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9 U.S. DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 SOUTHERN DIVISION
12 FIRST AMENDED COMPLAINT
13 REMOVED FROM THE SUPERIOR COURT OF
14 CALIFORNIA CASE 30-2012-00582135 originally captioned as Taitz v Obama,
15 Feinstein, Emken et al

16 Keith Judd,) Case No.:12-cv-1507
17 Orly Taitz,) EX-PARTE MOTION FOR LEAVE
18 Thomas G. MacLeran,) OF COURT TO HAVE AN
19 Leah Lax,) EMERGENCY MOTION FOR STAY
20 David Farrar) HEARD EX/PARTE OR ON A
21 Larry Rappaport,) SHORTENED RESPONSE
22 Lucien Vita) SCHEDULE
23 Carol Vita)

24 Plaintiffs,

25 v.

26 BARACK OBAMA , IN HIS
27 CAPACITY AS A CANDIDATE ON
28 THE BALLOT FOR THE US
PRESIDENT IN 2012 ELECTION
NATALIE E. FENNANT, in her
capacity of West Virginia Secretary
of State;
DEBRA BOWEN, in her capacity of
California Secretary of State;

1 BRIAN P. KEMP, in his capacity of
2 Georgia Secretary of State;
3 WILLIAM M. GARDNER, in his
4 capacity of New Hampshire Secretary
5 of State;

6 NANCY PELOSI in her capacity of the
7 Chairwoman of the 2008 Democratic
8 National Convention and Signor of the
9 Certificate of Nomination for Candidate
10 for President Obama;

11 MICHAEL ASTRUE in his capacity as
12 the Commissioner of SSA;

13 WILLIAM A. CHATFIELD
14 In his capacity as former Director of the
15 Selective Service;

16 ALVIN ONAKA in his capacity as
17 registrar of the Health Department of
18 Hawaii;

19 JANET NAPOLITANO in her capacity
20 as Secretary of Department of
21 Homeland Security;

22 ERIC HOLDER in his capacity as
23 Attorney General of the USA;

24 BRIAN SCHATZ in his capacity as
25 2008 Chairman of the Democratic party
26 of Hawaii and Signor of the Certificate
27 for Presidency for Barack Obama;

28 LYNN MATUSOW in her capacity as
2008 Secretary of the Democratic party
of Hawaii and Signor of the Certificate
for Presidency for Barack Obama

ALICE TRAVIS GERMOND in her
capacity as a secretary of the 2008
Democratic Nominating Convention;

OBAMA FOR AMERICA;

BALLOT LAW COMMISSION OF

STATE OF NEW HAMPSHIRE;

BOARD OF DIRECTORS OF

CALIFORNIA REPUBLICAN

PARTY;

DEAN C. LOGAN in his capacity as

Los Angeles county registrar,

ELIZABETH EMKEN in her capacity

as a candidate on the ballot;

DIANNE FEINSTEIN in her capacity

as a candidate on the ballot;

CLAY D. LAND in his capacity as a

Federal Judge, Central District of

Georgia;

JOHN AVLON, in his capacity as a

reporter for *Daily Beast*;

CHRIS MATTHEWS in his capacity as

a host of MSNBC;

MSNBC

FORBES MAGAZINE;

KEVIN UNDERHILL in his capacity as

a reporter for *FORBES MAGAZINE*;

CLEARCHANNEL

COMMUNICATIONS;

KFI AM 640;

JOHN AND KEN SHOW;

JOHN KOBELT;

PATRICK R. DONAHOE in his

capacity as Post Master General and

Chief Executive Officer of United

States Postal Service;

JOHN DOES and JANE DOES

1-100;

Defendants

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4 EX-PARTE MOTION FOR LEAVE OF COURT TO HAVE AN EMERGENCY
5 MOTION FOR STAY HEARD EX/PARTE OR ON A SHORTENED
6 RESPONSE SCHEDULE

7 Argument

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10 *Ex parte* relief should be granted if the evidence shows “that the moving party’s
11 cause will be irreparably prejudiced if the underlying motion is heard according to
12 regular
13 noticed motion procedures.” *Mission Power Eng'g Co. v. Continental Cas. Co.*,
14 883 F.
15 Supp. 488, 492 (C.D. Cal. 1995).

16 Plaintiffs incorporate by reference their First Amended Complaint and exhibits to
17 the First Amended Complaint (Hereinafter "FAC") as if fully pled herein.

18 FAC shows evidence of massive elections fraud that requires immediate attention.

19 1. Affidavits of Computer analyst David Yun shows that there are at least one and
20 a half million invalid voter registrations in the current voter roll of the Secretary of
21 State of California. In order to prevent elections fraud CA Elections Code 2150
22 require electors to provide their personal information in 8 different areas, such as
23 name, birth date, prior voter registration, state where they were born or if born
24 abroad, a country where they were born. Affidavits of David Yun show that there
25 are 756,213 voter registrations in the Current Voter Roll of the California Secretary
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1 of state without required information on the State of Birth, 898 without the first
2 name, 757 without the birth date and so on. Second affidavit by David Yun shows
3 685,739 where U.S. or U.S.A. (Exhibit 1 herein, Exhibit 18 FAC) Additionally, an
4 e-mail from the office of the Los Angeles registrar represents an admission against
5 interest of the defendants, where the employee admitted to **falsification of**
6 **records**, stating that employees themselves wrote in the registration records "US"
7
8 where the state of birth was missing. (Exhibit 2 herein, Exhibit 29 First amended
9 complaint) There are 685,739 where U.S. or U.S.A was posted in the records.
10
11 Even if the employees of the Registrar were not to admit to forgery and
12 falsification of records, these registrations would not be valid, as according to
13
14 Election code 2150 one needs to fill in a **STATE** where he was born, not just **USA**.
15
16 Only if he was born abroad, the elector can post the name of the country. Based on
17
18 this one criteria alone, without taking into consideration the other 7 areas of
19 required information there are 1,441, 942 invalid voter registrations, nearly one
20 and a half million invalid voter registrations. Taitz was a candidate for the U.S.
21
22 Senate in 2012 primary election. The difference between her and candidate Emken,
23
24 who was second and proceeded to 2012 General election was only 450,000 votes.
25
26 The number of invalid voter registrations in only one of 8 categories is three times
27
28 higher than Emken's margin of victory. If an emergency stay of the CA Senatorial
General election is not issued, pending removal from the voter rolls of all the

1 invalid voter registrations and revote, Taitz will be irreparably harmed.

2 Considering the proximity of the election, ex-parte hearing or an expedited hearing
3 is warranted.
4

5 Additionally, both candidates, who proceeded into the top 2 general election:

6 Senator Feinstein and the Republican Candidate Emken were served with the
7 complaint on July 10, when the complaint was originally filed in the state court.
8

9 They did not respond yet and chose to ignore the complaint believing that no judge
10 will have the strength of character to stay the Senatorial election and that every
11 judge will do what is usually done in elections fraud cases: find some lame excuse
12 to dismiss the complaint. As Senator Feinstein has a much higher number of votes
13 than Emken, the only defendant, who can be affected by the Ex-Parte is Emken,
14 and she had over 2 months notice already and cannot claim detriment by ex-parte.
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17
18 2. Plaintiff Keith Judd is a Candidate for the U.S. Presidency, who got 40% of the
19 vote in West Virginia Primary. Judd has standing to seek an ex-parte hearing as
20 exhibits 1-35 of the FAC show overwhelming evidence that the winner of the WV
21 Democratic primary, Barack Obama, placed his name on the ballot by fraud and
22 using forged Selective Service certificate, forged birth Certificate and a stolen
23 Connecticut Social Security number xxx-xx-4425, which according to E-verify
24 and SSNVS was never assigned to Obama, but is being used by him as his
25 verification of identity as late as in April 15, 2010, as posted on his tax returns. If
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1 ex-parte hearing is not held, due to upcoming 2012 General Presidential election
2 Judd's rights as a candidate will be irreparably harmed. On the other hand, the only
3 defendant, who would be affected by such ex-parte is Defendant Obama. He
4 cannot be possibly harmed by such order, as he was served here and was served to
5 appear in court in similar cases and he simply arrogantly chose to be in contempt
6 of court and not appear. Exhibit 3 herein represents an order by a Deputy Chief
7 administrative Judge of the State of Georgia, Michael Malihi in response to a
8 motion by Obama to quash subpoenas issued by Attorney Taitz. Malihi ruled in
9 Taitz favor and upheld the subpoenas issued by Taitz for Obama and other officials
10 to appear in court and submit his identification papers. Obama decided to go
11 behind the back of the presiding judge and on the eve of the hearing Obama,
12 through his attorney Michael Jablonski, submitted a letter to the Secretary of State
13 of Georgia, Brian Kemp, asking him to take the case away from the Deputy Chief
14 Administrative Judge Malihi as he (Obama) is supposedly suffers from Taitz.
15 Secretary of State Kemp responded that if Obama boycotts the hearing and does
16 not show up, he is doing so in his own peril. Obama and Jablonski did not show up
17 and did not provide any documents. Similarly, Obama was subpoenaed to appear at
18 the elections Commission hearing in the state of Indiana, where Taitz presented
19 evidence of forgery in his IDs. Obama boycotted this hearing as well. A hearing
20 on the Indiana challenge is scheduled for September 26, 2012, 1:30 pm in the
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1 Indiana Superior Court before Judge Sherry K Reid in Indianapolis, Indiana.
2 Clearly, if Obama had any valid IDs, he would show up for the court hearings or
3 he would have sent his attorneys with required documents. The only reasonable
4 explanation why Obama is boycotting the court hearings, is because he knows that
5 there is no legitimate reason or explanation for his use of a Connecticut Social
6 Security number which was never assigned to him according to E-verify and
7 SSNVS and there is no explanation or justification for hiding the original
8 application for the Selective Service and Birth Certificate, when alleged copies
9 were shown to be forgeries. As Obama boycotted prior hearings and showed a
10 complete disrespect and contempt for the Court of Law, there is no reason to
11 believe that he will act any differently and there is no reason not to grant the
12 plaintiffs their motion for the ex-parte hearing or alternatively a motion for an
13 expedited hearing on the motion to stay Obama's placement on the ballot in general
14 election or certification of his votes for the general election until the original
15 identification papers are examined by experts in light of forgery in his alleged
16 copies.
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24
25 **CONCLUSION**

26 *Motion for Stay/ Preliminary Injunction of the 2012 California Senatorial*
27 *election, as well as 2012 Certification of Barack Obama as a Presidential candidate*
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1 should be held ex-parte. In alternative such motion should be heard on expedited
2 schedule to be set by the court.

3 Respectfully submitted



4
5 /s/ Dr. Orly Taitz ESQ

6 09.21.2012
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CERTIFICATE OF SERVICE

I, Lila Dubert, attest that I am over 18 years old, not a party to this legal action, and I served all the parties in this case with the attached motion on 09.21.2012.

Signed

Lila Dubert

Dated

09.21.2012

Cc

Darrel Issa

Chairman of the House oversight committee

2157 Rayburn House Office Building,

Washington, DC 20515

Congressman Lamar Smith,

Chairman of the Judiciary Committee

House of Representative

2407 Rayburn House Office

Building, Washington, DC 20515

1 Public Integrity Unit Department of Justice

2 U.S. Department of Justice

3 Criminal Division

4 950 Pennsylvania Avenue, N

5 W Washington, DC 20530-

6 0001

7 Michael E. Horowitz

8 Inspector General Department

9 of Justice

10 Office of the Inspector General

11 U.S. Department of Justice

12 950 Pennsylvania Avenue,

13 N.W. Room 4706

14 Washington, D.C. 20530

15 UN Nations committee for civil rights defenders

16 OHCHR in New York

17 UN Headquarters

18 New York, NY 10017

1 USA

2
3 Inter-American Commission for Human rights

4
5 1889 F St., NW,

6
7 Washi ngton, D.C., USA 20006

AFFIDAVIT OF David Yun

I, David Yun, am over 18 years old, have personal knowledge of the foregoing and can and attest to the following:

1. I have over 10 years of computer information technology knowledge.
2. I am currently a Computer Information Systems analyst.
3. I perform database and computer repair services.
4. I have an educational background in computer science from Devry University
5. I found multiple irregularities in the obtained database.
6. I found multiple individuals, who have listed their place of birth as US or USA. A valid place of birth is required in 14 states as stated in PTF Appendix C.pdf of California voter registration guide.

http://www.sos.ca.gov/elections/voter_privacy_final_report/PTF_Appendix_C.pdf

7. Attorney Orly Taitz, who was a candidate for the U.S. Senate in 2012 primary contacted me and provided a DVD of the CA voter registrations asking to analyze the data.
8. I personally performed the analysis of the database provided to me by attorney Orly Taitz
9. I found multiple irregularities in the obtained database.
10. I found the following result/ entrie(s):

A. 685739 Records where Place of Birth is listed as US or USA.

11. According to CA Elections code 2150 every voter registration is supposed to contain a birth date of the voter, as well as other information, such as country of origin, first and last name, prior voter registration, address, information disclosing whether the perspective voter is a felon or parolee, a drivers license, last four digits of the Social Security number or an identifier number.
12. Based on my personal data analysis in only one of 8 parameters of verification, birth date, there are hundreds of thousands of flagrantly invalid voter registrations which need to be removed from the database, which is a suspicious voter registration, which need to be verified.

I attest that all of the information herein is true and correct to the best of my knowledge. I declare this under the penalty of perjury.

Signed

Name David Yun

Address 3400 W THORNTON AVE. ANAHEIM, CA 92804

Sworn and subscribed before me this day

September 6 2012.

David Yun



AFFIDAVIT OF David Yun

I, David Yun, am over 18 years old, have personal knowledge of the foregoing and can and attest to the following:

1. I have over 10 years of computer information technology knowledge.
2. I am currently a computer Information Systems analyst.
3. I perform database and computer repair services.
4. I have an educational background in computer science from Devry University.
5. I found multiple individuals, who are 100 years old, 150 years old, 200 years old, who are dutifully voting in each and every election.
6. Attorney Orly Taitz, who was a candidate for the U.S. Senate in 2012 primary contacted me and provided with the DVD of the CA voter registrations asking to analyze the data.
7. I personally performed the analysis of the database provided to me by attorney Orly Taitz.
8. I found multiple irregularities in the obtained database.
9. I found the following entries:
 - A. 898 records without first name
 - b. 757 records without birth date
 - C. 756,213 records without place of birth
 - D. 3 records without an address
 - E. 141,861 possible duplicate records
 - F. 130,019 records with birth date older than 100 years
10. According to CA Elections code 2150 every voter registration is supposed to contain a birth date of the voter, as well as other information, such as country of origin, first and last name, prior voter registration, address, information disclosing whether the perspective voter is a felon or parolee, a drivers license, last four digits of the Social Security number or an identifier number.
11. Based on my personal data analysis in only one of 8 parameters of verification, birth date, there are hundreds of thousands of flagrantly invalid voter registrations which need to be removed from the database and 130,019 voter registrations with birth date showing the voter to be over 100 years old, which is a suspicious voter registration, which need to be verified.

I attest that all of the information herein is true and correct to the best of my knowledge. I declare this under the penalty of perjury.

Name David Yun

Address 3400 W Thornton ave, Anaheim, CA 92804

Sworn to and subscribed before me this

_____ day of _____, 2012.



EXHIBIT 2

OFFICE OF STATE ADMINISTRATIVE HEARINGS
STATE OF GEORGIA

DAVID FARRAR, :
LEAH LAX, :
CODY JUDY, :
THOMAS MALAREN, : Docket Number: OSAH-SECSTATE-CE-
LAURIE ROTH, : 1215136-60-MALIHI

Plaintiffs, : Counsel for Plaintiffs: Orly Taitz

v. : Counsel for Defendant: Michael Jablonski

BARACK OBAMA, :

Defendant. :

DAVID P. WELDEN, :

Plaintiff, :

v. :

BARACK OBAMA, :

Defendant. :

Docket Number: OSAH-SECSTATE-CE-
1215137-60-MALIHI

Counsel for Plaintiff: Van R. Irion

Counsel for Defendant: Michael Jablonski

CARL SWENSSON, :

Plaintiff, :

v. :

BARACK OBAMA, :

Defendant. :

Docket Number: OSAH-SECSTATE-CE-
1216218-60-MALIHI

Counsel for Plaintiff: J. Mark Hatfield

Counsel for Defendant: Michael Jablonski

KEVIN RICHARD POWELL, :

Plaintiff, :

v. :

BARACK OBAMA, :

Defendant. :

Docket Number: OSAH-SECSTATE-CE-
1216823-60-MALIHI

Counsel for Plaintiff: J. Mark Hatfield

Counsel for Defendant: Michael Jablonski

ORDER ON MOTION TO QUASH SUBPOENAS

Defendant, President Barack Obama, a candidate seeking the Democratic nomination for the office of the President of the United States, has filed a motion to quash the subpoena compelling his attendance at the hearing on January 26, 2012.

In support of his motion, Defendant argues that "if enforced, [the subpoena] requires him to interrupt duties as President of the United States" to attend a hearing in Atlanta, Georgia. However, Defendant fails to provide any legal authority to support his motion to quash the subpoena to attend. Defendant's motion suggests that no President should be compelled to attend a Court hearing. This may be correct. But Defendant has failed to enlighten the Court with any legal authority. Specifically, Defendant has failed to cite to any legal authority evidencing why his attendance is "unreasonable or oppressive, or that the testimony... [is] irrelevant, immaterial, or cumulative and unnecessary to a party's preparation or presentation at the hearing, or that basic fairness dictates that the subpoena should not be enforced." Ga. Comp. R. & Regs. r. 616-1-2-.19(5).

Defendant further alludes to a defect in service of the subpoena. However, the Court's rules provide for service of a subpoena upon a party, by serving the party's counsel of record. Ga. Comp. R. & Regs. r. 616-1-2-.19(4). Thus, the argument regarding service is without merit.

Accordingly, Defendant's motion to quash is denied.

SO ORDERED, this the 20th day of January, 2012.



MICHAEL M. MALIHI, Judge