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7 BRUCE J. KELMAN

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

8 BRUCE J. KELMAN,)
9 Plaintiff,) CASE NO.:
10 v.) 37-2010-00061530-CU-DF-NC
11 SHARON KRAMER, and DOES 1) Assigned for All Purposes to:
12 through 20, inclusive,) HON. THOMAS P. NUGENT
13 Defendants.) DEPARTMENT: N-30
14) UNLIMITED CIVIL CASE
15)
16) PLAINTIFF'S EX PARTE
17) APPLICATION FOR AN ORDER TO
18) SHOW CAUSE RE: CONTEMPT BY
19) DEFENDANT SHARON KRAMER;
20) DECLARATION OF KEITH SCHEUER

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Hearing Date: April 13, 2012
Time: 10:00 a.m.
Department: N-30

Trial Date: None

PLEASE TAKE NOTICE that on April 13, 2012, at 10:00
a.m. or as soon thereafter as the matter may be heard, in
Department N-30 of the above-entitled Court, located at 325
South Melrose, Vista, California 92081, Plaintiff will apply
ex parte for an Order to Show Cause why Defendant Sharon

1 Kramer should not be held in contempt, pursuant to
2 California Code of Civil Procedure § 1209(a)(5), for again
3 violating the preliminary injunction issued by this Court on
4 May 2, 2011. She republished the libel on at least three
5 separate occasions -- March 19, March 27 and April 2, 2012 -
6 - each of which constitutes a separate act of contempt and
7 each of which subjects her to punishment of up to five days
8 in jail and payment of Dr. Kelman's attorney's fees and
9 costs in bringing this motion. C.C.P. § 1218(a).

10
11 The preliminary injunction prohibits Kramer from
12 republishing the following statement, which was determined
13 to be libelous at the trial of the prior action (San Diego
14 Superior Court case no. GIN 044539):

15 "Dr. Kelman altered his under oath statements on the
16 witness stand" while he testified as a witness in an
17 Oregon lawsuit.

18 On or about March 19, 2012, less than a week after she
19 was released from incarceration for her prior contemptuous
20 conduct, Kramer republished the defamatory portion of her
21 2005 press release that precipitated these two lawsuits.

22 Specifically, on the Internet discussion board of the
23 American Industrial Hygiene Association (hereafter "AIHA"),
24 Kramer wrote:

1 "Jeff, to answer your question of why they let me out
2 early. They had accomplished what they wanted. By
3 Monday afternoon March 12th, the judge had signed the
4 order that I was to be released on March 14th. They
5 left me unlawfully incarcerated for two nights in a
6 dorm setting with tweakers, prostitutes and shoplifters
7 - and they gave me a false criminal record for refusing
8 to be coerced to commit perjury aiding to defraud the
9 public over the mold issue. It is really bad. I would
10 not make these statements if I could not support them
11 with the direct evidence. The linked evidence is at
12 <http://freepdfhosting.com/22464c3748.pdf> and the links
13 within this link. Be sure to read the links that are
14 highlighted." (Emphasis added. A copy of Kramer's AIHA
15 posting, including the linked documents, is attached to
16 the accompanying Scheuer declaration as Exhibit 1.)

17 The highlighted links that Kramer urged her readers to
18 "be sure to read" republished the enjoined statement at
19 least 56 times.¹

20 One of the documents that Kramer recommended to her
21 readers is titled, "Appendix of Why Mrs. Kramer Cannot Sign
22 Mr. Kelman's Proposed 'Retraction by Mrs. Kramer' Without
23 Committing Perjury, Defrauding the Public and Aiding to
24 Conceal Judicial Misconduct." This "Appendix" serves as her
25 table of contents to her screed titled "No Retraction by
26 Sharon Kramer," which follows the "Appendix."

27 On page 7 of the "No Retraction by Sharon Kramer," she
28 quotes verbatim the libelous language from her 2005 press
release.

¹ Plaintiff's counsel has denoted the republications of the libel with
markings in the right margin of Exhibit 1.

1 She republished these same materials again on March 27,
2 2012, linking to them at her blog, ContemptofCourtfor.Me, to
3 which her "Appendix" and "No Retraction" are electronically
4 attached as Exhibit 2. She also linked to her blog post on
5 Katy's Exposure, the Yahoo group "sickbuildings" and the
6 Facebook group "Justice for Sharon Kramer." (A copy of the
7 March 27 ContemptofCourtfor.Me posting on is attached hereto
8 as Exhibit 2.)
9

10 On April 2, she again reposted the "Appendix" and "No
11 Retraction" on her ContemptofCourtfor.Me blog. (A copy of
12 the April 2 ContemptofCourtfor.Me blog post is attached
13 hereto as Exhibit 3.)

14 The preliminary injunction is a valid order. Kramer was
15 served with the written preliminary injunction and at all
16 times has had actual knowledge of its existence and terms.
17 Kramer at all times was able to comply with the terms of the
18 preliminary injunction, but she has willfully disobeyed the
19 Court's order and chosen repeatedly to violate the
20 preliminary injunction.
21

22 Kramer represents herself in this action. Her address
23 is 2031 Arborwood Place, Escondido, California 92029. On
24 April 10, 2012, Plaintiff's counsel sent her an email
25

1 notifying her of this ex parte hearing on April 13, 2012 at
2 10:00 a.m. in this Court, and served her with this ex parte
3 application by FedEx overnight delivery, to be delivered
4 April 11, 2012, the next business day.

5 Dated: April 10, 2012

Respectfully submitted,
6 SCHEUER & GILLET
7 a professional corporation

8 By 

9 Keith Scheuer
10 Attorney for Plaintiff
11 BRUCE J. KELMAN
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3. The preliminary injunction is a valid order that issued after briefing and oral argument by Plaintiff and Kramer. Kramer was present during oral arguments and was served with the written preliminary injunction and at all times had actual knowledge of its existence and terms.

1 Kramer at all times was able to comply with the terms of the
2 preliminary injunction, but has willfully and repeatedly
3 disobeyed the Court's order and chosen to violate the
4 preliminary injunction. Kramer has previously been found in
5 contempt for violating the preliminary injunction and as a
6 consequence was incarcerated between March 12 and March 14,
7 2012.
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9 4. On March 20, 2012, I learned that Kramer had
10 republished the defamatory statement on the Internet
11 discussion board of the American Industrial Hygiene
12 Association (hereafter "AIHA") the previous day. A copy of
13 Kramer's AIHA posting is attached hereto as Exhibit 1. On
14 the second page of that posting, Kramer exhorted the readers
15 of the discussion board to "[b]e sure to read the links that
16 are highlighted." The links she highlighted include at least
17 56 repetitions of the enjoined defamatory statement. Those
18 repetitions of the libel appear primarily in her "Appendix
19 of Why Mrs. Kramer Cannot Sign Mr. Kelman's Proposed
20 'Retraction by Mrs. Kramer' Without Committing Perjury,
21 Defrauding the Public and Aiding to Conceal Judicial
22 Misconduct," which she uses as a table of contents to her
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1 "No Retraction by Sharon Kramer," which follows the
2 Appendix.

3 5. On page 7 of the "No Retraction," she quotes
4 verbatim the libelous portion of her 2005 press release.

5 6. She republished these same materials again on March
6 27, 2012, linking to them at her blog,
7 ContemptofCourtfor.Me, to which her "Appendix" and "No
8 Retraction" are electronically attached as Exhibit 2. (A
9 copy of the ContemptofCourtfor.Me posting on March 27 is
10 attached hereto as Exhibit 2.)

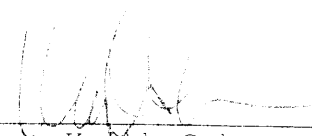
11 7. On April 2, she again linked to the "Appendix" and
12 "No Retraction" on her ContemptofCourtfor.Me blog. (A copy
13 of the April 2 ContemptofCourtfor.Me blog post is attached
14 hereto as Exhibit 3.)

15 8. Kramer represents herself in this action. Her
16 address is 2031 Arberwood Place, Escondido, California
17 92029. On April 10, 2012, at approximately 11:30 a.m., I
18 notified her by email of this ex parte application. (A copy
19 of that notification is attached hereto as Exhibit 4.) On
20 that same date, I sent a copy by FedEx of this Ex Parte
21
22
23 //

1 Application to her at her Arborwood Place address, for
2 delivery the next day, April 11, 2012.

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

6 Executed on April 10, 2012 at Marina Del Rey,
7 California.

8 
9 _____
10 Keith Scheuer