

1 SHARON NOONAN KRAMER
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5 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
6 **FOR THE COUNTY OF SAN DIEGO, NORTH DISTRICT**

7 **Bruce J. Kelman** (and **Veritox**
8 **Inc.**, with **CDC NIOSH's Bryan**
9 **Hardin** being an undisclosed
10 owner of Veritox & undisclosed
11 party to malicious litigations
12 against **Sharon Kramer** in
13 furtherance of **Hate Crimes**
14 **against the environmentally**
15 **disabled** for now seven year &
16 w/officers of the courts
17 concealing NIOSH Hardin's
18 involvement by falsifying court
19 records & suppressing evidence)

20 v.

21 **Sharon Kramer** (framed for
22 defamation over words "altered
23 his under oath statements" by
24 officers of the court: **Chair of**
25 **the CA Commission on Judicial**
26 **Performance & Chair of**
27 **Executive Committee of CA**
28 **Judicial Council, & Keith**
Scheuer, Esq., et. al., over my
March 2005 internet writing that
was 1st to expose how it became a
fraudulent concept in US public
policy that it was
scientifically proven by
prolific expert defense
witnesses, **PhD Kelman & PhD**
Hardin, that moldy buildings do
not harm/kill & mass marketed to
U.S. courts by **ACOEM, Manhattan**
Institute, U.S. Chamber, US
Congressman Gary Miller R-CA and
the federal & California
governments to mislead courts in
furtherance of Hate Crimes
against environmentally injured,
disabled and dying)

Case No. 37-2010-00061530-CU-DF-NC

SUPPLEMENTAL DECLARATION UNDER
DURESS OF SHARON KRAMER IN SUPPORT
OF "MOTION TO VACATE VOID CORAM
NON JUDICE 'JUDGEMENT AND ORDER
FOR CIVIL CONTEMPT AND PERMANENT
INJUNCTION' in Criminal Violation
of C.C.P.1209(b)" & Penal Code
422.6

Thomas P. Nugent Presiding, Coram
Non Justice

Department 30

Motion Hearing Date, August 31,
2012, 1:30 PM

1 To all interested parties, disclosed & undisclosed, and
2 attorney of record Keith "Scheuer" CA State Bar No. 82797, in seven
3 years of malicious litigations in furtherance of hate crimes
4 against the environmentally disabled, dying and me; **PLEASE TAKE**
5 **NOTICE** this "SUPPLEMENTAL DECLARATION UNDER DURESS" OF SHARON
6 KRAMER IN SUPPORT OF 'MOTION TO VACATE VOID CORAM NON JUDICE
7 'JUDGEMENT AND ORDER FOR CIVIL CONTEMPT AND PERMANENT INJUNCTION'
8 in Criminal Violation of C.C.P.1209(b)" & Penal Code 422.6^{1 2} is

9 _____
10 ¹ Penal Code 422.6. (a) No person, whether or not acting under color of
11 law, shall by force or threat of force, willfully injure, intimidate,
12 interfere with, oppress, or threaten any other person in the free
13 exercise or enjoyment of any right or privilege secured to him or her by
14 the Constitution or laws of this state or by the Constitution or laws of
15 the United States in whole or in part because of one or more of the
16 actual or perceived characteristics of the victim listed in subdivision
17 (a) of Section 422.55" which states "For purposes of this title, and for
18 purposes of all other state law unless an explicit provision of law or
19 the context clearly requires a different meaning, the following shall
20 apply:(a) "**Hate crime**" means a criminal act committed, in whole or in
21 part, because of one or more of the following actual or perceived
22 characteristics of the victim: (1) Disability. (7) Association with a
23 person or group with one or more of these actual or perceived
24 characteristics. (b) "**Hate crime**" includes, but is not limited to, a
25 violation of Section 422.6. For purposes of this title, the following
26 definitions shall apply: (a) "Association with a person or group with
27 these actual or perceived characteristics" **includes advocacy for,**
28 identification with..any of the following:..person that has, or is
identified with people who have, one or more of those characteristics
listed in the definition of "**hate crime**" under paragraphs (1) to (6),
inclusive, of subdivision (a) of Section 422.55. (b) "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...(iii)
"Major life activities" shall be broadly construed and includes physical,
mental, and social activities and working. (6)(n) "...includes a perception
that the person has any of those characteristics or that the person is
associated with a person who has, or is perceived to have, any of those
characteristics."

1
2 DECLARATION SUMMARY There is no statute of limitations on fraud including for
3 officers of courts with known lack of jurisdiction who act outside the law,
4 cause bodily harm & emotional distress, libel, falsify public records,
5 practice abusive coercive incarceration, intimidation tactics & harassment to
6 conceal the collusive misdeeds of leading California court officers
7 practicing politics, not law, when at their benches and in furtherance of
8 hate crimes against the environmentally disabled on behalf of the affiliates
9 of the U.S. Chamber of Commerce. In 2003, the U.S. Chamber along with the
10 Manhattan Institute think-tank, paid Bruce Kelman & Bryan Hardin \$40K to
11 write a policy paper for them with the sentence "THUS THE NOTION THAT 'TOXIC
12 MOLD' IS AN INSIDIOUS SECRET KILLER AS SO MANY MEDIA REPORT AND TRIAL LAWYERS
13 WOULD CLAIM IS 'JUNK SCIENCE' UNSUPPORTED BY ACTUAL SCIENTIFIC STUDY" to share
14 w/judges to lend false courtroom credibility that Kelman's & Hardin's bogus
15 science aka math applied to single rodent study data, proved every individual
16 disabled by microbial toxins in water damaged buildings were liars out to
17 scam insurers. I wrote about it in 2005 and how the 2003 Chamber policy paper
18 was closely tied to the 2002 medical association's, ACOEM, policy paper that
19 was also penned by the duo & used to mass market bogus science to the courts.
20 I wrote of how Kelman got caught weaseling on a witness stand on 2.18.05,
21 having to admit the ACOEM/U.S.Chamber/think-tank ties to him in marketing
22 garbage science in furtherance of Hate Crimes against the environmentally
23 disabled. This occurred once he was forced to discuss it in detail after a
24 prior testimony of his from another case was permitted into the trial over
25 Kelman's shouting "ridiculous" & the defense attorney trying to stop the line
26 of questioning. I politely referred to Kelman's obfuscating, flip-flopping
27 testimony as "altered his under oath statements". I have never been impeached
28 that weaseling was accurate, exactly what I meant & corroborated by a hostile
witness. The courts & Kelman's attorney, Scheuer, made it falsely appear that
I accused Kelman of altering & lying about being paid to author ACOEM's mold
position statement. They artfully framed me for libel. The entire purpose of
this 2nd case is to keep that from coming to public light, while lives are
being devastated by the actions of This Court aiding the endeavor.

As such, all I have do is keep republishing the sentence for which
they framed me: "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." in accordance with C.C.P.1209(b);
while linking the evidence of how & why officers of courts are trying to keep
it hidden of how & why they did it and suppressed evidence Kelman committed
perjury to establish false theme for malice; and are now desperate to coerce
me into a false confession on the internet of being guilty of defamation for
a sentence I never even wrote: "DR. KELMAN ALTERED HIS UNDER OATH STATEMENTS
ON THE WITNESS STAND' WHILE HE TESTIFIED AS A WITNESS IN AN OREGON LAWSUIT";
until politicians/courts are shamed into stopping the hate crimes against me;
which in turn are abetting Chamber affiliates, Kelman etal. in continuance of
financially motivated HATE CRIMES against environmentally disabled & dying;
while shifting cost of disability & death from those responsible to U.S.
taxpayers. It is easily billions in officer of the court aided fraud and hate
crimes. I am not going to shut up or publish a false confession on the NET
which would aid it to continue. The 7.06.12 Coram non judice decree is not
only VOID, it is CRIMINAL fraud on taxpayers and a hate crime against the
disabled, dying & me to conceal collusive misconduct by court officers, etal.

1 an interactive filing best read online along with linked exhibits
2 at the short link <http://wp.me/p20mAH-iB> of ContemptOfCourtFor.ME:

3 **“San Diego Judge Orders False Confession Of Libel To Be Posted On Internet**
4 **For Sentence Never Written ~ Threatens Incarceration If Not Published To**
5 **Conceal Courts’ Hate Crimes Against U.S. Environmentally Disabled”** in
6 lawful accordance of Code of Civil Procedure 1209(b) which states:

7 “A speech or publication reflecting upon or
8 concerning a court or an officer thereof shall
9 not be treated or punished as a contempt of the
10 court unless made in the immediate presence of
11 the court while in session and in such a manner
12 as to actually interfere with its proceedings.”

11 **I.**
12 **COURT KNOWS IT LACKS JURISDICTION**

13 This SUPPLEMENTAL DECLARATION UNDER DURESS does not give
14 This Court subject matter jurisdiction. By law, once challenged
15 jurisdiction cannot be assumed. It must be proven to exist.
16 Jurisdiction may be challenged at any time.

17 This Court has repeatedly failed to establish what gives
18 This Court subject matter jurisdiction upon numerous challenges³ and
19 when provided proof⁴ that the sole foundation document to the case,
20 the three page judgment document from the prior case of *Kelman &*
21 *GlobalTox v. Kramer*, is fraudulent and void to be used for any
22 purpose under Codes of Civil Procedures 664 & 664.5(b) and
23 Government Codes 6200(a)(c) & 6203(a). Yet, This Court proceeds on,
24 coram non judice, like an Emperor with a New Robe^{5 6} in furtherance
25

26 ²SEE ENDNOTE of detailed explanation of who all has aided and abetted these hate crimes to continue

27 ³ May 25, 2012 Motion To Disqualify Judge <http://freepdfhosting.com/780c07a66f.pdf>

28 ⁴ Proof This Court knows case foundational document is fraudulent & void <http://freepdfhosting.com/0c76fee3e7.pdf>

⁵ June 2, 2012 Court refuses to be disqualified after jailing & falsifying record <http://freepdfhosting.com/1aac4d8fca.pdf>

1 of **HATE CRIMES** against the environmentally injured, disabled, dying
2 and me. (Linked hereto collectively as **EXH 1** is the transcript⁷ of
3 April 12th⁸ & transcript of April 24th, 2012, Department 30, North
4 San Diego County Superior Court. It is evidence of This Court
5 stating "I understand" it does not have jurisdiction yet proceeding
6 on with the case with no explanation or evidence provided. The
7 transcripts are attached hereto collectively in relevant parts as
8 **EXHIBIT 1)**

9
10 **II.**
11 **CONTEMPT ORDER, JUDGMENT AND PERMENANT INJUNCTION IS VOID &**
12 **CRIMINAL**

13 The **JUDGEMENT AND ORDER FOR CIVIL CONTEMPT AND PERMANENT**
14 **INJUNCTION** signed by This Court on July 2, 2012, coram non judice,
15 and noticed to me by Scheuer on July 6, 2012, demands that I
16 publish a false confession of defamation on the internet for a
17 sentence I never wrote **"Dr. Kelman altered his under oath**
18 **statements on the witness stand' while he testified as a witness in**
19 **an Oregon lawsuit."**

20 This is to conceal that in *Kelman & GlobalTox v. Kramer*,
21 Scheuer, other officers of the courts, and Kelman worked in concert
22 to frame me for libel with actual malice over the sentences, **"Upon**
23 **viewing documents presented by the Hayne's attorney of Kelman's**
24 **prior testimony from a case in Arizona, Dr. Kelman altered his**
25 **under oath statements on the witness stand. He admitted the**

26 ⁶ June 8, 2012 My refusal to appear before court w/no jurisdiction <http://freepdfhosting.com/cb90b992dd.pdf>

27 ⁷ For official copies of transcripts, one must contact the court reporter.

28 ⁸ **EXH 1** Transcript of April 12, 2012 <http://freepdfhosting.com/4f48efb16c.pdf> & Transcript of April 24, 2012
<http://freepdfhosting.com/e8a6339fd8.pdf>

1 Manhattan Institute think-tank paid GlobalTox \$40,000 to write a
2 position paper regarding the potential health risks of toxic mold
3 exposure." (for the U.S. Chamber of Commerce)

4 As accurately stated in my writing of 2005, the payment
5 from the Manhattan Institute that Kelman admitted receiving only
6 after a prior testimony of his from Arizona was allowed into the
7 Oregon trial of which I was writing, was for the mold position
8 paper of the U.S. Chamber of Commerce. I did not write he received
9 payment for the mold position paper of the American College of
10 Occupational and Environmental Medicine "ACOEM" as Scheuer and
11 other officers of courts methodically made it appear. I did not
12 accuse Kelman of altering and getting caught lying about being paid
13 to author the ACOEM Mold Statement. Yet this has been the false
14 theme of these cases for now seven years and that I did it
15 maliciously.

16 This Court's obvious assigned task has been to try to
17 keep it from coming to public light that fellow officer of the
18 courts framed a citizen for defamation⁹ over a writing impacting
19 public health and the devastation to thousands because of it; by
20 aiding the ability of Kelman et. al. to continue to use bogus
21 science in the courtroom to deny & delay liability for causation of
22 environmental injury, disability and death.

23 A false confession of defamation by me on the internet
24 for I sentence I never wrote under threat of more unlawful
25 incarceration¹⁰, more libeling¹¹, and more bodily harm¹² by a court

26 _____
27 ⁹ January 6, 2012 This Court knows prior court framed me <http://freepdfhosting.com/7629915ea3.pdf>

¹⁰ March 14, 2012 This Court jailed me for refusing coercion of false confession <http://freepdfhosting.com/801f246896.pdf>

¹¹ April 5, 2012 This Court falsified the Sheriff Record while libeling me <http://freepdfhosting.com/3f9fe215eb.pdf> &

1 with no jurisdiction, would aid tremendously in the concealment of
2 just how far down the rabbit hatch the California courts have
3 really gone¹³ ¹⁴ to place the financial interests of industry over
4 the health and safety of the U.S. public¹⁵ ¹⁶. This is exactly why
5 no false confession from me will be coerced ever which would aid in
6 to conceal the hate crimes, written into policies, against the
7 environmentally disabled and dying.

8 On July 2, 2012, This Court ordered me to jail if I do
9 not publish the court known falsehood (perjury) on the internet and
10 I never write of the matter again or face more incarceration. In
11 relevant part the decree states:

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

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

21

22
23 ¹²April 27, 2012 This Court knows I became ill from the March 2012 jailing <http://freepdfhosting.com/976a7ad8c6.pdf>

24 ¹³September 11, 2011 Letters to Cantil-Sayauke, Miller, Evans & Feuer: <http://freepdfhosting.com/189e708bc8.pdf>

25 ¹⁴October 5, 2011 App Court Clerk Kelly threatened me <http://freepdfhosting.com/8dc35da911.pdf>

26 ¹⁵October 10, 2011 Kelman & Scheuer filed a contempt complaint for letters to judicial leaders being on internet showing
27 who all has been involved and who all at the helm of the judicial branch knows <http://freepdfhosting.com/0a8c4f6e14.pdf>

28 ¹⁶February 10, 2012 Website owners explained the hate crimes to This Court and refused to remove evidence from their
websites of prior courts, Scheuer and Kelman framing me for libel w/actual malice along with who all knows about it,
<http://freepdfhosting.com/502d464398.pdf>. I explained it, too. <http://freepdfhosting.com/5395a030d0.pdf>

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

7
8 Defendant willfully failed to comply with the
9 Court's order and violated the preliminary
10 injunction as follows: With full knowledge of
11 the preliminary injunction, Defendant
12 republished the defamatory statement by posting
13 it on the internet on three separate occasions:
14 On March 19, 2012 on the online discussion board
15 of the American Industrial Hygiene Association,
16 on March 27, 2012 on the blog
17 ContemptOfCourtFor.Me;and April 2, 2012 on the
18 blog ContemptOfCourtFor.Me. Each of these
19 publications constitutes a separate act of civil
20 contempt and, pursuant to C. C. P. 1218(a)
21 subjects Defendant/Contemner for each act of
22 contempt to a fine not exceeding one thousand
23 dollars (\$1000.00) payable to the Court or
24 imprisonment not exceeding five days, or both
25 and payment of Plaintiff's attorney's fees and
26 costs incurred in seeking the Order to Show
27 Cause.[sic \$8400.00]

28
29 At the conclusion of such thirty (30) day
30 period, the Court will determine the appropriate
31 punishment, pursuant to C. C. P. section
32 1218(a), and in making such a determination the
33 Court will take into consideration whether
34 contemner has published the retraction as set
35 for in this paragraph.

36 (Linked hereto as EXH 2¹⁷ is This Court's July 2, 2012 VOID Coram
37 Non Judice "JUDGEMENT AND ORDER FOR CIVIL CONTEMPT AND PERMANENT
38 INJUNCTION"; Attached hereto as EXHIBIT 2 page 7)

39 _____
40 ¹⁷ EXH 2 July 2, 2012 Judgment, Order, Decree <http://freepdfhosting.com/bfd5fbd368.pdf>

1 **III**

2 **I AM NOT GOING TO PUBLISH A FALSE CONFESSION ON THE INTERNET OF**
3 **BEING GUILTY OF LIBEL FOR A SENTENCE I NEVER WROTE BY ORDER OF A**
4 **COURT WITH NO SUBJECT MATTER JURISDICTION**

5 I refuse to be coerced, harassed and intimidated by
6 This Court into publishing a known false confession on the
7 internet, on the Linked In American Industrial Hygiene Association
8 "AIHA" board, on ContemptOfCourtFor.Me, or anywhere else of being
9 **guilty of defamation** for a sentence I never even wrote: "DR. KELMAN
10 ALTERED HIS UNDER OATH STATEMENTS ON THE WITNESS STAND' WHILE HE
11 TESTIFIED AS A WITNESS IN AN OREGON LAWSUIT". (Linked hereto as **EXH**
12 **3**¹⁸ & attached hereto as **EXHIBIT 3**, is my March 2005 writing proving
13 I never wrote or was ever sued for defamation for the sentence "DR.
14 KELMAN ALTERED HIS UNDER OATH STATEMENTS ON THE WITNESS STAND'
15 WHILE HE TESTIFIED AS A WITNESS IN AN OREGON LAWSUIT.")

16 **IV.**

17 **THE ENTIRE PURPOSE OF THIS SECOND CASE IS TO KEEP IT FROM**
18 **COMING TO PUBLIC LIGHT THAT OFFICERS OF THE COURT FRAMED ME**
19 **OVER A WRITING IMPACTING PUBLIC HEALTH IN KELMAN & GLOBALTOX**
20 **v. KRAMER**

21 The sentences in my March 2005 writing are:

22 "Dr. Bruce Kelman of GlobalTox, Inc., a
23 Washington based environmental risk management
24 company, testified as an expert witness for the
25 defense, as he does in mold cases through out the
26 country. Upon viewing documents presented by the
27 Hayne's attorney of Kelman's prior testimony from
28 a case in Arizona, Dr. Kelman altered his under
oath statements on the witness stand. He admitted
the Manhattan Institute think-tank paid GlobalTox
\$40,000 to write a position paper regarding the

¹⁸ **EXH 3**, March 2005 Jury Finds Toxic Mold Harmed Oregon Family. <http://freepdfhosting.com/0768872f2d.pdf>
February 18, 2005 Kelman testimony in Oregon Trial <http://freepdfhosting.com/dc5e5f03bc.pdf>

1 potential health risks of toxic mold exposure.
2 "Although much medical research finds otherwise,
3 the controversial piece claims that it is not
4 plausible the types of illnesses experienced by
5 the Haynes family and reported by thousands from
6 across the US, could be caused by "toxic mold"
7 exposure in homes, schools or office buildings.
8 In 2003, with the involvement of the US Chamber
9 of Commerce and exdeveloper, US Congressman Gary
10 Miller (R-CA), the GlobalTox paper was
11 disseminated to the real estate, mortgage and
12 building industries' associations. A version of
13 the Manhattan Institute commissioned piece may
14 also be found as a position statement on the
15 website of a United States medical policy-writing
16 body, the American College of Occupational and
17 Environmental Medicine." "ACOEM"

18 The subtle, but billions of dollars & thousands of lives
19 difference between the two sentences containing the phrase,
20 "altered his under oath statements" is that the courts framed me
21 over one sentence in a writing impacting public health to make it
22 appear I accused Kelman of altering and lying about being paid to
23 author the ACOEM Mold Statement for my sentence that made no such
24 accusation; and now want me to publish a false confession of
25 defamation on the internet for the other sentence to conceal what
26 they have done.

27 As framed for libel in the November 2006 anti-SLAPP
28 opinion written by Justice Judith McConnell, Presiding Justice of
the Fourth District Division One "Appellate Courts" & ex-Chair of
the California Commission on Judicial Performance "CJP".

"This testimony supports a conclusion Kelman did
not deny he had been paid by the Manhattan
Institute to write a paper, but only denied
being paid by the Manhattan Institute to make
revisions in the paper issued by ACOEM. He
admitted being paid by the Manhattan Institute

1 to write a lay translation. The fact that Kelman
2 did not clarify [sic "alter"] that he received
3 payment from the Manhattan Institute until after
4 being confronted with the Kilian deposition
5 testimony could be viewed by a reasonable jury
6 as resulting from the poor phrasing of the
7 question rather from an attempt to deny payment.
8 In sum, Kelman and GlobalTox presented
9 sufficient evidence to satisfy a prima facie
10 showing that the statement in the press release
11 was false."¹⁹

12 Justice McConnell is still a commissioner of the CJP
13 which is supposedly the independent state agency overseeing ethics
14 in the judicial branch.^{20 21} All courts followed her lead with the
15 trial judge, Lisa C. Schall, amazingly stating in post trial
16 argument on December 12, 2008, that a hostile witness who submitted
17 an affidavit saying my writing was correct, was the clear and
18 convincing proof in her mind that my writing was incorrect and
19 proof that I acted with malice.

20 When I brought to Judge Schall's attention that this
21 witness "felt I got it right"; she replied, "You know what, Mrs.
22 Kramer? Now you're just arguing with me." (Linked hereto as **EXH 4**²²,
23 and attached hereto as **EXHIBIT 4** is the transcript page 564 line
24 25-28) A witness who says a writing is correct cannot be clear and
25 convincing proof that a writing is incorrect. The appellate court

26 ¹⁹ November 16, 2006 unpublished anti-SLAPP Opinion page 10 <http://freepdfhosting.com/74b798620c.pdf>

27 ²⁰ Alleged function of the Commission on Judicial Performance <http://cjp.ca.gov/>

28 ²¹ May 12, 2012 Apparent true function of CJP Retaliation of judges who do not Speak With One Voice "SWOV"
http://www.law.com/jsp/ca/PubArticleCA.jsp?id=1202552062683&Judges_Say_Bench_Watchdog_Should_Be_on_Shorter_Leash&slreturn=20120723053823

²² **EXH 4** Trial judge illogically misstating clear & convincing evidence <http://freepdfhosting.com/3c28c4ce8f.pdf>

1 suppressed the evidence of this grave trial court error²³ along with
2 many other grave errors.²⁴

3 In September of 2010, Justices Patrica Benke, Richard
4 Huffman and Joan Irion tried to tie it all up in a neat little
5 package of Speak With One Voice deceit. At the time, Huffman was
6 the Chair of the Executive Committee of the Judicial Council "JC"
7 and had been for fourteen years. This is the most influential
8 position in the California judicial branch.

9
10 Huffman, Benke & Irion September 2010 Appellate Opinion:

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

20 (Linked hereto as EXH 5²⁶ and attached hereto as EXHIBIT 5
21 is the "RETRACTION OF SHARON KRAMER" as submitted to This Court by
22 officer of the court, Scheuer, February 10, 2012; and again on
23 April 10, 2012 with my evidence of how officers of the courts,
24 including Scheuer, methodically framed me for libel with actual
25 malice. On April 10th it was submitted by Scheuer as exhibit of I
26 should be held in contempt of court and sent to jail for a second

27 ²³ July 27, 2012 Opening Brief pg 27, 28 <http://freepdfhosting.com/b135147bde.pdf>

28 ²⁴ August 2008, Kelman's science not permitted to be discussed in trial <http://freepdfhosting.com/c99e89726d.pdf>

²⁵ Sept 13, 2010 App Opinion page 13, stating did not review <http://freepdfhosting.com/6cdefc2b25.pdf>

²⁶ EXH 5 Scheuer's Retraction & how officers of courts colluded to frame me: <http://freepdfhosting.com/9aab8b6ae8.pdf>

1 time for placing this court filing of mine on the internet with the
2 evidence of how Kelman, Scheuer and the courts framed me²⁷.)

3
4 **V.**
5 **AUGUST 7, 2012 OFFICER OF THE COURT, SCHEUER, CONDONES COURT**
6 **PERSONNEL CYBERSTALKING OF ME, WANTS ME JAILED FOR**
7 **RESPONDING TO REFUTE LIBEL ON INTERNET**

8 On August 7, 2012, Scheuer submitted a "DECLARATION OF
9 KEITH SCHEUER REGARDING DEFENDANT'S FAILURE TO PUBLISH RETRACTION".
10 He attached as exhibit some of the most recent cyberstalking of me
11 by the "Courthouse Gang" and "Courthouse Friends" as posted on
12 ToxLaw on June 29, 2012; along with my attempt to refute malicious
13 lies on the internet about me and about these cases.

14 Scheuer submitted evidence that (paraphrased) my attempt
15 to stop court personnel's malicious cyberstalking of me is the
16 reason This Court should incarcerate me because I have refused to
17 publish a false confession on the internet of being guilty of libel
18 for a sentence I never wrote and have publicly written again of
19 what This Court, prior courts, Scheuer and Kelman have been
20 unlawfully doing to try to harass me into silence. (Linked hereto
21 as **EXH 6**²⁸ is Scheuer's August 7, 2012, declaration and exhibit,
22 including court personnel cyberstalking of me on ToxLaw on June 29,
23 2012. Attached hereto as **EXHIBIT 6** is the exhibit Scheuer attached
24 to his DECLARATION)

25 In relevant part, Scheuer's DECLARATION states,

26 ²⁷June 25, 2012 This Court & Scheuer discussing in coram non judge trial that the Retraction w/the evidence of
27 me being framed was why I would not sign the Retraction (false confession) was now evidence of contempt
28 warranting more jail time <http://freepdfhosting.com/8dda189af7.pdf>

²⁸ **EXH 6**, August 7, 2012 Scheuer Dec & exhibit <http://freepdfhosting.com/7cdb6eaac5.pdf>

1 "Kramer has not published the ordered
2 retraction. To the contrary, she has
3 aggressively rejected the Court's order. In a
4 posting on ToxLaw.com chatboard on July 8,
[2012] she stated in part:

5 'Kelman committed perjury in the malicious
6 litigations. The courts suppressed the
7 evidence of it. I got sent to jail for
8 refusing to sign a piece of paper which
9 states, 'I do not believe Dr. Kelman
committed perjury.' Hell yes he did - and I
am not shutting up. Too many lives hang in
the balance."

10 The above was in rebuttal to the court personnel
11 cyberstalking. It is absolutely true and is corroborated by the
12 uncontroverted and suppressed evidence in This Court's case file.
13 **Kelman did commit perjury to establish malice** in *Kelman & GlobalTox*
14 *v. Kramer*, and This Court knows it along with the fact that Scheuer
15 suborned it.²⁹ I did get sent to jail in March 2012 by This Court
16 for refusing to be coerced to sign a false confession of being
17 guilty of libel with actual malice that was drafted by Scheuer on
18 February 10, 2012 "RETRACTION OF SHARON KRAMER"³⁰ while trying to
19 coerce me to state under oath "**I do not believe Dr. Kelman**
20 **committed perjury.**" And This Court knows that I am not shutting up
21 about it because too many lives hang in the balance.³¹

22 **THE VIDEO** that This Court, the Appellate Court, the
23 State Bar, the CJP, the JC and D.A. Dumanis all have of Kelman's
24 and Scheuer's use of criminal perjury to establish false light
25

26 _____
27 ²⁹ July 15, 2011 Suppressed evidence of Kelman's perjury to establish malice <http://freepdfhosting.com/066df133b3.pdf>

³⁰ March 9, 2012 Minute Order <http://freepdfhosting.com/75cac33b7b.pdf>

³¹ Feb 10, 2012 3vidence This Court knows of the lives it holds in its hands <http://freepdfhosting.com/543fde2cae.pdf>

1 reason for my alleged malice, the damage to me because of it, and
2 the first attempt by Kelman and Scheuer in 2007 to use these
3 litigations to force me into a false confession and to endorse
4 Kelman's bogus science in furtherance of hate crimes against the
5 environmentally disabled, may be viewed at:

6 [http://blip.tv/conflictedsciencemold/3-minute-video-of-perjury-](http://blip.tv/conflictedsciencemold/3-minute-video-of-perjury-attempted-coercion-into-silence-by-bruce-kelman-2073775)
7 [attempted-coercion-into-silence-by-bruce-kelman-2073775](http://blip.tv/conflictedsciencemold/3-minute-video-of-perjury-attempted-coercion-into-silence-by-bruce-kelman-2073775)

8
9 **VI.**
10 **SCHEUER HAS A THIRTY YEAR HISTORY OF LITIGATING BY THESE MEANS**

11 As This Court and the Appellate Court are WELL
12 AWARE, officer of the court, Scheuer, has no less than a 30 year
13 history of litigating by deceptive means in the state of
14 California. He has a proven track record of libeling the opposing
15 party to paint a false portrait of the true facts to a case. There
16 is case established by his antics that attorneys should not do what
17 Scheuer continues to do with the aid of the courts, including This
18 Court. "Defendants, in their zeal to present a portrait of
19 plaintiff that would enhance their position, made reference to a
20 multitude of cases which were inappropriate for consideration by
21 the trial court... The presentation of such matter, if designedly
22 done, is certainly to be discouraged. One might mistake it for an
23 attempt to inflame the court against a party to the action." *Roston*
24 *v. Edwards* (1982) 127 Cal.App.3d 842 [179 Cal. Rptr. 830,] The now
25 veteran inflammatory attorney in *Roston v. Edwards* was Keith
26 Scheuer.
27
28

1 **VII.**
2 **CONTINUED CYBERSTALKING OF ME BY COURT PERSONNEL**

3 The CYBERSTALKING of me by court employees has been
4 occurring for no less than two years. In relevant parts of the
5 latest series of the cyberstalking on ToxLaw; and posts of those
6 who have come to my defense knowing these are hate crimes against
7 the environmentally disabled aided to continue by hate crimes
8 against me by officers of the courts and their employees (employees
9 have falsified computer entries and court documents including the
10 judgment document from *Kelman & GlobalTox v. Kramer* and the 2010
11 Appellate Court Remittitur):

12 Posted by Deborah on 2/18/12:

13 <http://katysexposure.wordpress.com/2012/02/10/sharon-kramer-notice-to-court-of-inability-to-adhere-to-unlawful-contempt-order-sentencing-feb-10th-kelman-v-kramer/>
14 Many are in your corner, Sharon.

15 Posted by **Court HOUSE FRIENDS** on **6/29/12:**

16 "NOW its final Sharon is BARRED fowever by court Order
17 from continueing her UNFOUNDED and UNBASED accusations
18 / The Judge has RULED she is not only wrong but has
19 severe Psych issues and has ordered her to pay for all
20 her illegal activities. Hopefully from this her family
21 will force her into a Psychiatric facility for
22 longterm care after she serves her jail time for her
23 latest criminal activities/ Enjoy your time at the
24 California Public facilities where you have earned your
25 latest vacation retreat sharon Rememer as they say they
26 are Condos designed to last a lifetime with Bars in
27 every Room and in some case have a great view of the
28 pacific ocean (if you happen to get a condo nead a
water location such as in San Francisco However we
understand your reservation has been arranged for a
desert Location" [This is before the judgment was even
signed on July 2, 2012 or I had any documentation of
what occurred in This Court at the coram non judice
trial and civil contempt of court hearing on June 25,

1 2012, which means this is posted by someone with
2 knowledge of this case.]

3 Posted by K on 7/08/12

4 "WHO THE HELL SAYS SOMETHING LIKE THIS? NOT ONLY
5 UTTERLY RUDE BUT ABSOLUTELY UNFOUNDED. I AM A DIRECT
6 VICTIM OF BRUCE KELMAN'S LIES WHO NEARLY PAID WITH MY
7 LIFE BECAUSE HIM & HIS PHONY CRONIES.THERE IS NOT A
8 DOUBT IN MY MIND THAT SHARON HAS SPOKEN ONLY THE
9 TRUTH. SHE COULD HAVE TAKEN THE EASY WAY OUT AND GONE
ALONG WITH HIS LIES, BUT INSTEAD SHE CHOSE TO DEFEND
THE TRUTH ~ SOMETHING YOU CLEARLY HAVE NO CONCEPT OF!
PERHAPS YOU SHOULD FOCUS ON YOUR OWN MENTAL CAPACITY,
WHICH WOULD APPEAR LESS THAN COMPETENT FROM YOUR
SPELLING!"

10 Posted by Courthouse Gang on 7/09/12

11 "**When are you going to pay the \$8,400 you owe our**
12 **friend, Bruce?**" [By this date, nothing had been
13 posted anywhere on the internet to my knowledge of
14 This Court awarding Kelman & Scheuer \$8400.00 in
15 attorney fees for my alleged civil contempt of
16 March 19th, March 27th and April 2nd for placing the
17 evidence on the internet of This Court jailing me
18 for refusing to be coerced into a false confession
19 and refusal to state under oath "I do not believe
Dr. Kelman committed perjury", and then falsifying
the Sheriff Department record to conceal it. This
is someone with knowledge of the case who
obviously has a vengeful reason to want me
discredited, silenced and physically harmed.]

20 Under no circumstance would any honest judge in
21 possession of full mental faculties find it to be contempt of a
22 lawful court for a citizen defend themselves by publishing the
23 truth on the internet of officers of the court aiding and abetting
24 a plaintiff's perjury in furtherance of hate crimes against the
25 citizen and the environmentally disabled; and that jailing the
26 citizen and telling them they cannot refute lies of cyberstalking
27 court personnel would be the right and just thing for This Court to
28

1 now do, coram non judice -- as officer of the court, Scheuer, is
2 attempting to argue is lawful. My responses to the court personnel
3 cyberstalking and libeling:

4 Post: UPDATE??? Bruce Kelman v. Sharon Kramer
5 Posted by Sharon Kramer on 7/08/12
6 Someone sent me this 6/29 post on ToxLaw yesterday.
7 Anonymous poster (who appears to have possibly
8 been drunk posting on a Friday night), claims the
9 courts have found me mentally incompetent, a
10 criminal and will be sending me away for a long
11 time (to conceal they already incarcerated
12 me once, March 2012 for refusing to be coerced into
13 perjury by signing a document which states, "I do
14 not believe Dr. Kelman committed perjury". Then
15 falsified the Sheriff dept record, April 2012, to
16 conceal what they had unlawfully done.
17 To my knowledge, I have not be charged with a
18 crime, let alone found guilty of one. However, I
19 wouldn't know for certain. I did not attend the
20 June 25, 2012 trial. I did not receive notification
21 that there even was such a trial being held on June
22 25th until June 28th. Looks to me like this "court
23 house friend" may be tipping back a few on a Friday
24 night out of concern for what happens to court
25 personnel who falsify court documents - and aid to
26 unlawfully incarcerate a US citizen who refuses
27 to commit perjury which would have aided the
28 defrauding of the public over the mold issue, and
absolved seven years of plaintiff, plaintiff
counsel, clerk and judiciary misconduct.
This has been going on for over seven years. You
would think by now that the courts understand I
have no intention of shutting up of how their
unlawful actions have aided the defrauding of the
public by rewarding Kelman's perjury to establish
false theme for malice as they framed me for
libel over the first public writing (mine) of how
it became a fraud in public health policy that it
was scientifically proven moldy buildings do not
harm. Kelman committed perjury in the malicious
litigations. The courts suppressed the evidence of
it. I got sent to jail for refusing to sign a piece
of paper which states, "I do not believe Dr. Kelman

1 committed perjury". Hell yes he did - and I am not
2 shutting up. Too many lives hang in the balance.
3 So here is what tipsy Court HOUSE FRIEND posted.
4 Let's hope they are not correct:

(Linked hereto as EXH 7³² and attached hereto as EXHIBIT 7

5 are these series of posts on ToxLaw & my attempts to stop the court
6 employee cyberstalking and stop the libeling of me to conceal
7 officer of the court aided hate crimes against the environmentally
8 disabled and dying, and against me.)

9 **VIII.**

10 **OFFICER OF THE COURT SCHEUER COMMITTED PERJURY IN HIS**
SUPPLEMENTAL DECLARATION OF AUGUST 10, 2012

11 On August 10, 2012, upon receipt of my August 9, 2012
12 "MOTION TO VACATE VOID CORAM NON JUDICE 'JUDGEMENT AND ORDER FOR
13 CIVIL CONTEMPT AND PERMANENT INJUNCTION' in Criminal Violation of
14 C.C.P.1209(b)", officer of the court, Scheuer, submitted a
15 "SUPPLEMENTAL DECLARATION OF KEITH SHCUER REGARDING DEFENDANT'S
16 REPUBLICATION OF THE LIBEL AND FAILURE TO PUBLISH A RETRACTION".
17 He attached my August 9th MOTION as placed on the internet as
18 exhibit and did not deny any of the statements corroborated by the
19 evidence of This Court, coram non judice, aiding Scheuer and Kelman
20 in "crimes against humanity". Silence is not a defense. (Linked
21 hereto as EXH 8³³ is Scheuer's August 10, 2012 supplemental
22 declaration and exhibit; Attached hereto as EXHIBIT 8 pages 3 & 4)

23 Scheuer falsely stated under penalty of perjury:

24 "In that document [my August 9, 2012 Memorandum of
25 Points & Authorities] Kramer admittedly violates
26

27 ³² EXH 7, Court Personnel Cyberstalking <http://freepdfhosting.com/5b9b842b7f.pdf>

28 ³³ EXH 8, Scheuer's August 10, 2012 Declaration & my 8/09 Motion as exhibit <http://freepdfhosting.com/ea81407b93.pdf>

1 the permanent injunction, thumbs her nose at this
2 Court and proudly and repeatedly republishes the
3 defamatory statement. (See, for example her
4 Memorandum of Points and Authorities, page 5:
5 lines 5-6; page 5: line 16-17; page 5: lines 20-
6 21; page 6: lines 1-2; page 6: lines 4-6; pages 6:
7 lines 10-11; page 10: lines 3-4; page 10: lines
8 11-13; and page 15: line 11-12.)

9 All of these passages that Scheuer cites from my Memo of
10 P & A that I proudly and repeatedly allegedly republished "the
11 defamatory statement", are where I provided the direct evidence
12 that This Court is ordering me to publish a false confession on the
13 internet of being guilty of libel with actual malice for a
14 "defamatory statement" I never even wrote, "DR. KELMAN ALTERED HIS
15 UNDER OATH STATEMENTS ON THE WITNESS STAND' WHILE HE TESTIFIED AS A
16 WITNESS IN AN OREGON LAWSUIT".

17 Scheuer knows that I was never found guilty of libel for
18 the "defamatory" sentence, "DR. KELMAN ALTERED HIS UNDER OATH
19 STATEMENTS ON THE WITNESS STAND' WHILE HE TESTIFIED AS A WITNESS IN
20 AN OREGON LAWSUIT" because it is not even in my writing. Yet he
21 submitted a declaration, under penalty of perjury, on August 10,
22 2012 stating that I was.

23 Officer of the court, Scheuer, goes on to state under
24 penalty of perjury,

25 "Indeed, with contemptuous disdain for the Court's
26 permanent injunction and order that she retract the
27 defamatory statement, she quotes at length from the
28 offending 2005 press release that precipitated this
litigation (Page 11: lines 1-4)"

Page 11: lines 1-4 of my Memo of P & A, prove that
Scheuer knows I never wrote the alleged "defamatory statement" "DR.
KELMAN ALTERED HIS UNDER OATH STATEMENTS ON THE WITNESS STAND'

1 WHILE HE TESTIFIED AS A WITNESS IN AN OREGON LAWSUIT" for which
2 this Court has ordered me to publish a false confession on the
3 internet and to never speak of the matter again or face more
4 unlawful incarceration and bodily harm.

5 Page 11: lines 1-4 of my Memo of P & A as attached as
6 exhibit by Scheuer states,

7 "From Kramer's accurate writing stating the exact
8 same thing: [sic, as McConnell did when she framed
9 me for libel and claimed my writing was false in
the anti-SLAPP opinion]

10 "Upon viewing documents presented by the Hayne's
11 attorney of Kelman's prior testimony from a case in
12 Arizona, Dr. Kelman altered his under oath
13 statements on the witness stand. He admitted the
14 Manhattan Institute, a national political think-
15 tank, paid GlobalTox \$40,000 to write a position
paper regarding the potential health risks of toxic
mold exposure." [for the U.S. Chamber of Commerce -
not ACOEM]

16 **IX.**
17 **COURT HELD JUNE 25, 2012 RESCHEDULED, HEARING, CORAM NON**
18 **JUDICE, WITHOUT NOTICING ME UNTIL AFTER HEARING DATE**

19 On June 22, 2012, I lawfully appeared by declaration
20 under duress. I **AGAIN** provided the direct evidence that This Court
21 does not have subject matter jurisdiction and has failed to provide
22 any explanation or refuting evidence that it does.³⁴

23 On June 22, 2012, This Court struck my pleading and my
24 appearance by declaration under duress while calling it "this
25 thing"³⁵. Then claimed This Court knew I did not appear because his

26 _____
27 ³⁴ June 22, 2012 Notice court has no jurisdiction & is harassing me <http://freepdfhosting.com/7e43fa27d9.pdf>

28 ³⁵ June 22, 2012 Transcript <http://freepdfhosting.com/9350c51d8d.pdf>

1 scheduling clerk told him so. This Court struck the uncontroverted
2 evidence of lack of jurisdiction; ignored the evidence that what
3 this Court is doing is criminal in furtherance of hate crimes
4 against me and the environmentally disabled; and proceeded on while
5 doing his finest impersonation to date of an Emperor with a New
6 Robe -- of which This Court appears to becoming alarmingly adept.

7 On the following court day, June 25, 2012, This Court
8 held a contempt hearing and trial. On the same day, This Court
9 mailed me a "NOTICE OF RESECHEDULED HEARING", which I received on
10 June 28th - three days after the coram non judice hearing. (*Linked*
11 *hereto as EHX 9³⁶ Attached hereto as EXHIBIT 9) It states,*

12 "NOTICE OF RESCHEDULED HEARING" "1 day bench trial"

13 "I certify that I am not a party to this cause. I
14 certify that a true copy of NOTICE OF RESECHEDULED
15 HEARING was mailed following standard court
16 practices in a sealed envelop with postage fully
17 prepared, addressed as indicated below. The
18 certificate occurred at Vista, California on
19 06/22/2012. The mailing occurred at Sacramento on
20 06/25/2012." The same day as the hearing.

21 From reading the transcript of the trial, it is easily
22 surmised that This Court, Scheuer and Kelman are gravely concerned
23 about the criminality of this matter aiding in hate crimes against
24 the environmentally disabled coming to public light - which causes
25 me to fear for my physical safety until it does come to light. This
26 Court has already unlawfully incarcerated me, done me bodily harm
27 and libeled me by falsifying the Sheriff record to conceal I was
28 jailed for refusing to be coerced into a false confession. (*Linked*

³⁶ EXH 9, Court notice of proceeding on, the same day as hearing. <http://freepdfhosting.com/238fa14414.pdf>

1 hereto as EXH 10³⁷ is June 25th transcript; attached hereto as
2 EXHIBIT 10 in relevant parts). In relevant part the June 25, 2012
3 transcript states,

4 This Court: One of the things that I'm asking
5 myself, and maybe you can help me with this, is the
6 extent to which Mr. Kelman has any credibility in
7 your profession, does she have credibility and if
8 so, why?

9 Bruce Kelman: I would have to say her credibility
10 within the general profession is less than limited.
11 But each time she brings this up again, it goes to
12 individuals who don't know.

13 This Court: Individuals in your world?

14 Kelman: Yes. In my profession, meaning
15 toxicologists and industrial hygienists. In the
16 courtroom there's been numerous times where the
17 individual opposing attorneys have attempted to
18 bring it in.

19 This Court: Just as an aside, let me say if it were
20 ever in my court an appropriate motion made to me
21 in advance would make sure that never came up. We
22 had a jury reach a conclusion that that's not true.
23 That's the end of it. **That's why we are here, so**
24 **it would never and should never come up in a court**
25 **of law...**

26 When read between the lines, the above appears to be
27 saying, "Be sure to tell all the defense attorneys to make motions
28 early to keep this out. None of us want our criminal actions aiding
and abetting your false expert opinion in hate crimes against the
environmentally disabled while we have been terrorizing and
libeling Mrs. Kramer for seven years, coming to light in a court of
law."

³⁷ EXH 10, June 25, 2012 transcript <http://freepdfhosting.com/93fc6c8fb4.pdf>

1 **X.**

2 **COURTS HAVE KNOWN SINCE 2005 THAT MR. KELMAN IS THE ONE WHO**
3 **LACKS CREDIBILITY ON THE SCIENCE**

4 In July of 2005, I submitted a declaration which showed
5 when testifying as an expert witness in the matter of Haynes v.
6 Adair Homes, Mr. Kelman falsely claimed that his and Mr. Hardin's
7 extrapolations applied to data taken from a single rodent study can
8 be used by themselves in a court of law as proof that illnesses
9 from mold toxins in water damaged buildings, "COULD NOT BE". In the
10 July 2005 declaration, I provided the evidence that the National
11 Academy of Sciences Institute of Medicine "IOM" found this to be
12 false science in the courtroom to make such a claim.³⁸

13 My witness, who wrote the chapter on mycotoxins for the
14 IOM, was not permitted to testify in the 2008 trial. Dr. Harriet
15 Ammann sat in a Vista hotel room for two days, hoping to be able to
16 testify.³⁹ Judge Schall would not allow any discussion of the
17 science behind his scientifically void professional witness
18 opinion. On alleged review, the Appellate Court was made aware of
19 this fact which caused the jury not to understand why Kelman was
20 altering his under oath statements and that what he was trying to
21 hide was a massive science fraud in public health policy to mislead
22 U.S. courts.⁴⁰

23 When determining the anti-SLAPP, the first time before
24 the Appellate Court; in June 29, 2006, my attorney, William J.

25 _____
26 ³⁸ July 2005, my declaration w/evidence Kelman's science is garbage science according to IOM
27 <http://freepdfhosting.com/1520617efc.pdf>

³⁹ October 21, 2008 Dr. Amman declaration <http://freepdfhosting.com/0eb8ad8d22.pdf>

⁴⁰ September 13, 2010 Appellate Opinion Pg 14 stating science not relevant <http://freepdfhosting.com/f28d3cb31e.pdf>

1 Brown III, submitted an APPLICATION AND REQUEST FOR AN ORDER THAT
2 THE COURT OF APPEAL TAKE JUDICIAL NOTICE; DECLARATION OF WILLIAM J.
3 BROWN III; MEMORANDUM OF POINTS AND AUTHORITIES; PROPOSED ORDER.
4 As This Court is aware, because this request is in This Court's
5 case file, Mr. Brown wanted Justice McConnell to take notice that
6 in April of 2006 Mr. Kelman's and Mr. Hardin's flawed modeling
7 theory to claim proof of lack of causation was found to be a "huge
8 leap", in a mold case in Sacramento overseen by the Hon. Michael
9 Kenney, Harold v. California Casualty Insurance Company, et al.,
10 County of Sacramento Superior Court case number O2AS04291 (*Linked*
11 *hereto as **EXH 11***⁴¹ and attached hereto as **EXHIBIT 11** is Mr. Brown's
12 June 29, 2006 request that Justice McConnell take judicial notice)
13 Mr. Brown's DECLARATION states:

14 I, William J. Brown III, hereby declare that
15 I am the attorney of record for the Defendant/
16 Appellant in the within action. As such, if
17 called as a witness, I could and would of my own
18 personal knowledge testify to the following:

18 1. The deposition testimony of Bruce
19 Kelman in the Mercury v. Kramer case reveals
20 that he could not testify about health effects of
21 mold exposure regarding Erin Kramer, Defendant's
22 daughter.

21 2. The settlement documents in the same
22 case show that there was a substantial settlement
23 which occurred on October 0f 2003, thus
24 impeaching Plaintiffs' thesis of a bitter sour-
25 grapes litigant, and impeaching Bruce Kelman's
26 declaration in opposition to the 425.16 motion.

25 3. The testimony of Hardin in the O'Hara
26 case shows that he is a principal and a
27 shareholder in GlobalTox/ Veritox.

27 ⁴¹ EXH 11, June 29, 2006 Brown's submission <http://freepdfhosting.com/39908a3619.pdf>

1 4. The deposition of Bruce Kelman in the
2 ABAD case shows that there are six principals in
3 Veritox.

4 5. The motion under Kelly-Frye in the
5 Harold case shows that Coreen Robbins is yet
6 another principal in GlobalTox/ Veritox and that
7 relying on one rat study to extrapolate a
8 conclusion regarding health risks in humans is
9 not scientifically supportable.

10 6. The Court's ruling on the Kelly-Frye
11 hearing regarding Coreen Robbins professed
12 testimony in the Harold matter concludes that:

13 THE COURT: I can. With regard to Dr.
14 Robbins relying upon her literature review and
15 then jumping to animal studies and then jumping
16 to modeling conclusions, my ruling there is she
17 will not be allowed to present that. There is
18 not a generally accepted view of that particular
19 approach in the scientific community and so
20 therefore it's inappropriate to present that to
21 the jury.

22 This greatly impeaches Plaintiffs' assertions
23 regarding their greater science and the flimsy
24 façade of argument (not evidence) that defendant
25 Kramer had actual malice towards Bruce Kelman.

26 I declare under the penalty of perjury under
27 the laws of the State of California that the
28 foregoing is true and correct to the best of my
knowledge. This declaration is executed on June
29, 2006 at Encinitas, California.

 In her anti-SLAPP appellate opinion of November 2006,
Justice McConnell declined to take judicial notice of i.) the
Harold case deeming Kelman's & Veritox's science to be "not a
generally accepted view of that particular approach in the
scientific community and so therefore it's inappropriate to present
that to the jury"; ii.) the evidence that Kelman had committed
perjury in his declarations and Scheuer suborned it to establish
false theme of me being a sour grapes litigant for my alleged

1 malice; iii) that retired deputy director of CDC NIOSH, Bryan
2 Hardin's name was improperly missing from the Certificate of
3 Interested Persons and he was the undisclosed sixth owner of
4 Veritox and thus undisclosed party to the malicious litigations.

5 In relevant part the 2006 anti-SLAPP opinion states:

6 "Kramer asked us to take judicial notice of
7 additional documents, including the complaint and
8 an excerpt from Kelman's deposition in her
9 lawsuit against her insurance company. We
decline to do so as it does not appear these
items were presented to the trial court."⁴²

10 The Harold ruling had not even occurred when the case was
11 before the lower court. The lower court had been provided evidence
12 of Kelman's perjury to establish malice and that Hardin was an
13 owner of the corporation. Scheuer had not submitted a fraudulent
14 Certificate of Interested Parties excluding Hardin's name to the
15 lower court. Lower courts do not received those certificates which
16 are for the purpose to assure appellate justices have no special
17 interest on behalf of parties to a litigation. The Appellate Court
18 proved it did have special interest in this case right from the get
19 go by willfully concealing that CDC NIOSH's Hardin was an
20 undisclosed party to the litigation.

21 **And THAT is just the tip of the iceberg of the deceit over**
22 **this matter in the Appellate Court, while people are losing**
23 **everything, including their health and sometimes life; that This**
24 **Court is trying to stop from coming to public light, along with**
25

26
27 ⁴² November 16, 2006 McConnell suppressing evidence of Kelman's garbage science, his perjury to establish malice &
28 Hardin unnamed party to litigation. <http://freepdfhosting.com/899d4f54d1.pdf>

1 This Court's own misdeeds and with who all in the judicial system
2 and government from California to Washington DC knows about it and
3 the continuance of hate crimes against the environmentally
4 disabled, dying and me because of it.

5
6 **TWO SIMPLE QUESTIONS**

7 If the courts want me to stop republishing my March 2005
8 writing because it was legally found to be defamation by ethical
9 officers of the courts; then why are This Court, Scheuer and Kelman
10 trying to coerce me into a false confession on the internet of
11 being guilty of defamation for a sentence I never even wrote? "**DR.**
12 **KELMAN ALTERED HIS UNDER OATH STATEMENTS ON THE WITNESS STAND'**
13 **WHILE HE TESTIFIED AS A WITNESS IN AN OREGON LAWSUIT"**. What is it
14 that officers of the courts involved in these cases, including This
15 Court, never want to "come up in a court of law again"?

16 **ONE SIMPLE ANSWER**

17 Justice Judith McConnell, November 2006

18 "Kramer asked us to take judicial notice of
19 additional documents, including the complaint and
20 an excerpt from Kelman's deposition in her
21 lawsuit against her insurance company. We
22 decline to do so as it does not appear these
23 items were presented to the trial court."

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

1 Kilian deposition testimony could be viewed by a
2 reasonable jury as resulting from the poor
3 phrasing of the question rather from an attempt
4 to deny payment. In sum, Kelman and GlobalTox
5 presented sufficient evidence to satisfy a prima
6 facie showing that the statement in the press
7 release was false."

8 Sharon Kramer, March 2005

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

Justice Richard Huffman, September 2010

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

1 **XI.**

2 **THIS SUPPLEMENTAL DECLARATION UNDER DURESS IS BEING NOTICED**

3 **TO:**

- 4 ▪ CA Governor Edmund G. Brown;
- 5 ▪ CA Chief Justice Tani Cantil-Sayauke
- 6 ▪ Presiding Justice of the Fourth District Division One
7 "Appellate Court"; prior Chairwoman of the California
8 Commission on Judicial Performance "CJP"; & author of
9 the fraudulent 2006 anti-SLAPP opinion Justice Judith
10 McConnell
- 11 ▪ Current Chair of the CJP Lawrence J. Simi
- 12 ▪ Prior Chairman of the Executive Committee of the
13 Judicial Council "JC" & co-author of the fraudulent 2010
14 Appellate Opinion, Appellate Justice Richard Huffman
- 15 ▪ Current Chair of the Executive Committee of the JC
16 Justice Miller;
- 17 ▪ Incoming CEO of the Administration of the Courts "AOC"
18 Judge Stephen Jahr;
- 19 ▪ President of the CA State Bar Jon Streeter
- 20 ▪ CEO of the San Diego Superior Court and JC member
21 Michael Roddy
- 22 ▪ San Diego Sheriff William Gore
- 23 ▪ San Diego District Attorney Bonnie Dumanis
- 24 ▪ President of the Alliance for California Judges David
25 Lampe
- 26 ▪ Trial Judge Lisa C. Schall
- 27 ▪ President of the California Association of Judges David
28 Rubin
- U.S. CA Senators Barbara Boxer & Dianne Feinstein;
- U.S. Senators Tom Harkin & Mike Enzi of Senate HELP;
- U.S. Attorney General Eric Holder;
- California Attorney General Kamala Harris

1 I declare under penalty of perjury under the laws of the
2 State of California that the foregoing is true and correct to the
3 best of my knowledge and executed by me this 22nd day of August,
4 2012 in Escondido, California. ⁴³ _____
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6 _____
7 ⁴³ ENDNOTE: In an internet writing in March of 2005, I exposed how a
8 scientifically fraudulent concept was mass marketed into public health
9 policy, 2002-2003, that it was proven moldy buildings, particularly their
10 toxins, do not harm for the purpose of misleading U.S. courts to deny
11 liability for stakeholders of moldy buildings.

12 In plain language, what happened was that two guys with PhDs,
13 Kelman and Hardin, applied some math to data taken from a single rodent
14 study and professed they had proven that each and every person claiming
15 injury, disability and death, including infants, from the toxins of mold
16 in water damaged buildings were scientifically proven by Kelman's and
17 Hardin's never vetted methodology to be liars out to scam insurers.

18 In technical terms, two toxicologists violated the basic tenets
19 of toxicology. It is well established science that mechanistic research
20 cannot be used by itself as proof of non-causation of individual humans'
21 injuries from environmental exposures. Never the less, the false science
22 of Kelman & Hardin was fraudulently promoted to the courts as sound
23 science legitimized by being policy of the U.S Chamber of Commerce and
24 affiliates; and a medical association comprised largely of workers' comp
25 doctors, ACOEM. To quote the exact words Kelman and Hardin were paid by a
26 think-tank to write for the U.S. Chamber of Commerce's mold policy paper
27 in 2003, **"Thus the notion that "toxic mold" is an insidious secret killer
28 as so many media and trial lawyers would claim is 'Junk Science'
unsupported by actual scientific study."** As This Court is aware, the duo
fraudulently placed the imprimatur of the University of California on the
U.S. Chamber paper that was authored by them - who are not affiliated
with the UC - to lend a false air of credibility to the paper. The
Chamber's mold position statement is titled is "A Scientific View Of The

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2 Health Effects Of Mold” **This is a financially motivated hate crime**
3 **against the environmentally disabled and dying.**

4 Officers of courts aided Kelman, Hardin, their company,
5 Veritox, Inc., (formerly known as GlobalTox, Inc.)and their attorney,
6 Scheuer, to frame me for libel for the March 2005 writing exposing how
7 the fraud was marketed, while knowing they were aiding to devastate many
8 lives by their role in the hate crimes against me, personally, by falsely
9 deeming me to be a malicious liar over an accurate writing exposing fraud
10 harming those for whom I advocate, the environmentally disabled. When
11 denying my anti-SLAPP motion in 2006, the appellate court suppressed the
12 evidence that Kelman’s flawed conclusion based on a shady modeling theory
13 had even at that point been disallowed in a Sacramento case, with Judge
14 Michael Kenney deeming it a “huge leap” to go from a modeling theory to
15 proof of lack of causation of human illness.

16 In a second case, this case, This Court has tried to gag me
17 from exposing what prior officers of the courts have unlawfully done to
18 me that continues to devastate thousands. If the courts had acknowledged
19 this was a SLAPP suit at any time since its inception in 2005, the
20 science fraud of Kelman & Hardin would have immediately been discredited
21 for what it really is - a hate crime against the environmentally disabled
22 and dying, use to sell doubt of liability for moldy building stakeholders
23 - whenever they can get away with it. Instead, it is still able to be
24 used to deny and delay restitution for injury and to sell doubt of
25 causation in US courtrooms. It is still used to mislead physicians of
26 America over serious illness and sometimes even death caused by the
27 biocontaminants that are found in water damaged buildings.

28 I am a medical journal published author of this fraud in public
health policy, in the courts and its adverse impact on the public. I
caused a federal audit of the mold issue in 2006(although the aspect of
investigating who had the conflicts of interest when setting policy was
specifically deleted from the GAO audit in 2007). I think that perhaps
officers of the courts may have grossly under estimated my tenacity to
right their wrongs of choosing to practice politics from the bench in

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2 furtherance of hate crimes against the environmentally disabled. Now,
3 several officers of the courts, including Scheuer, are desperate to keep
4 their roles in aiding the continuance of the fraud by what they have done
5 to me, personally, hidden from public view - to the point that they are
6 threatening a second unlawful incarceration. This one is if I will not
7 publish a false confession on the internet of being guilty of libel for a
8 sentence I never even wrote, "DR. KELMAN ALTERED HIS UNDER OATH
STATEMENTS ON THE WITNESS STAND' WHILE HE TESTIFIED AS A WITNESS IN AN
OREGON LAWSUIT", which of course, I will not do.

9 Officers of the courts are now desperate to conceal their
10 criminal acts of hate crimes against the environmentally injured,
11 disabled, dying -- and me. They do not want it publicly known that they
12 know that in 2003, Bruce Kelman PhD & Bryan Hardin PhD, were paid by the
13 Manhattan Institute think-tank to author a scientifically void, mold
14 position statement for the U.S. Chamber of Commerce titled "A Scientific
15 View Of The Health Effects Of Mold"; and that they know the paper
16 fraudulently carries the imprimatur of University of California to lend
17 an air of credibility to the false science claim that Kelman & Hardin
18 could apply extrapolations to data taken from a single mechanistic
19 research study and magically prove, "Thus the notion that 'Toxic Mold' is
20 an insidious secret killer as so many media and trial lawyers claim is
21 'Junk Science' unsupported by actual scientific study". (Plain language:
22 The science fraud is that two guys with PhD's applied math to one rat
23 study. Then claimed they proved thousands of environmentally disabled and
24 dying people are liars out to scam insurers. The fraud was mass marketed
25 to U.S. courts as being founded on sound science in policy, to deny
26 liability for causation of individuals' environmental injury, disability
27 and death.)

28 It is an additional hate crime against the environmentally
disabled and me that officers of the courts to oversee the cases of
Kelman & GlobalTox v. Kramer and Kelman v. Kramer have willfully aided
the science fraud to continue for now seven years by framing me for libel
and suppressing the evidence Kelman committed criminal perjury, with

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2 Scheuer repeatedly suborning it, to establish false light of my alleged
3 malicious reason to expose fraud; in my earnest effort to stop the hate
4 crimes against the environmentally disabled -- that was being carried out
5 with the blessing and funding of the CDC NIOSH.

6 The CDC has promoted the false exposure science that
7 mechanistic research can be used by itself as proof of non-causation of
8 individuals' environmental illnesses - not just in the mold issue - many
9 issues. So has the US Department of Justice by paying Veritox as
10 witnesses against sick military families living in substandard housing;
11 as have many state and federal agencies across the U.S.

12 The Navy's private sector housing partner, Lincoln Military
13 Housing is still using it to this day as a weapon of mass deception
14 against sick military families. There is a U.S. Congressman who was a
15 former board member of the U.S. Chamber of Commerce who sits on the Ways
16 and Means Committee. He is also a named defendant in a mold litigation
17 in which a small child has permanent brain damage from a moldy apartment
18 building the Congressman owns. He is currently on appeal as the
19 appellate.

20 In 2005, Gov. Schwarzenegger endorsed the science fraud of
21 Kelman & Hardin into CA's workers comp policy causing hate crimes against
22 disabled workers. In 2007, Senate HELP (D) deleted from a federal audit
23 of the issue, investigating who had the conflicts of interest in setting
24 policy. The audit was ordered by the late Senator Kennedy at my urging in
25 October of 2006.

26 And the Regents of the University of California are still
27 profiting from the fraud and hate crimes against the environmentally
28 disabled -- and me. When UC employees use it in support of the expert
defense witness testimonies they give in mold litigations, the Regents
keep over half of the fees.

The list is endless of who all has used Kelman's & Hardin's
flawed exposure science in furtherance of hate crimes against the
environmentally injured, disabled, dying; with the aid of what officers
of the courts have done to me. As such, the list of those who would like

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2 to see me forever silenced and discredited of not only the science fraud,
3 but the courts' unlawful role in aiding it to continue, is also endless.

4 I am not going to be silenced until someone does something to
5 break this massive and deeply embedded deception. These are America's
6 children.
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