

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN DIEGO  
NORTH COUNTY DIVISION

DEPARTMENT 30

HON. THOMAS P. NUGENT, JUDGE

\_\_\_\_\_)  
BRUCE J. KELMAN, )  
 )  
 )  
 ) PLAINIFF, ) CASE NO. 37-2010-  
 ) 00061530-CU-DF-NC  
V. )  
 )  
 )  
SHARON KRAMER, AND DOES 1 THROUGH )  
20, INCLUSIVE, )  
 )  
 ) **MOTION HEARING**  
 )  
DEFENDANTS. )  
\_\_\_\_\_)

**REPORTER'S TRANSCRIPT**

OCTOBER 21, 2011

VISTA, CALIFORNIA

**CERTIFIED COPY**

REPORTED BY: BARBARA E. PENN, CSR 8365, RPR, CRR  
OFFICIAL COURT REPORTER

APPEARANCES :

FOR PLAINTIFF:

SCHEUER & GILLETT  
BY: KEITH SCHEUER  
4640 ADMIRALTY WAY, SUITE 402  
MARINA DEL REY, CALIFORNIA 90292

FOR DEFENDANT:

IN PROPRIA PERSONA

ALSO PRESENT:

TRACEY SANG, ATTORNEY AT LAW  
OFFICE OF ASSIGNED COUNSEL

1 VISTA, CALIFORNIA, FRIDAY, OCTOBER 21, 2011, 1:23 P.M.

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3  
4 **THE COURT:** LET'S TAKE THE KELMAN VERSUS KRAMER  
5 MATTER. TWO ISSUES: THE MOTION OF MS. KRAMER AND THE  
6 REQUEST TO SET A HEARING FOR CONTEMPT RULING.

7 I READ THE PAPERS. I UNDERSTAND YOUR POSITIONS.

8 DO YOU HAVE ANYTHING YOU WISH TO ADD?

9 **THE DEFENDANT:** YES, YOUR HONOR. I DO.

10 **THE COURT:** DON'T REPEAT EVERYTHING YOU TOLD ME. I  
11 JUST SAID I READ THEM. THAT'S NOT THE FIRST TIME EITHER.

12 **THE DEFENDANT:** OKAY. I HAVE A -- JUST A  
13 TWO-AND-A-HALF PAGE STATEMENT THAT AS OF 11:45 TODAY AS  
14 PART OF THE U.S. DEPARTMENT OF LABOR/OSHA WEBSITE --

15 **THE COURT:** NO. WE'RE NOT --

16 **THE DEFENDANT:** IT'S LINKED FROM THE PUBLICATION.

17 **THE COURT:** NO. NO. NO. NO. EXCUSE ME. WHAT  
18 WE'RE NOT GOING TO DO TODAY IS ADD ANYTHING TO THE RECORD.

19 **THE DEFENDANT:** NO.

20 **THE COURT:** JUST A MINUTE. I HAVE BEFORE ME THE  
21 PAPERS YOU FILED, THE RESPONSIVE PAPERS, AND THAT'S ALL  
22 I'M GOING TO BE RULING ON. SO IF YOU'VE GOT SOMETHING  
23 THAT'S NOT IN YOUR PAPERS --

24 **THE DEFENDANT:** NO. I'M JUST TELLING YOU THAT WHAT  
25 I'M READING YOU TODAY, AS OF 11:45 TODAY, IS PART OF AN  
26 INDOOR AIR QUALITY HEALTH ADVISORY.

27 **THE COURT:** AND I'M TELLING YOU THAT IF YOU DIDN'T  
28 INCLUDE IT IN YOUR PAPERS, IT'S NOT GOING TO BE PART OF

1 THESE PROCEEDINGS.

2 **THE DEFENDANT:** IT IS INCLUDED IN MY PAPERS.

3 **THE COURT:** WELL, THEN, IF YOU INCLUDED -- JUST A  
4 MINUTE -- IN YOUR PAPERS, YOU DON'T NEED TO READ IT.

5 **THE DEFENDANT:** I THINK I DO, YOUR HONOR.

6 **THE COURT:** WELL, THEN I'M GOING TO CALL YOU -- WELL,  
7 I GOT SOMEBODY HERE I WANT YOU TO MEET, SO I CAN'T REALLY  
8 NOT DO THIS. WHY DON'T YOU JUST HAVE IT FILED.

9 **THE DEFENDANT:** IF I COULD, YOUR HONOR, I WOULD  
10 REALLY SINCERELY APPRECIATE ONE MINUTE.

11 **THE COURT:** SEE HOW MANY PEOPLE THAT ARE HERE THAT  
12 WANTS THEIR MATTERS HEARD? BUT GO AHEAD. BUT THAT'S IT.

13 **THE DEFENDANT:** OKAY. THANK YOU, YOUR HONOR. I  
14 APPRECIATE IT.

15 THE UNCONTROVERTED EVIDENCE ON RECORD IN THIS CASE --  
16 FIRST OF ALL, ACCORDING TO CALIFORNIA LAW, UNCONTROVERTED  
17 EVIDENCE IS GENERALLY ACCEPTED AS TRUE, INCLUDING U.S.  
18 CITIZEN KRAMER'S AND INCLUDING IN THIS CASE.

19 THE UNCONTROVERTED EVIDENCE --

20 I'LL GIVE THIS TO YOU. YOU DON'T HAVE TO WORRY. I  
21 MIGHT TALK FAST.

22 THE UNCONTROVERTED EVIDENCE ON RECORD IN THIS CASE IS  
23 THAT MARCH 2005, I WAS THE FIRST TO PUBLICLY WRITE HOW IT  
24 BECAME A FRAUD MASS MARKETING --

25 (INTERRUPTION IN PROCEEDINGS BY THE COURT REPORTER.)

26 **THE DEFENDANT:** I'LL GIVE YOU A COPY OF THIS.

27 **THE COURT:** YEAH, BUT SHE HAS TO TAKE IT DOWN AS  
28 YOU'RE SAYING IT.

1           **THE DEFENDANT:** OKAY. THE UNCONTROVERTED EVIDENCE ON  
2 RECORD IN THIS CASE IS THAT IN MARCH 2005, I WAS THE FIRST  
3 TO PUBLICLY WRITE OF HOW IT BECAME A FRAUD MASS MARKETED  
4 INTO U.S. PUBLIC HEALTH POLICY, AND BEFORE U.S. COURTS  
5 THAT IT WAS SCIENTIFICALLY PROVEN MOLDY BUILDINGS DO NOT  
6 HARM PEOPLE, WHILE I NAMED THE NAMES OF THOSE INVOLVED:  
7 BRUCE KELMAN, GLOBALTOX, INC., NOW KNOWN AS VERITOX, INC.,  
8 THE MANHATTAN INSTITUTE THINK-TANK, THE U.S. CHAMBER OF  
9 COMMERCE, THE AMERICAN COLLEGE OF OCCUPATIONAL, AND  
10 ENVIRONMENTAL MEDICINE, AND U.S. CONGRESSMAN GARY MILLER.

11           TO QUOTE THE HATRED AND DISTRUST OF SICK-INSPIRING  
12 MARKETING CAMPAIGN THAT WAS WRITTEN BY BRUCE AND CO-OWNER  
13 OF VERITOX, BRYAN HARDIN, AND AS PENNED BY THE TWO PH.D.'S  
14 FOR THE U.S. CHAMBER OF COMMERCE, PAID FOR BY A  
15 THINK-TANK, THUS THE NOTION THAT TOXIC MOLD IS AN  
16 INSIDIOUS SECRET KILLER, AS SO MANY TRIAL LAWYERS AND  
17 MEDIA WOULD CLAIM, IS JUNK SCIENCE UNSUPPORTED BY ACTUAL  
18 SCIENTIFIC STUDY.

19           THE UNDISPUTED EVIDENCE ON THE RECORD OF THIS CASE IS  
20 THAT BRYAN HARDIN WAS AN UNDISCLOSED PARTY TO THE  
21 LITIGATION OF KELMAN VERSUS KRAMER AGAINST ME FOR SIX  
22 YEARS.

23           THE UNDISPUTED EVIDENCE ON RECORD IN THIS CASE IS  
24 THAT THE U.S. CHAMBER MOLD STATEMENT CITES FALSE PHYSICIAN  
25 AND INDUSTRIAL HYGIENIST AUTHOR. IT WAS ONLY AUTHORED BY  
26 BRUCE AND BRYAN. THEY WERE THE ONLY TWO WHO BILLED HOURS  
27 AND WERE PAID FROM THE U.S. CHAMBER'S "A SCIENTIFIC VIEW  
28 OF THE HEALTH EFFECTS OF MOLD."

1 THE UNDISPUTED EVIDENCE ON RECORD IN THIS CASE IS  
2 THAT BRUCE COMMITTED CRIMINAL PERJURY TO ESTABLISH A  
3 NEEDED THEME FOR MY MALICE OF BEING A SOUR GRAPES LITIGANT  
4 WHILE STRATEGICALLY LITIGATING TO SILENCE ME. HIS  
5 ATTORNEY, KEITH SCHEUER, REPEATEDLY SUBORNED BRUCE'S  
6 PERJURY TO INFLAME THE COURTS AND PORTRAY A FALSE PORTRAIT  
7 OF ME. PUBLISHED CALIFORNIA CASE LAW EVIDENCES THAT KEITH  
8 HAS A NO-LESS-THAN-30-YEAR HISTORY OF LITIGATING BY THESE  
9 MEANS IN THE STATE OF CALIFORNIA.

10 THE UNDISPUTED EVIDENCE ON RECORD IN THIS CASE IS  
11 THAT ALL COURTS TO OVERSEE KELMAN AND GLOBALTOX VERSUS  
12 KRAMER SUPPRESSED THE EVIDENCE OF KELMAN'S PERJURY WITH  
13 THE FOURTH DISTRICT DIVISION ONE APPELLATE COURT BEING  
14 DIRECTLY EVIDENCED OF WILLFULLY SUPPRESSING THIS EVIDENCE  
15 IN BOTH THEIR 2006 ANTI-SLAPP OPINION AND THEIR 2006  
16 PURPORTED REVIEW OF THE CASE.

17 THE UNDISPUTED EVIDENCE ON RECORD OF THIS CASE IS  
18 THAT IN THEIR 2006 ANTI-SLAPP OPINION, WRITTEN BY JUSTICE  
19 JUDITH MCCONNELL, CHAIR OF THE CALIFORNIA COMMISSION ON  
20 JUDICIAL PERFORMANCE, SHE FRAMED ME TO MAKE IT APPEAR I  
21 HAD ACCUSED BRUCE OF GETTING CAUGHT ON THE WITNESS STAND  
22 LYING ABOUT BEING PAID TO AUTHOR THE ACOEM MOLD STATEMENT.  
23 ABSOLUTELY UNDENIABLE AS RECORD IN THIS CASE, MY WRITING  
24 IS 100 PERCENT ACCURATE. THE THINK-TANK MONEY WAS FOR THE  
25 U.S. CHAMBER MOLD STATEMENT, ACOEM'S VERSION.

26 UNDISPUTED EVIDENCE ON RECORD IN THIS CASE IS IN  
27 THEIR 2010 APPELLATE OPINION, CONCURRED WITH BY JUSTICE  
28 RICHARD HUFFMAN, EX-CHAIR OF THE EXECUTIVE COMMITTEE OF

1 THE JUDICIAL COUNSEL, THEY SUPPRESSED THE EVIDENCE OF WHAT  
2 THEIR PEERS HAD DONE IN 2006 TO SUPPRESS THE EVIDENCE OF  
3 BRUCE'S PERJURY, HARDIN'S NONDISCLOSURE AS PARTY OF THE  
4 LITIGATION, AND THE FRAMING OF ME FOR LIBEL.

5 THE UNDISPUTED EVIDENCE ON RECORD IN THIS CASE IS  
6 THAT I HAVE NEVER REPUBLISHED THE PHRASE "ALTERED HIS  
7 UNDER-OATH STATEMENTS," THE ONLY PHRASE FOR WHICH I WAS  
8 SUED WITHOUT DISCLOSING IT WAS THE SUBJECT OF A LAWSUIT.

9 THE UNDISPUTED EVIDENCE ON RECORD IN THIS CASE IS  
10 THAT IF I CANNOT REPUBLISH THAT PHRASE, I ALSO CANNOT  
11 WRITE OR EVIDENCE OF WHAT THE SAN DIEGO COURTS HAVE DONE  
12 TO FRAME A WHISTLEBLOWER OF FRAUD IN POLICY, ME, FOR LIBEL  
13 WHILE SUPPRESSING EVIDENCE OF SOME OF THE MOST NOTORIOUS  
14 PRODUCT DEFENDERS IN THE MOLD ISSUE, VERITOX'S USE OF  
15 CRIMINAL PERJURY TO ESTABLISH NEEDED REASON FOR MALICE  
16 WHILE STRATEGICALLY LITIGATING. SO IN THE WORDS OF  
17 JONATHAN BORAK, OVERSEER OF THE SCIENTIFIC AFFAIRS FOR  
18 ACOEM, SAID THEIR GARBAGE SCIENCE MAY CONTINUE TO BE USED  
19 IN U.S. COURTS SO THEY CAN MAKE MONEY AS EXPERT WITNESSES  
20 WHILE SELLING DOUBT OF CAUSATION OF SERIOUS ILLNESS OF  
21 MOLDY BUILDINGS.

22 THE EVIDENCE ON RECORD IN THIS CASE IS THAT ON  
23 JULY 15, 2011, THIS COURT MADE A STATEMENT IN ORAL  
24 ARGUMENT THAT IT WAS FRIVOLOUS OF ME TO WANT BRUCE AND  
25 KEITH TO BE MADE TO CORROBORATE THEIR REASONS FOR MALICE  
26 IN THE PRIOR COURTS. THIS COURT THREATENED TO SANCTION ME  
27 FOR MY FRIVOLOUS REQUEST.

28 WITH ALL RESPECT DUE TO THIS COURT, THERE'S NOTHING

1 FRIVOLOUS ABOUT A BUNCH OF JUDGES SUPPRESSING EVIDENCE OF  
2 A PLAINTIFF'S CRIMINAL PERJURY AND HIS ATTORNEY'S REPEATED  
3 SUBORNING OF IT FOR SIX YEARS WITH THE APPELLATE COURT  
4 DIRECTLY EVIDENCED OF KNOWING BY DOING SO, THEY WERE  
5 AIDING THE INTERSTATE INSURER FRAUD IN THE QUOTES AND ITS  
6 POLICY OVER THE MOLD ISSUE.

7 I HAVE NOT AND I WILL NOT ADHERE TO ANY GAG ORDER  
8 THAT PRECLUDES ME FROM WRITING OF WHAT THE COMPROMISED  
9 JUSTICES OF THE FOURTH DISTRICT DIVISION ONE APPELLATE  
10 COURT HAVE DONE TO COLLUDE WITH VERITOX TO DEFRAUD THE  
11 PUBLIC FOR SIX YEARS.

12 I REFUSED TO BE VICTIMIZED BY COMPROMISED JUDICIARIES  
13 AND VICTIMIZED AGAIN BY BEING FORCED INTO SILENCE OF THE  
14 COURT'S SUPPRESSION OF EVIDENCE OF BRUCE'S CRIMINAL  
15 PERJURY FOR SIX YEARS, GAGGED FROM WRITING OF WHAT THEY --  
16 AND I'M SORRY, YOUR HONOR -- NOW THIS COURT HAVE DONE AND  
17 THEREBY BECOMES A FORCED ACCOMPLICE TO THE COMPROMISED SAN  
18 DIEGO COURTS AND VERITOX IN DEFRAUDING THE AMERICAN  
19 PUBLIC.

20 AS EVIDENCE FOR THIS COURT, DR. DAVID MICHAELS,  
21 DIRECTOR OF OSHA, HAS DEEMED VERITOX, THE PRODUCT  
22 DEFENDERS, WHOSE TIES ARE SO CLOSE TO INDUSTRY THEY HAVE  
23 NO BUSINESS INFLUENCING PUBLIC HEALTH POLICY. THIS IS  
24 WHAT THE COMPROMISED JUSTICES OF THE FOURTH ARE AIDING TO  
25 CONCEAL WHILE SUPPRESSING EVIDENCE FOR NOW SIX YEARS THAT  
26 BRUCE USED CRIMINAL PERJURY TO ESTABLISH A REASON FOR MY  
27 MALICE, BRYAN HAS BEEN AN UNDISCLOSED PARTY TO THE  
28 LITIGATION ALL ALONG, AND THEY FRAMED ME FOR LIBEL.



1           THIS COURT'S DESIGNATED ROLE WAS OBVIOUSLY TO FINISH  
2 THE JOB AND SCARE ME WITH THE THREAT OF JAIL TIME IF I  
3 REFUSED TO BE SILENCED OF THE RAMPANT CORRUPTION IN THE  
4 FOURTH DISTRICT DIVISION ONE APPELLATE COURT COLLUDING  
5 WITH VERITOX TO DEFRAUD THE PUBLIC FOR NOW SIX YEARS.

6           IF IT IS CONTEMPT OF COURT THAT I REFUSE TO BE  
7 BULLIED, INTIMIDATED, THREATENED, AND FRAMED FOR LIBEL SO  
8 FRAUD AND COLLUSION MAY CONTINUE, THEN SO BE IT. I AM NOT  
9 GOING TO BE FORCED INTO SILENCE SO MONEY CAN BE MADE BY  
10 THE COMPROMISE WHILE LIVES ARE DESTROYED DIRECTLY BECAUSE  
11 OF CORRUPT JUSTICES IN THE SAN DIEGO APPELLATE COURT AND  
12 THIS COURT NOW AIDING TO CONCEAL IT.

13           THIS COURT DOES NOT EVEN HAVE JURISDICTION OVER THIS  
14 CASE TO GAG ME OF ANYTHING. AS EVIDENCE FOR THIS COURT BY  
15 THE ABSTRACT OF JUDGMENT BRUCE AND KEITH OBTAINED ON  
16 DECEMBER 31, 2008, AND THE LIEN THEY PLACED UPON MY  
17 PROPERTY ON JANUARY 20, 2009, ALONG WITH OTHER EVIDENCE,  
18 THE THREE-PAGE JUDGMENT DOCUMENT UPON WHICH THIS ENTIRE  
19 CASE IS FOUNDED IS FRAUDULENT AND VOID.

20           I THANK YOU SO MUCH, JUDGE NUGENT, FOR LETTING ME  
21 STATE THAT, AND THAT IS NOW PART OF A U.S. DEPARTMENT OF  
22 HEALTH ADVISORY.

23           **THE COURT:** WE'VE HAD THIS DISCUSSION BEFORE, AND YOU  
24 KNOW I THINK YOU'RE A NICE PERSON, AND I DON'T WANT TO  
25 HURT YOU. IT DOESN'T MATTER WHAT YOU THINK OF THIS COURT.

26           **THE DEFENDANT:** I THINK HIGHLY OF YOU, YOUR HONOR.

27           **THE COURT:** I'M NOT WORRIED ABOUT THAT.

28           **THE DEFENDANT:** OKAY.

1           **THE COURT:** BUT WE DON'T HAVE TO HEAR RESPONSIVE  
2 ARGUMENT TO THAT BECAUSE WE HAVE HEARD IT BEFORE.

3           THE MOTION TO NULLIFY IS DENIED. THE REQUEST TO SET  
4 A HEARING FOR CONTEMPT, WHICH WOULD BE JUST ABOUT THE LAST  
5 THING I WOULD LIKE TO FIND, WILL BE SET.

6           HOW SOON WOULD YOU LIKE TO HAVE THAT, COUNSEL?

7           **MR. SCHEUER:** YOUR HONOR, WITHIN 30 DAYS IF THAT  
8 WORKS FOR THE COURT'S CALENDAR.

9           **THE COURT:** WELL, THAT'S GOING TO DEPEND ON -- I'M  
10 GOING TO APPOINT YOU COUNSEL FROM THE ADMINISTRATIVE  
11 OFFICE OF THE COURTS.

12           **THE DEFENDANT:** I DON'T WANT ANYONE FROM THE  
13 ADMINISTRATIVE OFFICE OF THE COURTS. THAT WOULD BE THE  
14 LAST PERSON I WANT.

15           **THE COURT:** YOU'RE GOING TO HAVE ONE.

16           **THE DEFENDANT:** I REFUSE. I DON'T WANT IT.

17           **THE COURT:** YOU'RE NOT TALKING ANYMORE.

18           **THE DEFENDANT:** IF YOU WOULD LIKE TO --

19           **THE COURT:** MARK, YOU WANT TO GET BEHIND THAT YOUNG  
20 LADY.

21           **THE DEFENDANT:** -- DO IT TODAY.

22           **THE BAILIFF:** MA'AM, LISTEN TO THE JUDGE.

23           **THE COURT:** JUST SIT THERE AND BE QUIET.

24           WILL THE PERSON FROM THE AOC, PLEASE STAND. YES.

25           PLEASE STAND AND ANNOUNCE YOUR NAME FOR THE RECORD.

26           **MS. SANG:** I'M TRACEY SANG FROM OFFICE OF ASSIGNED  
27 COUNSEL.

28           **THE COURT:** IT'S OFFICE -- OAC.

1           **MS. SANG:**   YEAH.

2           **THE COURT:**   SO IT'S NOT THE AOC.   SO HEY, THAT MAY BE  
3 BETTER.   OFFICE OF ASSIGNED COUNSEL.

4           SHE'S NOT GOING TO GO AWAY.   I WOULD REALLY  
5 APPRECIATE IT IF YOU WOULD AT LEAST MEET HER, AND THEN YOU  
6 CAN MAKE YOUR OWN DECISIONS, BUT I FEEL VERY OBLIGED TO  
7 MAKE SURE YOU HAVE THE OPPORTUNITY OF HAVING COUNSEL.

8           LET'S ASSUME FOR THE MOMENT THAT YOU DO REPRESENT  
9 THIS YOUNG LADY, WHEN WOULD YOU THINK YOU WOULD BE READY  
10 FOR A CONTEMPT HEARING?   AND I KNOW YOU DON'T KNOW THE  
11 CASE, BUT IT'S ALL ABOUT A PRIOR JURY VERDICT WHERE  
12 MS. KRAMER WAS HELD TO HAVE DEFAMED THIS GENTLEMAN'S  
13 CLIENTS --

14          **THE DEFENDANT:**   AND THE COURT SUPPRESSED THE EVIDENCE  
15 OF HIS CLIENTS.

16          **THE COURT:**   JUST A MINUTE.

17          -- ORDERED NOT TO REPEAT IT, AND SHE DOES REPEAT IT  
18 CONSISTENTLY AND BELIEVES THAT SHE HAS TO OR HAS A RIGHT  
19 TO, AND I'M VERY CONCERNED ABOUT HER ABILITY TO APPRECIATE  
20 THE NATURE OF THESE PROCEEDINGS BEING AT LEAST QUASI  
21 CRIMINAL IN NATURE.   HAVING SAID ALL THAT --

22          **MS. SANG:**   I UNDERSTAND.   I BELIEVE I UNDERSTAND.  
23 I'M NOT EXACTLY SURE HOW VOLUMINOUS THE DOCUMENTATION  
24 WOULD HAVE TO BE THAT I WOULD LOOK AT, BUT I GUESS WITHIN  
25 30 DAYS I COULD PROBABLY DO IT.

26          **THE COURT:**   THE HEARING DATE WILL BE -- I'VE GOT A  
27 HUGE CASE.   BIG, BIG, BIG ONE-MONTH -- TWO-MONTH,     
28 ACTUALLY, STARTING VERY QUICKLY, AND I'D LIKE TO GET THIS

1 RESOLVED BEFORE THEN. SO I'M GOING TO SET IT FOR  
2 NOVEMBER 14. THAT'S A LITTLE QUICKER THAN THE 30TH. IF  
3 THAT'S TOO TIGHT ON YOU, LET ME KNOW BECAUSE I DEFINITELY  
4 WANT YOU TO FEEL COMFORTABLE AND PREPARED IF MS. KRAMER  
5 PERMITS YOU TO DO SO.

6 **THE CLERK:** WHAT TIME ARE WE SETTING IT, YOUR HONOR?

7 **THE COURT:** IT'S A MONDAY. WE'LL SET IT FOR 10:00.

8 **MS. SANG:** I DO HAVE THAT DATE OPEN. LIKE I SAID,  
9 IT'S A LITTLE HARD FOR ME TO GIVE AN OPINION SINCE I  
10 HAVEN'T SEEN WHAT ALL I HAVE TO LOOK AT YET, BUT --

11 **THE COURT:** I KNOW. COME ON IN EX PARTE IF YOU HAVE  
12 AN ISSUE, AND WE'LL DEAL WITH IT.

13 **MS. SANG:** OKAY.

14 **MR. SCHEUER:** YOUR HONOR, I WOULD NOT ANTICIPATE -- I  
15 MEAN, IF COUNSEL HAS A PROBLEM WITH THAT DATE, WE'RE  
16 FLEXIBLE ABOUT IT.

17 **THE COURT:** I KNOW YOU ARE, AND I APPRECIATE IT.

18 **THE DEFENDANT:** AND YOUR HONOR, I'M NOT AGREEING  
19 TO -- I WILL DEFINITELY AGREE TO SPEAK WITH HER.

20 **THE COURT:** GOOD.

21 **THE DEFENDANT:** BUT I'M NOT AGREEING THAT SHE IS MY  
22 REPRESENTATION. AND I MEAN, YOU AND I -- I REALLY  
23 APPRECIATE IT HOW DIRECT YOU'VE LET ME BE.

24 **THE COURT:** IF YOU CAN GET YOUR OWN REPRESENTATION,  
25 YOU'RE MORE THAN WELCOME.

26 **THE DEFENDANT:** NO. I CAN'T AFFORD IT. THE COURT  
27 TOOK ALL MY MONEY.

28 **THE COURT:** I KNOW THAT. THAT'S WHY I'M ASSIGNING

1 SOMEONE TO YOU. YOU CAN DO WHAT YOU WISH.

2 **THE DEFENDANT:** WELL, I THINK YOU PROBABLY KNOW WHAT  
3 I'M GOING TO DO.

4 **THE COURT:** NO, I DON'T ACTUALLY. I'M NEVER TOO  
5 SURE.

6 **THE DEFENDANT:** WELL, JUDGE NUGENT, I SINCERELY  
7 APPRECIATE -- I SPEAK VERY DIRECTLY, AND I SINCERELY  
8 APPRECIATE THAT OF YOU, AND I WILL TAKE YOUR ADVICE AND  
9 SPEAK TO THIS WOMAN.

10 **THE COURT:** THAT'S ALL I CAN ASK.

11 **THE DEFENDANT:** ALL RIGHT. THANK YOU, YOUR HONOR.

12 **THE COURT:** THANK YOU. THAT CONCLUDES THIS MATTER.

13 **MR. SCHEUER:** YOUR HONOR, A COUPLE OF QUESTIONS. I  
14 REQUESTED SANCTIONS.

15 **THE COURT:** YES. THEY'LL BE SET FOR THE SAME DAY.

16 **MR. SCHEUER:** THE HEARING ON SANCTIONS FOR THE MOTION  
17 TO NULLIFY --

18 **THE COURT:** THAT'S RIGHT. IT WILL BE HEARD ON THE  
19 SAME DAY AS THE CONTEMPT HEARING.

20 **MR. SCHEUER:** ALL RIGHT. AND AS FAR AS THE BRIEFING  
21 SCHEDULE FOR THE CONTEMPT HEARING --

22 **THE COURT:** PUT SOMETHING TOGETHER WITH COUNSEL.

23 **MR. SCHEUER:** OKAY.

24 **THE COURT:** JUST MAKE SURE YOU GET YOUR REPLY PAPERS  
25 IN FIVE DAYS BEFORE WE START.

26 **THE DEFENDANT:** THANK YOU, YOUR HONOR.

27 **THE COURT:** YOU'RE WELCOME.

28 (END OF PROCEEDINGS.)

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN DIEGO ) : SS.

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BRUCE J. KELMAN,  
VS.  
SHARON KRAMER, AND DOES 1 THROUGH 20, INCLUSIVE  
CASE NO. 37-2010-00061530-CU-DF-NC

I, BARBARA E. PENN, CSR 8365, RPR, CRR, AN  
OFFICIAL COURT REPORTER OF THE SUPERIOR COURT OF THE STATE  
OF CALIFORNIA, IN AND FOR THE COUNTY OF SAN DIEGO, DO  
HEREBY CERTIFY:

THAT, AS SUCH REPORTER, I REPORTED  
STENOGRAPHICALLY THE PROCEEDINGS HAD IN THE ABOVE-ENTITLED  
CAUSE AND THAT THE FOREGOING TRANSCRIPT IS A FULL, TRUE,  
AND CORRECT TRANSCRIPTION OF MY SHORTHAND NOTES TAKEN  
DURING THE PROCEEDINGS HAD ON OCTOBER 21, 2011.

DATED: OCTOBER 25, 2011.



BARBARA E. PENN, CSR 8365, RPR, CRR  
OFFICIAL COURT REPORTER