

ORIGINAL

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7 BRUCE J. KELMAN and GLOBALTOX, INC.

FILED  
Clerk of the Superior Court

MAR 27 2008

BY: WILKINSON

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

10 BRUCE J. KELMAN, ) CASE NO. GIN044539  
11 GLOBALTOX, INC., ) Assigned for All Purposes to:  
12 Plaintiffs, ) HON. MICHAEL B. ORFIELD  
13 v. ) DEPARTMENT 28  
14 SHARON KRAMER, and DOES 1 ) UNLIMITED CIVIL CASE  
15 through 20, inclusive, ) Case filed: May 16, 2005  
16 Defendants. )  
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I, Bruce J. Kelman, declare that if called as a witness in this action, I could and would testify competently to the following facts, which are within my own personal knowledge.

1. I am a Plaintiff in this action, and am a principal and the president of Veritox, Inc., formerly known as GlobalTox, Inc., the other Plaintiff. I make this declaration in opposition to the motion for summary judgment filed by Defendant Sharon Kramer.

1 of the report we prepared for The Manhattan Institute may be  
2 found as a position statement on ACOEM's website.

3  
4 11. I first learned of Defendant Sharon Kramer in mid-  
5 2003, when I was retained as an expert in a lawsuit between  
6 her, her homeowner's insurer and other parties regarding  
7 alleged mold contamination in her house. She apparently felt  
8 that the remediation work had been inadequately done, and  
9 that she and her daughter had suffered life-threatening  
10 diseases as a result. I testified that the type and amount of  
11 mold in the Kramer house could not have caused the life-  
12 threatening illnesses that she claimed.

13  
14 12. Subsequently, I became aware that she had launched  
15 a campaign attacking GlobalTox and me through various media,  
16 including the Internet. As one example, she sent outraged  
17 emails to the American Industrial Hygiene Association  
18 ("AIHA") after they had invited GlobalTox to participate in a  
19 teleweb conference. In one such email, she wrote, "May your  
20 children rot in hell, along with all the other children you  
21 are hurting." (A copy of those emails is included in  
22 "Plaintiffs' Exhibits in Opposition to Summary Judgment"  
23 (hereafter "Plaintiffs' Exhibits") as Exhibit 201.)

24  
25 13. Furthermore, she blames me, my colleagues at  
26 Veritox and thousands of other doctors and physicians who  
27 concur with our research for killing innocent human beings;  
28

work. They will be substantially harmed unless Kramer is held accountable for her false and malicious accusations.

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

Executed on March 24, 2008 at Redmond, Washington.

Bruce J. Kelman  
Bruce J. Kelman



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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 20, inclusive,  
  
Defendants.

) CASE NO. GIN044539  
) Assigned for All Purposes to:  
) HON. MICHAEL B. ORFIELD  
) DEPARTMENT 28  
) UNLIMITED CIVIL CASE  
) Case filed: May 16, 2005  
)  
) DECLARATION OF KEITH SCHEUER IN  
) OPPOSITION TO MOTION FOR  
) SUMMARY JUDGMENT  
)  
) Hearing Date: April 11, 2008  
Time: 1:30 p.m.  
Dept.: N-28  
TRIAL DATE: May 16, 2008

I, Keith Scheuer, declare that if called as a witness in  
this action, I could and would testify competently to the  
following facts, which are within my own personal knowledge.

1. I am an attorney licensed to practice law in the  
State of California, and represent the Plaintiffs in this  
action. I make this declaration in opposition to Defendant's  
motion for summary judgment.

1           2. Attached to the accompanying "Plaintiffs' Exhibits  
2 in Opposition to Summary Judgment" (hereafter "Plaintiffs'  
3 Exhibits") as Exhibit 201 is a true and correct copy of  
4 emails that Defendant sent to Stacy J.M. Talbot of the  
5 American Industrial Hygiene Association on or about January  
6 30, 2005.

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8           3. Attached to Plaintiffs' Exhibits as Exhibit 202 is  
9 a true and correct copy of the opinion of the Court of Appeal  
10 in this action, in which it affirmed this Court's denial of  
11 Defendant's anti-SLAPP motion.

12           4. On January 3, 2008, I took the deposition of  
13 Defendant. Attached to Plaintiffs' Exhibits as Exhibit 203 is  
14 a true and correct copy of excerpts of the transcript of that  
15 deposition, and the deposition exhibits to which those  
16 excerpts refer.

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18           5. Attached to Plaintiffs' Exhibits as Exhibit 204 is  
19 a true and correct copy of pages 61 and 62 of the transcript

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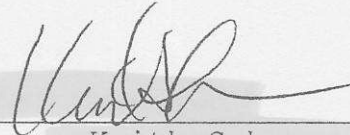
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1 of the deposition of Plaintiff Bruce Kelman.

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

4 Executed on March 26, 2008 at Los Angeles, California.  
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Keith Scheuer