Sharon Noonan Kramer
2031 Arborwood Place
Escondido, CA 92029
760-822-8026

August 21, 2018

Michael Roddy, CEO
San Diego Superior Court
1100 Union St, 10th Floor
San Diego, CA 92101

RE: In lawful accordance with Government Codes 6200[1] & 6201[2] direct that fraudulent ROA Entry #f300 be removed from the electronic case file of *Bruce J. Kelman and GlobalTox, Inc. v. Sharon Kramer*, Case No. GIN044539.

Dear Mr. Roddy,

Thank you for your August 15, 2018 response to my July 31, 2018 complaint that I sent to you and Presiding Judge Deddeh re: judicial misuse of deputy-clerk-fraudulent Register of Action (ROA) entries. As you know, false ROA #300 was just used on July 16, 2018 by Judge Earl Maas III as the facilitator to the unlawful renewal of the Void Judgment. (Attached hereto as **Exh 1** is your August 15, 2018 reply with its attached Judge Maas' July 16, 2018 ruling. Attached hereto as **Exh 2** is my July 31, 2018 complaint to you and Judge Deddeh.)

You write, "*I trust that this response addresses that concerns set forth in your letter.*" No, not in the least. Other than the fact that your response confirms that you are the party responsible to cause needed corrections in the ROA, you have not addressed my most serious concern: I am concerned about the ten more years of relentless harassment under the color of law by use of the Void Judgment that was just unlawfully renewed via use of the corruption of the electronic case file with a fraudulent backdated entry.

My having to write to you again and ask you again to cause the removal of false Register of Action (ROA) entry #300 (that is not even mentioned in your reply) is exactly why I requested an in-person meeting to avoid all the time and expense it takes to try to communicate with you by letters. I am still available to meet with you in person to discuss what must be lawfully done to rectify this ongoing problem before it becomes an even greater problem.

**The serious problem**: One of your deputy clerks (records clerk Laurie) backdated fraudulent ROA Entry #300 into the electronic case file in early June 2018 and wrongfully made to appear that it was entered on September 24, 2008. The false RAO entry fails to state that the judgment should reflect that I prevailed over GlobalTox in the August 2008 trial. The fraudulent ROA entry was then unlawfully used by Judge Maas as the needed-facilitator to commit the willful Legal Error[3] of causing the renewal of the Void Judgment (in its erred form which falsely fails to state that I prevailed over GlobalTox in the August 2008 trial).

---

[1] Government Code 6200 states, *"Every officer having the custody of any record, map, or book, or of any paper or proceeding of any court, filed or deposited in any public office, or placed in his or her hands for any purpose, is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years if, as to the whole or any part of the record, map, book, paper, or proceeding, the officer willfully does or permits any other person to do any of the following: (a) Steal, remove, or secrete. (b) Destroy, mutilate, or deface. (c) Alter or falsify"*

[2] Government Code 6201 states *"Every person not an officer referred to in Section 6200, who is guilty of any of the acts specified in that section, is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a county jail not exceeding one year, or by a fine not exceeding one thousand dollars ($1,000), or by both that fine and imprisonment."*

[3] CJP Rule 111.4 Legal Error *".....a judge who commits legal error which, in addition, clearly and convincingly reflects bad faith, bias, abuse of authority, disregard for fundamental rights, intentional disregard of the law, or any purpose other than the faithful discharge of judicial duty is subject to investigation and discipline."*

To reiterate, from my July 31, 2018 complaint to you all beginning on page 6 regarding fraudulent ROA #300:

*"**There is a second relevant corruption of the ROA, Entry #300**, that is very harmful to me, and which I would also like to discuss. On February 20, 2018, Mr. Kelman attempted to renew the void judgment. He could not do it because it was not supported by the ROA.*

*Mr. Kelman then hired Mr. Litvak to renew the void judgment. After the renewal application was filed, the court records department backdated the following fraudulent Entry #300 into the ROA in June of 2018, to accommodate the wrongful renewal of the void judgment in its form which failed to state that I prevailed over GlobalTox in trial and was entitle to my costs. See ROA Entry #300*

*Judge Maas and Mr. Litvak both knew of the fraudulent ROA Entry #300 that was needed to renew the void judgment. I requested to have an ExParte motion heard on June 13, 2018 that it be removed from the ROA. Judge Maas refused to hear the motion.*

*Contrary to the face of the void judgment as just renewed and the matching backdated ROA Entry #300, there is no question that I prevailed over GlobalTox in trial and that Judge Maas knows he just renewed a void judgment by use of a corrupted ROA, that fails to state it.*

*On October 28, 2011, Judge Maas ordered that the void judgment be amended to acknowledge I prevailed. This occurred one full year after the 4th/1st left the void judgment in effect in their September 2010 appellate opinion; and Kelman and Scheuer* [Kelman's and GlobalTox's prior attorney] *were using it to try to have me permanently enjoined from telling of case-fixing for GlobalTox via the second harassing case, Bruce Kelman v. Sharon Kramer Case. No. 37-2010-00061530; hereafter referred to as "RETALIATION" that began in November of 2010.*

*Continuing on with the harassment by the void judgment in its pre-2011 amended form, accommodated to be renewed by corrupted ROA Entry #300; the judgment was again renewed in its form which fails to state that I prevailed over GlobalTox in trial.*

***No one denies that this judgment was obtained by extrinsic fraud upon the court**, which the appellate court covered up by leaving it in effect. No one denies that Judge Schall made a legal error on September 24, 2008 by signing the judgment (crafted by Scheuer) which failed to state I prevailed over GlobalTox in trial. No one denies that she corrected her legal error in the December 12, 2008 minute order --- but her clerk, Michael Garland, reinstated the legal error on 12/18/08. No one denies that, while failing to state that I prevailed over GlobalTox, it was used in RETALIATION to try to harass me into silence of the blatant case-fixing of SLAPP by extrinsic and intrinsic fraud.*

*Plaintiff counsel's* [now Mr. Litvak & Ms. Smythe] *only argument is that it should be renewed (by use of the corrupted ROA Entry #300) because the appellate court left the void judgment in effect while case-fixing for GlobalTox (and its litigation undisclosed co-owner, Bryan Hardin, retired deputy director of CDC NIOSH, et.al.). No one denies that I have repeatedly motioned, begged and pleaded for the 4th/1st to recall and rescind their remittiturs to correct their egregious legal errors, which have greatly harmed me."*

**The solution**: As San Diego Superior Court CEO, please direct that fraudulent ROA #300 be removed from the electronic case file in lawful accordance with Government Codes 6200 and 6201; so the unlawful renewal of the Void Judgment (caused by a judicial violation of CJP Rule 111.4) is timely vacated.

To spell it out for you again, Mr. Roddy. The underlined and bolded words below are meant to drive home the point that you have got a serious problem with deputy clerks' falsification of court documents and electronic case records in *Kelman & GlobalTox v. Kramer*. As stated in your reply of August 15, 2018 it is your responsibility and within your authority to cause correction of your deputy clerks' errors in the electronic case file.

1. In early June of 2018 one of **your deputy clerks** (records clerk, Laurie) backdated fraudulent ROA #300 into the electronic case file as occurring on September 24, 2008. It was then used by all involved (except me, the victim of the collusive fraud) as the facilitator to the unlawful July 17, 2018 renewal of the Void Judgment. The June 2018 fraudulent ROA #300 by **your deputy clerk**, Laurie, that fraudulently does not state that I prevailed over GlobalTox in the August 2008 trial (and it should have been reflected by judgment on 9/24/08) states:

Fraudulent ROA Entry, created & used to facilitate the renewal of the Void Judgment

300 09/24/2008

Judgment was entered as follows: Judgment entered for KELMAN, BRUCE J and against KRAMER, SHARON for $ 1.00, punitive damages: $ 0.00, attorney fees: $ 0.00, interest: $ 0.00, prejudgment costs: $ 7252.65, other costs: $ 0.00, amount payable to court: $ .00, for a grand total of $ 7253.65.

2. On July 16, 2018 Judge Maas knowingly just used **your deputy clerk's** (Laurie) June 2018 fraudulent ROA entry #300 to facilitate the renewal of the ten-year-old Void Judgment. (See #1 above and #3 below for matching frauds) (See Exh 1, your attachment of what Maas did on July 16, 2008)

3. That Void Judgment was created by extrinsic fraud of another of **your deputy clerk's** (Michael Garland, formerly Judge Lisa's Schall's clerk) in 2008. The December 18, 2008 fraudulent so-called amended judgment (*"MGarland 12/18/08"*) as just renewed on July 17, 2018 by corrupted ROA #300 in early June 2018, states:

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff Bruce Kelman recover the sum of $1.00 (one dollar and no cents) as nominal damages from Defendant Sharon Kramer, and costs in the amount of $ 7,252.65, and that Plaintiff GlobalTox, Inc. recover nothing in this action.

MGarland 12/18/08.

Dated: 9/24/08

Judge of the Superior Court
LISA C. SCHALL

Extrinsic fraud to create & use a so-called amended judgment that falsely did not reflect true trial prevailing parties

4. "*MGarland 12/18/08*" was added to the Void Judgment by **your deputy clerk**, Michael Garland, ten years ago. It was extrinsic fraud. I was not noticed of the so-called "amended judgment" that failed to state I prevailed over GlobalTox. No entry of it was made in the ROA. Kelman's and GlobalTox's attorney, Keith Scheuer, was sent the fake amended judgment. Scheuer took **your deputy clerk's** fraudulent amended judgment and used it to record a fraudulent abstract of judgment by submitting the Void Judgment back to the court on December 22, 2008. Again, nothing was entered in the ROA of any recording of an abstract of judgment.

5. On January 7, 2009, Judge Joel Pressman refused to hear my timely filed Motion for Reconsideration based on the false concept that an "*amended judgment was entered on 12/18/08*". That is how I became aware of the extrinsic fraud which occurred when creating the Void Judgment. Again, there is no ROA entry of anything on 1/7/09. Contrary to popular belief among local courts, extrinsic fraud is never a funny "*harmless error*".

6. **Your deputy clerk's** (Garland's) fraudulent creation of a so-called "amended judgment" on 12/18/08 is in direct conflict with the accurate 12/12/08 Minute Order issued by Judge Lisa Schall and mailed to me by **your deputy clerk**, Garland, just days earlier. (See above and below for direct evidence of **your deputy clerk's,** Garland's, fraudulent creation of the "amended" Void Judgment not consistent with the accurate Minute Order that **your deputy clerk**, Garland, mailed to me just days earlier) The 12/12/08 Minute Order states in most relevant parts:

**MINUTE ORDER**

Date: 12/12/2008 Time: 03:55:00 PM Dept:

Judicial Officer Presiding: Judge Lisa C. Schall
Clerk: Michael Garland

Bailiff/Court Attendant:
ERM: Not Reported

Case Init. Date: 05/16/2005

Case No: GIN044539 Case Title: KELMAN vs KRAMER

Case Category: Civil - Unlimited Case Type: Defamation

The Court, having take the above-entitled matter under submission on December 12, 2008, and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

Defendant Sharon Kramer's Motion to Strike Costs or to Award Costs to Prevailing Parties is ruled on as follows:

The Record in this case reflects that Plaintiff Bruce J. Kelman is the prevailing party solely as against Defendant Sharon Kramer. Defendant Sharon Kramer is the prevailing party solely as against Defendant Globaltox, Inc.

The Court denies, without prejudice, Defendants Kramer's Motion for Attorneys Fees and Costs As Prevailing Party Against Plaintiff Globaltox, Inc. that was attached to Defendants Memorandum of Costs filed on December 5, 2008. Defendant Kramer must properly calendar a noticed Motion for Attorneys Fees and Costs As Prevailing Party Against Plaintiff Globaltox, Inc. pursuant to applicable statutory authority.

Defendant Sharon Kramer is ordered to serve notice of this Ruling on all parties to this action within 72 hours of the date of this Ruling

7. See above for: 1.) **your deputy clerk** Laurie's June 2018 fraudulent ROA #300, backdated as occurring on September 24, 2008 that fraudulently fails to state I prevailed over GlobalTox in trial; 2.) **your deputy clerk** Garland's December 18, 2008 amended Void Judgment that fraudulently fails to state I prevailed over GlobalTox in trial, and 3.) the decree of the Void Judgment as just renewed on July 17, 2018 that fraudulently fails to state I prevailed over GlobalTox in trial (based on Garland's fraudulent so-called "amended judgment". **That is three matching frauds:** one in December 2008, one in June 2018, and one in July 2018 that are used together to continue to harass me with the Void Judgment that fails to state I prevailed over GlobalTox in trial.

8. This is a defamation case. The Void Judgement is framing me for libeling GlobalTox. In reality, I accurately exposed in 2005 that they are well-connected junk scientists who make much of their livings lying for toxic tort defense attorneys. The ongoing case-fixing with the above-noted frauds is purposed to enable them to continue.

9. Officers of local courts have been framing me as libeling GlobalTox (and Kelman) by use of **your deputy clerks'** falsification of court documents and electronic case records for now ten years. The Void Judgment as just renewed (that fraudulently does not state by decree that I prevailed over GlobalTox in the August 2008 trial) will be used to criminally harass me for another ten years without **your lawful intervention** to stop it, by directing the removal of false ROA #300 from the electronic case file.

**Now do you understand what it is that I (and the public) need you to lawfully do as the CEO of the San Diego Superior Court? Lawfully get that fraudulent ROA #300 out of the electronic case-file. It is being used to cause a ten-year-fraud to become a twenty-year-fraud.**

## JUDGE MAAS KNOWS HE USED A DEPUTY CLERK'S FRAUDULENT ROA #300 TO RENEW THE VOID JUDGMENT CREATED BY ANOTHER DEPUTY CLERK

On October 25, 2011, Judge Earl Maas III issued a Tentative Ruling that the Judgment should be amended to acknowledge that I prevailed over GlobalTox in trial and was entitled to costs. See below October 28, 2011 amendment to the (forever Void Judgment because of **your deputy clerk's** *"MGarland 12/18/08"* being fraudulently written on its third page & the appellate court sneakily leaving the Void Judgment unvacated in their 2010 appellate opinion – while using it to frame me for libeling both Kelman and GlobalTox).

TENTATIVE RULINGS - October 25, 2011

EVENT DATE: 10/28/2011 EVENT TIME: 01:30:00 PM DEPT.: N-28

JUDICIAL OFFICER: Earl H. Maas III

CASE NO.: GIN044539

CASE TITLE: KELMAN VS KRAMER

CASE CATEGORY: Civil - Unlimited CASE TYPE: Defamation

EVENT TYPE: Motion Hearing (Civil)

CAUSAL DOCUMENT/DATE FILED:

k

The Motion of Defendant Kramer to Award Costs to Prevailing Party is granted. The record reflects that Kramer was awarded $2,545.28. The appellate court confirmed. The court has the discretion to correct the judgment as it will not affect the ruling on appeal.

The clerk is directed to alter the 9/24/11 judgment to include the statement that: "Defendant Kramer is the prevailing party as to Plaintiff Globaltox, Inc. The judgment is hereby amended to include costs of $2,545.28 in favor of Defendant Kramer and as against Plaintiff Globaltox, Inc.".

Dated: 9/24/08

Judge of the Superior Court
LISA C. SCHALL

OCT 28 2011 Defendant Kramer is the prevailing party as to Plaintiff Globaltox, Inc. The judgment shall include costs of $2,545.28 in favor of defendant Kramer and as against Plaintiff Globaltox, Inc.

## MY HUSBAND & I CANNOT WITHSTAND ANOTHER TEN YEARS OF ABUSE BY VOID JUDGMENT & FRAUDULENT ROA ENTRIES

As you know, Mr. Roddy, the appellate court sneakily left the Void Judgment in effect in their September 2010 appellate opinion. As you know, there are several other false ROA entries in this matter [4].

The Void Judgment (that the appellate court left in effect which did not state I prevailed over GlobalTox in trial) was used beginning in November of 2010 to try to permanently enjoin me in RETALATION from telling of the appellate justices' case-fixing of the strategic lawsuit against public participation (SLAPP) for Kelman, GlobalTox and the U.S. toxic tort defense bar which relies on their junk science to cheat to win mold cases on behalf of the insurance industry and government agencies.

I know that you know what was criminally done to me in Judge Thomas Nugent's court in 2012 to try to coerce me into signing a false confession of being guilty of libel (by use of the Void Judgment to feign court subject matter jurisdiction). I know that you know that I got sick when I was in jail for refusing to sign the false confession of being guilty of libel -- that was crafted by Kelman's and GlobalTox's attorney, Scheuer.

emphasis added!!

My husband and I are not going to spend the next ten years of lives looking over our shoulders, fearing what will be the next criminal abuse to come by directive of the local case-fixing jurists, having fraudulent interest accruing liens recorded against our property, and fearing our home will be taken by the defense-whores at Veritox/GlobalTox – -- all because Justice McConnell chose to fix the December 2006 anti-SLAPP Opinion for the Governor's office, and everyone has CYA'd for her unlawfully practicing politics from the bench, ever since.

(Attached hereto as Exh 3 is the junk science of GlobalTox/Veritox as endorsed into California Department of Health & Industrial Relations Board policies by Governor Schwarzenegger in October of 2005 "*Mold in the Workplace...*"; my March 2005 writing exposing it is a mass-marketed insurer fraud scam "*Jury Finds Toxic Mold Harmed Oregon Family...*") The local courts have been framing me for libel for this writing, with fraudulent court documents and falsified electronic records to keep the scam going ever since. Also see Jan 2007 Wall Street Journal article "*Amid Suits Over Mold Experts Wear Two Hats..*" for UC Regents' profit from the scam and SLAPP-fixing.

My husband and I are now in our sixties. We used to be financially comfortable. We now live slightly above poverty level directly because of this thirteen-year-long nightmare for my daring to tell the truth in the public's best interest. We cannot withstand ten more years of collusive assault by Void Judgment and fraudulent ROA entries.

## THE UPCOMING MOTION TO VACATE THE VOID JUDGMENT'S RENEWAL

In addition to using fraudulent ROA #300 to facilitate the Void Judgment's unlawful renewal, Judge Maas committed a legal error by hearing a motion on July 13, 2018 prior to the Void Judgment's renewal on July 17, 2018. In lawful accordance with Code of Civil Procedure § 683.160(a)(b)[5] and as stated on the advisory from the court (dated 7/17/18); I have thirty days after being served the notice of the Void Judgement's renewal to schedule a motion to have it vacated.

---

[4] 9/13/11 "*Is The California Court Case Management System (CCMS) Being Misused For Politics In Policy & Litigation.....And The Fleecing Of The California Taxpayer Over The Mold Issue?*" https://wp.me/pIYPz-3aV

[5] C.C.P. 683.160 *(a) The judgment creditor shall serve a notice of renewal of the judgment on the judgment debtor. Service shall be made personally or by first-class mail and proof of service shall be filed with the court clerk. The notice shall be in a form prescribed by the Judicial Council and shall inform the judgment debtor that the judgment debtor has 30 days within which to make a motion to vacate or modify the renewal. (b) Until proof of service is filed pursuant to subdivision (a), no writ may be issued, nor may any enforcement proceedings be commenced to enforce the judgment, except to the extent that the judgment would be enforceable had it not been renewed.*

court (dated 7/17/18); I have thirty days after being served the notice of the Void Judgement's renewal to schedule a motion to have it vacated.

**TO JUDGMENT DEBTOR** *(name)*: SHARON KRAMER

1. **This renewal extends** the period of enforceability of the judgment until 10 years from the date the application for renewal was filed.
2. **If you object** to this renewal, you may make a motion to vacate or modify the renewal with this court.
3. You must make this motion within **30 days** after service of this notice on you.
4. A copy of the *Application for and Renewal of Judgment* is attached *(Cal. Rules of Court, rule 3.1900)*.

Date: JUL 1 7 2018 Clerk, by C. RIVERA, Deputy

The proof of service of the Void Judgment's renewal was post marked as mailed to me from Mr. Litvak's office on July 25, 2018. I received it on July 27, 2018. I have timely scheduled a *"Motion To Vacate The Void Judgment's Renewal by Corruption of ROA #300"* for October 5, 2018.

I (and the public) need fraudulent ROA #300 removed from the electronic case file by your lawful directive, prior to the motion hearing to have the unlawful renewal of the Void Judgment lawfully vacated. (Attached hereto as Exh 4 is the Void Judgment as just renewed, fraudulent ROA #300 used to facilitate its unlawful renewal, Judge Maas's 10/25/11 ruling proving that he knows he just caused the renewal of the ten-year-old Void Judgment that falsely fails to state by decree that I prevailed over Globaltox in the August 2008 trial; and proof of Garland's now ten year old extrinsic fraud that was just unlawfully renewed.)

Thank you for your help,

Sharon Kramer

Sharon Kramer

cc: San Diego Superior Court Presiding Judge Peter Deddeh (Complaint against Judge Earl Maas III for willful legal errors, forthcoming)

P.S. Your paragraph acknowledging your authority to cause correction of false ROA entries has a glaring error. Regarding false ROA Entry #309, you wrote,

> *"First, you are concerned that there is an error in ROA entry #309. You are correct. Our review shows that the document filed in ROA #309 was filed by plaintiff Bruce Kelman and GlobalTox, Inc, and not you. This was a data entry error and has been corrected by the clerk's office. ROA #309 should now accurately reflect the filing of this document by the plaintiff."*

Your written statement is true that I am correct. ROA entry #309 was in error. It wrongfully made it appear that plaintiffs Kelman and GlobalTox filed a motion under duress on July 5, 2018, instead of me.

Via your directive to correct the ROA, it should have been changed to accurately reflect that it was the *defendant*, who filed a reply brief under duress on July 5, 2018; not the "*plaintiff*". Please make sure the correction to ROA #309 is accurate. (See Exh 2, my July 31, 2018 complaint, pages 1 & 2 for confirmation that ROA #309 should state "*defendant*" Kramer, not "*plaintiff*" Kelman)

| | | | |
|---|---|---|---|
| 309 | 07/05/2018 | Reply (7/13 MTN MADE UNDER DURESS) filed by KELMAN, BRUCE J; GLOBALTOX INC. Refers to: | KELMAN, BRUCE J (Plaintiff); GLOBALTOX INC (Plaintiff) |

Should say Sharon Kramer "defendant"

Request to San Diego Superior Court CEO to cause the removal of fraudulent ROA #300 from the electronic case file.

EXHIBIT

1

# The Superior Court of California

COUNTY OF SAN DIEGO

## EXECUTIVE OFFICE OF THE COURT

MICHAEL M. RODDY
Executive Officer and Clerk
Jury Commissioner

Post Office Box 122724
San Diego, California 92112-2724
(619) 619-844-2500

August 15, 2018

Sharon Noonan Kramer
2031 Arborwood Place
Escondido, CA 92029

Re: **Your July 31, 2018 Letter**

Dear Ms. Kramer:

I have received your July 31, 2018 letter to Presiding Judge Peter Deddeh and me regarding entries in the Register of Actions (ROA) and a judgment what was recently renewed with the court. As your letter concerns matters affecting the administration of the court record, your letter is being responded to by me in my capacity as Executive Officer/Clerk of Court for the Superior Court.

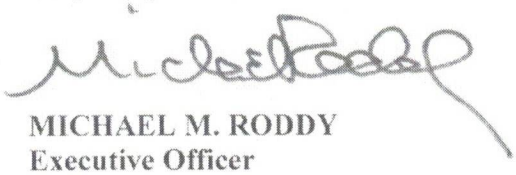
It appears that you have three separate concerns in your letter. First, you are concerned that there is an error in ROA entry #309. You are correct. Our review shows that the document filed in ROA #309 was filed by plaintiff Bruce Kelman and Globaltox, Inc. and not you. This was a data entry error and has been corrected by the clerk's office. ROA #309 should now accurately reflect the filing of this document by the plaintiff.

Second, you appear to be concerned that you have been or will be deemed a vexatious litigant because of the entry error in ROA #309. As of today's date, the error in ROA #309 has been corrected and we are unaware of any request or order deeming you a vexatious litigant. We have also checked with the Judicial Council's "Vexatious Litigant List," and your name is not on that list.

Third, you appear to be concerned that the clerk's office is allowing the plaintiff to file a void judgment. It appears from the attached minute order dated July 16, 2018 that this matter was considered by Judge Earl Maas and that "Defendant's motion to vacate or stop renewal of judgment is denied." The clerk's office does not have the authority to override the order of a Superior Court judge.

I trust that this response addresses that concerns set forth in your letter.

Very Truly Yours,



**MICHAEL M. RODDY**
**Executive Officer**

**SUPERIOR COURT OF CALIFORNIA,**
**COUNTY OF SAN DIEGO**

**MINUTE ORDER**

DATE: 07/16/2018 TIME: 10:09:00 AM DEPT:

JUDICIAL OFFICER PRESIDING: Earl H. Maas, III
CLERK: Noreen McKinley
REPORTER/ERM: Not Reported
BAILIFF/COURT ATTENDANT:

CASE NO: **GIN044539** CASE INIT.DATE: 05/16/2005
CASE TITLE: **KELMAN vs KRAMER**
CASE CATEGORY: Civil - Unlimited CASE TYPE: Defamation

**APPEARANCES**

The Court, having taken the above-entitled matter under submission on 7/13/18 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

Defendant's motion to vacate or stop renewal of judgment is ~~denied~~. This Court does not have the power to reconsider issues finally decided by the Court of Appeals.

E H Maas

Judge Earl H. Maas, III

The Court does not have the power to use fraudulent ROA entries to accomodate the renewal of a Void Judgement — that case - fixing Appellate Justices will not recall their remittiturs to lawfully correct/ cause its vacatins.

TEN YEARS HARASSMENT IS ENOUGH!!!

EXHIBIT

2

Sharon Noonan Kramer
2031 Arborwood Place
Escondido, CA 92029
Snk1955@aol.com
July 31, 2018

The Honorable Peter Deddeh
Presiding Judge, San Diego Superior Court
1100 Union St, 10th Floor
San Diego, CA 92101
(hand delivered)

Michael Roddy
Chief Executive Officer, SD Superior Court
1100 Union St, 10th Floor
San Diego, CA 92101
(hand delivered)

Re: URGENT, Court clerk(s) have falsified the Register of Action (ROA) to accommodate the wrongful designation of vexatious litigant in North San Diego County Department 28, **Judge Earl Maas III, presiding.** They have also corrupted the ROA to accommodate the renewal of a void judgment.

Judge Deddeh and Mr. Roddy,

Late on the afternoon of July 3, 2018 I filed my REPLY MADE UNDER DURESS To Vacate/Stop the Renewal of the Void Judgment in the matter of *Bruce J. Kelman and GlobalTox, Inc. v Sharon Kramer*, Case No. GIN044539. Hereafter referred to as "SLAPP".

As you know, Mr. Roddy, I have been begging the courts for years to stop Kelman and GlobalTox from harassing and terrorizing me with the void judgment that fails to state that I prevailed over GlobalTox (Veritox) in an August 2008, trial. The following properly submitted brief should have been entered into the ROA on July 5, 2018:

SHARON NOONAN KRAMER
2031 Arborwood Place
Escondido, CA 92029
Snk1955@aol.com

RECEIVED
2018 JUL -3 P 3:20
(14)
SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO, NORTH DISTRICT

BRUCE J. KELMAN & GLOBALTOX, INC
Plaintiffs,

Counsel: William Litvak, Esq (SBN 90533)
Joan Stevens Smyth (SBN 118347)
DAPEER, ROSENBLIT & LITVAK LLP
11500 W. Olympic Blvd, Suite 550
Los Angeles, CA 90064

v.

SHARON KRAMER, and DOES 1 through 20, inclusive,
Defendant

CASE NO. GIN044539

REPLY MADE UNDER DURESS In Support of the Need to Vacate/Stop the Renewal of the Void Judgment

Filed concomitantly with the Declaration of Sharon Noonan Kramer and Exhibits Volume II

[Assigned for All Purposes To HON. EARL H. MAAS III, Department 28]

Filed May 2005
Motion Hearing Date: July 13, 2018 1:30 PM

Sharon Noonan KRAMER hereby submits her Reply Made Under Duress in Support of the Need to Vacate/Stop the Renewal of the Void Judgment. It is void because of fraud upon the Fourth District Division One Court of Appeal (4th1st) and repeated refusals to recall and rescind their remittiturs to correct legal errors. As a result, it has been used by Bruce KELMAN to horrifically harass KRAMER when working to conceal the fraud of a fixed strategic lawsuit against public participation that enables his junk science to continue.



Corruption of the Register of Action to Accommodate the Continued Harassment of the Original Whistleblower of Veritox's Junk Science Used For Insurer Fraud in U.S. Mold Litigations.

The above filing (purposed to stop Kelman and GlobalTox from continuing to harass me in the local courts for blowing the whistle on their junk science in U.S. mold litigations) was not entered into the ROA. Instead, someone entered into the ROA that Kelman and GlobalTox filed a Motion Under Duress on July 5, 2018, to make it falsely appear that they are filing motions to make me stop harassing them. See ROA Entry #309 below.

| | | | |
|---|---|---|---|
| 308 | 06/29/2018 | Request for Judicial Notice filed by KELMAN, BRUCE J.<br>Refers to: | KELMAN, BRUCE J (Plaintiff) |
| 309 | 07/05/2018 | Reply (7/13, MTN MADE UNDER DURESS) filed by KELMAN, BRUCE J; GLOBALTOX INC.<br>Refers to: | KELMAN, BRUCE J (Plaintiff); GLOBALTOX INC (Plaintiff) |
| 310 | 07/11/2018 | Tentative Ruling for Motion Hearing (Civil) published. | |

It is not even possible that GlobalTox could have filed a motion in this matter; and they certainly did not file any motion made under duress. The local courts have been case-fixing strategic lawsuits against public participation for them for years. The above fraudulent ROA Entry is just one more example of it.

The reason is not possible that GlobalTox filed anything in this matter, is because they are not even a disclosed party to this matter. When filing the Application to renew the judgment, Kelman was the only party disclosed to be represented by William Litvak, Esq.

See substitution of counsel:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):
WILLIAM LITVAK, ESQ (SBN 90533)
CAROLINE K. CASTILLO (SBN 236987)
11500 W. OLYMPIC BLVD, SUITE 550
LOS ANGELES, CA 90064
TELEPHONE NO.: 310-477-5575 FAX NO. (Optional):
E-MAIL ADDRESS (Optional):
ATTORNEY FOR (Name): BRUCE J. KELMAN

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego
STREET ADDRESS: 325 South Melrose Drive
MAILING ADDRESS: 325 South Melrose Drive
CITY AND ZIP CODE: Vista, 92081
BRANCH NAME: North County

CASE NAME:
KELMAN V. KRAMER

**SUBSTITUTION OF ATTORNEY—CIVIL**
**(Without Court Order)**

CASE NUMBER:
GIN044539

THE COURT AND ALL PARTIES ARE NOTIFIED THAT (name): makes the following substitution:

1. Former legal representative ☐ Party represented self ☑ Attorney (name): KEITH SCHEUER
2. New legal representative ☐ Party is representing self* ☑ Attorney
   a. Name: WILLIAM LITVAK b. State Bar No. (if applicable): 90533
   c. Address (number, street, city, ZIP, and law firm name, if applicable):
   11500 W. OLYMPIC BLVD, SUITE 550
   LOS ANGELES, CA 90064
   d. Telephone No. (include area code): 310-477-5575
3. The party making this substitution is a ☑ plaintiff ☐ defendant ☐ petitioner ☐ respondent ☐ other (specify):

***NOTICE TO PARTIES APPLYING TO REPRESENT THEMSELVES**

- Guardian
- Conservator
- Trustee
- Personal Representative
- Probate fiduciary
- Corporation
- Guardian ad litem
- Unincorporated association

If you are applying as one of the parties on this list, you may NOT act as your own attorney in most cases. Use this form to substitute one attorney for another attorney. SEEK LEGAL ADVICE BEFORE APPLYING TO REPRESENT YOURSELF.

**NOTICE TO PARTIES WITHOUT ATTORNEYS**
A party representing himself or herself may wish to seek legal assistance. Failure to take timely and appropriate action in this case may result in serious legal consequences.

4. I consent to this substitution.
   Date:
   BRUCE J. KELMAN (TYPE OR PRINT NAME) ▶ Bruce J. Kelman 4/12/18 (SIGNATURE OF PARTY)

5. ☑ I consent to this substitution.
   Date:
   KEITH SCHEUER (TYPE OR PRINT NAME) ▶ State Bar 082797 (retired) (SIGNATURE OF FORMER ATTORNEY)

6. ☑ I consent to this substitution.
   Date: 04/02/2018
   WILLIAM LITVAK (TYPE OR PRINT NAME) ▶ (SIGNATURE OF NEW ATTORNEY)

(See reverse for proof of service by mail)

Form Adopted for Mandatory Use
Judicial Council of California
MC-050 [Rev. January 1, 2008]

**SUBSTITUTION OF ATTORNEY—CIVIL**
**(Without Court Order)**

Page 1 of 2
Code of Civil Procedure, §§ 284(1), 285;
Cal. Rules of Court, rule 3.1362
www.courtinfo.ca.gov

ROA Entry #308, "Request for judicial notice" filed on 6/29/18 by Mr. Litvak, was Judge Robert Dahlquist's 3/29/13 thinly veiled threat that the local judges would deem me to be a vexatious litigant, if I did not stop begging them to make Kelman, GlobalTox and their prior

attorney, Keith Scheuer, stop harassing me with the void judgment (that Judge Maas just renewed). See Dahlquist's threat:

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
NORTH COUNTY

MINUTE ORDER

DATE: 03/29/2013 TIME: 09:58:00 AM DEPT: N-29

JUDICIAL OFFICER PRESIDING: Robert P Dahlquist
CLERK: Lynn Arthur
REPORTER/ERM: Not Applicable
BAILIFF/COURT ATTENDANT:

CASE NO: **37-2010-00061530-CU-DF-NC** CASE INIT.DATE: 11/04/2010
CASE TITLE: **Kelman vs. Kramer**
CASE CATEGORY: Civil - Unlimited CASE TYPE: Defamation

**APPEARANCES**

The Court, having taken the above-entitled matter under submission on January 25, 2013 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

On December 31, 2012, plaintiff Bruce J. Kelman ("Kelman") filed his "motion to designate Sharon Kramer as a vexatious litigant and for a prefiling order pursuant to C.C.P. § 391.7." On January 25, 2013, the Court conducted a hearing on the motion. At the end of the hearing, the Court took the matter under submission. After carefully considering the parties' arguments and evidence, the Court will now issue its ruling on the motion.

The Court denies the motion without prejudice.

The current motion is brought under Code of Civil Procedure section 391.7. That section authorizes the Court, in its discretion, to declare a self-represented litigant to be a vexatious litigant and to make a "prefiling order" precluding the vexatious litigant from filing any new litigation as a self-represented litigant without first obtaining leave of the presiding judicial officer of the court where the litigation is proposed to be filed.

Here, the Court does not doubt that it could grant the current motion because defendant Sharon Kramer ("Kramer") has "while acting in propria persona, repeatedly file[d] unmeritorious motions, pleadings, or other papers . . . that are frivolous." Code of Civil Procedure section 391, subdivision (b)(3). In particular, Kramer has repeatedly filed papers and applications in the Superior Court that: (1) assert that the Court of Appeal erred in its handling of a prior appeal in a related case (Superior Court case no. GIN044539; Court of Appeal case no. D054496); and (2) request the Superior Court to correct the supposed errors made by the Court of Appeal. These assertions and requests are frivolous because the Superior Court is entirely without authority to review any action by the Court of Appeal. Any assertion of error by the Court of Appeal must be made to the Court of Appeal or a higher court, not the Superior Court.

Nevertheless, even though Kramer has repeatedly filed frivolous papers in the Superior Court, the Court is not persuaded, on this record, that she should be declared a vexatious litigant and made subject to a prefiling order. The Court is unaware of any litigation commenced by Kramer as a self-represented litigant in the Superior Court. To date, Kramer has only been defending against the claims made against her in two lawsuits filed by Kelman. She appears to have made good faith efforts, as a self-represented litigant, to try to defeat Kelman's claims against her.

On this record, the Court is not persuaded that it should exercise its discretionary powers to declare Kramer to be a vexatious litigant and to make her subject to a prefiling order. However, the Court wishes to advise Kramer that: (1) she is currently eligible to be declared to be a vexatious litigant; (2) as such, the Court would strongly encourage Kramer to obtain legal advice before filing any new papers in the Superior Court, particularly if those papers are not in response to some action taken by Kelman; and (3) if Kramer files any new frivolous papers in the Superior Court, then there is a very high likelihood that the Court will be receptive to a renewed motion to declare Kramer a vexatious litigant and to make Kramer subject to a prefiling order.

The above was attached to Mr. Litvak's Brief in response to my Motion Made Under Duress. It was submitted by Mr. Litvak and Ms. Smyth as representatives of Mr. Kelman (no mention of GlobalTox who I prevailed over in trial, but the void judgment failed to state it).

**PLAINTIFF'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF OPPOSITION TO DEFENDANT'S MOTION UNDER DURESS TO VACATE/STOP RENEWAL OF VOID JUDGMENT**

[*Filed concurrently Plaintiff's Opposition to Defendant's Motion Under Duress to Vacate/Stop Renewal of Void Judgment*]

Hearing Information:
Date: July 13, 2018
Time: 1:30 p.m.
Dept: 28

Dated: June 26, 2018

DAPEER, ROSENBLIT & LITVAK, LLP

By: [signature]
William Litvak, Esq.
Joan Stevens Smyth, Esq.
Attorneys for Plaintiff/Judgment Creditor,
BRUCE J. KELMAN

Given that the ROA was corrupted (not for the first time) in support of the false concept that I am a vexatious litigant who is causing duress for Kelman and GlobalTox (nondisclosed, but somehow allegedly filing motions under duress); I highly expect to see my name on the Judicial Council's vexatious litigant list in the coming days.

Yet, the reality is I have not filed a motion in any court for five years – and the vast majority of the ones that I have filed were to try to stop the local courts, Kelman, GlobalTox, and Scheuer from harassing me with this void judgment. I have never initiated litigation in my entire life, with or without an attorney.[1] And under C.C.P 683.170(b), I have a legal right to try to stop the harassing renewal of the void judgment without experiencing more loss of rights by dishonest acts and falsified electronic case-file entries in the local courts.

**Mr. Kurt Duecker of the AOC is aware of the fraudulent ROA Entry #309 in support of the false designation of vexatious litigant.** I spoke to Mr. Duecker yesterday and sent him a follow up email. In part it states,

[1] Even in our lawsuit of 2001 with our homeowner insurer that brought me into this issue, they sued us for not accepting $30,000. We counter-sued and received approximately $500,000. They excluded the insurer broker from the settlement, and a second response-lawsuit was filed by my attorney.

*"Attached is the information that causes me to think my name may have been wrongfully submitted to be added to the Vexatious Litigant list. It's a fraudulent entry made in the Register of Action and there is no way it was made by mistake. I'm getting the info to Michael Roddy tomorrow. But that does not mean he will act on it before you update the list on Wed. If at all possible, if there was a submission to add my name to the list it would be greatly appreciated if you could hold off on it until next month, until I have a chance to hear back from Mr. Roddy. The main thing I want you to see in the above attachment is fraudulent ROA Entry #309, falsely entered into the electronic case file as occurring on July 5, 2018."*

**Mr. Roddy, please tell Mr. Duecker to not add my name to the vexatious litigant list**. It would be more harassment to conceal that Fourth District Division One Presiding Justice Judith McConnell committed legal errors in an anti-SLAPP opinion in 2006 that enabled the epic insurer fraud scam to continue in toxic torts all across the United States, based on GlobalTox's junk science; and that her justice-peers concealed the direct evidence of it in their 2010 opinion as they left the void judgment in effect that failed to state I prevailed over GlobalTox in trial; and that the local courts have been participating in horrifically harassing me ever since – while people are still losing all they own and some are dying from the relentless case-fixing of strategic lawsuits against public participation.

Mr. Roddy, I want an in-person meeting with you to discuss the corruption of ROA Entry #309 to make me look like a vexatious litigant. I would like to know who did it and who told them to do it.

**There is a second relevant corruption of the ROA, Entry #300,** that is very harmful to me, and which I would also like to discuss. On February 20, 2018, Mr. Kelman attempted to renew the void judgment. He could not do it because it was not supported by the ROA. See ROA Entry #294.

| | | | |
|---|---|---|---|
| 294 | 02/20/2018 | Renewal of Judgment - Application for Entry submitted by KELMAN, BRUCE J rejected on 02/20/2018.<br>Refers to: | KELMAN, BRUCE J (Plaintiff) |

Mr. Kelman then hired Mr. Litvak to renew the void judgment. After the renewal application was filed, the court records department backdated the following fraudulent Entry #300 into the ROA in June of 2018, to accommodate the wrongful renewal of the void judgment in its form which failed to state that I prevailed over GlobalTox in trial and was entitle to my costs. See ROA Entry #300.

| | | | |
|---|---|---|---|
| 179 | 09/24/2008 | Judgment on Verdict filed by KELMAN, BRUCE J; GLOBALTOX, INC.. Refers to: | KELMAN, BRUCE J (Plaintiff); GLOBALTOX INC (Plaintiff) |
| 300 | 09/24/2008 | Judgment was entered as follows: Judgment entered for KELMAN, BRUCE J and against KRAMER, SHARON for $ 1.00, punitive damages: $ 0.00, attorney fees: $ 0.00, interest: $ 0.00, prejudgment costs: $ 7252.65, other costs: $ 0.00, amount payable to court: $ .00, for a grand total of $ 7253.65. | |
| 180 | 09/29/2008 | Notice - Other (OF UNAVAILABILTY OF PLTF'S COUNSEL) filed by KELMAN, BRUCE J; GLOBALTOX, INC.. Refers to: | KELMAN, BRUCE J (Plaintiff); GLOBALTOX INC (Plaintiff) |

Judge Maas and Mr. Litvak both knew of the fraudulent ROA Entry #300 that was needed to renew the void judgment. I requested to have an ExParte motion heard on June 13, 2018 that it be removed from the ROA. Judge Maas refused to hear the motion.

| | |
|---|---|
| BRUCE J. KELMAN & GLOBALTOX, INC., Plaintiffs, | CASE NO. GIN044539 |
| v. | EX PARTE APPLICATION To Remove ROA Entry #300 |
| SHARON KRAMER, and DOES 1 through 20, inclusive, Defendant. | Declaration of SHARON KRAMER [Assigned for All Purposes to the Hon. EARI H. MAAS III, Department 28] |
| | Filed May 2005 |
| | Motion Hearing Date: June 13, 2018 8:30am |

To ALL PARTIES and their ATTORNEYS OF RECORD Please take notice that on June 13, 2018 at 8:30 am in Department 28 of the North San Diego County Superior Court located at 435 S. Melrose Drive in Vista, California with the Honorable Earl H. Mass III presiding, this EX PARTE APPLICATION TO REMOVE REGISTER OF ACTION (ROA) ENTRY #300 will be heard.

Sharon Kramer

**EX PARTE APPLICATION TO REMOVE REGISTER OF ACTION (ROA) ENTRY #300**

1. I am aware that in February of 2018, Bruce KELMAN, president of VERITOX, Inc. formerly GlobalTox, Inc.) attempted to renew the void judgment from this case but was unable to o so because it was inconsistent with the electronic case record, the ROA.

2. On June 4, 2018, I became aware that an erred entry was just added to the ROA, entry #300, › make it consistent with the void judgement that KELMAN, via his newest attorney William ITVAK, is again trying to renew.

Contrary to the face of the void judgment as just renewed and the matching backdated ROA Entry #300, there is no question that I prevailed over GlobalTox in trial and that Judge Maas knows he just renewed a void judgment by use of a corrupted ROA, that fails to state it.

On October 28, 2011, Judge Maas ordered that the void judgment be amended to acknowledge I prevailed. This occurred one full year after the 4th/1st left the void judgment in effect in their September 2010 appellate opinion; and Kelman and Scheuer were using it to try to have me permanently enjoined from telling of case-fixing for GlobalTox via the second harassing case, *Bruce Kelman v. Sharon Kramer* Case. No. 37-2010-00061530; hereafter referred to as "RETALIATION" that began in November of 2010.

SLAPP's true ROA states by amendment:

| | | |
|---|---|---|
| 281 | 10/28/2011 | Judgment was entered as follows: Judgment entered for KRAMER, SHARON and against GLOBALTOX INC for $ 0.00, punitive damages: $ 0.00, attorney fees: $ 0.00, interest: $ 0.00, prejudgment costs: $ 2545.28, other costs: $ 0.00, amount payable to court: $ .00, for a grand total of $ 2545.28. |
| 278 | 10/28/2011 | Minutes finalized for Motion Hearing (Civil) heard 10/28/2011 01:30:00 PM. |

Continuing on with the harassment by the void judgment in its pre-2011 amended form, accommodated to be renewed by corrupted ROA Entry #300; the judgment was again renewed in its form which fails to state that I prevailed over GlobalTox in trial.

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff Bruce Kelman recover the sum of $1.00 (one dollar and no cents) as nominal damages from Defendant Sharon Kramer, and costs in the amount of $ 7,249.66, and that Plaintiff GlobalTox, Inc. recover nothing in this action.

Dated: 9/24/08

Judge of the Superior Court
LISA C. SCHALL

**No one denies that this judgment was obtained by extrinsic fraud upon the court**, which the appellate court covered up by leaving it in effect. No one denies that Judge Schall made a legal error on September 24, 2008 by signing the judgment (crafted by Scheuer) which failed to state I prevailed over GlobalTox in trial. No one denies that she corrected her legal error in the December 12, 2008 minute order --- but her clerk, Michael Garland, reinstated the legal error on 12/18/08. No one denies that, while failing to state that I prevailed over GlobalTox, it was used in RETALIATION to try to harass me into silence of the blatant case-fixing of SLAPP by extrinsic and intrinsic fraud.

Plaintiff counsel's only argument is that it should be renewed (by use of the corrupted ROA Entry #300) because the appellate court left the void judgment in effect while case-fixing for GlobalTox (and its litigation undisclosed co-owner, Bryan Hardin, retired deputy director of CDC NIOSH, et.al.). No one denies that I have repeatedly motioned, begged and pleaded for the 4th/1st to recall and rescind their remittiturs to correct their egregious legal errors, which have greatly harmed me.

From the court transcript of July 13, 2018, verbatim pages 3-6 as transcribed by Court Reporter Julie McKay CSR NO. 9059

> THE COURT: Good afternoon. All right. Ms. Kramer, this is your motion. You heard what I said earlier. Go ahead.
>
> MS. KRAMER: I will. Okay. The problem with this, they're trying to renew this judgment that they created ten years ago that only acknowledged their client was a prevailing party to trial. The judge signed it. Didn't acknowledge that I prevailed. It took me through the oral arguments to have it acknowledged that I was a prevailing party on the minute order.
>
> And then after that, within a few days, the clerk signed the amended judgment by just initialing or dating it, which, again, didn't acknowledge that I prevailed. I wasn't noticed of it. Apparently, they were. And they took it and recorded this fraudulent abstract of judgment and lien on my property.
>
> I never would have even known it if I hadn't asked for a motion for reconsideration. And that was denied based on this amended judgment, which wasn't really an amended judgment.
>
> And I think you know the rest from here. **It was an extrinsic fraud** for the -- for them to be sent this bogus amended judgment and for them to take it and record a fraudulent lien on my property without my notice. And I was denied the opportunity to have the matter heard in motion for reconsideration based on that fraud written on the document that they used to record that.

And you know, Your Honor, how much trouble this little piece of paper has been for me for ten years, and I would greatly appreciate it if you could stop them from being able to harass me with it in the future.

**I'm a whistle blower. I've knocked their scientific fraud out of a lot of policies, and that's what this case was really about**. It's no longer marketed by the American College of Occupational and Environmental Medicine. California Department of Health no longer markets it. California Industrial Relations Board no longer markets it. The U.S. Department of Justice no longer uses it.

I've done a great service for the people of the United States. And if you could make them stop harassing me by using these extrinsic but fraudulent court documents, it would be greatly appreciated.

THE COURT: All right. Thank you very much.

And on the phone.
MS. SMYTH: Thank you, Your Honor. Joan Smyth on CourtCall. Your Honor, this judgment was entered in 2008. It was entered ten years ago. It was then confirmed by the Court of Appeal. There is absolutely nothing wrong with this judgment. It is a proper judgment.

Even in Judge Dahlquist's courtroom and in his minute orders, he made clear that all of these attacks on the judgment are frivolous. There is no reason for this court to hold up the renewal of a judgment application. It's an absolutely proper judgment. There's no basis for either a direct attack or a collateral attack on this judgment.

THE COURT: All right. Anything else you want me to know other than what's in your papers?

MS. SMYTH: I have nothing further, Your Honor, unless Ms. Kramer makes further comments that I need to respond to.

THE COURT: Ms. Kramer, final comments.

MS. KRAMER: Yes. This court knows what happened in the appellate court was not an appropriate judgment because this court amended the judgment after appeal to acknowledge that I prevailed.

And additionally, when they went to renew this lien or this judgment, first of all, they couldn't because the Register of Action didn't match to be able to do the automatic renewal. So the court records department backdated this entry into the Register of Action to be able to record it. And what the entry said was what the fraud was to begin with:

That only Kelman prevailed in trial by judgment. Only Kelman was awarded costs. And that is not consistent with what Your Honor had found in this case in 2011. And so that's my argument, Your Honor.

THE COURT: All right. Thank you very much. Do you have any need to follow up after that, Counsel?

MS. SMYTH: No. I'm going to submit, Your Honor.

THE COURT: All right. As you can imagine, I have a lot still to go through with it just to match up all the dates. But my trial for Monday went away, so it is front on my desk, and I will have your decision by the end of the week.

MS. KRAMER: Thank you, Your Honor. I would like you to understand what I have done to reshape policy and change a lot of lives. So I hope you take that into consideration too.

THE COURT: Okay. Thank you very much. Have a good weekend.

MS. KRAMER: You too, Your Honor.

MS. SMYTH: Thank you, Your Honor. Have a good weekend.
(The proceedings adjourned at 1:47 p.m.)

Additionally, it was not denied (or even mentioned) in Mr. Litvak's response that half of the $7,252.65 awarded to Kelman by void judgment were actually costs incurred by the party I prevailed over in trial, GlobalTox, Inc.

Mr. Scheuer had submitted his client, GlobalTox's costs as being those of Kelman's as he crafted the judgment making it appear that only his clients prevailed by decree (as just renewed). It was also not denied that the appellate court knew this when they left the void judgement in effect that failed to state I prevailed over GlobalTox in trial. No explanation was provided in writing or in oral argument of why the so called "proper judgment" that did not state I prevailed over GlobalTox was able to be used by Scheuer and Kelman to literally try to terrorize me into silence in RETALIATION.

From my Motion Made Under Duress to Vacate/Stop the Renewal of the Void Judgment:

2. In 2010, the Fourth District Division One Court of Appeal (4th/1st) compounded the problem by suppressing the evidence that many legal errors were made in their 4th/1st 2006 anti-SLAPP Opinion [Ex. 9. P.77-96], which caused the 2008 trial to take place. In their 2010 Appellate Opinion [Ex.10 P.97-112] they left the Void Judgment undisturbed which failed to state that KRAMER prevailed over VERITOX in the 2008 trial and was awarded costs – but by ruling only in violation of C.C.P.664.5(b). To quote:

> *"The trial court with a different trial judge presiding, heard Kramer's cost motion on April 3, 2009, and awarded her a total of $2,545.28"...on the record we cannot disturb the trial court's award of costs to Kelman...Judgment affirmed. Respondents to recover their costs on appeal."* [Ex.10 P.111-112]

4. Additionally, costs of $7252.65 that KELMAN and VERITOX's former counsel, Keith Scheuer, submitted to the court on 10/14/08 as being KELMAN's include VERITOX's. Fifty percent of the cost award to KELMAN on the face of the Void Judgment and the RA are trial loser VERITOX's costs. This is proven by the deposition costs. KRAMER was only deposed once and on video. The total cost was assigned by Scheuer as being that of KELMAN's. [Ex.10 P.111]

6. Even if the above noted handwriting by Garland on the 3rd page of the Void Judgment would have occurred on 12/18/08 (which it did not); it is not consistent with the 12/12/08 Minute Order it is supposedly founded upon, making it a falsely amended judgment forever void on its face. [Ex.3 P.8; Ex.18 P.160]

> The Record in this case reflects that Plaintiff Bruce J. Kelman is the prevailing party solely as against Defendant Sharon Kramer. Defendant Sharon Kramer is the prevailing party solely as against Defendant Globaltox, Inc.
>
> On October 16, 2008, pursuant to California Rules of Court, Rule 3.1700(a), Notice of Entry of Judgment was properly served on Defendant Sharon Kramer by Counsel for Plaintiff.

As you know, Mr. Roddy, what I was served by plaintiff counsel on October 16, 2008, was the void judgment which failed to state by decree that I prevailed over GlobalTox in trial. It was the first time I'd even seen it. I was not being properly noticed as a prevailing party.

> *"NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff Bruce Kelman recover the sum of $1.00 (one dollar and no cents) as nominal damages from Defendant Sharon Kramer, and costs in the amount of $_____, and that Plaintiff GlobalTox. Inc recover nothing in this action."*

As you know, Mr. Roddy -- Judge Thomas Nugent, Scheuer and Kelman used the void judgment from SLAPP (that Judge Maas just renewed) to feign that Judge Nugent's court had subject matter jurisdiction in RETALIATION; and that I was physically hurt by the harassment that occurred in that case -- purposed to conceal the 4th/1st justices' case-fixing to frame a whistleblower of GlobalTox's junk science, for libel.

3. In March of 2012 KRAMER was sent to jail for refusing to sign a false confession of being guilty of libel. It was crafted by Scheuer and contained the sentence "*I do not believe Dr. Kelman committed perjury*". [Ex.27 P.229-230; Ex.28 P.231]

4. On 3/14/12 KRAMER was brought before Judge Nugent in shackles and chains. He again attempted to coerce KRAMER into signing the false confession. KRAMER said:

> "NO, I DID NOT HEAR THE IMPORTANT THING. I DIDN'T HEAR AN APOLOGY THAT THE COURT'S FRAMED ME FOR LIBEL SEVEN YEARS AGO. I'M SITTING HERE IN HANDCUFFS FOR SPEAKING THE TRUTH ABOUT A FRAUD AND POLICY. IF YOU WANT TO SEND ME BACK TO JAIL, FINE, BUT I'M NOT SIGNING AN APOLOGY FOR THE COURT DOING THAT." [Ex.29 P.237]

5. KELMAN and VERITOX's "legal" counsel, Scheuer, was there to witness the fruits of his labors as KRAMER was brought in, in shackles and chains, no makeup and no sleep for two nights. So was the attorney that Judge Nugent kept trying to force on KRAMER, Tracey Sang Mitchell (deceased). KRAMER made Sang get up from the defense table and go sit in the audience. (Sang was another aspect to the terrorizing harassment of what they were plotting. Evidence indicates they were going to deem KRAMER criminally and mentally incompetent under PC 1368 and have her "*taken downtown to the psych ward*")

As such, please inform Mr. Duecker to remove my name from a place it does not belong -- the California vexatious litigant list. I would like a meeting with you, Mr. Roddy, to discuss why your deputy clerks are falsifying Register of Action entries to accommodate the renewal of a void judgment obtained by extrinsic fraud; and are falsifying ROA entries in support of the false concept that I should be deemed a vexatious litigant.

No one uses the bogus risk assessment model that Kelman and Hardin concocted in 2002, and that I exposed in 2005 was junk science in mold litigations (other than hard-up insurer defense attorneys who don't have a leg to stand on). Health departments do not market it anymore. The USDOJ does not use it. The thirteen-year harassment on behalf GlobalTox has already cost me practically everything I own to help cause this for the public good; and I would sincerely appreciate it if the local courts would stop helping them to continue to harass me with a renewed void judgment and fraudulent ROA entries.

Sincerely,

Sharon Noonan Kramer

EC: Chief Justice Tani Cantil-Sakayue via her executive secretary, AhMoi Kim.
Kurt Duecker, AOC Senior Staff – overseer of the Vexatious Litigant list.
CA Attorney General Xavier Becerra via Public Crimes Unit investigator Clifford Zall & Senior Policy Advisor Laura Stuber.

EXHIBIT

3

This is my March 2005 writing exposing how GlobalTox was able to market their junk science – SEVEN MONTHS before Governor Schwarzenegger endorsed the insurance fraud scam.

CISION
PRWeb

**Jury Finds "Toxic Mold" Harmed Oregon Family, Builder's Arbitration Clause Not Binding**

The case (Haynes vs. Adair Homes Inc.) is a first in the Northwest to award personal injury damages to a family exposed to toxic mold in a newly built home. "This verdict is significant because it holds construction companies responsible when they negligently build sick buildings,Â? said Kelly Vance, the family's attorney.

(PRWEB) March 9, 2005

A Clackamas County jury on Friday (March 4, 2005) held Adair Homes Inc. responsible for faulty construction practices that caused toxic mold to thrive inside Paul and Renee Haynes' new home in Sandy, Oregon. The jury also found Adair's negligence caused illness in Mrs. Haynes and the couple's two small children Â Michael, 6, and Liam, 4. The family experienced severe respiratory, digestive and cognitive impairment. One half of a million dollars was awarded to the injured family.

The case is a first in the Northwest to award damages for personal injury to a family exposed to mold in a newly built home. "This verdict is significant because it holds construction companies responsible when they negligently build sick buildings,Â said Kelly Vance, the family's attorney.

Adair Homes, Inc. which builds hundreds of residences each year in Oregon, Washington and Idaho, built the house on the Hayne's five acres in early 2002. Four months after moving in and becoming ill, the family discovered rampant mold growth inside the walls of their new home. Dry wall and insulation were installed while the frame was wet from recent heavy rains. Evidence presented during the trial proved there was standing water in the wall cavities and the crawl space long after the construction was completed. This led to the growth of the toxigenic fungi. ÂYou couldnÂt have made the framing in that house more wet if you had sprayed it with a firehose," stated Vance.

By the time the Haynes discovered the mold, it was too late. Mrs. Haynes and the children were exhibiting neurologic and immune system damage. Paul Haynes reported the problem to Adair Homes, but the company refused to take responsibility. The family was forced to flee their new house in an effort to save the health of the mother and young sons.

Two separate medical evaluations substantiated that both Renee Haynes and her son, Michael, had mold antibodies in their blood, indicative of dangerous exposure levels to mold. Numerous experts, including a fungal immunologist, an occupational therapist and a neuropsychologist testified concerning the Haynes children's developmental and sensory integration disorders that began shortly after moving into the Adair built home. The family's treating physicians and therapists agreed that LiamÂs and MichaelÂs medical needs from the mold exposure will continue for several years to come. MichaelÂs teacher testified that he was placed in a special disabled room at school and may need to remain there until at least junior high school. She expects Liam to suffer the same fate.

Amazingly, the Haynes family almost did not even get to tell their story to a jury. Adair, like many other commercial entities, utilizes an arbitration clause in its contract. That clause designates a specific preferred arbitration service. Adair uses Construction Arbitration Services, Inc., a company based far away from Adair's market, in Dallas, Texas. After the case was filed, Adair moved to stay the case pending arbitration and submitted an affidavit from the owner of the arbitration service, Marshall Lippman. The judge allowed the case to go to trial when the family's attorney showed that Lippman had submitted a false affidavit concealing the fact that he had been disbarred by the State of New York and Washington D.C. The disbarments occurred because Lippman had been found to have stolen funds from his clients.

Dr.Bruce Kelman of GlobalTox,Inc, a Washington based environmental risk management company, testified as an expert witness for the defense, as he does in mold cases throughout the country. 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. He admitted the Manhattan Institute, a national political think-tank, paid GlobalTox $40,000 to write a position paper regarding the potential health risks of toxic mold exposure. Although much medical research finds otherwise, the controversial piece claims that it is not plausible the types of illnesses experienced by the Haynes family and reported by thousands from across the US, could be caused by "toxic mold" exposure in homes, schools or office buildings.

In 2003, with the involvement of the US Chamber of Commerce and ex-developer, US Congressman Gary Miller (R-CA), the GlobalTox paper was disseminated to the real estate, mortgage and building industries'associations. A version of the Manhattan 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.

Contact:

See page 4 for stealth change to this 2005 document that occurred AFTER 2015 (because I complained)

# Molds in Indoor Workplaces

**Molds are forms of fungi that are found indoors and outdoors.** You are exposed to them daily in the air you breathe. Sometimes molds grow excessively inside your workplace and can cause different types of illnesses. Most workers will not be affected by molds. Some workers have symptoms like those of hay fever and the common cold, but they can last for longer periods. Molds can also aggravate asthma. In addition, some people in wet or moldy buildings may have flu-like symptoms. Most health problems are temporary and can be controlled by limiting exposure to molds.

## How do I know I am being exposed to molds at work?

Molds need moisture and a food source (organic material). Molds can be any color, including white, orange, green, brown, or black. Even if you cannot see any molds, you may notice a mildew or earthy smell. They may be found indoors on wet/damp walls, carpets, ceilings, or behind wallpaper, as well as in heating, ventilation, and air conditioning (HVAC) systems. Indoor moisture leading to the growth of molds and other micro-organisms may come from flooding, leaks, high humidity, and steam.

Symptoms also can indicate that you are exposed to molds at work. See "Health Effects of Mold Exposure" on page 3. If you have symptoms, observe when they occur. They may be work-related if they worsen when you are at work, and disappear or lessen at home or on weekends, or during vacations. The onset of symptoms depends on your individual reaction to molds.

## How do I get exposed to molds?

Molds produce seed-like spores that are small enough to travel through the air. You can breathe in spores or come into contact with them. Sometimes molds also produce chemicals called mycotoxins, which are attached to the spores and other parts of the mold. You may be exposed to mycotoxins at the same time you are exposed to molds. Mycotoxins are produced only under certain environmental conditions.

## How can molds affect my health?

Molds can cause allergic reactions, fungal infections, and other health effects. Most workers, however, will have no reaction at all when exposed to molds (see page 3). Some workers have underlying health conditions that make them more sensitive to effects of mold exposure.

Allergic reactions, similar to common pollen or animal allergies, are the most common health effects of molds. Allergic and toxic illnesses can be treated by getting rid of the mold exposure. Your doctor may also prescribe medication to control symptoms.

*Continued inside...*

FACT SHEET
HESIS
**HAZARD EVALUATION SYSTEM & INFORMATION SERVICE**
California Department of Public Health
Occupational Health Branch
850 Marina Bay Parkway, Bldg. P, 3rd Floor, Richmond, CA 94804
510-620-5757 • www.cdph.ca.gov/programs/ohb

NOVEMBER 2005

**California Department of Public Health • California Department of Industrial Relations**

In almost all cases of allergic or other illnesses, the symptoms are temporary. However, a small percentage of people may experience longer recovery times.

Fungal infections of internal organs are rare. They require immediate medical attention and treatment.

The symptoms described on page 3 for mold exposure can also be due to other causes such as bacterial or viral infections, or other allergies. Therefore, it is important to tell your doctor if you are concerned about exposure to molds. If possible, have your doctor refer you to, or consult with, an occupational medicine physician to help determine if the illness is work-related. An occupational medicine physician can also help identify other workplace conditions that could be related to your symptoms.

# What do I do about molds in the workplace?

There are no standards to say how much mold is hazardous to your health. There should not be visible mold growth or strong moldy odors in the workplace.

**Report mold problems.** If you see or smell mold, or if you or others are experiencing mold-related symptoms, report it so the problem can be investigated. You may need to tell your employer, supervisor, health and safety officer, union representative, or school board. Find out whether co-workers are experiencing any of the listed symptoms. See if a particular office, floor, or area is affected. Your workplace Injury and Illness Prevention Plan (Title 8, California Code of Regulations, Section 3203) must describe a procedure for employees to report hazards to the employer. Your employer must correct uncontrolled indoor accumulation of water that may cause mold. (Title 8, California Code of Regulations, Section 3362). Cal/OSHA enforces these regulations (see page 4).

**What about Stachybotrys? See back page...**

**If you have symptoms see a doctor.** If possible, go to an occupational health clinic. Take this factsheet in to show your doctor, and refer to HESIS if there are further questions (see 'Resources'). If your illness is work-related, your doctor may recommend your removal from the workplace and you may be eligible for workers' compensation benefits. Make sure your doctor fills out a Doctor's First Report of Occupational Injury or Illness (DFR), a form necessary for a successful claim.

**Clean up mold contamination.** Mold should be removed right away. No one with symptoms, or with a higher likelihood of mold-related illness (see box, page 3), should participate in mold removal.

- Focus on fixing the problem, not testing for mold. A thorough investigation should reveal all sources of mold and moisture. Environmental sampling is usually unnecessary, since all types of molds should be eliminated.
- Scrub hard surfaces (tile, concrete, vinyl, undamaged wood) with ordinary household cleaning products. Bleach is not necessary. Use waterproof gloves.
- Moldy porous materials (carpet, ceiling tile, wallboard, softened wood) usually require removal and replacement. For extensive removal jobs (greater than 30 square feet), HESIS recommends using a contractor specializing in this kind of work. There is no state license specifically for mold removal or cleanup.
- Ensure that workers who remove moldy materials use gloves, eye protection, coveralls, head and shoe covers, and properly fitted respirators. See the recommended respiratory protection program (Title 8, California Code of Regulations, Section 5144). Choose N-95 respirators (not dust masks) in most situations. Make sure mold removal workers are trained about dust control methods, use of personal protective equipment, and health risks.
- Avoid using toxic chemicals. Fungicides and disinfectants are rarely appropriate, and may endanger building occupants. Don't use ozone generators; ozone can harm your lungs. Mold-resistant paints may contain toxic additives. No chemical can substitute for regular cleaning.

**Avoid exposure during mold cleanup.** The highest exposure to mold often occurs during cleanup. You may need to temporarily leave work

# Health Effects of Mold Exposure

## ALLERGIC REACTIONS

**Dermatitis –** Red itchy skin and/or rash.

**Asthma –** May be aggravated or caused by exposure to mold, resulting in acute attacks of coughing, wheezing, and shortness of breath. Reactions usually occur within minutes after exposure, and may repeat 6-10 hours later.

**Allergic rhinitis or sinusitis –** Similar to hay fever or the common cold, but over an extended period of time. Symptoms include a runny nose, nasal or sinus congestion, irritated or red eyes, irritated or scratchy throat, and cough. Reactions occur quickly after exposure to molds.

**Hypersensitivity pneumonitis (extrinsic allergic alveolitis) –** Involves the lungs and body. Symptoms include tightness in the chest, difficulty breathing, cough, fever, and muscle aches. Reactions occur 6-8 hours after exposure. ***RARE***

## FUNGAL INFECTIONS

**Invasive pulmonary aspergillosis –** Only occurs in the severely immunocompromised. Symptoms include pneumonia plus fever, bone pain, chills, headache, and weight loss. ***RARE***

**Aspergilloma (formed in a pre-existing healed lung abscess) –** Symptoms include cough, coughing up blood, and weight loss. ***RARE***

## OTHER EFFECTS

Reported symptoms in damp buildings include fatigue, headache, fever, muscle ache, difficulty concentrating and mood changes. The cause of these symptoms is not completely understood.

**Most people will have no reaction at all when exposed to molds.**

**Workers with a higher likelihood of mold-related illness include those who:**

- Have other allergies
- Have existing respiratory conditions including asthma or other lung diseases
- Are moderately immunocompromised (such as diabetic) or severely immunocompromised (have AIDS or leukemia, receiving chemotherapy, or are organ transplant recipients)
- Are elderly

areas where cleanup is occurring, especially if you have symptoms or underlying medical conditions that increase your risk of mold-related illnesses.

**Eliminate and control the source of moisture.** As long as moisture is present the mold will return, so the source of the moisture must be eliminated and the building properly maintained.

**Monitor symptoms after cleanup.** If the symptoms persist after cleanup, they may not be related to molds, or the cleanup effort was unsuccessful. You and your doctor should explore other possible causes of illness. If there are other indoor air quality problems or the cleanup was not adequate, your employer may need professional assistance. ■

See under "Publications". Item 5 has been quietly removed from this California Dept of Health document that was endorsed into policy by Governor Schwarzenegger (November of 2005). What it says is "Physicians can refer to the American College of Occupational and Environmental Medicine (ACOEM) 'Adverse Human Health Effects Associated With Molds in the Indoor Environment". This is the junk science penned by the owners of Veritox/GlobalTox and a UC physician, that I exposed (March 2005) how it was being marketed into policies to commit insurer fraud in U.S. mold litigations.

# RESOURCES

## ORGANIZATIONS

- **HESIS** can answer questions about the health effects of molds and other workplace hazards for California workers, employers, and health care professionals, call toll-free (866) 363-5546.
- **Occupational health clinics** can be found at the University of California:
  - UC San Francisco/SFGH Occupational and Environmental Medicine Clinic (415) 206-7400
  - UC Davis Occupational and Environmental Health Clinic (530) 754-6115
  - UC Irvine Occupational and Environmental Clinic (949) 824-6641
  - UC San Diego Occupational and Environmental Clinic (619) 471-6630.
- **California Division of Occupational Safety and Health (Cal/OSHA)** can give an employee for immediate conditions, including uncontrolled water contamination, that may promote mold growth; see http://www.dir.ca.gov/title8/3203.html. Employees who need information on workplace health and safety regulations, or who want to file a complaint, should call the nearest district office of Cal/OSHA. Call (916) 285-3000 or see www.dir.ca.gov/DOSH/district_offices.html to find out which District Office covers your workplace. Your identity will be kept confidential.
- **Employers** who want free, non-enforcement help to evaluate the workplace and to improve health and safety conditions can call the Cal/OSHA Consultation Service at (800) 963-9424.

## PUBLICATIONS

- **Workers' Compensation in California: A Guidebook for Injured Workers** from the Labor Occupational Health Program (LOHP), University of California, Berkeley. This is an internet-only publication. Go to www.lohp.org/links to Workers' Compensation, download the free guidebook in English or Spanish.
- **EPA guide** *Mold Remediation in Schools and Commercial Buildings*. http://www.epa.gov/mold/mold_remediation.html
- **"Indoor Air Quality Tools for Schools"** is a kit developed by the EPA to help with investigation of indoor air issues at schools. See www.epa.gov/iaq or call 1-800-438-4318.
- **Listings of indoor air quality consultants** can be obtained from the California Department of Health Services' Indoor Air Quality Program, see www.cdph.ca.gov, then link to "Guidance on Finding an IAQ Consultant" and "Guidance on Hiring IAQ Consultants." The American Industrial Hygiene Association also has consultant listings, see www.aiha.org.
- **Physicians** can refer to the American College of Occupational and Environmental Medicine (ACOEM) statement, *Adverse Human Health Effects Associated with Molds in the Indoor Environment*. www.acoem.org/guidelines/article.asp?ID=62.

## What about *Stachybotrys*?

Stachybotrys chartarum (also known as Stachybotrys atra) is a green-black mold that grows on materials with high cellulose content (e.g., wood and paper) and on gypsum wallboard. This mold, like some other molds, produces chemicals called mycotoxins under certain environmental conditions. Health effects of breathing mycotoxins are not well understood.

Here are the most important things to know:

- Not all black molds are Stachybotrys, and not all Stachybotrys produce mycotoxins.
- While still alive, Stachybotrys is sticky and does not release many spores or mycotoxins. Exposure is most likely when spores and mycotoxins (if present) are released into the air.
- There is no diagnostic test to determine if you are currently exposed to Stachybotrys.
- All indoor molds are potential health hazards and need to be cleaned up.



Arnold Schwarzenegger, Governor
State of California
Kimberly Belshé, Secretary
Health and Human Services Agency
Sandra Shewry, Director
Department of Health Services
John Rea, Acting Director
Department of Industrial Relations

DIR

www.dhs.ca.gov/ehib

The junk science for which the courts have been framing me for libel w/the Void judgment.

Endorsed in 2005 by Schwarzenegger

Gov Schwarzenegger's endorsement of GlobalTox's junk science quietly removed (no earlier than 2016)

# RESOURCES

## ORGANIZATIONS

- **HESIS** can answer questions about the health effects of molds and other workplace hazards for California workers, employers, and health care professionals, call toll-free (866) 282-5516.
- **Occupational health clinics** can be found at the University of California:
  - UC San Francisco/SFGH Occupational and Environmental Medicine Clinic: (415) 885-7580.
  - UC Davis Occupational and Environmental Health Clinic: (530) 754-7635.
  - UC Irvine Occupational and Environmental Clinic: (949) 824-8641.
  - UC San Diego Occupational and Environmental Clinic: (619) 471-9210.
- **California Division of Occupational Safety and Health (Cal/OSHA)** can cite an employer for unsanitary conditions, including uncontrolled water accumulation, that may promote mold growth; see http://www.dir.ca.gov/title8/3362.html. Employees who need information on workplace health and safety regulations, or who want to file a complaint, should call the nearest district office of Cal/OSHA. Call (510) 286-7000 or see www.dir.ca.gov/DOSH/districtoffices.htm to find out which District Office covers your workplace. Your identity will be kept confidential.
- **Employers** who want free, non-enforcement help to evaluate the workplace and to improve health and safety conditions can call the Cal/OSHA Consultation Service at (800) 963-9424.

## PUBLICATIONS

- **Workers' Compensation in California: A Guidebook for Injured Workers** from California Department of Industrial Relations. **English**: http://www.dir.ca.gov/InjuredWorkerGuidebook/InjuredWorkerGuidebook.html. **Spanish**: http://www.dir.ca.gov/InjuredWorkerGuidebook/Spanish/InjuredWorkerGuidebook.htm
- **EPA guide** *Mold Remediation in Schools and Commercial Buildings*, https://www.epa.gov/mold/mold-remediation-schools-and-commercial-buildings-guide
- **"Indoor Air Quality Tools for Schools"** is a kit developed by the EPA to help with investigation of indoor air issues at schools. See https://www.epa.gov/iaq-schools/take-action-improve-indoor-air-quality-schools or call 1-800-438-4318.
- **Listings of indoor air quality consultants** can be obtained from the California Department of Health Services' Indoor Air Quality Program; see www.cal-iaq.org then link to "Guidance on Finding an IAQ Consultant" and "Guidance on Hiring IAQ Consultants." The American Industrial Hygiene Association also has consultant listings; see www.aiha.org.

→ omitted w/o initialings or dating change to make it falsely appear CH never endorsed GlobalTox's junk science via ACOEM. The undated change occurred AFTER 2015

## What about *Stachybotrys*?

*Stachybotrys chartarum* (also known as *Stachybotrys atra*) is a greenish-black mold that grows on materials with high cellulose content (drywall, wood and paper, and dropped ceiling tiles). This mold, like some other molds, produces chemicals called mycotoxins under certain environmental conditions. Health effects of breathing mycotoxins are not well understood.

Here are the most important things to know:

- Not all black molds are *Stachybotrys*, and not all *Stachybotrys* produces mycotoxins.
- While still alive, *Stachybotrys* is slimy and does not release many spores or mycotoxins. Exposure is low unless it dries up, when spores and mycotoxins (if present) are released into the air.
- There is no diagnostic test to determine if you are currently exposed to *Stachybotrys*.
- All indoor molds are potential health hazards and need to be cleaned up.


Arnold Schwarzenegger, Governor
State of California

Kimberly Belshé, Secretary
Health and Human Services Agency

Sandra Shewry, Director
Department of Health Services

John Rea, Acting Director
Department of Industrial Relations

JANE NORLING DESIGN

This is the publication that caused the State of CA to stop marketing GlobalTox's junk science. I know because I have emails from Dec 2015 to confirm it.

# ACOEM Takes Down Position Paper Commonly Used to Defend Against Mold Claims

by Ben Miller (Reporter)
WorkCompCentral Monday, March 9, 2015

The American College of Occupational and Environmental Medicine appears to have retired a controversial position statement on mold that critics say has been used to deny workers' compensation claims for more than a decade.

The position paper, titled Adverse Human Health Effects Associated with Molds in the Indoor Environment, essentially stated that mold is not likely to cause many of the illnesses that employees mark down as job- related on workers' compensation forms, according to mold activist Sharon Kramer.

The paper no longer appears on the organization's website. A search for previous versions of ACOEM's policies and positions page using WayBack Machine – a website that takes snapshots of web pages and preserves them so users can compare changes later on – shows the paper appearing no later than Dec. 29.

ACOEM representatives did not respond to multiple requests for comment. But Kramer told WorkCompCentral in an interview last week that Michael Hodgson, medical director for the U.S. Occupational Safety and Health Administration, received a statement from ACOEM's publications director [Marianne Dreger] last year that the organization would sunset the position paper in early 2015.

Kramer said the sunsetting that appears to have occurred takes away any weight the paper might hold as a defense against workers' compensation claims where the claimant is seeking benefits for mold-related illness.

"It's sort of damning for anybody who tries to use that in court because they basically said, 'Eh, this [is] no longer our understanding,'" Kramer said.

Kramer said the position statement was first published in 2002, then revised in 2011. Neither paper, she said, acknowledged mounting evidence supporting that mold can cause respiratory problems and inflammatory responses in the body.

"It was a litigation defense argument right from the get-go," she said.

Ritchie Shoemaker, a mold researcher who has testified in more than 200 court cases related to mold illness, said the ACOEM paper was ubiquitous in litigation for many years.

"After 2003, there were no cases that I participated in where defense did not quote ACOEM," he said.

Mold inhalation causes reactions of varying degrees, depending on the individual, Shoemaker said, and can present itself in an array of symptoms – confusion, memory problems, numbness and tingling, tremors, respiratory problems and even joint problems that look like rheumatoid arthritis at first glance.

"It's fascinating to see the diversity of inflammatory responses that we have," Shoemaker said. That position has been supported in literature from the World Health Organization as well as the National Institute of Occupational Safety and Health.

Shoemaker said there are several ways to show that a patient has been exposed to the inhalation of mycotoxins, which mold produces. Blood samples, brain imaging and soon genetic tests can all be used to show a "fingerprint" that only mycotoxin inhalation produces, he said.

He said he has submitted a journal article for publication on genetic testing. That paper shows that a person's messenger ribonucleic acid can be analyzed to see which genes have been activated and which have been suppressed by mold inhalation.

"If all we look at is just a genomic sample, we can take it as a blind without knowing anything about the patient and tell you with 93% accuracy whether we're dealing with a mold patient," he said. Further evaluation can bring the accuracy of diagnosing a person as suffering from mold inhalation up to 99%, he said.

Other workers' compensation treatment guidelines don't have much to say about mold. The medical treatment guidelines available on the Washington state Department of Labor and Industries website make no specific mention of mold. Colorado's guidelines, which were among the first for workers' compensation adopted in the country, also make no mention of mold.

"We can't cover everything and what we focus on are really the nine highest frequency and highest cost conditions in Colorado, and (mold) is actually not on the list," said Daniel Sung, manager of medical policy for Colorado's Division of Workers' Compensation.

In mold cases, he said, Colorado stakeholders will have to instead look for the best evidence-based medicine they can find.

The online portal for the Official Disability Guidelines offers no entry in its "UR Advisor" tool and points users to MedLineConnect, a government-run website which simply states that

"inhaling or touching mold or mold spores may cause allergic reactions or asthma attacks in sensitive people."

Shoemaker said that even though the ACOEM paper appears to have been sunset, he expects it to continue cropping up in court because ACOEM was the last organization to hold the position that mold inhalation wasn't likely to cause medical problems.

"They don't have anything else," Shoemaker said. "The British were throwing rocks at Washington as he crossed the Delaware River because the Hessians were too drunk to fire their muskets."

https://ww3.workcompcentral.com/…/365fb293e6c28f3644229d743…

Sharon Noonan Kramer snk1955@aol.com

Continuing to frame me for libel with the void judgment is CAUSING the junk science to continue to "crop up in court".

See pg 3 regarding the UC Regents profiting from the science fraud that I exposed was an insurance fraud scam in 2005 — and the courts continue to frame me for it with the VOID JUDGMENT

THE WALL STREET JOURNAL.

# Amid Suits Over Mold, Experts Wear Two Hats

*Authors of Science Paper Often Cited by Defense Also Help in Litigation*

By David Armstrong, January 10, 2007

Soon after moving into a New York City apartment, Colin and Pamela Fraser say, they began to suffer headaches, rashes, respiratory infections and fatigue. They attributed it to mold.

But their lawsuit against the cooperative that owns the building hit a roadblock when the court wouldn't let their medical expert testify that mold caused their problems. This is "unsupported by the scientific literature," the state trial judge said.

She relied in part on a position paper from the American College of Occupational and Environmental Medicine, or ACOEM. Citing a substance some molds produce called mycotoxins, the paper said "scientific evidence does not support the proposition that human health has been adversely affected by inhaled mycotoxins in the home, school, or office environment."

**Two Views of Mold**

Passages from papers by two professional societies:

American College of Occupational and Environmental Medicine

**"Scientific evidence does not support the proposition that human health has been adversely affected by inhaled mycotoxins** [from mold] **in the home, school, or office environment."**

Institute of Medicine

**"Studies have demonstrated adverse effects—including immunotoxic, neurologic, respiratory and dermal responses—after exposure to specific toxins, bacteria, molds or their products."**

The paper has become a key defense tool wielded by builders, landlords and insurers in litigation. It has also been used to assuage fears of parents following discovery of mold in schools. One point that rarely emerges in these cases: The paper was written by people who regularly are paid experts for the defense side in mold litigation.

The ACOEM doesn't disclose this, nor did its paper. The professional society's president, Tee Guidotti, says no disclosure is needed because the paper represents the consensus of its membership and is a statement from the society, not the individual authors.

The dual roles show how conflicts of interest can color debate on emerging health issues and influence litigation related to it. Mold has been a contentious matter since a Texas jury in 2001 awarded $32.1 million to a family whose home was mold-infested. That award, later reduced, and a couple of mold suits filed by famous people like Ed McMahon and Erin Brockovich helped trigger a surge in mold litigation. Insurers and builders worried it would become a liability disaster for them on the scale of asbestos.

The number of suits hasn't been as big as anticipated. One reason appears to be the insurers' success in getting many states to exclude mold coverage from homeowner's-insurance policies. But also helping turn the tide, lawyers and doctors say, is the ACOEM report. Building groups and the U.S. Chamber of Commerce have cited it to rebut the notion that mold in the home can be toxic.

James Craner, a Nevada doctor who has testified for scores of people who claimed ill effects from mold, says the paper "has been used in every single mold case. The lawyer asks, 'Isn't it

true the American College of Occupational and Environmental Medicine concluded that there is no scientific evidence that mold causes any serious health effects?'"

The result, Dr. Craner maintains, is that "a lot people with legitimate environmental health problems are losing their homes and their jobs because of legal decisions based on this so-called 'evidence-based' statement."

Dr. Craner says a majority of his work is on the plaintiff side and he is paid when he testifies, but he says he currently is an expert for the defense in a case where he concluded the plaintiffs' health issues weren't related to mold.

Two other medical societies have also published statements on mold written, in part, by legal-defense experts. The societies didn't disclose this when they released the papers, although one later published a correction saying two authors served as expert witnesses in mold litigation.

Mold reproduces through tiny spores. These can float into homes through windows and vent systems or be carried in on clothes or shoes. Indoors, mold grows when moisture is present.

There's debate about how much this matters. Plaintiffs attribute ills ranging from asthma to cognitive problems to inhalation of mold. The Institute of Medicine, a largely federally funded nonprofit, reviewed the research in 2004 and said "studies have demonstrated adverse effects -- including immunotoxic, neurologic, respiratory and dermal responses -- after exposure to specific toxins, bacteria, molds or their products." But it added that the dose required to cause adverse health effects hasn't been determined. The U.S. Centers for Disease Control and Prevention, for its part, says on its Web site that mold can cause wheezing and eye or skin irritation, but a link to more serious conditions "has not been proven."

## *'Highly Unlikely'*

The ACOEM paper goes further. It says not only is there no evidence indoor mold causes serious health effects, but even if mold produced toxic substances, it's "highly unlikely at best" that anyone could inhale enough to cause a problem. The paper reaches this conclusion by extrapolating from animal studies in which rodents' throats were injected with molds.

The paper's authors say their conclusions are validated by the Institute of Medicine's paper. But the author of the Institute paper's mold toxicity chapter, Harriett Ammann, disagrees, and criticizes the ACOEM paper's methodology: "They took hypothetical exposure and hypothetical toxicity and jumped to the conclusion there is nothing there."

Dr. Ammann, a recently retired toxicologist for Washington state's health department, recently helped the plaintiff side in a mold case. She says this was the only time she has done so for pay. In the Fraser lawsuit in New York, after the judge barred testimony that mold caused health problems, Dr. Ammann, on her own and without pay, provided an affidavit filed with the appellate court saying the judge misinterpreted the research.

The ACOEM, a society of more than 5,000 specialists who investigate indoor health hazards and treat patients with related illnesses, first moved to develop a position paper on mold in early 2002. Dean Grove, then the medical society's president, asked the head of its council on scientific affairs, Yale medical professor Jonathan Borak, to set the process in motion.

He turned to a retired deputy director of the National Institute for Occupational Safety and Health -- part of the CDC -- to spearhead the project. Dr. Borak says he wanted someone with "no established background record of litigation related to mold."

## *For the Defense*

The person he chose, Bryan Hardin, says he hadn't worked on any mold lawsuit at that point, though he was a consultant on other matters for GlobalTox Inc., a firm that regularly worked for the defense in mold cases. And Dr. Hardin says he consulted for the defense in a mold case while he was helping write the ACOEM paper.

In a Feb. 27, 2002, email, Dr. Borak told Dr. Hardin: "That position paper would be prepared by you and your GlobalTox colleagues." Dr. Borak says he believes he didn't know at the time that GlobalTox did mold defense work.

A GlobalTox colleague who aided Dr. Hardin was Bruce Kelman, now president of the firm, which recently changed its name to Veritox Inc. Drs. Kelman and Hardin, now principals at the firm and entitled to a share of its profits, were two of the ACOEM paper's three authors. They are paid $375 to $500 an hour for work on mold cases, court records say.

The paper's third author was Andrew Saxon, then chief of clinical immunology and allergy at the medical school of the University of California, Los Angeles. He, too, has served as a defense expert in numerous mold suits. Dr. Saxon says he is paid $510 an hour for his help. If called to testify in court, his rate rises to $720 an hour, according to a deposition he gave.

Until he retired from UCLA in September, money he earned as a legal-defense expert was paid to the university, and he says UCLA then gave him a little less than half of it. Dr. Saxon estimates he generates $250,000 to $500,000 a year from expert defense work, which includes non-mold cases.

The ACOEM knew about mold defense work by the authors of its paper. Dr. Hardin informed the society in a Sept. 23, 2002, document under his letterhead. Labeled "confidential" and "share only with the ACOEM board of directors," it told of his work as a defense expert on one mold case.

The letter said the other two authors, Drs. Saxon and Kelman, "have been retained by both the defense and plaintiff bar in litigation relating to indoor mold." Both say they work mostly for the defense in mold cases.

Internal ACOEM documents indicate that as the paper was being written in August 2002, there was concern within the society that the paper was too friendly to defense interests. Its authors were asked to modify the first draft's tone "because of the concern about possible misinterpretation of 'buzz words' and phrases such as 'belief system,' 'adherents may claim,' 'supposed hypersensitivity,' and 'alleged disorder,'" according to a June 2002 email to Dr. Hardin from the society's communications director. (The email was obtained by a plaintiff's attorney in a mold case, Karen Kahn.)

Dr. Borak, the head of the society's council on scientific affairs, suggested sending a draft for review to one particular mold authority, Michael Hodgson, director of the occupational safety

and health program at the U.S. Veterans Health Administration. Dr. Hardin objected. He said it would be "inappropriate to add ad hoc reviewers who are highly visible advocates for a point of view the draft position paper analyzes and finds lacking." The draft ultimately wasn't sent.

## *'A Defense Argument'*

In September 2002, Dr. Borak emailed colleagues that "I am having quite a challenge in finding an acceptable path for the proposed position paper on mold." He said several reviewers "find the current version, much revised, to still be a defense argument."

The society released a paper two months later, and its authors, as well as ACOEM officials, say it accurately reflects the science on indoor mold exposure. The authors' "views, if prejudicial, were removed," Dr. Borak says. "It went through a dramatic change of top-heavy peer reviews." He says objections come mainly from "activist litigants" who find it "annoying."

Drs. Hardin and Kelman say the paper has been controversial because it challenged "a belief system" that mold can be toxic indoors. "A belief system is built up and there is anger when the science doesn't support that belief system," Dr. Kelman says.

The Manhattan Institute, a conservative think tank, paid Veritox $40,000 to prepare a lay version of the paper. That version said "the notion that 'toxic mold' is an insidious, secret 'killer,' as so many media reports and trial lawyers would claim, is 'junk science' unsupported by actual scientific study." Its authors were the three writers of the longer paper plus a fourth, who also is a principal at Veritox.

Lawyers defending mold suits also cite a position paper from the American Academy of Allergy, Asthma and Immunology. This paper says it concurs with the ACOEM that it is highly unlikely enough mycotoxins could be inhaled to lead to toxic health effects.

Among the academy paper's five authors is Dr. Saxon. Another, Abba Terr, a San Francisco immunologist, has worked as a defense expert in mold cases. The academy published the paper in its Journal of Allergy and Clinical Immunology last February, not citing the mold-defense work of either man. The publication later ran a correction disclosing their litigation work.

The academy's president says officials were aware Dr. Saxon was an expert witness. "We should have published their [disclosure] statements with the paper," says the official, Thomas Platts-Mills. He says the lapse resulted from a variety of factors, including confusion about whose responsibility the disclosure was.

## *Unhappy Author*

A third author of the academy's paper, Jay Portnoy, chief of allergy, asthma and immunology at the Children's Mercy Hospital in Kansas City, Mo., says he "felt that there was an agenda" -- the effort "seemed very biased toward denying the possibility of there being harmful effects from mold on human health." He says he considered removing his name from the paper, but it was published before he could decide.

Dr. Portnoy says a section he contributed was rewritten by Dr. Saxon to be "a lot more negative." He says the paper wrongly says mold isn't proven to cause allergic rhinitis, with

symptoms like wheezing, sore throat and sneezing. Dr. Saxon denies the authors had a bias but says they applied a high standard for proving mold causes a particular effect. He says he didn't skew the content of Dr. Portnoy's section but rewrote it because it was "too diffuse." Dr. Terr in San Francisco didn't return a call seeking comment.

In New York, the Frasers are appealing the refusal of the trial judge, state Supreme Court Justice Shirley Werner Kornreich, to let their expert testify that indoor mold caused their health complaints. The Frasers had moved into the East Side Manhattan apartment in 1996. Their 2002 suit said they repeatedly complained to the co-op's board of dampness and leaks as their health deteriorated.

Their appeal attacks the credibility of mold position papers drafted by scientists who work for defendants. "What you have here is defense experts authoring papers under an official guise," says their attorney, Elizabeth Eilender. Justice Kornreich declined to comment.

http://online.wsj.com/article/SB116831654647871083-email.html

**Corrections & Amplifications:**

Harriet Ammann, a toxicologist, says she has been paid as an expert by plaintiffs in three mold cases. This article reports that Dr. Ammann said she had been paid for her work in only one case.

EXHIBIT

4

DAPEER, ROSENBLIT & LITVAK, LLP
11500 W. OLYMPIC BLVD., SUITE 550
LOS ANGELES, CA 90064

LOS ANGELES CA 900
25 JUL 2018 PM 3 L

$0.89 0
US POSTAGE
FIRST-CLASS
062S0008363957
FROM 90064

The Renewed Void Judgement was
mailed to me of July 25, 2018

SHARON KRAMER
2031 ARBORWOOD PLACE
ESCONDIDO, CA 92029

92025-5315 C045

EJ-195

| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) | TELEPHONE NO.: | FOR COURT USE ONLY |
|---|---|---|
| WILLIAM LITVAK (SBN 90533)<br>DAPEER, ROSENBLIT & LITVAK, LLP<br>11500 W. OLYMPIC BLVD., SUITE 550<br>LOS ANGELES, CA 90064<br>ATTORNEY FOR (Name): BRUCE J. KELMAN | 310-477-5575 | FILED<br>Clerk of the Superior Court<br>MAY 31 2018 |
| NAME OF COURT: Superior Court of California, San Diego County<br>STREET ADDRESS: 325 South Melrose Drive<br>MAILING ADDRESS:<br>CITY AND ZIP CODE: Vista, 92081<br>BRANCH NAME: North County | | |
| PLAINTIFF: BRUCE J. KELMAN<br>DEFENDANT: SHARON KRAMER | | |
| **NOTICE OF RENEWAL OF JUDGMENT** | | CASE NUMBER: GIN044539 |

TO JUDGMENT DEBTOR (name): SHARON KRAMER

1. **This renewal extends** the period of enforceability of the judgment until 10 years from the date the application for renewal was filed.
2. **If you object** to this renewal, you may make a motion to vacate or modify the renewal with this court.
3. You must make this motion within **30 days** after service of this notice on you.
4. A copy of the *Application for and Renewal of Judgment* is attached *(Cal. Rules of Court, rule 3.1900)*.

Date: JUL 17 2018

Clerk, by C. RIVERA, Deputy

[SEAL]

COPY

See CCP 683.160 for information on method of service

EJ-190

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, and State Bar number):
After recording, return to:
WILLIAM LITVAK (SBN 90533)
DAPEER, ROSENBLIT & LITVAK, LLP
11500 W. OLYMPIC BLVD., SUITE 550
LOS ANGELES, CA 90064

TEL NO.: (310) 477-5575 FAX NO. (optional): (310) 477-7090
E-MAIL ADDRESS (Optional):
[X] ATTORNEY FOR [X] JUDGMENT CREDITOR [ ] ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego
STREET ADDRESS: 325 South Melrose Drive
MAILING ADDRESS: 325 South Melrose Drive
CITY AND ZIP CODE: Vista, 92081
BRANCH NAME: North County

FOR RECORDER'S USE ONLY

PLAINTIFF: BRUCE J. KELMAN
DEFENDANT: SHARON KRAMER

CASE NUMBER: GIN044539

# APPLICATION FOR AND RENEWAL OF JUDGMENT

FOR COURT USE ONLY
FILED
Clerk of the Superior Court
MAY 31 2018

[X] Judgment creditor
[ ] Assignee of record
applies for renewal of the judgment as follows:

1. Applicant (name and address):
BRUCE KELMAN
18372 REDMOND WAY, REDMOND, WA 98052

2. Judgment debtor (name and last known address):
SHARON KRAMER
2031 ARBORWOOD PL, ESCONDIDO, CA 92029

3. Original judgment
   a. Case number (specify): GIN044539
   b. Entered on (date): 09/24/2008
   c. Recorded:
      (1) Date:
      (2) County:
      (3) Instrument No.:
4. [ ] Judgment previously renewed (specify each case number and date):

   N/A

5. [X] Renewal of money judgment
   a. Total judgment . . . . . $ 7,253.65
   b. Costs after judgment . . . . . $ 0
   c. Subtotal (add a and b) . . . . . $ 7,253.65
   d. Credits after judgment . . . . . $ 0
   e. Subtotal (subtract d from c) . . . . . $ 7,253.65
   f. Interest after judgment . . . . . $ 7,011.19
   g. Fee for filing renewal application . . . . . $ 30.00
   h. **Total renewed judgment** (add e, f, and g) $ **$14,294.84**

   i. [ ] The amounts called for in items a–h are different for each debtor. These amounts are stated for each debtor on Attachment 5.

$14K + of fraudulent liens on my property via renewed Void Judgment & corrupted RCA #300

| SHORT TITLE: KELMAN V. KRAMER | CASE NUMBER: GIN044539 |
|---|---|

6. ☐ Renewal of judgment for ☐ possession. ☐ sale.

a. ☐ If judgment was not previously renewed, terms of judgment as entered:

N/A

b. ☐ If judgment was previously renewed, terms of judgment as last renewed:

N/A

c. ☐ Terms of judgment remaining unsatisfied:

N/A

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

Date: 5/23/2018

William Litvak
(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

Mr Litvak also knows of the fraudulent ROA #300

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 11500 W. Olympic Blvd., Suite 550, Los Angeles, CA 90064-1524.

On July 24, 2018, I served the foregoing document described as 1. **NOTICE OF RENEWAL OF JUDGMENT; 2. APPLICATION FOR AND RENEWAL OF JUDGMENT** on interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

***Defendant***

Sharon Kramer
2031 Arborwood Place
Escondido, CA 92029

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon full prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on July 24, 2018, at Los Angeles, California. I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Laura Rodriguez

Laura Rodriguez, Declarant

FILED
Clerk of the Superior Court
SEP 24 2008
By: M. GARLAND, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO, NORTH DISTRICT

| | |
|---|---|
| BRUCE J. KELMAN, GLOBALTOX, INC., Plaintiffs, v. SHARON KRAMER, and DOES 1 through 10, inclusive, Defendants. | CASE NO. GIN044539<br>Assigned for All Purposes to:<br>HON. LISA C. SCHALL<br>DEPARTMENT 31<br>UNLIMITED CIVIL CASE<br>Case filed: May 16, 2005<br>[~~PROPOSED~~ mg] JUDGMENT<br>Trial Date: August 18, 2008<br>Department: N-31 |

This action came on regularly for trial by jury on August 18, 2008, with Plaintiffs appearing in person and by Keith Scheuer, Esq. of Scheuer & Gillett, and Defendant appearing in person and by Lincoln Bandlow, Esq. of Spillane Shaeffer Aronoff Bandlow. A jury of 12 persons was duly impaneled and sworn, witnesses testified, and after being duly instructed by the Court, the jury deliberated and thereon duly returned the following special verdict:

1. That Defendant Sharon Kramer acted wrongly by making the following statement: "Dr. Kelman altered his under oath statements on the witness stand" while he testified as a witness in an Oregon lawsuit; that Kramer made the above statement to persons other than Kelman; that the persons to whom the statement was made reasonably understood that the statement was about Bruce Kelman; that persons who read the statement reasonably could have understood it to mean that Kelman had committed the crime of perjury or testified falsely while on the witness stand; that the statement was false; that Kelman proved, by clear and convincing evidence, that Kramer knew the statement was false, or had serious doubts about the truth of the statement; and that Kelman be awarded a monetary sum of nominal damages in the amount of $1.00 (one dollar and no cents).

2. That Kramer made the statement to persons other than GlobalTox, Inc., and that the persons to whom the statement was made did not reasonably understand that the statement was about GlobalTox.

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff Bruce Kelman recover the sum of $1.00 (one dollar and no cents) as nominal damages from Defendant Sharon

mgarland 12/18/08

Kramer, and costs in the amount of $7,258.65 and that Plaintiff GlobalTox, Inc. recover nothing in this action.

Dated: 9/24/08

Judge of the Superior Court
LISA C. SCHALL

Extrinsic fraud by deputy clerk Garland 10 years ago when case-fixing to make it appear the Void Judgment is valid.

Fraudulent ROA #300 used to facilitate the unlawful renewal of the Void Judgment

Case Number: GIN044539
Case Title: KELMAN vs KRAMER

Filing Date: 05/16/2005
Case Status: Pending

Case Category: Civil - Unlimited
Case Type: Defamation

Case Age: 4767 days
Next Event Type: Motion Hearing (Civil)

~~Location: North County~~

Judicial Officer: Earl H. Maas, III
Department:
Next Event Date: 07/13/2018

## Register of Actions Notice

| ROA# | Entry Date | Short/Long Entry | Filed By |
|---|---|---|---|
| 178 | 09/15/2008 | Substitution of Attorney (SHARON KRAMER) filed by KRAMER, SHARON. Refers to: | KRAMER, SHARON (Defendant) |
| 176 | 09/15/2008 | Substitution of Attorney filed by KRAMER, SHARON. Refers to: | KRAMER, SHARON (Defendant) |
| 179 | 09/24/2008 | Judgment on Verdict filed by KELMAN, BRUCE J; GLOBALTOX, INC.. Refers to: | KELMAN, BRUCE J (Plaintiff); GLOBALTOX INC (Plaintiff) |

Fraudulent ROA #300 backdated into ROA

What happened to Globaltox?

| | | | |
|---|---|---|---|
| 300 | 09/24/2008 | Judgment was entered as follows: Judgment entered for KELMAN, BRUCE J and against KRAMER, SHARON for $ 1.00, punitive damages: $ 0.00, attorney fees: $ 0.00, interest: $ 0.00, prejudgment costs: $ 7252.65, other costs: $ 0.00, amount payable to court: $ .00, for a grand total of $ 7253.65. | |
| 180 | 09/29/2008 | Notice - Other (OF UNAVAILABILTY OF PLTF'S COUNSEL) filed by KELMAN, BRUCE J; GLOBALTOX, INC.. Refers to: | KELMAN, BRUCE J (Plaintiff); GLOBALTOX INC (Plaintiff) |
| 181 | 10/20/2008 | Notice of Entry of Judgment filed by KELMAN, BRUCE J; GLOBALTOX, INC.. Refers to: | KELMAN, BRUCE J (Plaintiff); GLOBALTOX INC (Plaintiff) |

# MINUTE ORDER

Date: 12/12/2008 Time: 03:55:00 PM Dept:

Judicial Officer Presiding: Judge Lisa C. Schall
Clerk: Michael Garland

Bailiff/Court Attendant:
ERM: Not Reported

Case Init. Date: 05/16/2005

Case No: GIN044539 Case Title: KELMAN vs KRAMER

Case Category: Civil - Unlimited Case Type: Defamation

---

Causal Document & Date Filed:

---

**Appearances:**

---

The Court, having take the above-entitled matter under submission on December 12, 2008, and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

Defendant Sharon Kramer's Motion to Strike Costs or to Award Costs to Prevailing Parties is ruled on as follows:

The Record in this case reflects that Plaintiff Bruce J. Kelman is the prevailing party solely as against Defendant Sharon Kramer. Defendant Sharon Kramer is the prevailing party solely as against Defendant Globaltox, Inc.

On October 16, 2008, pursuant to California Rules of Court, Rule 3.1700(a), Notice of Entry of Judgment was properly served on Defendant Sharon Kramer by Counsel for Plaintiff.

Plaintiff Bruce J. Kelman as the prevailing party against Defendant Sharon Kramer is entitled to an award of costs against Sharon Kramer. Plaintiff Kelman timely filed his Memorandum of Costs on October 15, 2008. As the prevailing party against Defendant Sharon Kramer, Plaintiff Bruce J. Kelman is entitled to his costs as set forth in his Memorandum of Costs in the amount of $7,252.65.

Defendant Sharon Kramer may be entitled to an award of costs as prevailing party against Plaintiff Globaltox, Inc. Defendant Sharon Kramer filed her Memorandum of Costs on December 5, 2008. Defendant Kramer's Memorandum of Costs was untimely filed. The Court finds that Because Defendant Kramer is under the mistaken belief that she had to be served with Notice of Entry of Judgment by the Clerk of the Court in order to trigger the 15 day time limit within which to file a cost bill, pursuant to CCP Section 473(b, the Court hereby deems Defendants Kramer's Memorandum of Costs filed on December 5, 2008. Plaintiff has the statutory time period to bring a Motion to Strike and/or Tax Costs, to be heard on March 6, 2009, at 1:30 pm, in Department 31. Papers to be filed pursuant to statute.

The Court denies, without prejudice, Defendants Kramer's Motion for Attorneys Fees and Costs As Prevailing Party Against Plaintiff Globaltox, Inc. that was attached to Defendants Memorandum of Costs filed on December 5, 2008. Defendant Kramer must properly calendar a noticed Motion for Attorneys Fees and Costs As Prevailing Party Against Plaintiff Globaltox, Inc. pursuant to applicable statutory authority.

Defendant Sharon Kramer is ordered to serve notice of this Ruling on all parties to this action within 72 hours of the date of this Ruling



00001076

162

Mr Scheuer knew he took Garlands fraudulent amended judgment "McGarland 12/18/08" and recorded a fraudulent abstract of judgment
So did Mr. Garland

PROOF OF SERVICE
1013(a) CCP Revised 7/17/07
Superior Court of the State of California
County of San Diego Case No. GIN 044539

STATE OF CALIFORNIA )
) ss.
COUNTY OF SAN DIEGO )

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to this action; by business address is 2031 Arborwood Place, Escondido, CA 92029 and my mailing address is the same.

On December 18, 2008, I served the foregoing document (s) described as **SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN DIEGO MINUTE ORDER 12/12/08 AND A COPY OF THE ORDER'S POST MARKED ENVELOP DATED 12/16/08,** on interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

Keith Scheuer
Scheuer & Gillett
4640 Admiralty Way #402
Marina Del Rey, CA 90292
(310) 577-1170 (310) 301-0035 Fax

I deposited such envelope in the mail in Escondido, California in accordance with the established custom and practice wherein the correspondence is deposited with the US Postal Service on that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing affidavit.

Executed on 12/18/08, at Escondido, California

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

Michael A. Kramer

00001077

162

Judge Maas knows he just caused the renewal of a Void Judgment by use of corrupted ROA #300

**SUPERIOR COURT OF CALIFORNIA,**

COUNTY OF SAN DIEGO

SOUTH BUILDING

TENTATIVE RULINGS - October 25, 2011

EVENT DATE: 10/28/2011 EVENT TIME: 01:30:00 PM DEPT.: N-28

JUDICIAL OFFICER: Earl H. Maas III

CASE NO.: GIN044539

CASE TITLE: KELMAN VS KRAMER

CASE CATEGORY: Civil - Unlimited CASE TYPE: Defamation

EVENT TYPE: Motion Hearing (Civil)

CAUSAL DOCUMENT/DATE FILED:

---

The Motion of Defendant Kramer to Award Costs to Prevailing Party is granted. The record reflects that Kramer was awarded $2,545.28. The appellate court confirmed. The court has the discretion to correct the judgment as it will not affect the ruling on appeal.

The Motion of Defendant Kramer to Vacate Void Judgment is denied. The court finds that the record does not reflect that the 9/24/11 judgment was actually void on its face. Extrinsic evidence was required in order to argue that the judgment was not properly "...entered, noticed or amended...". After review, the court finds that the clerks substantially complied with the statutes, that any violations of particular code sections did not void the judgment. Finally, Defendant Kramer has moved for relief too late to argue that the judgment is voidable under the usual statutes.

The clerk is directed to alter the 9/24/11 judgment to include the statement that: "Defendant Kramer is the prevailing party as to Plaintiff Globaltox, Inc. The judgment is hereby amended to include costs of $2,545.28 in favor of Defendant Kramer and as against Plaintiff Globaltox, Inc.".