT 30, SCHEUER and the public defender assigned by DEPT 30 to
10 “help” Kramer, attempted to deem her mentally incompetent and gave her a criminal record for
11 alleged civil contempt of court to try to “get her downtown to the psych unit” under Penal Code
12 1368 for placing the direct evidence on the internet of what the courts are unlawfully doing in
13 an attempt to conceal past misdeeds aiding to defraud the public from coming to light.^{10 11 12 13}

14 ⁶ EXHIBIT 3 March 2012, K v. K Kelman’s Proposed RETRACTION OF SHARON KRAMER &
15 why KRAMER refused to sign – evidence of how she was framed
16 <http://freepdfhosting.com/ce5fe87905.pdf>

17 ⁷ April 27, 2012 Request for Medical Attention <http://freepdfhosting.com/976a7ad8c6.pdf>

18 ⁸ April 5, 2012 Falsification of Sheriff Record <http://freepdfhosting.com/d9a210111d.pdf>
19 April 5, 2012 Minute Order directing the removal of misdemeanor while stating libelous & false
20 reason for incarceration was for Civil Contempt under CCP1218(a), attaching January 19, 2012
Contempt Order <http://freepdfhosting.com/3f9fe215eb.pdf> - not attaching the false confession
Kramer refused to sign and was sent to jail for her refusal.

21 ⁹ April 12, 2012 K v K Transcript, Dept 30 stating “I understand” it lacks jurisdiction
22 <http://freepdfhosting.com/a52191aa44.pdf>

23 ¹⁰ January 6, 2012 K v. K Kramer’s lawful appearance by affidavit for Contempt Hearing
24 <http://freepdfhosting.com/d4be0bd127.pdf>

25 ¹¹ January 6, 2012 K. v. K Transcript <http://freepdfhosting.com/6bf98fa946.pdf>

26 ¹² January 12, 2012 K v. K Examination by Dr. Swartz to stave off Dept 30’s attempt to
27 deem Kramer mentally incompetent <http://freepdfhosting.com/54eaa3ce20.pdf>

28 ¹³ January 21, 2012 K v. K Demand that Public Defender Sang be fired.
<http://freepdfhosting.com/7573495201.pdf>

1 As of July 2, 2012, DEPT 30 has ordered that KRAMER must commit criminal perjury
2 on the internet by publishing a false confession of being guilty of libel for a sentence she never
3 even wrote, to conceal officer of the courts and plaintiff unlawful misconduct from public light
4 and to never write of the matter again – all under the false pretense that she was lawfully found
5 guilty of libel for the phrase, “altered his under oath statements” used in an entirely different
6 sentence then the one she was enjoined from republishing; with the actual sentences in question
7 being within the first public writing, KRAMER’s in March of 2005, of how it became a
8 fraudulent concept in U.S. public health policy that it was proven moldy buildings do not harm
9 by a simple twist of never vetted science by KELMAN and HARDIN.

10 Additionally, KRAMER has been sanctioned \$3,000¹⁴ and KELMAN has been awarded
11 attorney fees of approximately \$27,000.00 for KRAMER (and others) putting all of the above
12 evidence and much more on the internet in lawful accordance with Code of Civil Procedure
13 1209(b) and the First Amendment of the Constitution; with a threat of a second unlawful
14 coercive and retaliatory incarceration looming for KRAMER, mid October 2012. ^{15 16}

15 Needless to say, This Court’s advice to KRAMER to try to work out the continued
16 adverse impact from the VOID JUDGMENT not being vacated last year by This Court, has not
17 bode well for KRAMER, the Constitution or the American public; but it has aided affiliates of
18 the U.S. Chamber of Commerce to have one more year of denying and delaying responsibility for
19 causation of environmental illness via the use of bogus science penned by KELMAN and his
20 business partner, HARDIN, remaining in policy and able to be used to sell false doubt of
21 causation of illness in the courts.

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23
24 ¹⁴September 10, 2012 K v. K Motion for Reconsideration, submitted under duress
<http://freepdfhosting.com/5e1965aed9.pdf>

25 ¹⁵April 12, 2012 Kramer’s Notice To Court To Stop Harassing Her, Coram Non Judice
26 <http://freepdfhosting.com/3117e0aa46.pdf>

27 ¹⁶August 31, 2012 Transcript where DEPT 30 denies nothing
<http://freepdfhosting.com/2e828d4e02.pdf>

1 It has also aided to keep the inept at best, oligarchy in leadership roles of the triumvir
2 commonly referred to as the California Judicial Council ("JC"), Administration of the Courts
3 ("AOC") and Commission on Judicial Performance ("CJP").^{17 18 19 20 21 22 23}

4 As This Court is aware, the VOID JUDGMENT was never lawfully entered, noticed or
5 amended; and awards commingled costs incurred by SCHEUER's trial losing client, GlobalTox,
6 Inc., ("VERITOX") to his trial prevailing client, KELMAN; with one of the owners of VERITOX,
7 HARDIN, being a known undisclosed party to the litigation. To reiterate, CDC NIOSH's
8 HARDIN being an undisclosed party to the malicious litigation was concealed *twice* by the
9 APPELLATE COURT with CCMS falsified to conceal the APPELLATE COURT's conflicted
10 interests in aiding the furtherance of bogus science in policy and U.S. courts, i.e. that KELMAN
11 & HARDIN could apply math extrapolations to a single rodent study and prove all individuals
12 claiming illness and death from exposure to biotoxins in water damaged buildings are liars out to
13 scam insurers, employers, landlords, sellers and school districts.

14 Plainly stated, the courts have been causing and aiding hate crimes against the
15 environmentally disabled, dying and KRAMER in a tax payer defrauding cost shifting scheme of
16

17 ¹⁷ September 11, 2011 Letter to Cantil-Sayauke, Miller, Evans, Feuer and Overholt explaining the
18 continued fraud by misdeeds of the courts <http://freepdfhosting.com/189e708bc8.pdf>

19 ¹⁸ September 11, 2011 Letter to McConnell requesting she correct her misdeeds
<http://freepdfhosting.com/0267bd88be.pdf>

20 ¹⁹ September 11, 2011 Letter to Huffman requesting he correct his misdeeds
<http://freepdfhosting.com/94027ca867.pdf>

21 ²⁰ September 11, 2011 Letter to Roddy & Kelly asking they correct clerk of court "errors"
22 <http://freepdfhosting.com/aca23df2d4.pdf>

23 ²¹ September 11, 2011 Letter to Enright asking he investigate judicial misconduct
<http://freepdfhosting.com/df79223143.pdf>

24 ²² October 5, 2011 Follow up fax to Kelly regarding his phone call threat that McConnell would
25 deem me to be vexatious should I pursue legal action for falsification of the remittitur and CCMS
<http://freepdfhosting.com/8dc35da911.pdf>

26 ²³ October 10, 2011 Kelman's complaint for contempt of court for these letters to the oligarchy being
27 on the internet <http://freepdfhosting.com/0a8c4f6e14.pdf>

1 epic proportion on behalf of the affiliates of the U. S. Chamber of Commerce via aiding the
2 continuance of false science in toxic torts by falsely deeming KRAMER to be a malicious liar
3 over the first public writing of how the science fraud came to be; then trying to shut her up of
4 how and why they did it and the continued adverse impact on the public because of it.^{24 25 26}

5 The false concept promoted by the courts is that this seven years of malicious, strategic
6 litigation is solely over KRAMER's use of the benign word "altered" in the first public writing of
7 who was involved in mass marketing the science fraud into policy for the purpose of misleading
8 U.S. courts.²⁷ It is beyond absurd and is incredible this harassment could continue for now over
9 seven years with many remaining mum of the matter and others taking direct action to CYA
10 (cover your assets) while lives continue to be devastated daily.²⁸

11 **Bottom line is that officers of courts framed a defendant for libel to make an accurate**
12 **writing over a matter impacting public health appear to make a false and libelous statement that**
13 **the writing did not make as they suppressed the evidence that the plaintiff committed perjury to**
14 **establish libel law needed reason for malice. For seven years they have falsified many court**
15 **documents and suppressed massive amounts of unimpeached evidence to force the false finding**
16 **of libel with actual malice and to conceal the truth of court aided fraud; including in a second**

17 _____
18 ²⁴ July 20, 2012 LexisNexis on Cost Shifting To Tax Payers
19 <http://www.lexisnexis.com/community/workerscompensationlaw/blogs/workerscompensationlawblog/archive/2012/07/20/cost-shifting-of-workers-compensation-expenses-study-says-third-parties-pick-up-most-of-the-bill.aspx>

20 ²⁵ December 2010, WorkCompCentral quoting KRAMER of the fraud caused by KELMAN's &
21 HARDIN's science remaining in state workers comp policy
22 <http://freepdfhosting.com/715a485427.pdf>

23 ²⁶ December 2010, "Surviving Mold" book of how KRAMER caused a Federal audit of the issue,
24 which discredited KELMAN's & HARDIN's bogus science
25 <http://freepdfhosting.com/9488eba0e8.pdf>

26 ²⁷ January 7, 2007 Wall Street Journal article about Kelman and Hardin "Court of Opinion, Amid
27 Suits Over Mold Experts Wear Two Hats, Authors Of Science Papers Also Serve The Defense In
28 Mold Litigation" http://www.drcraner.com/images/suits_over_mold_WSJ.pdf

²⁸ September 30, 2010 Kramer's denied Appellate Motion for Reconsideration
<http://freepdfhosting.com/926eb811d6.pdf>

1 case in which they have attempted to gag the defendant from writing of what the courts have
2 done and continue to do that is adverse to the public's best interest; as they retaliate against the
3 defendant by unlawful and criminal means for her refusal of silence.

4 This motion is in accordance with Code of Civil Procedure 664²⁹, Code of Civil
5 Procedure 664.5(b)³⁰, Government Code 6200 (a)(c)³¹, Government Code 6203(a)(b)³², Civil Code
6 337.5(b)³³, Business and Professions Code 6068(c)(d)(g)³⁴ and Penal Code 422.6³⁵.

7
8 ²⁹C.C.P. 664 "When trial by jury has been had, judgment must be entered by the clerk, in conformity
9 to the verdict within 24 hours after the rendition of the verdict, whether or not a motion for judgment
10 notwithstanding the verdict be pending, unless the court order the case to be reserved for argument or
11 further consideration, or grant a stay of proceedings. 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."

12 ³⁰C.C.P. 664.5(b) "Promptly upon entry of judgment in a contested action or special proceeding in
13 which a **prevailing party** is not represented by counsel, the clerk of the court shall mail notice of
14 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".

15 ³¹G.C.6200(a)(c) "Every officer having the custody of any record, map, or book, or of any paper or
16 proceeding of any court, filed or deposited in any public office, or placed in his or her hands for any
17 purpose, is punishable by imprisonment in the state prison 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:(c) Alter or falsify.

18 ³²G.C. 6203(a) Every officer authorized by law to make or give any certificate or other writing is
19 guilty of a misdemeanor if he or she makes and delivers as true any certificate or writing containing
20 statements which he or she knows to be false. (b) Notwithstanding any other limitation of time
21 described in Section 802 of the Penal Code, or any other provision of law, prosecution for a violation
of this offense shall be commenced within four years after discovery of the commission of the
offense, or within four years after the completion of the offense, whichever is later.

22 ³³C.C. 337.5(b) Statute of limitations on fraud "Within 10 years: (b) An action upon a judgment or
23 decree of any court of the United States or of any state within the United States.

24 ³⁴B. & P.C.6068(c)(d)(g) "It is the duty of an attorney to do all of the following: (c) To counsel or
25 maintain those actions, proceedings, or defenses only as appear to him or her legal or just, (d) To
26 employ, for the purpose of maintaining the causes confided to him or her those means only as are
27 consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or
false statement of fact or law.(g) **Not to encourage either the commencement or the continuance**
of an action or proceeding from any corrupt motive of passion or interest."

1 In lawful accordance with Code of Civil Procedure 1209(b)³⁶ it may be read online along
2 with linked references and court records at ContemptOfCourtFor.ME, <http://wp.me/p20mAH-ks>
3 under the blog title of "Kelman & GlobalTox v. Kramer ~ Motion To Vacate Void Judgment".

4 It is supported by the case record of this case, K & G v. K, and the matter of K v. K with
5 DEPT 30 presiding coram non iudice because the VOID JUDGMENT from K & G v. K is the sole
6 foundational document to K v. K over which DEPT 30 is unlawfully presiding with no subject
7 matter jurisdiction. This Motion is supported by the Memorandum of Points & Authorities and
8 Declaration of Defendant Sharon Kramer.

9 September 20, 2012
10 Date

Sharon Kramer
11 Sharon Kramer in Properia Persona

12
13 ³⁵ Penal Code 422.6 (a) No person, whether or not acting under color of law, shall by force or threat
14 of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free
15 exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of
16 this state or by the Constitution or laws of the United States in whole or in part because of one or
17 more of the actual or perceived characteristics of the victim listed in subdivision (a) of Section
18 422.55" which states "For purposes of this title, and for purposes of all other state law unless an
19 explicit provision of law or the context clearly requires a different meaning, the following shall
20 apply:(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more
21 of the following actual or perceived characteristics of the victim: (1) Disability. (7) Association with
22 a person or group with one or more of these actual or perceived characteristics. (b) "Hate crime"
23 includes, but is not limited to, a violation of Section 422.6. For purposes of this title, the following
24 definitions shall apply: (a) "Association with a person or group with these actual or perceived
25 characteristics" includes advocacy for, identification with..any of the following:..person that has, or
26 is identified with people who have, one or more of those characteristics listed in the definition of
27 "hate crime" under paragraphs (1) to (6), inclusive, of subdivision (a) of Section 422.55. (b)
28 "Disability" includes... physical disability as defined in Section 12926 of the Government Code. (1)
"Physical disability" includes, but is not limited to, all of the following:(1) Having any physiological
disease, disorder, condition..that does both of the following: (A) Affects one or more of the
following body systems: neurological, immunological, musculoskeletal, special sense organs,
respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic
and lymphatic, skin, and endocrine. (B) Limits a major life activity...

³⁶ C.C.P.1209(b) A speech or publication reflecting upon or concerning a court or an officer thereof
shall not be treated or punished as a contempt of the court unless made in the immediate presence of
the court while in session and in such a manner as to actually interfere with its proceedings."

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MEMORANDUM OF POINTS AND AUTHORITIES

I.

Fallout Of The “Speak With One Voice” Debacle Not Being Made To Cease Via Vacating The VOID JUDGMENT

The seven years of malicious litigations has now deteriorated to the point that KRAMER is being cyber stalked by court personnel most likely concerned of their falsification of court files and CCMS in criminal violation of G.C. 6200(a)(c) and G.C.6203(a) coming to light. Amazingly, it has deteriorated to the point that on July 2, 2012, DEPT 30 ordered KRAMER to publish a false confession on the internet of being guilty of libel with actual malice for a sentence she never even wrote, “Dr. Kelman altered his under oath statements on the witness stand’ while he testified as a witness in an Oregon lawsuit.” and to never write of the matter again under threat of a second coercive incarceration, more libeling and more bodily harm for daring to expose court aided fraud and hate crimes against the environmentally disabled in America. (Attached hereto collectively as EXHIBIT 4³⁷ and 5³⁸ is cyber stalking by the “Courthouse Gang” & DEPT 30’s July 2, 2012 “JUDGEMENT AND ORDER FOR CIVIL CONTEMPT AND PERMANENT INJUNCTION”).

This failed attempt by DEPT 30, KELMAN and SCHEUER to coerce KRAMER into criminal perjury on the internet by falsely admitting to libel for a sentence she never even wrote is to aid in hiding from public light that in the matter of K & G v. K, officers of the courts – particularly those within the inner sanctum of the House that George Built - have worked in concert with the plaintiffs for seven years to frame KRAMER for libel with actual malice for the sentences, “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. He 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”.

³⁷EXHIBIT 4 Cyber stalking <http://freepdfhosting.com/0ab8d22d7b.pdf>

³⁸EXHIBIT 5 K v. K July 2, 2012 Order, Judgment, Injunction <http://freepdfhosting.com/4fa0aef0f6.pdf>

1 (for the U.S. Chamber of Commerce); as found within the first public writing, KRAMER's in
2 March 2005 of how it became a scientifically fraudulent concept in U.S. public health policy and
3 U.S. courts (and CA's workman's compensation policy) that it was scientifically proven by
4 KELMAN and HARDIN that moldy buildings do not harm. (Attached hereto as EXHIBIT 6³⁹ is
5 KRAMER's March 2005 writing that **does not even contain the sentence, "Dr. Kelman altered his**
6 **under oath statements on the witness stand' while he testified as a witness in an Oregon**
7 **lawsuit."**)

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

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

19 The attempt at a coerced false confession by DEPT 30, KELMAN and SCHEUER is to
20 conceal who all at the helm of the judicial branch knows of the less than stellar behavior of the
21 California courts aiding to defraud the public by what they have been collectively unlawfully doing
22 to KRAMER for now over seven years. KRAMER publishing a false confession – for a sentence she
23 never wrote - would absolve bad behavior by government agencies and private sector industries over
24 the mold issue from California to DC; while leaving the sick, disabled and dying to fend for
25 themselves because of the physicians of America remaining misinformed and biased; or worse

26 _____
27 ³⁹EXHIBIT 6 , March 2005 Jury Finds Toxic Mold Harmed Oregon Family
<http://freepdfhosting.com/0768872f2d.pdf>

1 scared to diagnose the sick for fear of retaliation. But mostly, it would absolve bold faced criminal
2 misconduct by officers of the California courts.

3 As merely one example of the relentless harassment of KRAMER, in January of 2012
4 KRAMER was found in contempt of court by DEPT 30 for placing the letters she sent to the Judicial
5 Council in September of 2011 outlining the fraud in K & G v. K and exactly how she was framed for
6 libel for the words, “altered his under oath statements” on the internet in the post titled “**Is The**
7 **California Court Case Management System (CCMS) Being Misused For Politics In Policy &**
8 **Litigation.....And The Fleecing Of The California Taxpayer Over The Mold Issue?**”⁴⁰

9 DEPT 30 held Kramer in contempt⁴¹ and attempted to falsely deem her a mentally
10 incompetent criminal for these letters being on the internet.⁴² When she then posted on the internet
11 the latest of what DEPT 30, KELMAN and SCHEUER were doing that was harassing her to defraud
12 the public and why they were doing it; DEPT 30 found her in contempt again, July 2, 2012, for the
13 evidence being on the net, sanctioned her and permanently enjoined her from ever writing of it again,
14 coram non judice. (The silencing of Kramer will not be happening any time soon)

15 One day after the July 2nd unlawful judgment, order and permanent injunction was signed
16 in DEPT 30, on July 3, 2012 This Court sent a letter to the Judicial Council⁴³ also voicing concerns
17 of abuse of tax dollars via CCMS and ramifications of loss of autonomy within the CA judicial
18 branch. But This Court and none of the other approximately 400 judges who also voiced concern
19 similar to KRAMER’s were sent to jail; caused bodily harm; caused emotional distress; fined \$30K;

21 ⁴⁰Katy’s Exposure, September 13, 2011 “Is the California Court Case Management System Being
22 Used To Defraud The Public...” <http://wp.me/plYPz-3aV>

23 ⁴¹January 19, 2012 DEPT 30 held Kramer in contempt for placing letters to JC, AOC & CJP on Net
24 of misuse of CCMS, etc. <http://freepdfhosting.com/a2de403995.pdf>

25 ⁴²February 10, 2012 K v K Dept 30 was made aware website owners refused to remove evidence of
26 courts conspiring with Kelman and Scheuer to defraud the public from their websites, Kramer could
27 not comply with unlawful contempt order. <http://freepdfhosting.com/cea5b7ed37.pdf>

28 ⁴³July 3, 2012 Judge Earl Maas III Letter to Judicial Council of misuse of CCMS, etc.
www.courts.ca.gov/documents/SP12-05_MaasE.pdf

1 or deemed criminally malicious and mentally incompetent liars or ordered never to write of the
2 matter again. (Sidebar: It would be a strong bet that the Judicial Council, AOC and CJP would liked
3 to have done all of the above to these judges who are exposing waste and ineptitude of CA judicial
4 branch and AOC)

5 **II** 6 **Argument**

7 1. The sole foundational document to K v. K is the VOID JUDGMENT from K & G v.
8 K, submitted to DEPT 30 on November 4, 2010 by the same attorney, SCHEUER, who recorded
9 the conflicting ABSTRACT and LIEN, which establishes the VOID JUDGMENT is a known
10 fraud by SCHEUER and was antedated in violation of B. & P.C. 6068(a)(d)(g), G.C.6200(a)(c),
11 G.C.6203(a), and P.C.422.6(a), causing interest to accrue before they were even submitted. It
12 must be vacated because it is known to be void and is aiding and abetting the continuance of
13 malicious litigation adversely impacting public health and the defrauding of the taxpayer.

14 2. The fact that there is no Notice of Entry of Judgment from the court to prevailing
15 Pro Per KRAMER of the September 24, 2008 judgment is a violation of C.C.P.664.5(b) and
16 renders the VOID JUDGMENT unlawful to be used for any purpose under C.C.P.664. “For
17 example, courts have held that the document entitled ‘Notice of Entry’ mentioned in the rule
18 must bear precisely that title, and the ‘file stamped copy of the judgment’ [citation] must truly be
19 file stamped.” (Id. At p. 903, quoting rule 8.104(a)(1).)” *Citizen for Civic Accountability v. Town of*
20 *Danville (2008) 167 Cal.App.4th 1162*. It must be vacated because it was never noticed under rules
21 of the court and is thus invalid to be used for any purpose – legal or illegal.

22 3. It is fraud still within the time limit to be punished under C.C.337.5(b) and B. &
23 P.C.6068(c)(d)(g), that SCHEUER commingled his clients’ costs and placed a known fraudulent lien
24 on KRAMER’s property for costs incurred by his trial losing client, VERITOX; and then proceeded
25 to submit the known VOID JUDGMENT from K & G v. K, under penalty of perjury, as the sole
26 foundational document to K v. K in furtherance of malicious litigation aimed to defraud the public
27 while attempting to keep the courts’ role in aiding the defrauding hidden from public view.
28 SCHEUER has willful forsaken is fiduciary duty to stop maliciously litigating. “Once the attorney

1 realizes that he or she has misled the court, even innocently, he or she has an affirmative duty to
2 immediately inform the court and to request that it set aside any orders based upon such
3 misrepresentation; also counsel should not attempt to benefit from such improvidently entered
4 orders.” Datig v. Dove Books, 73 Cal.App.4th, 964, (1999) It must be vacated because KRAMER has
5 an interest accruing lien on her property that includes costs incurred by a retired assistant U.S.
6 Surgeon General who she prevailed over in trial and is a now seven year undisclosed party to the
7 litigation.

8 4. The sole purpose of K v. K is to permanently enjoin KRAMER from writing and
9 placing the evidence on the internet and in public light of what occurred K & G v. K at the hands
10 of officers of the courts and plaintiffs to make the false finding of libel with actual malice over
11 the words, “altered his under oath statements” to demean her character, libel her,
12 intimidate/coerce her into silence and to cast doubt on the credibility of her words about a
13 massive science fraud in policy aided to continue by those who have forgotten their sworn oath
14 is to uphold the Constitution for the good of the people; and to stop her from writing of the
15 continued adverse impact on the environmentally disabled and dying, taxpayers and KRAMER
16 herself directly because of the unlawful actions that are in violation of the First Amendment of
17 the Constitution and Code of Civil Procedure 1209(b) in these two cases. It must be vacated
18 because it is a dangerously egregious precedent of the inability to speak truth in the U.S. for the
19 good of the people without fear of retaliation.

20 5. DEPT 30 is well aware of the fact that the sole foundational document to K v. K is
21 fraudulent and void to be used for any purpose under C.C.P. 664 & 664.5(b), leaving DEPT 30
22 making rulings, judgments, abusive incarcerations, causing bodily harm and using harassment and
23 intimidation tactics that would do the Mafia proud -- with no subject matter jurisdiction. “Once
24 challenged, jurisdiction cannot be assumed, it must be proved to exist” *Stuck v. Medical Examiners*,
25 94 Ca 2d 751, 211 P2d 389. “Acts in excess of judicial authority constitutes misconduct, particularly
26 where a judge deliberately disregards the requirements of fairness and due process.” *Gonzalez v.*
27 *Commission on Judicial Performance*, (1983) 33 Cal.3d 359, 371,374 It must be vacated to force the
28 ceasing by abusive court from aiding to defraud the public in hate crimes against the environmentally

1 disabled, dying and their proponents to the benefit of the affiliates of the U.S. Chamber of
2 Commerce in violation of oath of office.

3 6. It is equally concerning to know that SCHEUER is an old hand at litigating by these
4 deceptive means of character assassination in the State of California apparently with no
5 repercussions in thirty years time. “Defendants, in their zeal to present a portrait of plaintiff Roston
6 (and his enterprises) that would enhance their position, made reference to a multitude of cases which
7 were inappropriate for consideration by the trial court....The presentation of such matter, if
8 designedly done, is certainly to be discouraged. One might mistake it for an attempt to inflame the
9 court.” *Roston v. Edwards* 127 Cal.App.3d 842 (1982) W. Patrick O’Keefe, Jr., Costello & Walcher,
10 Edward J. Costello, Jr., and Keith Scheuer for Defendants and Respondents. It must be vacated and
11 officer of the court, SCHEUER, needs to be held accountable for orchestrating this travesty of justice
12 in furtherance of hate crimes against the environmentally disabled, dying and their proponent,
13 KRAMER. Judicial Code of Ethics, Canon 3(D)(2) states “*Whenever a judge has personal*
14 *knowledge that a lawyer has violated any provision of the Rules of Professional Conduct, the judge*
15 *shall take appropriate corrective action.*”

16 7. The VOID JUDGMENT must be vacated because it is playing an intricate role in
17 defrauding the taxpayer of billions of dollars while concealing court aided, furtherance of hate
18 crimes against the environmentally disabled, dying and KRAMER in violation of too many
19 codes, canons, treatises, constitutional and case laws to put into one brief. “Uncontradicted and
20 unimpeached evidence is generally accepted as true.” (*Garza v. Workmen’s Comp. App. Bd.* (1970) 3
21 *Cal.3rd* 312 317-318 [90 Cal.Rptr. 355]; *Keulen v. Workers’ Comp. Appeals Bd.*, *supra*, 66
22 *Cal.App.4th* at p. 1099.) In these cases, uncontroverted and unipeached evidence proving massive
23 fraud aided to continue by officers of the courts themselves, is simply suppressed and ignored.
24 **THIS is the greatest threat to the Constitution of the United States that democracy depends on**
25 **for survival.**

26 8. Although This Court did award KRAMER her costs by amended judgment, she has not
27 been able to record an Abstract of Judgment or collect on the award. This is because every case has

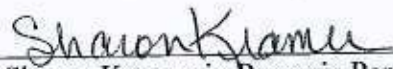
1 only one judgment. The one currently on record awarding KRAMER costs of approximately \$2500
2 also awards interest accruing costs of approximately \$3500 to a party of which KRAMER prevailed
3 over in trial. To record a new abstract based on the October 28, 2011 amended judgment would
4 leave KRAMER recording a new abstract which wrongfully leaves her owing money to a party she
5 prevailed over in trial. The current VOID JUDGMENT on record must be vacated as it awards costs
6 incurred by a trial losing party to KELMAN with interest accruing from three weeks before
7 KELMAN's costs were even submitted. It is a fraudulent document under G.C.6200(a)(c),
8 G.C.6203(a)(b), C.C.P.664, C.C.P.664.5(b), & B&PC6800(c)(d)(g).

9
10 **III**
Conclusion

11 This court has the subject matter jurisdiction and the fiduciary duty to protect public
12 health, the environmentally disabled, the taxpayer, the Constitution and KRAMER from a
13 compromised judicial system that is out of control, particularly at the helm and shielded by
14 misguided fidei defensor officers of the courts. The known fraudulent and VOID JUDGMENT of
15 September 24, 2008 must be vacated in the name of justice on many levels. This Court set
16 precedence, establishing the understanding that it has jurisdiction and a fiduciary duty to assure
17 judgments are accurately recorded and properly used when it amended the judgment after appeal on
18 October 28, 2011. "We reject Nicholas's efforts to transform one of the initial trial judge's prior
19 sealing orders into a juridical black hole from which no light can ever escape... Erecting a
20 jurisdictional barrier would effectively prevent the court from exercising custody and control over
21 its own files". *In the Marriage of Nichols*, 186 Cal.App.4th 1566 (2010) 1573.

22 For the foregoing reasons on behalf of herself, her family, the American public, the
23 American taxpayer and the environmentally disabled and dying; KRAMER prays This Court
24 vacates the VOID JUDGMENT.

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9/20/12
Date


Sharon Kramer in Properia Persona

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1 malicious liar and refusing to correct their errors, even while knowing how many lives,
2 including mine, continue to be devastated from their collective unlawful actions.

3 I declare under penalty of perjury that the foregoing is true and correct to the best of my
4 knowledge under the laws of the State of California and executed by me this 20th day of
5 September 2012.

6 Sharon Kramer
7 Sharon Kramer, Pro Per
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): SHARON NOONAN KRAMER 2031 Arborwood Place Escondido, CA 92029 TELEPHONE NO.: 760-746-8026 FAX NO. (Optional): E-MAIL ADDRESS (Optional): snk1955@aol.com ATTORNEY FOR (Name): in Properia Persona	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego STREET ADDRESS: 325 S. Melrose MAILING ADDRESS: CITY AND ZIP CODE: Vista, California 92083 BRANCH NAME: North County Division	CASE NUMBER: GIN044539
PLAINTIFF/PETITIONER: Bruce J. Kelman & Veritox, Inc (including Bryan Hardin) DEFENDANT/RESPONDENT: Sharon Kramer	JUDGE: Hon. Earl Maas III DEPT.: Dept 28
PROOF OF SERVICE—CIVIL Check method of service (only one): <input checked="" type="checkbox"/> By Personal Service <input type="checkbox"/> By Mail <input type="checkbox"/> By Overnight Delivery <input type="checkbox"/> By Messenger Service <input type="checkbox"/> By Fax <input type="checkbox"/> By Electronic Service	

(Do not use this proof of service to show service of a Summons and complaint.)

1. At the time of service I was over 18 years of age and **not a party to this action.**
2. My residence or business address is:
3535 Manchester Ave, Cardiff By The Sea, CA 92007
3. ☐ The fax number or electronic service address from which I served the documents is *(complete if service was by fax or electronic service)*:
4. On (date): **9/20/1202** I served the following **documents** (specify):
NOTICE OF MOTION; MOTION TO VACATE VOID JUDGMENT of September 24, 2008 last amended October 28, 2011; Memorandum of Point and Authorities In Support Of Defendant's Motion; & Declaration of Defendant Sharon Kramer
☐ The documents are listed in the *Attachment to Proof of Service—Civil (Documents Served)* (form POS-040(D)).
5. I served the documents on the **person or persons** below, as follows:
 - a. Name of person served: **Keith Scheuer, Esq**
 - b. ☒ *(Complete if service was by personal service, mail, overnight delivery, or messenger service.)*
 Business or residential address where person was served:
4646 Admiralty Way #402, Marina Del Rey, CA
 - c. ☐ *(Complete if service was by fax or electronic service.)*
 - (1) Fax number or electronic service address where person was served:
 - (2) Time of service: **AM**☐ The names, addresses, and other applicable information about persons served is on the *Attachment to Proof of Service—Civil (Persons Served)* (form POS-040(P)).
6. The documents were served by the following means (specify):
 - a. ☒ **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

CASE NAME:
Kelman & GlobalTox v. Kramer

CASE NUMBER:
GIN044539

6. b. ☐ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and (specify one):

- (1) ☐ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- (2) ☐ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at (city and state):

- c. ☐ **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- d. ☐ **By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. (A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.)
- e. ☐ **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.
- f. ☐ **By electronic service.** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed in item 5.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

DECLARATION OF MESSENGER

- ☒ **By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package, which was clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on (date): September 20, 2012

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: September 20, 2012

Helen E. Noonan

(NAME OF DECLARANT)

▶ Helen E. Noonan
(SIGNATURE OF DECLARANT)