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

BRUCE J. KELMAN,

Plaintiff

v.

SHARON KRAMER,

Defendant.

CASE NO. GIN044539

**Declaration Of John Richards In
Support of Defendant**

**Assigned for All Purposes To Hon.
Lisa C. Schall, Department 31**

**Motion Hearing Date: December
12, 2008**

1. My name is John T Richards. I am an attorney licensed to practice law in the State of California.

2. In 2003, I represented the Kramer family as co-counsel in the case of Mercury vs. Kramer, GIN)24147, San Diego Superior Court, North County Division, Honorable Judge Michael P. Orfield presiding.

3. On October 3, 2003, I took the deposition of Bruce J. Kelman of GlobalTox, Inc. Dr. Kelman is a toxicology who holds a PhD but not a medical degree. He had been retained as an expert witness for Mercury Insurance. This was the only time Dr. Kelman was deposed in the case.

4. The evidence in this case was that Sharon Kramer suffered from hypersensitivity pneumonitis. Mrs. Kramer claimed that this caused her significant medical problems. However, Mrs. Kramer did not contend that this condition was terminal or life threatening to her. Nor did she ever claim that she had acquired toxicological illness from the mold in her home. Nor did her daughter make such a claim. Toxicological illness was not at issue in the case.

5. There were approximately seven other expert witnesses for the defense in the case of Mercury vs. Kramer. I am not aware that any of these other experts have ever claimed Mrs. Kramer has exhibited personal malice for them or has ever “launched into an obsessive campaign to destroy their reputations” because of their testimony as experts for the defense in the case of Mercury vs. Kramer.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct and that this Declaration was executed by me on this ___ day of October, 2008 in _____, California

John T. Richards, Esq