

# **Affidavit of Lucas Smith**

**EXHIBIT “3”**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No.: 09-Civ-81255-DIMITROULEAS/SNOW**

MARSHA G. RIVERNIDER, :  
ROBERT H. RIVERNIDER, and :  
CHARLES EDWARD LINCOLN, III, :

Plaintiffs, :

vs. :

U.S. BANK NATIONAL ASSOCIATION, :  
As Trustee for the C-Bass Mortgage Loan :  
Asset-Backed Certificates, Series 2006-CBS, :  
and all John & Jane Does, 1-10, :

Defendants. :

**AFFIDAVIT OF LUCAS SMITH**

I, Lucas Smith, am over the age of eighteen (18) and am not a party to the above-entitled-and-numbered cause. I have personal knowledge of the facts stated herein and when called to do so, I can and will competently testify to the same in open court.

I declare the following facts to be true and correct:

1. Dr. Orly Taitz had asked me to be a witness in her lawsuit ***Barnett, et al v. Obama, et al***, United States District Court, Central District of California, Southern Division, Case No. SACV 09-00082-DOC (Anx) pertaining to Barack Hussein Obama II's 1961 Coast Province General Hospital Certificate of Birth (Mombasa, British Protectorate of Kenya) which I had obtained during February of 2009 while I was in Mombasa, Kenya.

2. Unfortunately, Dr. Taitz asked me to lie under oath and give false testimony regarding several issues in the Honorable Judge David O. Carter's Courtroom in the case of ***Barnett, et al v. Obama, et al***, United States District Court, Central District of California, Southern Division,

Case No. SACV 09-00082-DOC (Anx). I refused to perjure myself for Dr. Taitz in her **Barnett** case or any other case.

3. Dr. Orly Taitz, Esquire asked me to give false testimony in open Court about Attorney Gary Krep. Dr. Taitz wanted me to falsely testify that in June and July 2009, Mr. Krep had sent me an eBay message that Mr. Krep wanted to purchase from me, Barack Obama's Kenyan Birth certificate which I had listed on eBay. (The eBay auction listing numbers are 160344374585, 160344928067, 160345002984, 160345151420, 160345324422, 160345795373, and 160346224684). Dr. Taitz wanted me to falsely testify in open Court that I had ascertained from the wording of Mr. Krep's eBay messages that he (Mr. Krep) wanted to buy the birth certificate so that he could bury it so that it would never see the inside of a courtroom or news outlet.

4. Attorney Gary Krep represented two (2) of the Plaintiffs in the **Barnett** case. The reason Dr. Taitz wanted me to falsely testify about Attorney Gary Krep was due to Dr. Taitz's attempt to force Mr. Krep off the **Barnett** case by making it appear that Mr. Krep was attempting to sabotage Dr. Taitz's case, which was not true.

5. Dr. Taitz also had discussions with me and raised the idea that I should give false testimony in open Court that I was the person who obtained the 1964 Republic of Kenya Certified Copy of Registration of Birth in the name of Barack Hussein Obama, II, which was completely false. I did not have anything to do with the 1964 Kenyan Registration of Birth in Barack H. Obama's name. Dr. Taitz obtained that document and filed it with the Court in the **Barnett** case.

6. In addition, Dr. Taitz also wanted me to falsely testify that it was me that gave her the color photograph of this 1964 Republic of Kenya Certified Copy of Registration of Birth of

Barack H. Obama. Again, I did not have anything to do with this 1964 Kenyan Registration of Birth and do not have any firsthand knowledge of where she obtained the image.

7. Dr. Taitz told me she obtained this color image of the 1964 Republic of Kenya Registration of Birth in the name of Barack H. Obama, II from MOSSAD (HA-Mossad le-Modiin ule-Tafkidim Meyuhadim also called the Institute for Intelligence and Special Tasks). The word *mossad* is Hebrew for the English word *institute*.

8. According to Dr. Taitz, she had strategically planned, from the outset of her public release of the photograph of this “supposed” 1964 Republic of Kenya Registration of Birth in Barack H. Obama’s name, for me to vouch, at a later date, for having obtained this birth registration while I was in Kenya. Dr. Taitz also admitted to me that she had planned for me to say I gave her the color photograph of this birth registration as well. Again, all of which is untrue.

9. On August 1, 2009 I wrote an article on my Google profile located at <http://www.google.com/profiles/110044766822103526426> where I, for the first time ever, stipulated to a time frame in August 2009 for the public release of the Kenyan birth certificate of Barack Hussein Obama II which I obtained while I was in Kenya.

10. Dr. Taitz released her photograph of the 1964 Republic of Kenya Registration of Birth in the name of Barack H. Obama on August 2, 2009. Her release date was after I had made the above post of my article that I would be releasing the Barack H. Obama’s Kenyan Birth Certificate which I obtained from Kenya.

11. Along with Dr. Taitz’s posting of her 1964 Republic of Kenya Registration of Birth, she made an online statement that the color photograph of her 1964 Republic of Kenya Registration

of Birth in the name of Barack H. Obama was provided to her by a “...*source wishing to remain anonymous because he fears for his life.*” [emphasis added]

12. During my conversations with Dr. Taitz where she was asking me to lie and say that I provided the 1964 Republic of Kenya Registration of birth, Dr. Taitz told me that she purposely made the statement that the person she obtained the 1964 Republic of Kenya Registration of Birth from was in fear for his life so people who read her statement would assume that I (Lucas) supplied the Kenyan Registration of Birth, again a document which I never had anything to do with.

13. I received an email from Charles Edward Lincoln, III with a chain that originated from Yosi Taitz, Dr. Taitz’s husband. This email chain shows Yosi Taitz sent the Kenyan Registration of Birth to Dr. Taitz and then Dr. Taitz forwarded the email to Charles Edward Lincoln, III, see this email attached hereto as **EXHIBIT “A”**. The document attached to this email chain with the attached Kenyan Registration of Birth, named as “Obama Kenya BC” when the name of the document at the top in the image shows “Certified Copy of Registration of Birth”. Moreover, when I downloaded the file in the email sent from Yosi Taitz to Orly Taitz to Charles Edward Lincoln, III, you click properties and the document shows being created August 1, 2009. It is possible that Yosi Taitz is the person who created and forged this 1964 Republic of Kenya Certified Copy of Registration of Birth in the name of Barack H. Obama. The very document Dr. Taitz wanted me to lie and testify that I procured.

14. I was present for the Scheduling conference in the *Barnett* case, as was U.S. Attorney David Anthony DeJute, in downtown Los Angeles on or about September 10, 2009. I was almost hit by a car when attempting to cross the street from the Federal Building I had just exited with Mr. Lincoln and another individual, Peyton Freiman. The driver of the vehicle that almost

hit me stopped and mouthed the words "I'm sorry". The person had a very compassionate look on his face, holding his hands up in pantomime to convey that he was at fault and that he did not intentionally try to hit me with his car.

15. Thereafter, I had a discussion with Dr. Taitz about the scheduling conference and mentioned to her the incident about the car. Once Dr. Taitz learned that I had almost been struck by accident by the man in the car, Dr. Taitz told me she wanted me to give testimony in the Honorable Judge David O. Carter's courtroom there had been an "attempt on my life" and that I had been nearly plowed down, murdered, within moments of leaving the Scheduling Conference with U.S. Attorney DeJute which was located in the Federal Building in downtown Los Angeles. Dr. Taitz wanted me to testify that I no longer feel safe in public and that I feel that President Barack Obama has sent "operatives" to kill me before I have the chance to testify in open court about my travel in Africa and my procurement of President Obama's Kenyan Birth Certificate(s).

16. Dr. Taitz also asked me to give false testimony that I had spoken to specific people in Africa that I had in fact never heard of or spoken with. Dr. Taitz even went as far as asking me to create fictitious names for other African individuals that I had spoken with.

17. I sent a sworn affidavit regarding the perjury Dr. Taitz was suborning from me to Judge David O. Carter in the *Barnett* case.

18. Upon my refusal to falsify my testimony as requested by Dr. Taitz, Dr. Taitz became very hateful and vindictive. At this time, I was staying with Mr. Lincoln in Rancho Santa Margarita, California. On September 16, 2009, Dr. Taitz came to where I was staying, which was with Charles Edward Lincoln, III. Dr. Taitz charged into my bedroom and told me that I could not stay at Charles Edward Lincoln's home any longer. I told Dr. Taitz's that this was Charles'

home and he could have anyone stay with him he chose. Dr. Taitz returned to my bedroom a few minutes later and told Charles Edward Lincoln III, in my presence, that if he did not put me out of his house that very minute she would cease to act as his attorney in the foreclosure case that was active in Court. Charles then offered to drive me to Los Angeles where I have a family member and friends. Dr. Taitz stated that would not do that she “wanted this piece of shit dropped at the curb” talking about me. Charles refused to do as Dr. Taitz demanded and instead took me to the Amtrak station where I took the train to Los Angeles.

19. I learned that I was not the only person Dr. Taitz had asked to lie for her. Several other people came forward to me and told me personally that Dr. Taitz had sought false testimony from them. In particular this individual stated to me that Dr. Taitz wanted him to give false testimony in the form of an affidavit stating that Google and Yahoo are who “hacked” her blog...” This individual refused to make the affidavit, at which time Dr. Taitz became very angry at him.

20. I declare under the Penalty of Perjury of the Laws of the United States that the above-and-foregoing statements of fact are true and correct.

Signed and executed this Monday, the 18<sup>th</sup> day of January 2010 in West Palm Beach, Palm Beach County, in the State of Florida.

  
Lucas Smith, Affiant

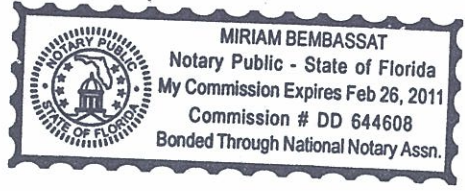
NOTARY ACKNOWLEDGMENT OF INDIVIDUAL

STATE OF FLORIDA §

PALM BEACH COUNTY §

The foregoing affidavit was acknowledged before me, Miriam Bembassat,  
Name of Notary  
in my official presence, on this Monday the 18<sup>th</sup> day of January 2010, by Lucas Smith, who  
appeared in person before me and, who whereupon, having produced satisfactory legal  
identification at my place of business at FedEx Office, 2381 Palm Beach Lakes Boulevard in  
West Palm Beach, Florida 33409, did then and there take the oath which I duly administered to  
him as I am, by the laws of the State of Florida, authorized to do.

[Handwritten Signature]  
Notary Public, West Palm Beach,  
Palm Beach County, State of Florida



My Commission Expires: 2/26/2011

Commission # DD 644608

NOTARIAL SEAL  
Affixed Above



## **EXHIBIT “A”**

Date: Mon, 18 Jan 2010 18:29:33 +0000

From: [charles.lincoln@rocketmail.com](mailto:charles.lincoln@rocketmail.com)

Subject: WG: stuff

To: [lucas\\_d\\_smith@live.com](mailto:lucas_d_smith@live.com)

Were you aware of this part of the "chain of custody" of the first Kenya Birth Certificate (Color) released by Orly on August 1-2? I'll never forget that sequence of events.... among other things it was the first and only time I was ever even "one e-mail away" from Yosi.....

*Deo Vindice*

*"May the Lord God be with you,*

*and with thy spirit!"*

*Charles E. Lincoln, III*

***Spiritual Patriot***

***Tierra Limpia***

*Tel: 512.968.2500*

----- Weitergeleitete Mail -----

**Von:** Orly Taitz <[dr\\_taitz@yahoo.com](mailto:dr_taitz@yahoo.com)>

**An:** Charles Lincoln <[charles.lincoln@rocketmail.com](mailto:charles.lincoln@rocketmail.com)>

**Gesendet:** Samstag, den 1. August 2009, 21:08:06 Uhr

**Betreff:** Fw: stuff

Orly Taitz DDS Esq

26302 La Paz ste 211

Mission Viejo Ca 92691

29839 S. Margarita Pkwy  
Rancho Santa Margarita Ca 92688

ph. w 949-586-8110 c-949-683-5411  
fax 949-586-2082

--- On Sat, 8/1/09, Yosi Taitz <[yosiyt@yahoo.com](mailto:yosiyt@yahoo.com)> wrote:

From: Yosi Taitz <[yosiyt@yahoo.com](mailto:yosiyt@yahoo.com)>  
Subject: stuff  
To: "Orly" <[dr\\_taitz@yahoo.com](mailto:dr_taitz@yahoo.com)>  
Date: Saturday, August 1, 2009, 7:02 PM

 **Obama Kenya BC.pdf**  
146K [View](#) [Download](#)

---

Do You Yahoo!?

Sie sind Spam leid? Yahoo! Mail verfügt über einen herausragenden Schutz gegen Massenmails.  
<http://mail.yahoo.com>