

1 **SHARON NOONAN KRAMER, PRO PER**
2 **2031 Arborwood Place**
3 **Escondido, CA 92029**
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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,**

8 **Plaintiff**

9 **v.**

10 **SHARON KRAMER,**

11 **Defendant**

CASE NO. 37-2010-00061530-CU-DF-NC

**NOTICE TO COUNSEL, EXPARTE HEARING RE:
COURT FALSIFICATION OF SHERIFF
DEPARTMENT RECORD ON APRIL 5, 2012 TO
CONCEAL JUDICIAL et.al., CRMINAL
MISCONDUCT~ COURT'S INTENT TO MITIGATE
IT'S DAMAGE TO DEFENDANT SHARON
KRAMER; & DECLARATION OF SHARON
KRAMER**

**[Assigned for All Purposes To Hon. Thomas
Nugent]**

**Unlawful Incarceration For Refusal To Commit
Perjury & Collude With Courts, Plaintiff, Plaintiff
Counsel & Public Defender To Defraud The
Public In Billions Of Insurer Fraud:
March 12, 2012 –March 14, 2012**

**Newest False Sheriff & Department of Justice
Record by Minute Order, April 5, 2012**

ExParte Hearing Date: April 12, 2012 9AM

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20 To all parties and their attorney of record, please take notice that on April 12, 2012 at 9am there
21 is an Exparte hearing in Department 30 of the North San Diego County Superior Court, Judge
22 Thomas Nugent presiding. This 5TH NOTICE TO COURT of the need to immediately address the
23 mishandling of contempt charges, libelous Sheriff Department Record and traumatizing, unlawful
24 incarceration/harassment of Kramer to conceal Court et.al., misconduct while defrauding the public,
25 may be read online at ContemptOfCourtFor.Me Short Link: <http://wp.me/p20mAH-fg> The four prior
26 requests, Court's four replies and correspondences with the San Diego Sheriff Department are read
27 at same link. Some large pdfs may be slow to open. The following information and direct,
28 uncontroverted evidence is found extensively in the case file of Kelman v. Kramer.

**NOTICE TO COUNSEL, EXPARTE HEARING RE: COURT FALSIFICATION OF SHERIFF DEPARTMENT RECORD
ON APRIL 5, 2012 TO CONCEAL JUDICIAL et.al., MISCONDUCT~ COURT'S INTENT TO MITIGATE IT'S DAMAGE
TO DEFENDANT SHARON KRAMER; & DECLARATION OF SHARON KRAMER**

1 In March of 2005, Sharon "Kramer" was the first to publicly write of how it became a fraud in US
2 public health policy that it was scientifically proven moldy buildings do not harm for the purpose of
3 misleading the courts. She named the names of those involved and described how they were
4 connected in mass marketing the deceit: Plaintiff Bruce "Kelman", his company Globaltox (now known
5 as VeriTox), the Manhattan Institute think-tank, the US Chamber of Commerce, US Congressman
6 Gary Miller (R-CA) and the American College of Occupational and Environmental Medicine "ACOEM".

7 Kramer used the phrase, *"altered his under oath statements"* to describe Mr. Kelman weaseling on
8 a witness stand in Oregon, February 19, 2005 to hide the trail of the deceptive mass marketing from
9 the eyes of a jury. He was trying to say that the think-tank paid for hire US Chamber's Mold Position
10 Statement was not connected to the US medical policy setting ACOEM Mold Position Statement;
11 while at the same time having to admit they were closely tied. The forced discussion of the two
12 papers' true relationship occurred after a prior testimony of Kelman's from a case in Arizona was
13 permitted into the Oregon trial over Kelman's shouting of "ridiculous" when asked about the money
14 involvement and the defense counsel's objections. The phrase was used by Kramer in the sentence,
15 *"Upon viewing documents presented by the Hayne's attorney of Kelman's prior testimony from a case*
16 *in Arizona, Dr. Kelman altered his under oath statements on the witness stand."*

17 Kelman and his business partner at Veritox, Bryan "Hardin" had authored both of the unscientific
18 and fraudulent policy papers. The two men, who hold no medical degrees, had applied math
19 extrapolations to data taken from a single rodent study and based solely on these calculations had
20 professed they had proven all claims of illness and death from *"toxic mold"* were only being made
21 because of *"trial lawyers, media and Junk Science"*. When serving extensively as prolific expert
22 defense witnesses, they claim they have proven these illnesses *"Could not be."* caused by the moldy
23 buildings – based solely on their math extrapolations. Their conclusions have never been duplicated
24 and their testimony is a scientific fraud on the courts.

25 Never the less, ACOEM – which is a trade association of workers comp physicians with several of
26 their members making their livings denying the workplace caused injury - legitimized the science
27 fraud in 2002, by making it appear to be the scientific understanding of thousands of learned
28 physicians.

1 In 2003, the US Chamber then mass marketed it to the private sector stakeholders and to US
2 Courts. Kelman states under oath that he and Hardin were paid by the think-tank to write the
3 sentence for the US Chamber ***“Thus, the notion that ‘toxic mold’ is an insidious, secret***
4 ***‘killer,’ as so many media reports and trial lawyers would claim, is ‘junk science’***
5 ***unsupported by actual scientific study.***” for the express purpose that it could be shared
6 with judges.

7 Kelman and Veritox sued Kramer in May of 2005 claiming her phrase *“altered his under oath*
8 *statements”* was a maliciously false accusation of perjury. The case was Kelman & GlobalTox v.
9 Kramer. North San Diego County Superior Court. All courts to oversee the case suppressed the
10 evidence that Kelman committed perjury to establish needed reason for malice – reason for malice is
11 a requirement in libel litigation. All courts suppressed the evidence that Kramer gave an
12 unimpeached explanation of why she used that phrase.

13 False hearsay documents got into the jury room in August of 2008, causing a verdict for Kelman.
14 Kramer prevailed over VeriTox. The Plaintiff Special Jury Instructions instructed the jurors that they
15 had to find Kramer had malice for Kelman, personally and her writing was incorrect. The trial judge,
16 Lisa C Shall, was under public admonishment from the Commission on Judicial Performance “CJP” at
17 the time of trial and was moved to Family Court. This was her last case to oversee in civil court.
18 Since she has been in family court, many families have submitted complaints to the CJP. She is still
19 on the bench.

20 **The judgment document was falsified and anti-dated by her clerk, Michael Garland. Kramer**
21 **was not acknowledged as a trial prevailing party on the document.** What the Appellate Court
22 then did on review in September of 2010 is one for the history books. Among other aspects, they
23 fixed the Opinion to make it appear a judgment had been entered in Kramer’s favor. Then CCMS
24 was falsified in December of 2010 to state Globaltox prevailed in trial, which made the electronic
25 history of the case that all courts share, consistent with the fraudulent judgment document that was
26 actually on record of only Kelman being the prevailing party in trial.

1 As a result of the courts practicing politics from the bench and willfully deeming the wrong party to
2 be the malicious liar, thousands of lives have been destroyed by the inability to receive medical
3 treatment or restitution for injury. Billions of dollars of insurer liability has been shifted to the tax payer
4 because the insurer can feign generally accepted scientific proof that the moldy buildings do not
5 cause illness and thus they are not financially responsible for the illnesses and deaths.

6 With the assistance of Kelman's attorney, Keith "Scheuer" the Fourth District Division One
7 "Appellate Court", twice took Kramer's accurate writing and made it appear to be a malicious lie. In
8 their 2006 anti-SLAPP Opinion and their 2010 "review" Opinion, they made it appear that Kramer
9 falsely accused Kelman of getting caught lying on the Oregon witness stand about being paid by the
10 think-tank to author ACOEM's Mold Position Statement. They framed Kramer for libel.

11 **But as hard as the courts may try, they cannot get around the direct evidence that Kramer's**
12 **writing accurately states Kelman was paid by the think-tank to author the US Chamber's Mold**
13 **Statement. And that ACOEM's was "version of the Manhattan Institute commissioned piece".**

14
15 On March 9, 2012, this Court sent Kramer to jail for two nights for refusing to be coerced to commit
16 criminal perjury and aid the courts to continue to defraud the public and US courts, by concealing their
17 role in aiding the fraud to continue by what they have been doing to Kramer for now seven years.
18 The Court sent Kramer to jail for refusing to sign an apology, under penalty of perjury, that she did not
19 mean to accuse Mr. Kelman of perjury, knowing full well that she did not do that in her writing. The
20 prior courts made her truthful writing appear that way, with this Court suppressing the evidence of it,
21 in its case file. The proposed retraction Kramer refused to sign on March 9th was crafted by the
22 architect of the framing of Kramer for libel with actual malice, Scheuer, on February 10, 2012.

23 **On March 26th and again on April 5th, the Court submitted false documents to the San Diego**
24 **Sheriff Department that Kramer was lawfully incarcerated by the Court for violating the**
25 **January 19th Contempt of Court Order. This was to conceal that Kramer was, in reality, sent to**
26 **jail by this Court for refusing to commit the crime of perjury.** (Attached hereto as **Exhibit 1**, is
27 the fraudulent retraction the Court required Kramer to sign to avoid incarceration along with the
28 evidence of why she could not sign it without being a coerced criminal participant in defrauding the

1 public.) Read online at: <http://freepdfhosting.com/ce5fe87905.pdf> (Attached hereto as **Exhibit 2**, is
2 the Minute Order of March 9th, stating Kramer was sent to jail for refusing to sign the fraudulent
3 retraction under penalty of perjury) Read online at: <http://freepdfhosting.com/d702f8ee18.pdf>
4 (Attached hereto as **Exhibit 3** are the Minute Orders of March 26th and April 5th that were sent from
5 the Court to the Sheriff Department libelously stating Kramer was lawfully incarcerated for violating
6 the January 19th Order of Contempt & April 3rd Minute Order of the Court refusing to remove the libel.)
7 Read online at: <http://freepdfhosting.com/ef3990c4ce.pdf> (Attached hereto as **Exhibit 4**, is the
8 transcript of the March 9th sentencing hearing showing the Honorable Thomas Nugent knows he
9 incarcerated a never impeached US citizen for refusing to commit criminal perjury while aiding the
10 courts to continue to defraud the public and that Kramer could not comply with the Contempt of Court
11 Order to avoid incarceration at the hands of the compromised courts) Read online at:
12 <http://freepdfhosting.com/ac0b9ecc72.pdf> (Attached hereto as **Exhibit 5**, is Kramer's February 10th,
13 Notice to Court of Inability to Comply With Unlawful Order & Judgment of Contempt, January 19,
14 2012) Read online at: <http://freepdfhosting.com/5002768ab6.pdf>

15 Kramer used to have a net worth of approximately \$3M. Now, she and her husband teeter on the
16 verge of bankruptcy directly because of seven years of being framed for libel with actual malice by the
17 compromised San Diego Superior Court and the compromised Fourth District Division One Appellate
18 Court – while she is forced to watch thousands of lives continue to be destroyed by their criminal
19 actions. The Court also knows that Kramer is a superior problem solver who has held up well
20 considering she has suffered tremendous emotional damage and stress from being “in a hostile
21 environment” and “subject and aligned to libel” for now seven years at the hands of the Court.
22 (Attached hereto as **Exhibit 6** is the mental status examination of Kramer, submitted to the Court on
23 February 10, 2012) Read online at: <http://freepdfhosting.com/41fcecfd34.pdf>

24 This Exparte hearing is necessary for this Court to explain how it will be mitigating the damage to
25 Kramer and her husband, including but not limited to libeling her in documents sent from the Court to
26 the San Diego County Sheriff Department on March 26th and April 5th, 2012 to conceal that the Court
27 unlawfully incarcerated Kramer for refusing to commit criminal perjury on March 9, 2012, which would
28 have aided the courts to continue to defraud the public of billions of dollars.

1 April 11, 2012

Sharon Kramer

2
3 **SHARON KRAMER IS DEMANDING THE COURT, PLAINTIFF, PLAINTIFF COUNSEL &**
4 **PUBLIC DEFENDER STOP HARASSING HER BY UNLAWFUL MEANS**

5 Kramer is demanding that this Court immediately stop the harassment of her by unlawful means
6 while aiding Kelman and the insurance industry to continue to defraud the public. The Court does not
7 have jurisdiction to hold Kramer in contempt of court, sanction her or to hold a trial in the matter of
8 Kelman v. Kramer.

9 According to California Code of Civil Procedure, No judgment is valid for any purpose until lawfully
10 entered. The "Judgment Document" from Kelman & GlobalTox v. Kramer submitted to this Court by
11 Kelman's attorney, Scheuer, on November 4, 2010 upon which this entire case is founded, is
12 fraudulent. The Court is aware of this fact and simply chooses to ignore the evidence while assuming
13 unlawful jurisdiction and harassing Kramer by taking unlawful actions to conceal that the Court has no
14 jurisdiction.

15 The Judgment Document was anti-dated twice by Clerk of the Superior Court, Michael Garland. In
16 mid-October 2008 a dollar amount awarding costs to Kelman was filled in by Garland without dating
17 and making it appear costs were awarded to Kelman on September 24, 2008. On December 18,
18 2008, Garland added his initials next to the dollar amount he had filled in on the document in mid
19 October making it appear costs were first awarded in mid-December, 2008.

20 On November 4, 2010 Scheuer submitted it to this Court as the valid legal judgment document
21 from the prior case. It is inconsistent with the Abstract of Judgment Scheuer obtained from the Courts
22 December 30, 2008. It is inconsistent with the illegal Lien that Scheuer and Kelman placed on
23 Kramer's property on January 20, 2009 that falsely reflects interest accruing costs were awarded to
24 Kelman on September 24, 2008.

25 September 24, 2008 is three weeks before Kelman's costs were even submitted by Scheuer in
26 mid-October and, three months before Garland added his initials in mid-December to the document
27
28

1 next to the awarding of costs he had filled in, in mid-October. In addition, Scheuer commingled his
2 clients' funds and submitted costs incurred by trial loser GlobalTox (and undisclosed owner, Bryan
3 Hardin, whose being a party was concealed by the Fourth District Division One "Appellate Court" in
4 the falsified Remittitur of December 20, 2012. Hardin is the sixth owner Veritox and a retired
5 Assistant US Attorney General, retired Deputy Director of CDC NIOSH. Kelman comes to the mold
6 issue from Big Tobacco).

7 Stephen Kelly, Clerk of the Appellate Court falsified the Remittitur in December 2010 under seal
8 of the State of California. The Appellate Court CCMS was then falsified to make it appear GlobalTox
9 and thus Hardin were disclosed on the Certificate of Interested Parties that Scheuer had submitted to
10 the Appellate Court in September of 2009. In reality, Kelman was the only disclosed "Respondent" on
11 appeal.

12 The judgment document from Kelman & GlobalTox v. Kramer that this entire case is founded upon
13 is inconsistent with the amended judgment of October 28, 2011. Kramer had to have the lower court
14 acknowledge in a judgment that she prevailed in trial over Veritox (and Hardin) because the Appellate
15 Court falsified the 2010 Appellate Opinion to state a judgment had been entered in Kramer's favor
16 when they knew it had not. (Attached hereto as **Exhibit 7**, is the letter Kramer sent to Kelly and
17 Superior Court Clerk Michael Roddy on September 11, 2011, asking they undo the falsification of
18 court documents and the awarding of costs to undisclosed parties.) This is one of the five letters for
19 which Kramer was held in Contempt and unlawfully incarcerated. They are all read online at:
20 <http://freepdfhosting.com/f8a1a9104b.pdf>

21 On September 22, 2011 in this case, Kramer submitted a Motion To Nullify the Void Temporary
22 Injunctive Relief Order that was granted by this Court on May 2, 2011 while knowingly relying of the
23 fraudulent judgment document from the prior case submitted to the Court by Scheuer on November 4,
24 2010. The Court denied the Motion on October 21, 2011 and sanctioned Kramer \$19, 343.95 with no
25 explanation given. The Court records were then falsified by this Court's clerk(s) to state a tentative
26 ruling was issued on October 20, 2011 regarding the denial. There was no such tentative ever
27 issued. The Court has never explained in writing on what grounds it denied the Motion to Nullify or
28

1 what document gives the Court jurisdiction to proceed with this case. (Attached hereto as **Exhibit 8 &**
2 **9** collectively are relevant portions of Kramer's Motion to Nullify and evidence of court clerks, Garland,
3 Kelly, Lum and Karini falsification of the Court Record concealing judicial misconduct & lack of this
4 Court's jurisdiction.) Read online at: <http://freepdfhosting.com/90438cb0b3.pdf>
5 <http://freepdfhosting.com/a6a323cf90.pdf> and <http://freepdfhosting.com/479124f323.pdf>

6 II

7 **KRAMER WAS NOT INCARCERATED FOR VIOLATION OF JANUARY 2012 CONTEMPT** 8 **ORDER AS FALSELY STATED IN SHERIFF DEPARTMENT RECORD, APRIL 5, 2012**

9 The Court' unlawful incarceration of Kramer on March 12 to March 14, 2012 was **not** for violating
10 the Contempt of Court "Order" of January 19, 2012 as libelous documents submitted to the Sheriff
11 Department by the Court on March 26 and April 5, 2012 reflect. (See Exhibit 3) Prior to the
12 incarceration, the Court was provided direct evidence that Kramer could not comply with the Order
13 and why Kramer could not comply. (See Exhibit 5)

14 Kramer's February 10, 2012 Notice of Inability to Comply includes declarations of website owners
15 who refused to remove posts containing the words, "*altered his under oath statements*" in the best
16 interest of public health. This is because the posts also show how what the courts have been doing to
17 Kramer for now seven years has permitted the fraud of Veritox, ACOEM and the US Chamber to
18 continue to destroy the lives of thousands. As stated in the Order & Judgment for Contempt, signed
19 by this Court on January 19, 2012, and submitted to the Sheriff Department, while libeling Kramer of
20 why she was incarcerated:

21 [Contempt Order quoting from the unlawful May 2, 2011 TIRO issued by this Court with no
22 jurisdiction. The TIRO enjoins Kramer from republishing a sentence that is not even in her
23 purportedly libelous writing of March 2005 containing words for which she was never sued.
24 Kramer was only sued for five words, "*altered his under oath statements*" as used in the
25 sentence, "*Upon viewing documents presented by the Hayne's attorney of Kelman's prior*
26 *testimony from a case in Arizona, Dr. Kelman altered his under oath statements on the*
27 *witness stand*".]

28 "IT IS HEREBY ORDERED that, during the pendency of this action, defendant Sharon Kramer
is enjoined and restrained from stating, repeating or publishing, by any means whatsoever,
the following statement: '**Dr. Kelman altered his under oath statements on the witness
stand' while he testified as a witness in an Oregon lawsuit.**"

1 1. Contemner, with full knowledge of the preliminary injunction, republished the defamatory
2 statement by posting it on the Internet (i) on Katy's Exposure website on September 13, 2011;
3 (ii) on the Yahoo Group "Sickbuildings" chatroom on November 3, 2011, which linked to an
4 article on Katy's Exposure website dated November 3, 2011: (iii) on the Katy's Exposure
5 website on November 4, 2011: and (iv) on the Yahoo Group "Sickbuildings" chatroom on
6 November 5, 2011, which linked to an article, also dated November 5, 2011 on the Katy's
7 Exposure website.

8 2. The preliminary injunction is a valid order. Kramer at all times was able to comply with its
9 terms, and she willfully chose not to.

10 (c) That the contemner is sentenced to spend a total of five days in the San Diego County jail,
11 pursuant to C.C.P. section 1218(a), which shall be suspended upon the condition that, prior to
12 February 6, 2012, contemner publish a retraction on Katy's Exposure website and on the
13 Yahoo Group "Sickbuildings" chatroom of the defamatory statement set forth in the
14 preliminary injunction. Further, pursuant to C.C.P. section 1218(a), contemner is ordered to
15 pay to Plaintiff the attorney's fees and costs incurred by Plaintiff in this action in the amount of
16 \$19,343.95.

17 The reason the Court wanted these five posts removed and why the website owners refused is
18 because they provide the direct evidence of how the courts framed Kramer for libel over the words,
19 "*altered his under oath statements*", suppressed the evidence that Kelman committed perjury to
20 establish malice, suppressed the evidence of falsified court documents and how this Court gagged
21 Kramer from being able to write of it – while having no jurisdiction to do so. (See Exhibit 5 for website
22 owners' declarations submitted to court on February 10th).

23 III

24 **KRAMER WAS INCARCERATED FOR REFUSING TO BE COERCED INTO CRIMINAL** 25 **PERJURY BY COURT ON MARCH 9, 2012**

26 Kramer was incarcerated by the Court for refusing to sign a fraudulent document she was ordered
27 to sign under penalty of perjury by this Court on March 9, 2012. Her coerced signature to avoid
28 unlawful incarceration would have aided to conceal this Court knows it does not have jurisdiction -
among many other judicial, clerk, attorney and plaintiff misdeeds over the past seven years that have
aided to defraud the public while harassing Kramer. From the transcript of March 14, 2012 while the
Court had Kramer appear before him, Scheuer and self professed public defender, Tracey "Sang" in
shackles, chains and prison garb as a "courtesy" to Scheuer, after two nights of unlawful

1 incarceration. (Attached hereto as **Exhibit 10** is the March 14th transcript) Read online at:
2 <http://freepdfhosting.com/7d3aa647c3.pdf>

3 THE COURT:....You know what my hope is – and I'm not asking you to respond. I'm not
4 asking you to say anything. –But that is, it seemed to me in our last meeting I recalled you
5 enve said that it wasn't you who had accused the gentleman of perjury or of altering his
6 testimony, it was rather counsel's effort to try to make it sound that way. I don't know if I
7 remembered that right or not. If you did say that or if that's how you feel. More importantly,
8 **I would really strongly urge that you give every consideration to agreeing to that**
9 **proposal that Counsel made**, which simply said "I did not mean that". I didn't mean to
10 suggest that". I'm not saying you have to do that. I'm not. Don't hear that from me. But you
11 did hear the important thing.

12 MS. KRAMER: NO. I did not hear the important thing. I didn't hear an apology that the
13 courts framed me for libel seven years ago and I'm sitting here in handcuffs for speaking
14 the truth about a fraud in policy. If you want to send me back to jail, fine. But I'm not signing
15 an apology for the court doing that.

16 THE COURT: Okay. That's not a condition of anything.

17 Kramer's signature on the required false retraction was no longer required by March 14, 2012 after
18 she had been given a false criminal record and unlawfully incarcerated for refusing to commit criminal
19 perjury on March 9th. The Minute Order of March 9, 2012 states:

20 Court addresses Ms. Kramer re: proposed retraction order. Ms. Kramer indicates that she will
21 not sign the proposed retraction. Court finds Ms. Kramer in contempt and sentences her to
22 five consecutive days in custody and directs her to report to the Los Colinas Detention Facility
23 at 9:00 am, March 12, 2012.

24 The proposed retraction for Kramer to sign was crafted by Scheuer. It states in relevant part:

25 "It was not my intention in writing the press release to state or imply that Dr. Kelman had
26 committed perjury. I do not believe that Dr. Kelman committed perjury. I apologize to Dr.
27 Kelman and his colleagues at Veritox, Inc., for all the statements that I have made that stated
28 or implied otherwise. I sincerely regret any harm or damage I may have caused. I declare
under penalty of perjury of the laws of the State of California the foregoing is true and correct "

29 III

30 **CONTEMPT OF COURT HEARING WAS STAGED SHAM WITH GOAL OF DEEMING** 31 **KRAMER CRIMINALLY AND MENTALLY INCOMPETENT AIDED BY THE PUBLIC** 32 **DEFENDERS' OFFICE**

33 The Contempt of Court hearing was held on January 6, 2012. Court appointed legal advisor,
34 Tracey "Sang" Esq., spoke at the hearing without being sworn in as a witness. This was directly
35 against Pro Per Kramer's directive that Sang, who is not Kramer's attorney of record and never has

1 been, was not to speak at the hearing. (Attached hereto as **Exhibit 11**, is Kramer's contempt of court
2 affidavit of January 6th stating Sang was not to speak on her behalf at trial.) Read online at:
3 <http://freepdfhosting.com/0d28f47383.pdf>

4 On January 5, 2012, Kramer went to the Court exparte to try to stop the contempt hearing in
5 which the Court lacked jurisdiction because the judgment document this entire case is founded upon
6 is fraudulent. The Court stated it would address it s jurisdictional problems before the hearing – but
7 never did and launched right into the attack that Kramer is mentally incompetent in need of Sang.
8 (Attached hereto as **Exhibits 12 & 13** are Kramer's Exparte Motion of January 5th and transcript of
9 the Exparte hearing) Read online at: <http://freepdfhosting.com/762a39504a.pdf> &
10 <http://freepdfhosting.com/f0c8b36e07.pdf>

11 In the Contempt of Court trial of January 6th, it was Public Defender, Sang, who
12 introduced the discussion of Penal Code 1368 which is what is used to deem a criminal
13 defendant mentally incompetent and force the public defender to become their legal voice.

14 The Court stated, "*She [Kramer] has got to be charged with a misdemeanor*" – before a mental
15 evaluation of Kramer could take place under Penal Code 1368, with the obvious intent of wanting
16 Kramer deemed mentally incompetent to hide the mass collusion by the Courts to defraud the public,
17 by what they have been doing to whistleblower, Kramer, for now over seven years.

18 On April 9, 2012, Kramer asked Court appointed and "legal" advisor, Sang, the yes or no question,
19 "Were you directed to bring up 1368 at the Contempt hearing?" Sang would not answer the
20 simple yes or no question. (Attached hereto as **Exhibit 14** in the transcript of the Contempt of
21 Court hearing in relevant part) Read online at: <http://freepdfhosting.com/3b54d6a257.pdf>

22 While Kramer was unlawfully incarcerated between March 12th and March 14th , her civil contempt
23 charge morphed into criminal contempt, a misdemeanor. If it were not for a private sector website,
24 JailBase, Kramer would never have known that a false criminal charge was placed on her
25 Sheriff Department record and she was vulnerable to being subjected to a Penal Code 1368.1
26 trial where she would have been deemed mentally incompetent by the "psych unit downtown"
27 with Sang then becoming her Court appointed attorney of record.
28

1 The Contempt hearing was a set up with the magic words being said by both the Court and
2 Sang to further a Kramer mental incompetency/criminal contempt defense for the Court's
3 et.al., colluding to defraud the public. In the words of the Court and Sang on January 6, 2012,
4 conspiring with Scheuer to a false misdemeanor and mental incompetency of Kramer for refusing to
5 be silenced of the courts framing her for libel, rewarding Kelman's perjury and its continued adverse
6 impact on the public:

7 THE HONORABLE THOMAS NUGENT:...I'm telling you if you have any influence with her, I
8 would do anything I could to get her examined, if I can, by the psychiatric unit downtown. I
9 was prepared to see if I could get that done today and, you know, people aren't supposed to
10 participate in criminal proceedings if they're incompetent, and her competence, in my mind is
11 a serious question.

12 DEFENDER OF THE PUBLIC SANG: I, too, have given thought to this very issue, Your
13 Honor, and Counsel and I were discussing it before this hearing. What I am – as a
14 criminal attorney, the mechanisms that I usually use in situations like this is a 1368.

15 THE HONORABLE THOMAS NUGENT: 1368. I know it well.

16 DEFENDER OF THE PUBLIC SANG: It's really the only thing that I believe we have at our
17 disposal.

18 THE HONORABLE THOMAS NUGENT She's got to be charged with a misdemeanor. I
19 just read this section ...

20 THE HONORABLE THOMAS NUGENT: ...I've tried with her. I remember the other case was
21 when a fellow was off his medication and I told him I wanted no part of making his life more
22 miserable for him than it already was. All he had to do was take his medication. Like talking to
23 a wall. He wasn't listening to that. Never did listen. They had to find him guilty. He did time.
24 Tough stuff. If you can think of a way to create that defense [sic, of the Court, Kelman,
25 Scheuer & Sang for their conspiring to defraud] I think that would be something that
26 might be interesting....

27 Penal Code 1368 states, "(a) If, during the pendency of an action and prior to judgment, a doubt
28 arises in the mind of the judge as to the mental competence of the defendant, he or she shall
state that doubt in the record and inquire of the attorney for the defendant whether, in the
opinion of the attorney, the defendant is mentally competent. If the defendant is not represented
by counsel, the court shall appoint counsel. At the request of the defendant or his or her counsel or
upon its own motion, the court shall recess the proceedings for as long as may be reasonably
necessary to permit counsel to confer with the defendant and to form an opinion as to the
mental competence of the defendant at that point in time.(b) If counsel informs the court that

1 he or she believes the defendant is or may be mentally incompetent, the court shall order that
2 the question of the defendant's mental competence is to be determined in a hearing which is
3 held pursuant to Sections 1368.1 and 1369. If counsel informs the court that he or she believes
4 the defendant is mentally competent, the court may nevertheless order a hearing. Any hearing
5 shall be held in the superior court. (c) Except as provided in Section 1368.1, when an order for a
6 hearing into the present mental competence of the defendant has been issued, all proceedings in
7 the criminal prosecution shall be suspended until the question of the present mental competence of
8 the defendant has been determined. If a jury has been impaneled and sworn to try the defendant, the
9 jury shall be discharged only if it appears to the court that undue hardship to the jurors would result if
10 the jury is retained on call. If the defendant is declared mentally incompetent, the jury shall be
11 discharged."

12 On March 26, 2012, the Court directed the Sheriff Department to remove Kramer's false criminal
13 contempt record under PC 166 that it had given Kramer on March 12, 2012, while incarcerated for
14 refusing to commit criminal perjury. On March 26, 2012, the Court directed the Sheriff Department
15 to replace the false criminal contempt with a false civil contempt under CCP1218(a). The Court
16 and the Sheriff Department left the misdemeanor (for civil contempt) on Kramer's record.

17 On March 28th, Ms. Debra "Duncan", Supervisor of the San Diego Sheriff Department Records
18 Department, sent an email to the Court asking if Kramer's criminal record (for civil contempt) should
19 reflect a misdemeanor or a felony. This email from the Sheriff Department to the Court indicates two
20 unlawful actions while harassing Kramer to conceal the courts et. al., colluding to defraud:

21 1.) It was not a clerical error of the Sheriff Department that Kramer's civil contempt charge
22 morphed into criminal contempt while she was incarcerated. Had it been their clerical error,
23 the Sheriff Department would have removed the misdemeanor from Kramer's record when
24 directed by the Court to remove the criminal contempt error on March 26, 2012; and

25 2.) The Sheriff Department was willing to leave a false misdemeanor on Kramer's record even
26 after being made aware this was a civil contempt matter. Kramer would have never known if
27 not for the website JailBase and would have been vulnerable to a PC 1368.1 hearing. A false
28 misdemeanor on Kramer's Sheriff Department Record was/is required by the Court before
they could/can attempt to deem Kramer mentally incompetent under PC1368 in need of Sang
to conceal the seven years of unlawful actions by the courts, their clerks, plaintiff, plaintiff
counsel, Sang and now it appears, the Sheriff Department; and

1 3.) This Court's case file establishes the Court knows Kramer was framed for libel with actual
2 malice by prior courts and Scheuer - over the first public writing of how it became a fraud in
3 US public health policy that moldy buildings do not harm. This Court was willing to go so far
4 as to unlawfully incarcerate Kramer and falsify Sheriff Department records, while knowing its
5 actions are aiding the billions in fraud to continue. This, with no jurisdiction over the case and
6 ignoring that Scheuer submitted a judgment document that was falsified by the courts
7 themselves in the prior case, as the sole foundation for the case.

8 II

9 CONCLUSION

10 There is a trial readiness conference scheduled for 10am on April 13, 2012. There will be no trial
11 in this case. The Court does not have jurisdiction to hold such a trial because the judgment document
12 from Kelman & GlobalTox v. Kramer, upon which this entire case is founded is fraudulent. This
13 Exparte hearing is necessary for the Court to explain its intent of how the San Diego County
14 Superior Court, the State Appellate Court, the County Sheriff Department, the State
15 Administration of the Court and the County Public Defender's office will be mitigating their
16 collective damages to Kramer, by subjecting and aligning her to libel for seven years.

17 District Attorney, Bonnie Dumanis is aware the Appellate Court framed Kramer for libel
18 with actual malice and its aiding of the continuance of workers comp insurer fraud in
19 California and in San Diego county. To date, Dumanis has taken no action to stop the criminal
20 activity in San Diego county courts.

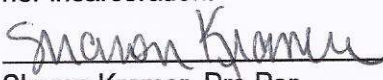
21 The State Bar knows, but claims to have lost the documents while simultaneously claiming
22 they have reviewed the file. The Commission on Judicial Performance knows, but also claims
23 there is no complaint in their file from 2009 (which provided the direct evidence all courts
24 suppressed the evidence that Kelman committed perjury and Scheuer repeatedly suborned it
25 to establish false theme for malice – including their Chairwoman, Justice Judith McConnell).
26 San Diego Superior Court presiding Judge, Kevin Enright also knows what has unlawfully
27
28

1 taken place in the courts that aids fraud to continue along with the continued harassment of
2 Kramer by his courts; as does Clerk of the Superior Court, Michael Roddy.

3 It is necessary for the Court to explain what it will be informing the State Bar of Scheuer's and
4 Sang's unlawful actions aided by this Court in furthering seven years of malicious litigation against
5 Kramer while defrauding the public of billions of dollars. It is necessary for the Court to explain what
6 punishment Kelman will be receiving for committing criminal perjury to establish needed reason for
7 malice in libel litigation over a writing impacting public health, claims handling practices and mold
8 litigations nationwide – for now seven years.

9 It is necessary for this Court to explain its intended actions to remove the libelous civil contempt of
10 court of violating the January 19, 2012 Order of Contempt from Kramer's Sheriff Department and
11 Department of Justice record, as the reason for her incarceration.

12 April 10, 2012

13 
14 Sharon Kramer, Pro Per

15 **DECLARATION OF SHARON KRAMER**

16 On April 11, 2012, I emailed this Exparte Application to Scheuer. On April 9, 2012 I spoke to
17 Scheuer and informed him of this Exparte hearing. He immediately fired back with a new contempt of
18 court complaint of my placing the court documents on the Internet with the direct evidence that this
19 Court incarcerated me for refusing to commit criminal perjury and falsified the Sheriff Department
20 Records to conceal the unlawful incarceration - - not for violating the Order of Contempt. Scheuer's
21 newest complaint is attached as **Exhibit 15)** He did not attach exhibits. It may be read online at
22 ContemptOfCourtFor.Me and at: <http://freepdfhosting.com/d25bac26e7.pdf>

23 **This is not just going to go away.** First the courts framed me for libel with actual malice over the
24 first public writing of how it became a fraud in US public health policy that moldy buildings do not
25 harm – as they suppressed the evidence that the plaintiff committed perjury to establish needed
26 reason for malice. They falsified many court documents, including the final judgment document from
27 the case. They awarded costs to undisclosed parties by falsified Appellate Opinions of 2006 & 2010
28 and lower court falsified judgment of December 2008.

1 Then in a second case gagged me from being able to write of what prior courts had done by
2 gagging me from writing the words for which I was framed by prior courts, "*altered his under oath*
3 *statements*". They found me in Contempt of Court for seeking help to stop the continued harassment
4 and letting it be publicly known what was occurring – with the Court failing to establish jurisdiction and
5 again, court records falsified to conceal the Court's actions.

6 Then the Court unlawfully incarcerated me and gave me a false criminal record when website
7 owners refused to take the evidence of the colluding to defraud off of the Internet in the public's best
8 interest. I was incarcerated for refusing to be coerced by the Court to commit criminal perjury. My
9 signature would have absolved seven years of Judicial, clerk, attorney and plaintiff misconduct. .

10 Then, when removing the false criminal contempt record, the Court gave me a false civil contempt
11 record to conceal that the Court had unlawfully incarcerated me for refusing to sign a fraudulent
12 document, under penalty of perjury – not for violating the Contempt Order –as the Court left the false
13 misdemeanor on my record.

14 When the Court was demanded by Kramer to remove the libelously false misdemeanor on April
15 5th from Kramer's Sheriff Department and Department of Justice record, it replaced it with a false civil
16 contempt of court record. In reality, this Court has no jurisdiction to hold Kramer in contempt of
17 anything, civil or criminal, as the judgment document from the prior case that this entire case is
18 founded upon is fraudulent.

19 I currently have a lien on my property for costs incurred by a party I prevailed over in trial with
20 interest accruing from three weeks before costs were even submitted and three months before the
21 judgment document this whole case is founded upon states costs were awarded. I owe \$700 to
22 undisclosed "Respondents" on appeal. I have a new lien in the amount of \$19, 343.95 for Contempt
23 of Court with no explanation given. Clerks Garland, Kelly, Lum and Karini are all evidenced to falsified
24 court documents regarding these awarding of costs to Kelman et. al.

25 While unlawfully incarcerated and given a false criminal record, I was traumatized by a
26 "prophylactic experience" of being strip searched in jail. On March 9th, Scheuer requested of the Court
27 I be given a "prophylactic experience" and the Court guaranteed Scheuer I would have one.
28

1 I was further traumatized on the morning of March 14, 2012, when I was shackled to a drug addict
2 for a two hour bus ride, in the dark, from the Las Colinas Women's Detention Center in Santee,
3 California to the courthouse in Vista. I was made to appear before the Judge, Scheuer and
4 compromised Public Defender, Sang, in handcuffs, chains, jail garb, unbrushed hair, no make up and
5 very little sleep for two nights.

6 I was scared while housed for two nights in a dorm setting with approximately forty tweekers,
7 prostitutes, shop lifters and heroine addicts because I dared to speak the truth of the defrauding of the
8 US public and US courts over the mold issue, permitted to continue by the courts to oversee Kelman
9 & GlobalTox v. Kramer and Kelman v. Kramer. The Court stated he notified Scheuer of the March
10 14th hearing as a "courtesy" so he could be there. **The Court did not state why Sang, who I had**
11 **expressly terminated on March 9, 2012 after twice asking the court to remove her, was notified**
12 **and at the hearing.**

13 On March 13, 2012, my clothes were ordered to be sent from the jail to the courthouse. I was oddly
14 released from the Vista courthouse – not the jail. **This is an indication that the Court was**
15 **intending to transfer me "downtown to the psych unit" while there was a false misdemeanor**
16 **on my record and I was in unlawful custody – with Sang then becoming my court appointed**
17 **"legal" voice.**

18 **God only knows what would have happened to me on that day if my husband, mother and**
19 **sister had not been in the courtroom.** My husband became aware of the hearing because it was
20 posted as scheduled on the Sheriff Department website on Monday March 12th within hours of my
21 arrival to the jail and being given a false criminal misdemeanor on my record

22 I am precluded from filing appeals for this Court's down right criminal actions and continuing
23 harassment by this Court, Scheuer and Kelman. Stephen Kelly, Clerk of the Appellate Court who
24 falsified the Remittitur in December of 2010 and altered the CCMS to match; called me on October 5,
25 2011 and stated that the Presiding Justice -who was the first to frame me for libel in the 2006 anti-
26 SLAPP Opinion, Justice Judith McConnell - would simply deem me to be a vexatious litigant.

1 One month after the first judge, Michael Orfield denied my anti-SLAPP motion while suppressing
2 the evidence that Kelman committed perjury to establish false theme for malice, Governor
3 Schwarzenegger endorsed the ACOEM Mold Statement, penned by Kelman and Hardin and a UCLA
4 physician, Andrew Saxon, – into California Workers Comp policy under the guise of “workers comp
5 reform”. What it really is, is a massive insurer cost shifting scheme while leaving sick workers and
6 their families to fend for themselves.

7 When Justice Judith McConnell framed me for libel with actual malice in the Appellate anti-SLAPP
8 Opinion of November 2006, Kelman was serving as an expert defense witness for the US Department
9 of Justice to defeat federal liability for claims of illnesses in military housing.

10 In February of 2007, the late Senator Edward Kennedy, (Schwarzenegger’s uncle) and the US
11 Democrat Senate Health, Education, Labor and Pension Committee, deleted from a Federal
12 Government Accountability Office audit scope, looking into who had the conflicts of interests in setting
13 policy over the mold issue. The audit was ordered at my urging.

14 On March 13, 2012, while I was unlawfully incarcerated for refusing to commit the crime of perjury
15 to defraud the public, Kelman was serving as an expert for the Social Security Administration in
16 Orange County, CA. He was hired to write a letter stating the SSA building was safe for the
17 employees – based on his fraudulent toxicology model alone used to deny the plausibility of
18 causation of individual illnesses from chemical exposures known to be present in the building and the
19 ground upon which the building sits. There is an atypical amount of cancer and autoimmune diseases
20 in the workers in this building. It is fraudulent to state that a modeling theory can prove the building is
21 safe for them.

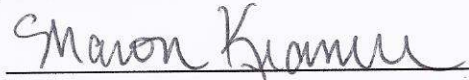
22 If I am lying about the courts framing me for libel with actual malice and all the above corruption to
23 cover for prior corruption defrauding the public, it would be very simple to prove. One would only
24 need to provide two pieces of evidence:

- 25 1. That I was ever impeached as to my belief that Kelman “altered his under oath statements”
26 while obfuscating and flip flopping back and forth about the truth connection of ACOEM and
27 the US Chamber in mass marketing the fraud, once forced to discuss the papers together in
28 front of a jury.

1 2. That I had malice, personally for Kelman because I was "furious the science conflicted with
2 my dreams of a remodeled home, so I launched into an obsessive campaign to destroy the
3 reputation of Dr. Kelman and GlobalTox". (I received approximately a half of a million dollars
4 in my own mold litigation of long ago with Michael P. Orfield signing all three of the settlement
5 agreements.)

6 All I have to do is keep telling the truth until some elected, appointed or hired government
7 employee decides to do the job they are paid to do on behalf of the citizens of California and the
8 United States, and shuts down the rampant corruption in California's judicial branch and ancillary
9 agencies by punishing those involved for their unlawful roles in the cases of Kelman & GlobalTox v.
10 Kramer and Kelman v. Kramer.

11 I declare under penalty of perjury in the State of California the foregoing is true and correct and
12 executed by me this day, April 11, 2012 in Escondido, California.

13 

14 Sharon Kramer, Pro Per
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Sharon Kramer 2031 Arborwood Place Escondido, CA 92029 TELEPHONE NO.: 760-746-8026 FAX NO. (Optional): E-MAIL ADDRESS (Optional): snk1955@aol.com ATTORNEY FOR (Name):	FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 325 S. Melrose Drive MAILING ADDRESS: Vista, CA 92081 CITY AND ZIP CODE: BRANCH NAME: NC Superior Court	CASE NUMBER: 37-2010-00061530CU-DF-NC	
PLAINTIFF/PETITIONER: Bruce Kelman DEFENDANT/RESPONDENT: Sharon Kramer		
PROOF OF SERVICE—CIVIL Check method of service (only one): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> By Personal Service </div> <div> <input checked="" type="checkbox"/> By Mail </div> <div> <input type="checkbox"/> By Overnight Delivery </div> </div> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> By Messenger Service </div> <div> <input type="checkbox"/> By Fax </div> <div> <input type="checkbox"/> By Electronic Service </div> </div>		JUDGE: Thomas Nugent DEPT.: 30

(Do not use this proof of service to show service of a Summons and complaint.)

1. At the time of service I was over 18 years of age and **not a party to this action.**
2. My residence or business address is:
 2031 Arborwood Place, Escondido, CA 92029
3. ☐ The fax number or electronic service address from which I served the documents is *(complete if service was by fax or electronic service)*:
4. On *(date)*: **April 11 & 12, 2012** I served the following **documents** *(specify)*:
NOTICE TO COUNSEL, EXPARTE HEARING RE: COURT FALSIFICATION OF SHERIFF DEPARTMENT RECORD ON APRIL 5, 2012 TO CONCEAL JUDICIAL et.al., CRIMINAL MISCONDUCT~ COURT'S INTENT TO MITIGATE IT'S DAMAGE TO DEFENDANT SHARON KR
☐ The documents are listed in the *Attachment to Proof of Service—Civil (Documents Served)* (form POS-040(D)).
5. I served the documents on the **person or persons** below, as follows:
 - a. Name of person served: **K. Scheuer, DA B. Dumanis, Sheriff B. Gore, PD H. Coker, Judge K. Enright**
 - b. ☒ *(Complete if service was by personal service, mail, overnight delivery, or messenger service.)*
 Business or residential address where person was served:
At their office addresses in Marina Del Rey, CA and San Diego, CA
 - c. ☐ *(Complete if service was by fax or electronic service.)*
 - (1) Fax number or electronic service address where person was served:
 - (2) Time of service:☐ The names, addresses, and other applicable information about persons served is on the *Attachment to Proof of Service—Civil (Persons Served)* (form POS-040(P)).
6. The documents were served by the following means *(specify)*:
 - a. ☐ **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

CASE NAME:

Kelman J. Kramer

CASE NUMBER:

37-2010-00061530 CUDFNC

6. b. ☒ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and (specify one):

- (1) ☒ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- (2) ☐ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at (city and state):

c. ☐ **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

d. ☐ **By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. (A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.)

e. ☐ **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

f. ☐ **By electronic service.** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed in item 5.

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

Date:

4/11/12

Michael KRAMER

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

DECLARATION OF MESSENGER

- ☐ **By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package, which was clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on (date):

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

Date:

(NAME OF DECLARANT)

(SIGNATURE OF DECLARANT)