

1 **THE 2010 APPELLATE OPINION CONCEALED WHAT JUDICIAL PEERS HAD**  
2 **DONE IN 2006 TO FRAME MRS. KRAMER FOR LIBEL**

3 In 2010, again deleting the fourteen key lines of Mr. Kelman’s testimony in the Oregon  
4 trial; again suppressing the evidence that Mrs. Kramer gave a logical and unimpeached  
5 explanation for the use of the phrase “*altered his under oath statements*”; and having been  
6 provided the evidence of error by their peers in 2006; the Appellate Court ignored the  
7 evidence Mrs. Kramer had been framed for libel in the 2006 anti-SLAPP Appellate  
8 Opinion. They wrote:

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

14 **MR. KELMAN’S ATTORNEY’S ROLE IN MAKING IT FALSELY APPEAR MRS.**  
15 **KRAMER ACCUSED MR. KELMAN OF LYING ABOUT BEING PAID TO**  
16 **AUTHOR THE ACOEM MOLD STATEMENT**

17 Mr. Kelman’s attorney, Mr. Scheuer, deceptively encouraged the above court false  
18 finding of libel in his briefs. He did this by attributing the words of the plaintiff attorney in  
19 the Oregon case, Calvin Vance, to Mrs. Kramer’s writing of the case. This is illustrated by  
20 Mr. Scheuer’s Respondent Brief, submitted to the Appellate Court in September of 2009:

21 i.) (Respondent’ Brief, Page 7) describing the actions of Mr. Vance:

22 *“During the Haynes trial, the Haynes’s counsel, Calvin Kelly’ Vance,*  
23 *insinuated that Dr. Kelman had accepted money from The Manhattan Institute*  
24 *and in return had skewed the content of the ACOEM scientific study.”*

25 ii.) (Respondent’ Brief, Page 6) attributing Mr.Vance’s words to Mrs. Kramer’s writing,  
26 while leaving out the rest of Mrs. Kramer’s writing where she accurately stated the  
27 exchange of Manhattan Institute think-tank money was for the US Chamber’s Mold  
28 Position Statement. Mr. Scheuer’s Respondent brief willfully and falsely inferred that  
Mrs. Kramer’s writing accused Mr. Kelman of lying about taking think-tank money for  
the ACOEM Mold Position Statement.