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IN THE US DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

SACV 12-01092 DMG(JC)

DR. ORLY TAITZ, ESQ, PLAINTIFF

) CASE #

V

) ASSIGNED TO

KATHLEEN SEBELIUS

) TRIAL SCHEDULED ON

IN HER CAPACITY OF SECRETARY OF

) VIOLATION OF 14TH AMENDMENT

HEALTH AND HUMAN SERVICES,

) EQUAL PROTECTION RIGHTS,

BARACK HUSSEIN OBAMA,

) ESTABLISHMENT CLAUSE

**IN HIS CAPACITY OF THE SIGNOR OF THE
HR3590 PPACA,**

) ARTICLE 2, SEC 1 OF COSTITUTION

) INJUNCTIVE RELIEF, STAY

NANCY PELOSI, IN HER CAPACITY

) DECLARATORY RELIEF

OF THE CHAIRWOMAN OF THE 2008

) RICO, PREDECATE CRIMES:

DEMOCRATIC NATIONAL CONVENTION

) FRAUD, AIDING AND ABETTING

AND SIGNOR OF THE CERTIFICATE

) FORGERY AND UTTERING OF FORGED

OF NOMINATION FOR CANDIDATE) DOCUMENTS TO COMMIT ELECTIONS
FOR PRESIDENT OBAMA,) FRAUD
BRIAN SCHATZ, LYNN MATUSOW) 7TH AMENDMENT JURY DEMANDED
IN THEIR CAPACITY AS 2008
CHAIRMAN AND SECRETARY
OF THE DEMOCRATIC PARTY
OF HAWAII AND SIGNORS OF THE
CERTIFICATE OF CANDIDATE FOR
PRESIDENT FOR BARACK OBAMA;
ALVIN ONAKA, IN HIS CAPACITY
AS THE REGISTRAR OF THE
HEALTH DEPARTMENT OF HAWAII,
MICHAEL ASTRUE, IN HIS CAPACITY AS THE
COMMISSIONER OF SSA, ERIC HOLDER IN HIS
CAPACITY AS ATTORNEY GENERAL OF THE USA,
WILLIAM A. CHATFIELD, IN HIS CAPACITY AS THE
IMMEDIATE PAST DIRECTOR OF THE SELECTIVE
SERVICE, ALICE TRAVIS GERMOND IN HER CAPACITY
AS A SECRETARY OF THE 2008 DEMOCRATIC
NOMINATING CONVENTION
OBAMA FOR AMERICA
JOHN DOES AND JANE DOES 1-10,

DEFENDANTS

COMPLAINT

PARTIES, JURISDICTION, AND VENUE.

Plaintiff Orly Taitz is a citizen of the State of California, tax payer and a registered voter with a business address of 29839 Santa Margarita, ste 100 Rancho Santa Margarita CA 92688. Taitz was subjected to persecution, harassment and defamation due to her legal actions, and bringing forward evidence showing Barack Hussein Obama, currently occupying the position of the President of the US and a presumptive nominee for the 2012 Presidential general election, to be usurping the US presidency by fraud and false pretences and use of forged identification papers.

Defendant Katlleen Sebelius, is being sued in her capacity as the Secretary of Health and Human services.

Michael Astrue is being sued in his capacity as the commissioner of Social Security, who is complicit in the cover up of Obama using a Connecticut Social security number 042-68-4425 which was not assigned to Barack Obama.

Barack Hussein Obama (Hereinafter "Obama") is being sued in his capacity as the signor of the H. R. 3590 "Patient Protection and Affordable Care Act" (PPACA).

Defendant Alvin T. Onaka (hereinafter "Onaka") is being sued in his capacity as the registrar of the Department of Health, who certified a computer forgery, claiming it to be a true and correct copy of Obama's 1961 typewritten birth certificate.

Defendant William A. Chatfield is sued in his capacity as a former director of Selective Service who buried all evidence of forgery in Obama's Selective Service certificate, after Taitz hand delivered all evidence to him.

Defendants Brian Schatz and Lynn Matusow are residents of the State of Hawaii and are being sued in their capacity as former Chairman and Secretary of the Democratic Party of Hawaii, who signed an altered/falsified Certificate of Nomination for Barack Obama and removed the necessary wording "legally qualified to serve under the provisions of the U.S. Constitution" in order to allow Obama in the White House, while using forged identification papers.

Defendants Nancy Pelosi and Alice Travis Germond are being sued as former Chairwoman and Secretary of the 2008 Democratic National Convention, who signed an altered Certificate of Nomination to the state of Hawaii and added the wording that the Chairman and Secretary of the Democratic Party of Hawaii Schatz and Matusow were not willing to include and swear to.

Defendant Eric Holder is being sued as the Attorney General of the United States, who received from Taitz a Quo Warranto complaint as well as multiple criminal complaints with evidence of Obama and others committing massive elections fraud and Obama usurping the position of the US Presidency by virtue of fraud, misrepresentation and use of forged and fraudulently obtained identification papers, and who aided and abetted Obama in the cover up.

Defendant Obama for America, is a fundraising organization for defendant Obama, an alleged RICO created to aid and abet Obama in unlawfully usurping U.S. Presidency through use of forged and fraudulently obtained documents

Defendants Jane Does and John Does 1-100 are believed to be a part of the RICO and of the concerted effort of usurpation of the U.S. Presidency by Obama and violation and deprivation of constitutional, civil, human and economic rights of U.S. citizens and racketeering, intimidation, harassment of whistle blowers, civil rights leaders and attorneys like Taitz, who are fighting to end such usurpation and restore above mentioned rights. Jane Does and John Does information will be provided upon further discovery.

JURISDICTION and VENUE

This Court has jurisdiction pursuant to 28 U.S.C. §1331 (federal question), 28 U.S.C. §1343 (civil rights), 18 U.S.C. §1964(c) (RICO), and 42 U.S.C. §§1983, 1988 (civil rights action seeking declaratory or injunctive relief). Plaintiffs seek declaratory relief under 28 U.S.C. §2201-2202 as well as 1988(a).

2. Venue is proper under FOIA and 42 U.S.C. §1988(a) because several plaintiffs live in Orange County within the Southern Division of the Central District of California.

ALLEGATIONS

1. On 06.28.2012 Supreme Court of the United States issued a ruling in National Federation of Independent Business, et al. v. Kathleen Sebelius, Secretary of Health and Human Services, et al.; Department of Health and Human Services, et al. v. Florida, et al.; Florida, et al. v. Department of Health and Human Services, et al. 567 U.S. 2012 (*docket 11-393, 11-398, 11-400*). In a narrow 5- 4 decision against some 26 states and the National Federation of Independent Businesses, Supreme Court ruled that even though the healthcare bill and individual mandates within it, violate the Commerce clause, it is valid under taxing powers of Congress.
2. As of yet this bill was not examined to ascertain whether it violates the rights of the US citizens under the 14th Amendment equal protection

clause and Establishment clause. Taitz filed an intervenor brief in the original case filed by the states before judge Roger Vinson in the US District court in Florida, however judge Vinson decided not to allow individual citizens intervenors, as the legal action was voluminous and complex, considering the number of individual states involved. As such individual U.S. citizens did not have an opportunity to have their day in court and redress their grievances vis-à-vis the new Healthcare bill, which is now (compliments to Justice Roberts) is deemed as a Healthcare Tax, or ObamaTax. (Hereinafter "ObamaTax"). Most importantly Taitz alleges that the provision of the Obamatax, which gives exemptions to certain religious sects and divisions, violates the Establishment clause as well as her 1, 5th, 14th amendment rights by violation of her Free Exercise of Religion right, her Due Process right, her equal Protection Under the Law rights.

3. There was no determination whether US citizens rights were violated due to the fact that Barack Hussein Obama, II (Hereinafter "Obama") the individual who signed the Healthcare bill into law did so under false pretenses, being a foreign national, citizen of Indonesia, Kenya and Great Britain, who got into the position of the US President and signed the bill

into law, used a name that is not legally his and was never legitimate for the office, due to his use of forged and fraudulently obtained identification papers: a forged Birth Certificate, forged Selective Service Certificate and a fraudulently obtained Social Security number, which was never assigned to him.

**VIOLATION OF THE EQUAL PROTECTION CLAUSE OF THE 14TH AMENDMENT
OF THE US CONSTITUTION AND THE 5TH AMENDMENT DUE PROCESS
CLAUSE**

4. Under the Equal Protection clause of the 14th Amendment of the US Constitution and the 5th Amendment due Process Clause all citizens similarly situated should be treated equally.
5. H. R. 3590 "Patient Protection and Affordable Care Act" (PPACA) Section 1411 (5)(A) Exemptions from individual requirements state:

"Sec 5000A. Requirements to maintain minimum essential coverage"

Section 1411 5(A)

(5) EXEMPTIONS FROM INDIVIDUAL RESPONSIBILITY REQUIREMENTS

In the case of an individual who is seeking an exemption certificate under section 1311(d)(4)(H) from any requirement or penalty imposed by section 5000A, the following information:

(A)In the case of an individual seeking exemption based on the individual's status as a member of an exempt religious sect of division..."

6. A religious sect or division being exempted is a Muslim sect or religion, which claims that any insurance is against their belief, as they see insurance as a form of usury. Consequently any Muslim is exempt from paying a hefty H. R. 3590 "Patient Protection and Affordable Care Act" (PPACA) ObamaTax (Hereinafter "Obamatax"), while Christians and Jews will have to pay an estimated \$400,000 each over the life time. While Obamatax is scheduled to start with 1% first year, then go up to 2% next year, the sky is the limit. Similarly first Federal income tax passed by the Democrats in Congress in 1894, started with modest 2% Wilson-Gorman Tariff. In 1895 *Pollock v. Farmers' Loan & Trust Company*, 157 U.S. 429 SCOTUS, which at a time retained some independence and was not prone to bullying from other branches yet, found unapportioned Federal tax to be unconstitutional. In response the federal government pushed for the 16th Amendment, which paved the way to a massive rise in taxation by the

federal government. So, as Federal income tax went up from modest 2% on a small group of citizens in Wilson-Gorman act to 35%, so can Obamatax skyrocket, considering inflation, rising cost of healthcare, and particularly violation of 5th Amendment due process and 14th Amendment equal protection clause, which are buried in 2,700 pages of the act.

7. U.S. hospitals do not turn away patients, particularly patients in need of urgent care. So, as Muslims are exempt of paying Obamatax, as an exempt religious sect, Taitz and other similarly situated Christians and Jews will be forced to carry on their shoulders not only the Obamatax assigned to them, but also reapportioned cost of healthcare and Obamatax for the care of Muslims who are exempt.
8. Current situation of social services in Europe going broke shows that aforementioned burden can be enormous. Muslim religion allows a man to have multiple wives, which leads to one man having a large number of children. As an example, Osama Bin Laden was one of 51 children legally fathered by one Muslim man according to Sharia law. Now, according to new Obamatax, Taitz and other similarly situated Christians and Jews will have the burden of not only paying Obamatax for themselves, but also

carrying the burden of paying an enormous amount of Obamatax to cover the care of all of these Muslim men, their multiple wives and children.

9. Aforementioned represents a clear violation of the 5th Amendment due process and 14th Amendment equal protection under the law.

**VIOLATION OF ESTABLISHMENT CLAUSE AND THE FREE EXERCISE CLAUSE OF
THE FIRST AMENDMENT**

10. Plaintiff includes, by reference, all prior paragraphs as if fully pled herein.

11. Providing in Obamatax exemptions to some religious sects, while heavily taxing others, at the tune of possibly as much as \$400,000 over a life time of every Christian and Jew being taxed by ObamaTax, Federal government is not only engaged in violation of 5th and 14th Amendment due process and equal amendment rights, but is also flagrantly violating the 1st Amendment Free Exercise clause and Establishment clause.

12. First Amendment forbids Federal or state government to interfere with free exercise of religion and from establishing a state religion or intertwining state and religion.

13. By heavily taxing Christians and Jews in Obamatax, while exempting Muslims, Federal government is interfering with a free exercise of religion

by Christians and Jews and is forcing them to move towards Muslim religion and ultimately convert in order to avoid heavy new income taxation by the government.

14. This behavior by the Federal government is akin to Jisya (tribute) that is charged by Muslims according to Sharia law from non-Muslims, typically Christians and Jews.

15. Barack Hussein Obama, aka Barry Obama, aka Barry Obama Soebarkah, aka Barry Soetoro resided in Indonesia. His school records from Assissi school in Jakarta, Indonesia show him to be a citizen of Indonesia, and of Muslim religion.(Exhibit 16 School Registration #203 from Assissi school in Jakarta, Indonesia for Barack (Barry) Obama, showing him as a citizen of Indonesia, using the last name of his stepfather Lolo Soetoro as his legal last name and religion Islam). Consequently, new **Obama Judeo-Christian federal income tax** was brought about by a foreign national, a Muslim citizen of Indonesia Barack(Barry) Soetoro(Obama). It heavily taxes American citizens of Christian and Jewish religion, while exempting Muslims and making Christians and Jews pay a Jizya for the cost of Healthcare provided to Muslims. Obamatax is unconstitutional towards Christians and Jews, as it violates the 1st, 5th, 14th Amendments

16. Additionally it is unconstitutional, as it violates the Article 2, Section 1 of the US Constitution.

**REQUEST FOR CLASS ACTION CERTIFICATION AND FOR CERTIFICATION OF TAITZ
AS A REPRESENTATIVE OF A CLASS**

Taitz is seeking a class certification and a certification of a class representative herein. She is alleging that she is a member of a class of U. S. citizens, who are either Jewish or Christian, who are being flagrantly discriminated as they are obligated to pay a hefty Obamatax, while Muslims are exempt. They are being further discriminated, as they will have to pay not only Obamatax for themselves, but also to cover the Healthcare of Muslims, who are exempt from paying Obamatax.

This action can be maintained as a class action under FRCP Rule 23, which states as follow :

(a) Prerequisites. One or more members of a class may sue or be sued as representative parties on behalf of all members only if:

(1) the class is so numerous that joinder of all members is impracticable;

(2) there are questions of law or fact common to the class;

(3) the claims or defenses of the representative parties are typical of the claims or defenses of the class; and

(4) the representative parties will fairly and adequately protect the interests of the class.

(b) Types of Class Actions. A class action may be maintained if Rule 23(a) is satisfied and if:

(1) prosecuting separate actions by or against individual class members would create a risk of:

(A) inconsistent or varying adjudications with respect to individual class members that would establish incompatible standards of conduct for the party opposing the class; or

(B) adjudications with respect to individual class members that, as a practical matter, would be dispositive of the interests of the other members not parties to the individual adjudications or would substantially impair or impede their ability to protect their interests;

(2) the party opposing the class has acted or refused to act on grounds that apply generally to the class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole; or

(3) the court finds that the questions of law or fact common to class members predominate over any questions affecting only individual members, and that a class action is superior to other available methods for fairly and efficiently adjudicating the controversy. The matters pertinent to these findings include:

(A) the class members' interests in individually controlling the prosecution or defense of separate actions;

(B) the extent and nature of any litigation concerning the controversy already begun by or against class members;

(C) the desirability or undesirability of concentrating the litigation of the claims in the particular forum; and

(D) the likely difficulties in managing a class action.

The members of the class are so numerous that it is impossible and impracticable to bring all of them to this court as named plaintiffs.

Damage to Taitz is similar to damage of other class members

Not certifying this legal action as a class action can lead to conflicting rulings and judgments;

there are questions of law or fact common to the class, specifically unconstitutionality of ObamaTax, as applied o Christians or Jews;

the claims or defenses of the representative parties are typical of the claims or defenses of the class; and

Taitz will fairly and adequately protect the interests of the class.

**JUDEO-CHRISTIAN OBAMATAX VIOLATES ARTICLE 2, SECTION 1 OF THE US
CONSTITUTION AS IT WAS SIGNED BY BARACK OBAMA BY VIRTUE OF FRAUD
AND UNDER FALSE PRETENSES AND USING FORGED AND FRAUDULENTLY
OBTAINED IDENTIFICATION PAPERS**

17. In order to be legal, a bill needs to be signed into law by a lawful US President.

18. Obamatax, is unconstitutional, as it was signed into law by Barack Obama, a citizen of Indonesia, Kenya and Great Britain, who usurped the position of the U.S. President by fraud and by virtue of use of forged and fraudulently obtained identification papers.

19. Exhibit 1 is a sworn affidavit of Sheriff Joseph Arpaio of Maricopa county, Arizona, attesting to the fact that as a result of his six month investigation

he found Obama to be using a forged birth certificate, forged Selective Service Certificate and a forged Social Security number.

20. Exhibit 2, affidavit of Douglas Vogt, expert in scanning and copying machines, attests to the fact that the alleged birth certificate of Obama is a computer generated forgery.

21. Exhibit 3, affidavit of Felicito Papa attests to the fact that the alleged birth certificate of Obama is a computer generated forgery.

22. Exhibit 4, affidavit of Timothy Adams, former Assistant Elections Clerk from Honolulu Hawaii, attesting to the fact that there is no birth certificate for Obama in any hospital in Honolulu, Hawaii and it was a common knowledge among employees of the office of the Registrar and Elections in Honolulu, Hawaii, that there is no birth certificate for Obama in any hospital in Hawaii.

23. Exhibit 5, affidavit of Felicito Papa attests to the fact that when Barack Obama originally posted his tax returns, he did not "flatten" the PDF file and full Connecticut Social Security number 042-68-4425 that he is using, became visible to the public.

24. Exhibit 6, sworn affidavit of Senior Deportation officer John Sampson, who attested to the fact that there is no legitimate reason for Barack Obama,

resident of Hawaii in and around 1977 to obtain a Connecticut Social Security number, which was assigned to a resident of Connecticut, who resided in 1977 in the State of Connecticut.

25. Exhibit 7, affidavit from Linda Jordan attests to the fact that the Social security number, 042-68-4425, which Obama is using was not assigned to him and does not pass E-verify according to attached E-verify record.

26. Exhibit 8, shows SSNVS (Social Security Verification Number) printout which shows that Connecticut Security number, 042-68-4425, which is being used by Obama, was never assigned to him.

27. Exhibit 9, affidavit of typesetting expert Paul Irey attests to the fact that Obama's alleged long form birth certificate is a forgery, as bits and pieces of the "certificate" were cut and pasted from different documents, as letters show different fonts and sizes.

28. Exhibit 17 Affidavit of Chris Strunk, attesting to the fact that in the passport records for Barack Obama, recently received under the FOIA request, Obama's legal name, as listed in his mother's records, is Barack Obama Soebarkah, therefore even if Obama were to have valid identification records, his signing of the ObamaTax was not valid, as he signed it under a name, which was not legally his.

29. Based on all of the above, Barack Obama, aka Barry Soetoro, aka Barack Obama Soebarkah, was a foreign national who got into the position of the US President and Commander in Chief based on forged and fraudulently obtained identification papers and in violation of Article 2, Section 1 of the US Constitution. As such Obama was never legitimate for the US presidency and unlawfully signed the H. R. 3590 "Patient Protection and Affordable Care Act" (PPACA) into law.

RICO

Chapter 96 of Title 18 of the United States Code, 18 U.S.C. § 1961–1968

Predicate acts

section 1028 (relating to fraud and related activity in connection with identification documents),

section 1341 (relating to mail fraud),

section 1343 (relating to wire fraud),

section 1425 (relating to the procurement of citizenship or nationalization unlawfully), section 1426 (relating to the reproduction of naturalization or citizenship papers

section 1503 (relating to obstruction of justice),

section 1512 (relating to tampering with a witness, victim, or an informant),

section 1513 (relating to retaliating against a witness, victim, or an informant), section

section 1546 (relating to fraud and misuse of visas, permits, and other documents)

FRAUD

30. FRAUD COMMITTED BY OBAMA

Obama defrauded the Plaintiff and others similarly situated by getting on the ballot and in the white house and signing Obamatax under false pretenses and by fraud, using a name that is not legally his and using forged and fraudulently obtained identification papers. He created "Obama for America" with a purpose of defrauding American citizens and illegally usurping the U.S. Presidency, while using forged identification papers.

31. Fraud committed by defendant "Obama for America"

"Obama for America" is a RICO organization established and maintained with an illegal purpose of defrauding the U.S. Citizens and usurping the U.S. Presidency.

32. FRAUD COMMITTED BY DEFENDANT ALVIN ONAKA

Defendant Alvin Onaka, Registrar of the state of Hawaii, aided and abetted Obama and was complicit in the cover up of the fact that Obama is using a forged birth certificate from the state of Hawaii.

33.FRAUD COMMITTED BY DEFENDANT ASTRUE

Defendant Michael Astrue, commissioner of the Social Security, aided and abetted Obama by covering up the fact that Barack Obama is fraudulently

using a Connecticut Social Security number, 042-68-4425, which was issued in and around 1977 in the State of Connecticut to a resident of Connecticut born in 1890 and that this Social Security number does not pass E-verify and SSNVS, when checked under the name Barack Obama.

34. FRAUD COMMITTED BY DEFENDANTS BRIAN SCHATZ AND LYNN MATUSOW

Brian Schatz AND Lynn Matusow are being sued in their capacity as former chairman and secretary of the Democratic party of Hawaii, who aided and abetted fraud committed by Obama when they signed an altered/falsified Certificate of Nomination for Barack Obama and removed the necessary wording "eligible according to the US Constitution". Exhibits 10 and 11 show required certification of a candidate for US Presidency, submitted by the Democratic party of Hawaii to the office of elections for Al Gore in 2000 and for John Kerry in 2004. Those certifications show the necessary wording that the candidates for President and Vice President are "legally qualified to serve under the provisions of The U.S. Constitution". In order to aid Obama and to attempt to avoid criminal liability in certifying a fraudulent certificate of Nomination, Brian Schatz and Lynn Matusow falsified the Certificate of

Nomination and removed the words "eligible to the U.S. Constitution" from the certification sent to Hawaii office elections on behalf of Obama.

35.FRAUD COMMITTED BY DEFENDANTS NANCY PELOSI AND ALICE TRAVIS

GERMOND

Nancy Pelosi and Alice Travis Germond aided and abetted fraud committed by Obama when, as a former Chairwoman and Secretary of the 2008 Democratic National Convention they signed an altered certificate of nomination to the State of Hawaii. Certification of Nomination for John Kerry, which was sent to all 50 states in 2004 (Exhibit 13) and certification for Obama, which was sent to 49 states in 2008 (Exhibit 14) were identical. However, Obama could not get on the ballot in the general election, as the State of Hawaii required the wording "eligible under the provisions of the U.S. Constitution" and Brian Schatz and Lynn Matusow were not willing to sign the certification with such wording, as they knew that Obama was not a natural born citizen and did not qualify. Subsequently Pelosi, Germond, Schatz, Matusow and Obama acted in concert, as Schatz removed the necessary wording from the certification sent by the Democratic party of Hawaii and Pelosi added this wording to the DNC certification (Exhibit 15).

Through this scheme Schatz, Matusow, Pelosi and Germond acted in concert and aided and abetted ineligible Obama to get on the ballot in 2008 election. Through manipulation of certificates, Schatz, Matusow, Germond and Pelosi were complicit in fraud and forgery of records.

36. Eric Holder is being sued as the Attorney General of the United States, who received from Taitz a Quo Warranto complaint as well as multiple criminal complaints with evidence of Obama and others committing massive elections fraud and Obama usurping the position of the US by virtue of fraud, misrepresentation and use of forged and fraudulently obtained identification papers, and who aided and abetted Obama in the cover up.

37. Defendants acted with an intent to defraud. Plaintiffs were intended victims and foreseeable victims. Plaintiffs suffered financial damages, defamation, humiliation, harassment and emotional distress as a result of fraud committed by the Defendants.

MAIL AND WIRE FRAUD

38. DEFENDANT OBAMA

Defendant Obama committed mail and wire fraud when he posted on the Internet in and around April 27, 2012, a paper, which he claimed to be a true and correct copy of his long form birth certificate, which was in reality a computer generated forgery. He additionally committed mail and wire fraud by sending to multiple courts his forged birth certificate, claiming it to be a genuine birth certificate. Not only did he post a forgery, but he also used this opportunity to unleash a campaign of persecution, harassment and intimidation of Taitz and other civil rights leaders and political dissidents by calling them a "side show" and "carnival barkers".

39. Obama committed mail and wire fraud when he posted on the Internet on his site "Fight the smears" a paper, which he claimed to be his short form birth certificate, which was in fact a computer generated forgery. He continued committing such fraud by sending this forged birth certificate to multiple courts and organizations.

40. Obama committed mail and wire fraud, when he posted on line on White house.gov Connecticut Social security number 042-68-4425, claiming it to be a valid number, when in fact it is a fraudulently obtained number, which was never assigned to Barack Obama