

Fw: Part IV from Sharon K. People know that I am the one who has always been telling the truth.

From: Sharon Noonan Kramer (snk1955@aol.com)

To: Samuel.Bagenstos@hhs.gov

Date: Monday, April 10, 2023 at 03:54 PM PDT

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From: Sharon Noonan Kramer <snk1955@aol.com>

To: andre.jones@hhs.gov <andre.jones@hhs.gov>; Sharon Noonan Kramer <snk1955@aol.com>

Sent: Friday, April 7, 2023 at 07:16:42 AM PDT

Subject: Part IV from Sharon K. People know that I am the one who has always been telling the truth.

Dear Andre Jones,

I am sorry to bombard you with so many emails. But I am pretty upset by this situation. It's stopping me from asking senators for a GAO audit of HHS and DOD re: illnesses caused by negligently maintained military housing. And the GAO stands ready to help upon being told to audit. They already know much of the answers to this aspect of ongoing problems with the PPV military landlords.

I can't do it w/o also exposing that Secretary Becerra owns IT. And I am afraid I am going to be hurt again for continuing to tell the truth on behalf of my fellowman and science.

In all my years of working with countless physicians, researchers, policy reformers, attorney, and cheated disabled people, there is only one goverment decision maker who is on video pledging to investigate why the California courts are used to frame me as libeling HHS's policy deformers HARDIN and KELMAN and how this is "*harming a lot of people across the United States*".

His name is Secretary Becerra. But he's also on video making "*harmless error*" jokes about the California jurists framing me as libeling HHS policy deformers -- six years ago when he had prosecutorial jurisdiction as California attorney general.

What this is about is that HHS has been promoting junk science of mold litigation expert defense witnesses as false proof that moldy buildings do not and cannot cause disabling brain injuries and additional forms of chronic inflammation throughout the body since 2001. The point is for the white coated policy deformers to profit as expert witnesses, while saving their clients from rightfully due liability for causation of the disabilities.

I publicly exposed in 2005, that it is nothing more than a highly lucrative disinformation machine and how to beat it in mold trials. The California courts have been used to aid and abet the scam to continue via framing me as libeling HHS's policy deformers since 2005.

They have been harassing me and framing me for libel for ONE accurate sentence for eighteen years: "*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.*" The purpose is to make everything I write and say about this matter appear to be a malicious lie, to keep it going.

They will not lawfully cease using the void judgment from *Kelman & GlobalTox v. Kramer* that does not state by decree that I prevailed over SLAPP plaintiff GLOBALTOX in the 2008 libel trial. This is because it is not possible to frame someone as libeling HHS's policy deformers while also awarding the harmed party their costs as a prevailing party by judgment.

The Void Judgment is also the primary fraudulent court document used to hide the mass amounts of fraud upon the court that it has taken to frame me as libeling SLAPP plaintiff KELMAN.

MANY KNOW THAT I AM THE ONE WHO HAS ALWAYS BEEN TELLING THE TRUTH

The below was written by Dr. Ritchie Shoemaker in 2015. This was *two years* before Secretary Becerra made fun of me, and said he would investigate later -- now six years ago in 2017. I had just knocked two major cogs out of HHS's disinformation machine with the help of honest federal and state policy setters/reformers.

"Let me tell you about Sharon Kramer. This is a woman with stones... Between organizing presentations to the US Congress and all therein who might listen; to creating a mandate for the US Senate HELP committee to hear testimony; to **causing several media outlets to write of conflicts of interest in science and medicine in United States public health policies and courts**; to sending representatives to New Orleans to **provide opinion separate from the CDC analysis** of the effect of flooding from Hurricanes Katrina and Rita on the Gulf; to **being jailed in California for three**

days for telling the truth of how false science became policy and [has] remained that way for many years. Kramer has been there for people affected by water-damaged buildings in the US and even some across the globe.”

The following was published by Health Impact News (HIN) ***two years after*** I first came to Secretary Becerra for help as California Attorney General in 2017. I had just knocked another cog out of HHS disinformation machine with the help of policy setters at the Navy & Marine Corps Public Health Center (NMCPHC). They edited their new Guidelines for Military Physicians after I showed them that they were citing debunked science of expert defense witnesses for the PPV landlords via citing to CDC and its policy deforming associates for reference.

One Woman’s Relentless Pursuit of the Truth as a Toxic Mold Whistle-blower” This is the story of Sharon Kramer, mold warrior, courageous truth teller, and compassionate friend to those who have been made sick by moldy buildings. It is a story about how scientists were hired to prepare two reports designed to prove that long-term indoor mold exposure does not harm human health, and how judicial corruption has protected that faulty science from being discredited. It is the story of how the legal system has been used as a weapon to try to silence Sharon Kramer for telling the truth about judicial corruption in California and for talking about the practice of toxicology is being misused by experts who testify for the defense in mold trials.

HIN part 2 “***Toxic Mold Whistleblower Fears For Her Life: I Exposed One Of The Biggest Frauds in America and It Continues to be Hidden***” Sharon said, On October 25, 2010 I filed a complaint with the California Commission on Judicial Performance (CJP) describing judicial case fixing and how the courts concealed [] Kelman’s perjury in [declarations]. The CJP is supposedly the independent California state agency that is supposed to oversee the ethics of all the judges. Ten days later the second lawsuit was filed against me by Dr. Kelman to try to permanently enjoin me from talking about the corruption. I filed a complaint to stop the case fixing and instead of stopping it they tried to permanently enjoin me from telling of it. So then, Kelman’s attorney and Judge Nugent told me that I had to sign a statement containing the sentence, “I do not believe Dr. Kelman committed perjury.” I refused to sign. So that is when it was decided that I would go to jail.

Sharon Kramer stated: I did develop an anxiety disorder during this period of harassment. Since they were making overtures like they were going to take me down to the psych ward, I went to see a psychiatrist. She was a whistleblower of apartheid in South Africa. She wrote up a report talking about how I had a generalized anxiety disorder from being maligned and libeled in court. You can tell that I still have it, because as you are talking to me I get a little agitated as I talk about this. **It still upsets me not just the fact that so many people are being harmed by this, but there is an element of fear that if I don’t be quiet they are going to hurt me.**

My fruitful efforts have been written about in books, magazines, medical journal articles, policy papers, documentaries and many, many, many mold litigations. So what? Nothing changes until HHS does.

One more example, WorkCompCentral, 2015. Dr. Michael Hodson, former Medical Director of OSHA helped me with this one. "ACOEM Takes Down Position Paper Commonly Used to Defend Against Mold Claims"

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 sunseting 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.**

HHS still promotes ACOEM' and the SLAPP plaintiffs' garbage via citing to other medical associates who parrot it for reference. HARDIN, KELMAN, et.al. still cite it in mold litigations. People can still not get help for their Chronic Inflammatory Response Syndrome (CIRS) from disinformed HHS physicians.

Y'ALL HAVE YOUR NAME ON THE WRONG TEAM'S ROSTER WHEN IT COMES TO ENVIRONMENTAL INJURIES

This is not just about mold. If it is truly the Biden Cabinet's intent to use every tool available to end lucrative inequities in environmental justice, to restore earned public trust that HHS will use "*evidence-based science*" when environmental policy setting; to provide access to quality affordable healthcare for all, and to provide relief for all institutionally discriminated against and marginalized classes of people (and their advocates) -- then it is imperative that you all understand how Secretary Becerra accidentally got his name on the roster as the team captain for the wrong team via making fun of me with California jurists in 2017 (while a camera was rolling).

The above claims of the Biden Cabinet are *my* and *my* team's goals! Below is some of *my* teammates writing about HHS Secretary Becerra's in 2020 -- who are former HHS toxicologist HARDIN and his business partner KELMAN (until Secretary Becerra honors his pledge to investigate them and the SLAPP fixing California jurists, et.al.).

B.D.H. is HARDIN. B.J.K. is KELMAN.

Comments of Environmental Defense Fund, Earthjustice, Natural Resources Defense Council, Physicians for Social Responsibility, and Union of Concerned Scientists On Candidates Under Consideration for Appointment to the Toxic Substances Control Act, Science Advisory Committee on Chemicals Docket ID: EPA-HQ-OPPT-2020-0135 Submitted October 29, 2020

Environmental Defense Fund, Earthjustice, Natural Resources Defense Council, Physicians for Social Responsibility, and Union of Concerned Scientists submit these comments on the list of nominees being considered for membership on the Environmental Protection Agency's Toxic Substances Control Act (TSCA) Science Advisory Committee on Chemicals (SACC).¹ This committee is responsible for providing expert advice to EPA's Office of Pollution Prevention and Toxics "with respect to the scientific and technical aspects of risk assessments, methodologies, and pollution prevention measures or approaches supporting implementation" of the Frank R. Lautenberg Chemical Safety for the 21st Century Act (Lautenberg Act).

We believe the information we provide in these comments on 19 of the nominees – which is from public sources – is sufficient to find that actual or potential conflicts of interest or an appearance of a loss of impartiality (or both) exist. We therefore urge EPA not to add those nominees to the SACC.

See below for what my teammates wrote. B.J.K. is Bruce J. Kelman. B.D.H. is Bryan D. Hardin. I co-authored the cited "2007 Special Contribution in the International Journal of Occupation and Environmental Health" They also cited the 2007 Wall Street Journal article "Amid Suits Over Mold, Experts Wear Two Hats," that I told Secretary Becerra in 2017, is founded upon my research. What WSJ article describes is a key element to the HHS backed disinformation machine that I was the first to publicly exposed in 2005; and his not funny associates have been framing for libel and criminally harassing me ever since for my doing it, to keep the lucrative scam thriving, now under you all's watch of HHS.

My colleagues wrote:

Dr. Bryan D. Hardin

Dr. Bryan D. Hardin is a Vice President – Principal Toxicologist at J.S. Held LLC.

In this role, Dr. Hardin advocated to the SACC during its peer review of asbestos, submitting written comments.²⁷ While his comments failed to provide any financial disclosure, J.S. Held LLC has clients in both the construction and manufacturing industries,²⁸ and Dr. Hardin himself

²⁶ *Smith, C. J.* Dr Thomas A. Perfetti, Recipient of the 2017 Tobacco Science Research Conference Lifetime Achievement Award, *International/Contributions to Tobacco Research*, 27(8): 184-185, available at:

[https://content.sciendo.com/configurable/contentpage/journals\\$002fcttr\\$002f27\\$002f8\\$002farticle-p184.xml](https://content.sciendo.com/configurable/contentpage/journals$002fcttr$002f27$002f8$002farticle-p184.xml).

²⁷ See: <https://www.regulations.gov/document?D=EPA-HQ-OPPT-2019-0501-0064>.

²⁸ For example, see: <https://jsheld.com/solutions/construction> and <https://jsheld.com/solutions/manufacturing>.

has served as an expert witness on behalf of various automakers and manufacturers involved in asbestos litigation (e.g., wrongful death suits).^{29,30}

In fact, Dr. Hardin has a long history of failing to disclose financial conflicts of interest. For example, Dr. Hardin's failure to disclose financial ties to companies involved in asbestos litigation was highlighted in a 2017 article titled, "What should journals do when peer reviewers do not disclose potential conflicts?" The article states (emphases added):³¹

Take this case: In a court transcript from Feb. 23, 2017, Bryan Hardin testified that he was a peer reviewer on a 2016 paper in *Critical Reviews in Toxicology*, which found that asbestos does not increase the risk of cancer. In the deposition, Hardin—who works at the consulting firm Veritox—*also said that he has testified in asbestos litigation on behalf of automakers, such as Ford, General Motors, and Chrysler, but said he had not disclosed these relationships to the journal. ...*

We obtained a copy of the transcript from Christian Hartley, who was representing a man suing a mining company because the man developed cancer after being exposed to asbestos at work. When Hartley asked Hardin whether he had told the journal about testifying for companies involved in asbestos litigation, Hardin responded:

No. If— if that's a new expectation, I'm not aware that as a peer reviewer you're supposed to disclose that sort of thing, but I— I don't recall that I did.

When we asked Hardin to confirm whether he had reviewed the 2016 paper and had disclosed his industry relationships to the journal, Hardin responded "*I have been a peer reviewer on more than one asbestos-related paper*" and "*I have been retained by 'several' companies involved in asbestos litigation.*"

This was not the first time that Dr. Hardin has been publicly accused of failing to disclose critical conflicts of interest. A 2007 *Wall Street Journal* article, "Amid Suits Over Mold, Experts Wear Two Hats," detailed Dr. Hardin's participation in developing a position paper of the American College of Occupational and Environmental Medicine (ACOEM) that became a "key defense

²⁹ “Years of exposure to asbestos caused painful death: estate,” Verdict Search. Available at: <https://verdictsearch.com/verdict/years-of-exposure-to-asbestos-caused-painful-death-estate/>.

³⁰ *Gayoso v. Am. Honda Motor Co. (In re N.Y.C. Asbestos Litig.)*, 2019 N.Y. Slip Op. 31184 (N.Y. Sup. Ct. 2019). Available at: <https://casetext.com/case/gayoso-v-am-honda-motor-co-in-re-nyc-asbestos-litig>.

³¹ “What should journals do when peer reviewers do not disclose potential conflicts?” Retraction Watch. Available at: <https://retractionwatch.com/2017/08/15/journals-peer-reviewers-not-disclose-potential-conflicts/>.

tool wielded by builders, landlords and insurers in litigation,” while failing to disclose his conflicts. With respect to Dr. Hardin, the WSJ article states (emphases added):³²

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. [Jonathan] Borak [another paid consultant] 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.*

A 2007 Special Contribution in the *International Journal of Occupation and Environmental Health* further details the controversial ACOEM statement and Dr. Hardin's conflicted role.³³

In the early 2000s, Dr. Hardin published several papers on trichloroethylene (TCE), arguing that the chemical does not have teratogenic effects. While Dr. Hardin asserts he had not received funding from the chemical industry for this work, his track record of lack of disclosure calls this into question. His co-authors on two of the papers (“Trichloroethylene and dichloroethylene: A critical review of teratogenicity”³⁴ and “Trichloroethylene and Cardiac Malformations”³⁵) indicated they had conflicts; both articles include the following conflict of interest statement:

B.D.H. has had no consulting relationships involving trichloroethylene (TCE) or dichloroethylene. **B.J.K.** provided testimony as a defense expert in TCE litigation

³² Armstrong, David. “Amid Suits Over Mold, Experts Wear Two Hats.” The Wall Street Journal. January 9, 2007. Available at: <https://www.wsj.com/articles/SB116831654647871083>.

³³ Ladou, J., et al. (2007). American College of Occupational and Environmental Medicine (ACOEM): A Professional Association in Service to Industry. *Int J Occup Environ Health* 13:404-406. available at:

Professional Association in Service to Industry, *Am J Occup Environ Health*, 15:107-120, available at: https://www.survivingmold.com/docs/Resources/ACOEM/IJOEH_Oct07_LaDou.pdf.

¹¹¹ **Hardin, B. D.**, Kelman, B. J., and Brent, R. L. (2005). Trichloroethylene and dichloroethylene: A critical review of teratogenicity, *Birth Defects Research*, 73(12): 931-955, available at: <https://onlinelibrary.wiley.com/doi/abs/10.1002/bdra.20192>.

³⁵ **Hardin, B. D.**, Kelman, B. J., and Brent, R. L. (2004). Trichloroethylene and Cardiac Malformations, *Environ Health Perspect*, 112(11): A607-A608, available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1247505/>.

pertaining to congenital malformations. R.L.B. provided testimony in 1995 and 1997 as a defense expert in TCE litigation pertaining to congenital malformations of the heart.

These papers have subsequently been cited by the Halogenated Solvents Industry Alliance (HSIA) and others representing companies making or using TCE. For example, HSIA referenced these papers in its comments to EPA on the TSCA section 6 proposed rule to ban high-risk uses of TCE³⁶ as well as in its most recent comments to the SACC on the draft TCE risk evaluation.³⁷

Given Dr. Hardin's direct advocacy before the SACC, his industry employment, and his long track record of failing to disclose relevant financial conflicts, we believe he has financial conflicts of interest and an appearance of a loss of impartiality with respect to TSCA chemical risk evaluations and related scientific issues.

Dr. Laura M. Plunkett

Dr. Plunkett is a Partner at BioPolicy Solutions, LLC. Prior to this role, she was the President of Integrative Biostrategies, LLC (2001 – June 2020).

Dr. Plunkett has close ties to ACC, for which she has directly consulted.³⁸ She also regularly publishes studies funded by ACC along with co-authors from ACC and ACC chemical company members (e.g., DuPont), and has received direct funding from ACC for this work. For example:

- In 2016, Dr. Plunkett co-authored a study arguing that a number of rodent cancer endpoints are not likely relevant to humans. The linked "Transparency Document" makes clear that she received 1) personal fees from ACC for her work on the study, and 2) personal fees from AMVAC Chemical Corporation, Balchem Corporation, ADAMA, and other organizations in the 36 months prior to publication.³⁹
- In 2015, Dr. Plunkett co-authored a study with Dr. Richard Becker, who is employed by ACC. The Disclosure states (emphasis added): "L. Plunkett and A.M. Kaplan received

³⁶ See HSIA comments: https://hsia.org/wp-content/uploads/2018/07/HSIA_TCE_Appeal_Sect_Cleaning

See HSLA comments: <https://hsla.org/wp-content/uploads/2018/07/HSLA-ICE-ACTOSOL-Spot-Cleaning-Comments.pdf>.

³⁷ See: <https://www.regulations.gov/document?D=EPA-HQ-OPPT-2019-0500-0094>.

I just need Secretary Becerra to honor his pledge to investigate how and why the Void Judgment from *Kelman & GlobalTox v. Kramer* came to be; and how and why it remains viable by criminal means when framing me for libel -- and much fraud in environmental policies that are still promoted by HHS and associates will be ended with accountability for those who have been getting away with gaming the system for far too long. Millions of lives will be made better. And I will not have to live in fear anymore for continue to tell the truth in America.

I made a 3.5 hour video about the fraudulent legal instrument in October of 2018, called "*THE TOXIC JUDGMENT Veritox v. Kramer Oct 2018*".

Secretary Becerra, his parroting California jurists' "*harmless error*" jokes, and his (thus far) disingenuously telling me that I could have a "*department of justice*" and "*my office*" investigation, later, are in it at minute 1:52:00.

[The TOXIC JUDGMENT, Veritox v. Kramer Oct 4, 2018 - YouTube](#)

Please help me cause Secretary Becerra to become a man of his word. One of the saddest aspects of this whole debacle is that I think Xavier Becerra is the best HHS Secretary we have had in a long time. He has done more to help marginalized people than any of his predecessors.

I don't think he even understood what he pledged to investigate and who he was making fun of while being video recorded on February 9, 2017. The reason that I think that, is because he never would have made that remarkably obtuse speech if he knew what he was really saying while being video recorded.

Sharon Noonan Kramer