

AFFIDAVIT IN SUPPORT OF FOIA REQUEST

STATE OF CALIFORNIA §
§
COUNTY OF ORANGE §

BEFORE ME, the undersigned Notary, on this _____ day of March, 2009, personally appeared ORLY TAITZ, known to me to be a credible person and of lawful age, who being by me first duly sworn, on her oath, deposes and says:

1. I, ORLY TAITZ, am a resident of Orange County, California.
2. I am duly licensed to practice law within the State of California and US Federal Courts, and am engaged in the practice of law as a solo practitioner with the Law Office of Dr. Orly Taitz, located at 26302 La Paz, Suite 211, Mission Viejo, Orange County, California.
3. I am one of the attorneys representing Dr. Alan Keyes in Cause No. 34-2008-80000096-CU-WM-GDS, *Keyes v. Bowen*, brought in the Superior Court of California, County of Sacramento (hereinafter called the "Keyes Case"), alleging in part that Debra Bowen, as the California Secretary of State, improperly certified Barack Hussein Obama (hereinafter called "Obama") as a US presidential candidate in California after accepting only a signed personal statement from Obama, in which he asserted that he was an eligible candidate, and without demanding any supporting verification, proving that Obama was Constitutionally eligible to be a US President under Article II, Section 1 (5) of the US Constitution.
4. In addition to being an attorney on the Keyes Case and other related matters regarding similar issues associated with the Obama presidency, I have a website, currently located at <http://defendourfreedoms.us>, which informs the public about the various concerns. My original blog, located at <http://drorly.blogspot.com/>, was sabotaged, but the number of people visiting my site and working with me to uncover the truth about these matters continues to grow. After only two (2) months of existence, starting in November 2008, my blog had over one and a half million (1,500,000) visitors a month.
5. I am fully competent to make this affidavit and have personal knowledge of the facts stated herein and that they are all true and correct.
6. On January 19, 2009, plaintiffs in the Keyes Case issued a Deposition Subpoena for Production of Business Records to the US Department of

Justice (hereinafter called the "USDOJ"), which was served on the USDOJ on February 10, 2009.

7. By a letter dated February 18, 2009, counsel for the USDOJ proposed that the Keyes Case plaintiffs and the USDOJ treat plaintiffs' subpoena as an informational demand under the administrative procedure set out in 28 C.F.R. Part 16 (USDOJ's regulation under *United States ex rel. Touhy v. Ragen* (1951) 340 U.S. 462, or "Touhy Regulation") instead of as a subpoena.
8. In compliance with that proposal and resulting stipulation in the Keyes Case, this affidavit is being submitted to Lawrence G. Brown, Acting US Attorney and Yoshinori H. T. Himel, Assistant US Attorney for the Eastern District of California, both acting on behalf of Eric Holder, the US Attorney General.
9. The Keyes Case was filed because in spite of Obama's personal assurances of his eligibility to be a US President, Obama has patently and continually refused to produce his original vault (long form) copy of his Hawaiian birth certificate. On his own campaign website, Obama acknowledged that he is a "native born" citizen and that his father, Barack H. Obama, Sr. (hereinafter called "Obama Sr."), was a Kenyan native whose citizenship, as well as the citizenship of Obama Sr.'s children, was governed by The British Nationality Act of 1948 and that Obama had dual citizenship with Kenya until age 21.
10. Article II, Section 1 (5) of the US Constitution requires that a US President must be a "natural born Citizen." Although the Constitution does not define this term, various lawsuits, including *US v. Wong Kim Ark*, 169 U.S. 649 (1898) and *Minor v. Happersett*, 88 U.S. 162 (1874) have defined "natural born" to mean a person who was born under the jurisdiction of the United States to two parents who were US citizens. *Perkins v. Elg*, 307 US 325 (1939) provides examples to distinguish the differences among a "US citizen," a "native born US citizen," as Obama claims to be on his campaign website, and a "natural born US citizen," as required for the eligibility of a US President. The fact that Obama has openly acknowledged that he is "native born" and not "natural born" and that his father, Obama Sr., was not a US citizen automatically places Obama's "natural born" citizenship status in question and jeopardy under these definitions.
11. Obama's paternal grandmother, Sarah Hussein Obama, has claimed that she was present, along with Obama's half-brother and half-sister, when Obama was born in Kenya on [REDACTED]. No one in Hawaii has come forward to make any similar statement regarding Obama's birth in Hawaii, nor has any registration for Obama's mother, Stanley Ann

Dunham, or Obama's birth been found in any Hawaiian hospital, despite in-depth investigations conducted by US citizens. Although both Obama and his half-sister, Maya Soetoro-Ng, have identified two different hospitals in Hawaii where Obama was purportedly born, neither hospital has provided any proof of Obama's birth, nor has any proof been found through numerous citizen investigations.

12. Although Obama's mother was a US citizen, she was 18-years-old at the time of his birth. In the event Obama was born in Kenya, §301(a)(7) of the 1952 Immigration and Naturalization Act, as amended from the 1940 Act, required that his mother be 19-years-old to transfer her US citizenship to any child that was born outside of the US to one US citizen and one alien citizen. Since Obama Sr. was an alien citizen, Obama's mother was not old enough under the statute and could not transfer her US citizenship to him.
13. Even if Obama was born in Kenya, he could have received a Hawaiian registration of birth under Hawai'i Revised Statutes §338.17-8, which allows a Hawaiian registration of birth for babies born outside of Hawaii, based on the statement of one relative, as long as the parents had resided in Hawaii for at least one year. Although this registration is a totally different document from a birth certificate for a child who was actually born in Hawaii, both documents are referred to as "original birth certificates" in Hawaii. Regardless of this "designation," the Hawaiian birth registration is merely a registration of a live birth outside of Hawaii and it does not, nor can it ever, confer "natural born" US citizenship status to a child who was born outside of the US.
14. Despite news reports to the contrary, no Hawaiian official has ever stated that he or she has seen Obama's actual Hawaiian birth certificate or that Obama was born in Honolulu in 1961. Chiyome Leinaala Fukino, M.D., Director of the Hawaii Department of Health, merely stated on October 31, 2008, *"I have personally seen and verified that the Hawai'i State Department of Health has Sen. Obama's original birth certificate on record in accordance with state policies and procedures."* This statement simply confirms that Hawaii has some sort of birth document on file for Obama in its records in accordance with its state policies and procedures, which include Hawai'i Revised Statutes §338.17-8, designating the registration of birth for babies born anywhere outside of Hawaii as "original birth certificates," regardless of the actual location of birth, and §338-18, prohibiting the release of a certified birth certificate to persons who do not have a tangible interest in the vital record. The purpose of the latter statute is to protect the privacy of Hawaii's citizens.
15. As a public person seeking, and now functioning in, the office of the US President, Obama had and continues to have a duty to disclose his original

vault Hawaiian birth certificate to prove he is Constitutionally eligible to hold that position. When Obama chose to seek public office, he gave up his privacy rights that Hawaii is seeking to protect for her other citizens under Hawai'i Revised Statutes §338-18. Yet despite Obama's verbal affirmations for openness and transparency, he has refused to respond to the repeated requests by US citizens, including almost 50 lawsuits on the matter, and has consistently avoided the production of a \$10 to \$20 birth certificate, which could put this matter to rest. Instead, he has chosen to hire several law firms around the country to protect his personal records, including birth, college, employment, medical, bar, and passport records, all of which have been sealed. Each American citizen has a tangible interest in viewing the content of these records.

16. Obama has continually asserted that a short form Certification of Live Birth (hereinafter called the "COLB"), which he posted online in June 2008, and was "authenticated" only by various pro-Obama internet websites, is a copy of his birth certificate and "evidence" of his eligibility. This computer-generated, laser printed document is not only lacking in detail, it has been determined by several forensic document examiners to be a forgery, which "cannot be relied upon as genuine." It appears that the COLB was obtained in 2007 and may have been further altered in 2008. Signs of forgery have included altered lettering on the words, border differentiation from the form's date, and a fraudulent Hawaiian seal, among other indications of forgery.
17. Not only does the question exist about Obama's "natural born" citizenship status, but it is possible that Obama may not be a US citizen at all. In his book, *Dreams from My Father*, Obama mentioned that he lived in Indonesia with his mom and stepfather, Lolo Soetoro, from ages 6 to 10. In order to attend school in Indonesia, Obama's stepfather changed Obama's name to Barry Soetoro, and Obama became an Indonesian citizen, registered as a Muslim. It is illegal under Indonesian law to hold a dual citizenship, and only Indonesian citizens may attend Indonesian schools or obtain Indonesian passports. Obama acknowledged in a 2008 speech that he traveled to Pakistan, India and Indonesia when he was 20-years-old. In 1981, Americans were not allowed to travel to Pakistan. Obama is reported to have traveled to Pakistan (and the other countries) on an Indonesian passport in 1981, after his age of majority.
18. Obama moved back to the United States at age 10 to live with his maternal grandparents in Hawaii but, in all likelihood, he was never repatriated to the US, in the event he ever was a US citizen initially. There is no proof that Obama's mother ever took an oath of allegiance for her son at any time nor is there proof that she took one for herself after her divorce. This would have been necessary to do in order to reestablish US citizenship for Obama, since both he and his mother were officially Indonesian citizens.

Nor is there proof that Obama, himself, ever took an oath of allegiance after reaching his majority age (18) to repatriate himself (again, if he ever was a US citizen) nor does it appear that Obama has ever become a naturalized US citizen. If Obama did travel on an Indonesian passport at age 20, this complicates the issue and indicates that Obama may, in reality, still be an Indonesian citizen, which would make him an illegal alien in the US and not only make him wholly ineligible to be the US President, but also ineligible to be a US Senator, an Illinois state senator or even a voting citizen.

19. It is imperative that all questions raised within items 9 through 18 of this Affidavit be answered so that the truth can be uncovered regarding Obama's natural born citizenship status and illegal alien status. The truth to these issues and others mentioned herein affect every American and are essential to the preservation and protection of our country, national security and US Constitution. In the event Obama is ineligible to be a US President, which appears to be the case according to the accepted definition of a "natural born Citizen," as explained in item 10 above, then nothing that Obama does or Congress does while Obama is posing as a US president will have any legal consequence. If Obama is ineligible to hold the office he portends to hold and is therefore a usurper, our military has no commander in chief to follow. This is a potential Constitutional crisis of the highest magnitude and is being silenced within our country through an apparent media blackout on the subject. Many Americans are unaware that these issues even exist and must be alerted to the truth.

20. The Constitutional crisis and national security ramifications of these issues, along with an apparent media blackout on the subject matter (outside of the internet and information provided about this subject on websites like my own), create an urgency to uncover the truth so that the public can be informed about actual or alleged federal government activity. These issues obviously affect possible questions about the government's integrity, which will affect public confidence once the information becomes more widespread. Additionally, there is a potential loss of substantial due process rights for the American public if the truth is not uncovered as soon as possible. The Obama administration is moving at warp speed to accomplish its goals, but if Obama is ineligible to be a US president, everything that is being "accomplished" will be illegal. Consequently, time is of the essence in uncovering the truth and I **respectfully request that production of the following information, listed below in this item 20, be expedited under §16.5 (d)(1)(i), (ii), (iii) and (iv).** Unfortunately, lack of expedited treatment could reasonably pose an imminent threat to the life or physical safety of many Americans if Obama is ineligible to hold the office of US President. Additionally, I **respectfully request that all fees associated with the production of the following information be waived under §16.11(k),** since these requests

concern or affect the operations or activities of the government and are likely to contribute significantly to public understanding of government operations or activities:

- a. Copy of report (possibly 150 pages) and findings of the Inspector General of the DOJ and/or the State Department investigation report regarding the unauthorized employee access to and tampering with Obama's passport records on at least three separate occasions in 2008, including whether Obama made an original application or renewal of his American passport on his most recent request, when that application or renewal was made, information about whether an original vault birth certificate or Obama's online COLB was used to prove Obama's American citizenship status on his original American passport application and the date when Obama made that original application for an American passport;
- b. Names and contact information for investigators, results of the investigations performed and findings on all of the information and documentation forwarded by numerous American citizens, including individuals in Illinois, Washington, California, Texas, Alabama, Tennessee and Florida, to the DOJ and FBI over the past several months about Obama, his personal records and his questionable activities, including, but not limited to:
 - i. Obama's original vault birth certificate;
 - ii. Proof of Obama's actual birthplace location and details regarding the investigation into Obama's potential birth in Kenya and Obama's potential birth in Hawaii;
 - iii. Documentation revealing Obama's school registration in Indonesia, which shows his name to be Barry Soetoro, citizen of Indonesia;
 - iv. Proof that Obama legally changed his name from his adopted Indonesian name, Barry Soetoro, to Barack Hussein Obama and when his name was legally changed;
 - v. Proof that Obama became a repatriated American citizen after returning to the United States from Indonesia at age 10;
 - vi. Obama's college records, including the name and country of citizenship that Obama used as a college student;

- vii. Documentation revealing Obama as a foreign exchange student under the name of Barry Soetoro from 1979 to 1981 and during any other time periods;
- viii. Obama's Illinois State Bar records;
- ix. Obama's medical records;
- x. The passport that Obama used in 1981 for his trip to Pakistan;
- xi. The passport that Obama used in 2006 for his trip to Kenya;
- xii. The use and purpose of \$1 million that "Friends of Senator Barack Obama" contributed to Raila Odinga in 2006 for his Kenyan campaign, reportedly used to fund bloodshed, mayhem and the promotion of Sharia law in Kenya;
- xiii. Affidavits of expert witnesses concerning the forgery of Obama's birth certificate (Docket #29473) as posted on various pro-Obama websites, including <http://www.dailykos.com/>, <http://my.barackobama.com/>, <http://www.fightthesmears.com/>, <http://www.politifact.org/>, and <http://www.factcheck.org/>;
- xiv. A list of some 100 addresses found on LEXIS-NEXIS under the name of Barack Obama (and similar spellings) that were attached to various social security numbers, including two in Tennessee. The first three digits provide information on the states and the social security numbers came from different states all over the country. One particular social security number, that was used while Obama was a law student at Harvard, was attached to his address in Sommerville, MA, and was issued in Connecticut, but the social security number was 118 years old;
- xv. Selective Service System registration ("SSS Form 1") for Obama regarding whether he ever registered for the Selective Service System or if someone committed a crime for him and accompanying computer print out ("SSS Print-out) forgery statement by recently retired federal agent, Stephen Coffman;
- xvi. Statement made by Obama saying that his mother Ann Dunham gave birth to him in HI, even though investigations indicate otherwise since there have been no birth records found in HI for his mom; and

xvii. Other conflicting citizenship reports regarding Obama's travels to Kenya and Indonesia.

or, alternatively, if no investigations were done on these multiple issues, an explanation as to why nothing was done;

- c. Names and contact information for investigators, results of the investigations performed and findings on the information forwarded to the FBI about Obama by the office of US Senator Lamar Alexander from Tennessee, or, alternatively, if no investigations were done on these issues, an explanation as to why nothing was done; and
- d. Names and contact information for investigators, results and findings of investigations performed regarding additional inconsistencies and/or fraud discovered in the COLB that Obama filed online, which has been determined to have numerous signs of forgery by a number of forensic document examiner experts, as explained in item 16 above.

AFFIANT SAYS FURTHER NOT.

IN WITNESS WHEREOF, ORLY TAITZ has executed this Affidavit this _____ day of March, 2009.

ORLY TAITZ
 Attorney for Dr. Alan Keyes
 26302 La Paz, Suite 211,
 Mission Viejo, CA 92691

STATE OF CALIFORNIA §
 §
 COUNTY OF ORANGE §

SUBSCRIBED AND SWORN TO BEFORE ME on the _____ day of March, 2009, by ORLY TAITZ, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

(Seal)

Notary Public in and for
 the State of California

OFFICE OF STATE ADMINISTRATIVE HEARINGS

STATE OF GEORGIA

```

-----
DAVID FARRAR           :
LEAH LAX               :
CODY JUDY              :
THOMAS MALAREN        :
LAURIE ROTH           :
                        :
                        : Plaintifffs           :
                        :                       :
                        :                       :
                        : DOCKET NO.           :
v.                     : OSAH-SECSTATE-CE-    :
                        : 1215136-60-Malihi   :
BARACK OBAMA          :
                        :
                        : Defendant           :
                        :                       :
                        :                       :
-----

```

230 Peachtree Street, Suite 850
Atlanta, Georgia

Thursday, January 26, 2012

The above-entitled matter came on for hearing
pursuant to Notice, at 10:15 a.m.

BEFORE:

MICHAEL M. MALIHI, Deputy Chief Administrative Law
Judge

Page 2

APPEARANCES:

FOR THE PLAINTIFF:

ORLY TAITZ, Attorney
29839 S. Margarita, Suite 100
Rancho Santa Margarita, California 92688

FOR THE DEFENDANT:

(No appearance.)

Page 3

I N D E X

WITNESSES:	DIRECT	CROSS	REDIRECT	RECROSS
David Farrar	5	--	--	--
Christopher Strunk	8	--	--	--
Susan Daniels	10	--	--	--
Felicito Papa	15	--	--	--
Linda Jordan	19	--	--	--
Douglas Vogt	22	--	--	--
John Sampson	30	--	--	--
Orly Taitz	40	--	--	--

EXHIBITS:	FOR IDENTIFICATION IN EVIDENCE		
-----------	--------------------------------	--	--

Plaintiff:

1 - Strunk FOIA Request	10	--
2 - Daniels Affidavit	14	--
3 - Papa Affidavit	19	--
4 - Jordan Affidavit	21	--
5 - Vogt Affidavit	30	--
6 - Sampson Affidavit	39	--
7 - (Unidentified on the record)	45	--

Page 4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

JUDGE MALIHI: Counsel, would you introduce yourself and your client, please?

MS. TAITZ: Yes. Orly Taitz and I'm representing five clients -- Mr. David Farrar, who is in the courtroom.

MR. FARRAR: Good morning, sir.

MS. TAITZ: Ms. Leah Lax, Ms. Laurie Roth, Mr. Thomas Malaren and Mr. Cody Robert Judy.

JUDGE MALIHI: Counsel, before you start, I'm going to give you two hours maximum, we will conclude at 12:15.

MS. TAITZ: Thank you, Your Honor.

JUDGE MALIHI: And if you can do it a little bit faster, I would appreciate it.

MS. TAITZ: I'll do my best.

JUDGE MALIHI: Thank you.

MS. TAITZ: Mr. Farrar, please.

Just a quick introduction. Please provide for the Court your name and spell your last name.

MR. FARRAR: David Farrar, F-a-r-r-a-r.

MS. TAITZ: Mr. Farrar, you can even stand --

THE REPORTER: Wait. Got to swear the witness.

Whereupon,

DAVID FARRAR

appeared as a witness herein and, having been first duly

1 sworn, was examined and testified as follows:

2 DIRECT EXAMINATION

3 BY MS. TAITZ:

4 Q Are you a registered voter in the State of
5 Georgia?

6 A Yes, ma'am.

7 MS. TAITZ: That's it, you're excused.

8 JUDGE MALIHI: Thank you very much.

9 Counsel, hold on, hold on. What is this
10 (indicating)?

11 (Witness excused.)

12 MS. TAITZ: This is a clip from the news, just
13 showing that when Mr. Obama resided in Indonesia, it shows a
14 book of records from Indonesia showing his last name in the
15 school book of records listed as Soetoro and nationality
16 Indonesian, not U.S. citizen.

17 JUDGE MALIHI: I don't need to see the video.

18 MS. TAITZ: That's it.

19 JUDGE MALIHI: Okay.

20 MS. TAITZ: Can we go back a little bit?

21 JUDGE MALIHI: Counsel, I don't see how that's
22 relevant to the issue before me.

23 MS. TAITZ: Well, in order for one -- first of
24 all, in order for one to be on the ballot in the State of
25 Georgia, he needs to be under a name that is legally his.

Page 6

1 JUDGE MALIHI: You can argue that to me, but I
2 don't need to see the video.

3 MS. TAITZ: Okay, go to the next one.

4 JUDGE MALIHI: What's the next one?

5 MS. TAITZ: Okay, so -- okay, so, it states that
6 he was registered in the book of records in the school in
7 Indonesia where she's staying, which was Basuki school in
8 Jakarta, Indonesia under last name Soetoro. Next.

9 I will not go into detail -- okay, let's stop here
10 -- I will not go into detail into the issue of what natural-
11 born citizen is because we have limited time, a prior
12 counsel already stated this.

13 JUDGE MALIHI: Counsel, please address the Court,
14 not the audience.

15 MS. TAITZ: And I will be using the same precedent
16 of *Minor v. Happersett* and I would also state that since the
17 Constitution was adopted, the legal treatise that was
18 commonly used by the framers of the Constitution was Emerich
19 de Vattel, a well-known --

20 JUDGE MALIHI: Counsel, are you arguing or are you
21 testifying?

22 MS. TAITZ: That's my opening statement.

23 JUDGE MALIHI: Okay, please step up to the podium.

24 MS. TAITZ: Emerich de Vattel, who was a well-
25 known scholar and constitutionalist and diplomat stating

Page 7

1 that natural-born citizen -- and it was a legal treatise
2 that existed at the time the Constitution was adopted --
3 stating "natural-born citizen is one born in the country to
4 parents who are citizens of the country."

5 The first Justice of the Supreme Court of the
6 United States, John Jay, a well-known letter that was
7 included in Federalist Letters, stated to George Washington
8 -- permit me to hint that it is important for the commander
9 in chief to be a natural born-citizen, not to have a
10 foreigner.

11 Lastly, there was a question in regards to the
12 14th Amendment. And John Bingham, who was the framer of the
13 14th Amendment, in the discussions in Congress relating to
14 the adoption of the 14th Amendment, specifically stated
15 natural-born citizen is one who is born in the country to
16 parents who don't owe allegiance to other sovereignties.

17 As we know, when Mr. Obama was born, his father
18 was a citizen -- actually a British citizen because in 1961,
19 Kenya was part of --

20 JUDGE MALIHI: Counsel, let me stop you.

21 Would you save your argument for the closing and
22 let me hear from your witnesses. Your second witness,
23 please.

24 MS. TAITZ: Okay, Mr. Strunk.

25 JUDGE MALIHI: Good morning, sir.

1 MR. STRUNK: Good morning, Your Honor.

2 Whereupon,

3 CHRISTOPHER STRUNK

4 appeared as a witness herein and, having been first duly
5 sworn, was examined and testified as follows:

6 DIRECT EXAMINATION

7 BY MS. TAITZ:

8 Q Mr. Strunk, do you recognize this document?

9 A My name is Christopher Earl Strunk and I'm from
10 New York. I'd like to vote in Georgia, but it's not
11 possible this year.

12 Q I'm just asking, do you recognize this document?

13 A Yes, that is a portion of a letter which I
14 received from the attorney for the Department of State, U.S.
15 Department of State.

16 MS. TAITZ: Keep going, keep going, keep going,
17 further, more, more, more -- stop.

18 BY MS. TAITZ:

19 Q Okay, so now what is this document? Is that the
20 passport record of Stanley Ann Dunham, Mr. Obama's mother,
21 yes?

22 A This is a renewal form.

23 Q Okay.

24 A Taking him off of her passport.

25 Q Yes. What is the last name that is listed there?

Page 9

1 Can you please read the full last name for Mr. Obama on his
2 mother's passport record?

3 A Soebarkah, S-o-e-b-a-r-k-a-h.

4 Q So in his mother's passport records, Mr. Obama is
5 listed under last name Soebarkah, according to the records
6 that you personally received from the State Department,
7 right?

8 A I can't draw a conclusion on that.

9 Q Okay, but that's what is written there, Soebarkah,
10 right?

11 A Yes. She wanted that expunged from her record --

12 Q Passport.

13 A -- which we never got. It was delegated (ph.)

14 MS. TAITZ: Okay, thank you, Mr. Strunk.

15 JUDGE MALIHI: You may step down, sir; thank you.

16 (Witness excused.)

17 MS. TAITZ: Next is going to be -- and we're going
18 to submit into evidence the records -- Freedom of
19 Information request and response that was received by Mr.
20 Strunk from the State Department showing that in his
21 mother's record, Mr. Obama was listed --

22 JUDGE MALIHI: Counsel, you don't need to tell me

23 --

24 MS. TAITZ: Okay. Next will be Ms. Susan Daniels.

25 THE REPORTER: Are we marking this P-1?

1 JUDGE MALIHI: Yes.

2 (The document referred to was
3 marked for identification as
4 Plaintiff's Exhibit Number 1.)

5 (Witness excused.)

6 Whereupon,

7 SUSAN DANIELS

8 appeared as a witness herein and, having been first duly
9 sworn, was examined and testified as follows:

10 DIRECT EXAMINATION

11 BY MS. TAITZ:

12 Q Ms. Daniels, would you like to state to the Court,
13 what is your occupation?

14 A I'm a state licensed private investigator in Ohio.

15 Q How many years have you been a licensed
16 investigator?

17 A Since March of 1995.

18 Q Did you testify in court?

19 A Yes.

20 Q Did you also testify before grand juries as an
21 investigator?

22 A Yes.

23 Q What -- did you investigate the identification
24 records for Mr. Obama?

25 A I was hired to look into his background, and the

Page 11

1 first thing I found was a Social Security Number for him
2 that was issued in the State of Connecticut between the
3 years of 1977 and '79. And --

4 Q During that time, Mr. Obama would have been 15-16
5 years old. Where did he reside -- did he reside in the
6 state of Connecticut at the age of 15 or 16?

7 A No.

8 Q Where did he reside?

9 A Hawaii.

10 Q Now --

11 A And Social Security Numbers are issued in the
12 state that you live in when you apply for them.

13 Q Okay. So what was your suspicion? What was your
14 professional understanding -- what was your understanding as
15 a professional investigator, what did this mean?

16 A I've looked at thousands of Social Security
17 Numbers and I immediately knew it was fraudulent.

18 Q Thank you. Let's continue, let's go higher and I
19 would like you to look at the next page -- one second.
20 More, more, more, keep going, keep going. Down, little bit
21 down.

22 Okay, so this is the -- what was the number, the
23 Social Security Number actually that was used?

24 A 

25 Q Now do the first three digits of Social Security

1 Number signify the state?

2 A Yes.

3 Q So 042 is what state?

4 A Is Connecticut, 040 to 049 is Connecticut.

5 Q Ms. Daniels, I would like to point to those
6 numbers at the bottom.

7 A Right.

8 Q Dates of birth associated with Social Security
9 Number, and we see the first date of birth is 1890 and --
10 for Mr. Barack Obama, which means that if Mr. Barack Obama,
11 Mr. Barack Hussein Obama, was born in 1890, he would have
12 been a hundred and --

13 JUDGE MALIHI: Counsel, are you testifying or are
14 you asking a question?

15 MS. TAITZ: Sure.

16 BY MS. TAITZ:

17 Q What would be his age?

18 A I can't figure -- I don't have enough fingers.
19 But I have never -- in all the years I've worked, I've never
20 seen anything like this. I've seen where like the bottom
21 two numbers were the American style and the foreign style
22 appear, but never a number like 1890. And I believe that
23 the person that originally got the Social Security Number
24 was born in 1890.

25 Q So what you're saying that it was a stolen Social

1 Security Number.

2 JUDGE MALIHI: Counselor, don't lead the witness.

3 THE WITNESS: I believe that --

4 JUDGE MALIHI: You can't answer that.

5 THE WITNESS: Pardon me?

6 JUDGE MALIHI: You cannot answer that.

7 BY MS. TAITZ:

8 Q What is your understanding, what does it mean?

9 A I believed from the beginning it was fraudulent.

10 Q Yes. So -- and then we see [REDACTED] and [REDACTED].

11 What does that mean?

12 A That's just two different styles of showing his
13 birth cert -- his birth date. He was actually born on

14 [REDACTED]

15 Q Now did you also check Mr. Obama's phone records?

16 A First I ran the Social Security Number to check
17 addresses and the same Social Security Number came up with
18 addresses for him in Massachusetts, in Illinois, and in
19 Washington, D.C. And along with those records were a phone
20 number, and it was always the same phone number and
21 occasionally the year where it showed his date of birth, it
22 said 1890.

23 I subsequently then checked the phone records for
24 this phone number and found the same thing. It would show
25 intermittently the birth date, instead of August 4, 1961,

1 said 1890.

2 Q Did you check -- did you double-check the Social
3 Security Numbers before and after this one? From what state
4 were those social security numbers?

5 A I got copies from the Social Security
6 Administration for the Social Security Number ending in 24,
7 which is the number immediately before his, and 29, and I
8 got the actual records, including the handwritten
9 application for the number, because both those people are
10 deceased. And it showed that those were both issued in
11 March of 1977, when he would have been 15.

12 Q So it is your testimony that the Social Security
13 Number that Mr. Barack Obama is using is a number that was
14 issued to somebody who resided in the state of Connecticut--

15 A That's what I believe.

16 Q -- in 1977.

17 A That's what I believe.

18 Q Anything else you'd like to add?

19 A No.

20 MS. TAITZ: Thank you. Thank you, Ms. Daniels.

21 At this point, I would like to introduce into
22 evidence Plaintiff's Exhibit Number 2, Affidavit of Ms.
23 Susan Daniels with the attached documents.

24 (The document referred to was
25 marked for identification as

Page 15

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Plaintiff's Exhibit Number 2.)
(Witness excused.)

MS. TAITZ: Next, my third --

JUDGE MILLER: Is it fourth or third?

MS. TAITZ: Fourth witness is going to be Mr.
Felicito Papa.

Whereupon,

FELICITO PAPA

appeared as a witness herein and, having been first duly
sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MS. TAITZ:

Q Mr. Papa, can you please explain to the Court what
is your education?

A Okay, first I'm originally from the Philippines
and then I'm a naturalized born citizen of the United
States.

And then I studied information technology having
graduated from ITT Technical Institute in Indianapolis,
Indiana. And from there, we studied various software like
Adobe software.

JUDGE MALIHI: Sir, would you just listen to the
question and only answer the question?

THE WITNESS: Okay.

JUDGE MALIHI: Next question.

1 BY MS. TAITZ:

2 Q What -- so your education is in information
3 technology?

4 A That's correct.

5 Q From ITT. Mr. Papa, what kind of software do you
6 usually use in your work?

7 A With web designing and development, it's a popular
8 software to use Adobe Photoshop and Adobe Illustrator.

9 Q Thank you. I'm going to point to this document.
10 Is that the affidavit that you provided me?

11 A That's true, yes.

12 Q Now was that the birth certificate -- or alleged
13 copy of a birth certificate that Mr. Obama posted online?

14 A That's correct.

15 Q Now what -- okay, let's go to the next page.
16 Okay, stop.

17 Now when Mr. Obama originally posted this birth
18 certificate, it was in a .pdf file, was it?

19 A That's correct, yes.

20 Q Was the file flattened, were all the layers of
21 preparation of the file flattened together, or not?

22 A No, it was not flattened, it was open.

23 Q So when you opened this document in Adobe
24 Illustrator, did you see one layer or did you see multiple
25 layers?

Page 17

1 A I saw multiple layers, at least six layers.

2 Q Okay. So is this one of the layers?

3 A It is one of the bottom layer.

4 Q Mr. Papa, I would like to point to the number at
5 the top. We're seeing just one digit there, so where are
6 the other digits? Were they added in another layer?

7 A Yes, they were added from other graphics and added
8 to this number.

9 Q So there was one document, and then from another
10 document they added another part of the document?

11 A That's correct.

12 Q I would like to point to the signature, Stanley
13 Ann -- and there is only "D." There is no "unham Obama,"
14 it's missing. Was that brought from another document?

15 A That's correct.

16 Q Now it was on the internet when the original of
17 the document was posted that there were layers and shortly
18 thereafter when people opened in Adobe Illustrator, there
19 were no layers. What happened? Did somebody remove it and
20 flatten the file and put it back, or what happened?

21 A Nobody -- up to now, nobody has flattened the
22 file. Anybody who uses Adobe Illustrator can open the file
23 and then they will see multiple layers.

24 Q Okay. Now I'm going to point to the next
25 document, the next affidavit for Mr. Papa.

Page 18

1 Now did you also study the tax returns that Mr.
2 Obama posted online in April of -- stop -- in 2010?

3 A Yes, I did.

4 Q Was there the same problem of the file, .pdf file,
5 not being flattened?

6 A No, it wasn't. Originally it wasn't flattened and
7 anybody can open it and they would see at least two layers.

8 Q When you looked at the layers, I point to the
9 number here at the bottom that says [REDACTED]. That was
10 in one of the layers, right?

11 A That's correct.

12 Q Is it the same number that Ms. Daniels testified
13 to?

14 A That's correct, yes.

15 Q Let's go to the next page. Okay. And here we see
16 it was -- it's another page in tax return, says 042-68-4425,
17 the same Social Security Number that Ms. Daniels testified
18 to?

19 A That's correct.

20 Q After a few days was the file flattened?

21 A Actually after a day, then it was flattened, so
22 nobody could see the Social Security Numbers any more.

23 MS. TAITZ: Thank you very much, Mr. Papa, that
24 would be all.

25 I would like to introduce into evidence affidavits

Page 19

1 from -- submitted by Mr. Papa in regards to the birth
2 certificate and Social Security Number of Mr. Obama.

3 (The document referred to was
4 marked for identification as
5 Plaintiff's Exhibit Number 3.)

6 (Witness excused.)

7 JUDGE MALIHI: Counsel, who is your next witness?

8 MS. TAITZ: Yes, Your Honor, I'm calling Ms. Linda
9 Jordan.

10 JUDGE MALIHI: Good morning, Ms. Jordan.

11 MS. JORDAN: Morning.

12 Whereupon,

13 LINDA JORDAN

14 appeared as a witness herein and, having been first duly
15 sworn, was examined and testified as follows:

16 DIRECT EXAMINATION

17 BY MS. TAITZ:

18 Q Ms. Jordan, do you recognize this affidavit? Is
19 this an affidavit that you provided for me?

20 A Yes, it is.

21 Q Let's go further -- you know what, go to my set,
22 Orly's set. If you don't have it here, go to Orly's set
23 page. Keep going quickly, move, down, down, down, down.
24 Keep going, keep going, keep going. More, more, more. Yes,
25 stop.

1 Okay, is that the document that was attached to
2 your affidavit?

3 A Yes, one of them.

4 Q Is that E-Verify for Mr. Obama?

5 A Yes.

6 Q And is that the Social Security Number that was on
7 Mr. Obama's tax return, [REDACTED]

8 A Yes.

9 Q Keep going, keep going -- higher -- no, down, down
10 little bit. No, up, up, go up. Stop, down, down -- I
11 apologize. Up -- go down. Just one second, please. More,
12 more, more, more, more. Stop, stop.

13 Okay, little bit lower, little bit lower, little
14 bit lower. Little bit lower so we can see what's on the
15 bottom tier of this.

16 So, okay, what does it say here, "SSA record does
17 not verify"? Is that what it says?

18 A "SSA record does not verify. Other reason: SSA
19 found a discrepancy in the record."

20 Q So the Social Security Number that Mr. Obama is
21 using from early years, according to Ms. Daniels, and that's
22 listed on his tax return, does not verify under E-Verify?

23 A When I ran it on August 17th, 2011, it did not
24 verify, it came back with this mark.

25 MS. TAITZ: Thank you very much, Ms. Jordan.

1 BY MS. TAITZ:

2 Q Mr. Vogt, would you like to state for the Court,
3 please, your occupation?

4 A I own a company called Archive Index Systems,
5 where we sell document imaging scanners as well as document
6 imaging systems. I also owned a typesetting company for 13
7 years too.

8 Q So, for 13 years you dealt with typesetting and
9 scanners.

10 A Yeah.

11 MS. TAITZ: Testimony from Mr. Vogt.

12 VOICE: I don't have it.

13 THE WITNESS: I've been in the current business
14 for 18 years now selling scanners and maintaining them.

15 MS. TAITZ: Go to the Orly documents and just show
16 the birth certificate. Just go to my documents.

17 BY MS. TAITZ:

18 Q Did you examine the alleged copy of a birth
19 certificate which was -- go down -- which was posted online
20 by Mr. Obama?

21 A Yes, I did.

22 MS. TAITZ: One second. I would like to know if
23 there was -- keep going, lower -- here it is. Stop.

24 BY MS. TAITZ:

25 Q -- that you found to be suspicious -- was there

Page 23

1 anything that you found to be suspicious. And I would like
2 first to ask you whether there was haloing on this document.

3 A Yes, the haloing we're referring to is around all
4 the type and lines, there's a white line. At first, we
5 didn't quite know what it was until we finally actually
6 replicated the form and actually redid the thing and figured
7 out how the forger did it.

8 The haloing is caused by what -- it's a subroutine
9 in Photoshop called unsharp mask. Now you have to
10 understand, if a document like this has any evidence of
11 computer manipulation, it's a fraud. Since my experience is
12 selling document imaging and actually writing that kind of -
13 - those kind of programs, this is what the Department of
14 Health should have done or what they supposedly have done.

15 They had these original forms. There was a
16 federal law that was passed in 2005 that required them to
17 scan all the documents --

18 JUDGE MALIHI: Counsel, what was your question --
19 hold on a second. What was your question?

20 BY MS. TAITZ:

21 Q Mr. Vogt, so -- because we have very limited time
22 -- Judge already stated we have limited time -- so was there
23 haloing?

24 A Yes..

25 Q Now normally, if you just take a document, put it

1 in a scanner, would you see haloing?

2 A No, none whatsoever.

3 Q If you use multiple documents and multiple layers
4 and masking, will you see haloing then?

5 A Yeah, if they used unsharp masks, you did.

6 Q Okay, next point. When we're looking on the left
7 side of the document, we see sloping. Now if the document--

8 A Curve of the page.

9 Q -- if their document was just scanned, was put in
10 the scanner, would you see all of the lines sloping or would
11 you see some of the lines going straight?

12 A I'll explain. They said in their own testimony
13 that these documents were in books, the originals. So this
14 was actually scanned on a flatbed scanner, 11 by 17. We've
15 actually replicated the same thing. And so the parallax or
16 that curvature would appear. You'll notice that the lines
17 on the bottom are not bent, but the ones on top are.

18 Q That's not what I'm asking.

19 A That's why. But it would be normal if it was
20 scanned from a book.

21 Q No, Mr. Vogt, I'm asking, when there is sloping --
22 we understand that you take a book, you take a picture, you
23 see sloping. But when you have sloping of the line, would
24 you also see each typed line to be sloping similarly --
25 would you see that?

Page 25

1 A From the scanner? Yes, we replicated it, we know
2 that.

3 Q Was that something that you saw on Mr. Obama's
4 birth certificate, or not?

5 A Yes, on how they --

6 Q Wait --

7 A -- copied it, yes.

8 Q But were there lines that went straight?

9 A Because -- I have to explain how a scanner works.

10 Q No, no, we don't have time for that.

11 A But basically that's normal, we replicated the
12 same thing that --

13 Q Mr. Vogt, you're not listening. I'm asking you if
14 you have sloping, if you just go in the scanner and the
15 lines are sloping, would you see all the lines sloping
16 similarly?

17 A No, if it was on a flatbed and it was just a piece
18 of paper by itself, no.

19 Q Okay. Let's look at the next point. Go a little
20 bit higher -- no, down. Okay. No, no, down, down, down.
21 No. Stop, stop, stop.

22 We're looking at the stamp that's on the document,
23 the date stamp. If somebody -- if it is something that was
24 just scanned -- Mr. Vogt, something that was scanned and
25 wants to put a stamp here like this -- stamp, stamp, stamp -

Page 26

1 - would it be in the same spot in all three copies or it
2 would be different at different points?

3 A They would be different, to the extent that the
4 other ones are separate. And they're actually embossed
5 stamps actually.

6 Q Okay, now another question. If -- and in Mr.
7 Obama's records, all three of them, it was exactly in the
8 same spot --

9 A Yes.

10 Q Another question. When a person is stamping the
11 date, he goes stamp, stamp, stamp, would it be a line, pixel
12 by pixel, in straight line, or would you expect it to be a
13 little bit sideways, a little bit crooked?

14 A No, they are too independent, they're done by hand
15 even though it's done by an embossing machine for both. We
16 learned that.

17 Q Mr. Vogt, you're not listening.

18 A I am.

19 Q My question is, if a person is doing it by hand --

20 A There won't be in exactly the same place.

21 Q Okay. Would it be on the line, would it be just
22 on line, pixel by pixel, or would it be slanted a little
23 bit?

24 A It would be slanted.

25 Q Was it slanted here?

Page 27

1 A No, they're perfectly straight.

2 Q So it looks different from what you would expect
3 with something coming from the machine, right?

4 A Right.

5 Q Next, in regards to that stamp, would you expect -
6 - is it something -- Mr. Obama stated it was just prepared
7 and sent to him, his attorney brought it right away -- so if
8 it's something that came straight from the machine and they
9 put embossed seal, would you expect to see a very clear
10 embossed seal on that document?

11 A Yes, you would.

12 Q Do you see it here?

13 A No, it's a latent latent image, if you highlight
14 over by -- I can show you on here.

15 Q Okay.

16 A Right about here (indicating).

17 Q But it's hard to see.

18 A Oh, yeah.

19 Q Next, would you -- now, this is supposed to be a
20 copy of a document created in 1961, which was created on a
21 typewriter. On a typewriter, when you type letter by letter
22 by letter, you don't see letters encroaching on the space --

23 JUDGE MALIHI: Counsel, is that a question or --

24 MS. TAITZ: A question, which is -- I'm just
25 explaining --

Page 28

1 THE WITNESS: What's the aberrations of the
2 typewriter --

3 BY MS. TAITZ:

4 Q The question is would you expect kerning or
5 encroachment of one letter going into space of the other
6 letter on a typewritten document?

7 A No. Typewriters basically are either 12
8 characters to an inch and they all fit in a specific box six
9 points wide.

10 Q Okay. What about this document, did you see
11 kerning here?

12 A Yes, we did. I have examples of it here, but we
13 can't show it.

14 Q Okay, okay. Yeah. So you would not expect
15 kerning.

16 A Yes, There was a "t" and a "y" that were kerned
17 and a couple of other letters also.

18 Q Okay, doesn't matter which letters. So you saw
19 kerning here.

20 A Yes.

21 Q Next --

22 A The letter spacing was off too and the line
23 spacing too.

24 Q What about, did you check -- can we go a little
25 bit higher -- in terms of their number. The number ends with

Page 29

1 641. Did you check the numbers, was that sequential?

2 A No, it was hard finding the law, but both the --
3 there was a Model States Vital Statistics Act and in the
4 U.S. Department of Health and Education as well as the
5 Social Security system that both say in the federal regs
6 that all birth certificate numbers have to be sequential and
7 they start from zero or one, January 1 at 12:01 a.m.

8 Q Okay.

9 A And they have to be sequential.

10 Q Okay, Mr. Vogt --

11 A Hang on. In fact, in the Social Security system--

12 JUDGE MALIHI: Sir. Just wait for the next
13 question.

14 BY MS. TAITZ:

15 Q Okay, so I just asked if it was sequential.

16 A Yes.

17 MS. TAITZ: That would be it. Thank you very
18 much, Mr. Vogt. And at this point --

19 (A document was marked for
20 identification as Plaintiff's
21 Exhibit Number 5.)

22 (Witness excused.)

23 JUDGE MALIHI: Your last witness.

24 MS. TAITZ: Is Mr. Sampson.

25 JUDGE MALIHI: Good morning, sir.

Page 30

1 MR. SAMPSON: Good morning, Your Honor. How are
2 you, sir?

3 JUDGE MALIHI: Very good, thank you for coming.
4 Whereupon,

5 JOHN SAMPSON
6 appeared as a witness herein and, having been first duly
7 sworn, was examined and testified as follows:

8 DIRECT EXAMINATION

9 BY MS. TAITZ:

10 Q Okay, Mr. Sampson, can you please state to the
11 Court, what is your education -- what is your professional
12 experience?

13 A Okay. First, my full name is John, middle initial
14 N., last name is Sampson, S-a-m-p as in Paul-s-o-n.

15 Educationally, I received a Bachelor of Arts *cum*
16 *laude* from Long Island University with a major in criminal
17 justice and minor in psychology. I attended Thomas M.
18 Cooley Law School in Lansing, Michigan for a period of two
19 years, I did not graduate.

20 Q And where did you work?

21 A Subsequent to that, I was a police officer in the
22 State of New York for 18 months.

23 Subsequent to that, I was hired by the U.S.
24 Immigration and Naturalization Service. Began my career at
25 John F. Kennedy Airport in 1981 in June as an immigration

Page 31

1 inspector. I received on-the-job training and classroom
2 instruction at Kennedy Airport. My instructor was the
3 intelligence officer for the airport, who specialized in
4 fraudulent documents and immigration fraud.

5 I subsequently went into the enforcement branch
6 with Immigration two and a half years later and ultimately
7 became a senior deportation officer where I remained in New
8 York, then to New Jersey, back to New York and in 1985 --

9 Q So you have many --

10 A -- I moved to Colorado and I retired from U.S.
11 Immigrations and Customs Enforcement, Department of Homeland
12 Security, which was the successor agency to INS, in August
13 of 2008.

14 Q Mr. Sampson, did you testify in court as an expert
15 on immigration and deportation?

16 A I testified before federal grand juries and
17 administrative law judges --

18 Q Thank you.

19 A -- in deportation.

20 Q Thank you, Your Honor -- oh, I'm sorry. Thank
21 you, Mr. Sampson.

22 Because we have so little time, I just want to
23 move on.

24 So you have extensive experience as a senior
25 deportation officer.

Page 32

1 When is the first time we discussed Mr. Obama's
2 records?

3 A November of 2009, after I retired, I formed my own
4 consulting firm, and have been employed -- self-employed
5 since January of 2009 to this date.

6 Q Is that the affidavit that you provided me?

7 A Yes, it is.

8 Q And is that an affidavit in regards to the Social
9 Security Number of Mr. Obama?

10 A It's an affidavit of the number that he is using.

11 Q What did you find -- in your professional
12 experience and knowledge, what did you find in regards to
13 his Social Security Number?

14 A When I ran the Social Security Number through
15 Locate Plus, which is a commercial database that's used by
16 private investigators and law enforcement personnel and
17 attorneys, the only person who was associated and affiliated
18 with [REDACTED] was Mr. Barack Hussein Obama. It gave me a
19 list of his addresses, driver's license information, other
20 background information, possible relatives, et cetera. It
21 also indicated that the Social Security Number was issued in
22 1977 to a person residing in the state of Connecticut at the
23 time that that number was assigned.

24 Q Was Mr. Obama -- did Mr. Obama ever reside in the
25 state of Connecticut?

Page 33

1 A Not to my knowledge, no. All the information and
2 data that I have is, specifically in that period of time, he
3 was residing with his maternal grandparents Stanley Armour
4 Dunham and Madelyn Payne Dunham in Hawaii.

5 Q Did you also review the birth certificate -- the
6 alleged copy of a birth certificate that Mr. Obama posted
7 online?

8 A I've seen it and I have a copy of it, yes.

9 Q Was there anything suspicious about this birth
10 certificate?

11 A There are three issues of concern as far as I can
12 tell.

13 Number one, the serial number that's in the upper
14 right hand corner is out of sequence and -- when compared to
15 two other birth certificates issued to two twins that were
16 born the day after Mr. Obama was born and whose certificates
17 were issued three days after his was supposedly issued,
18 their serial numbers are lower, although you would expect
19 them to be higher, given the fact that they were subsequent
20 to his.

21 The second thing is that the certification
22 paragraph that's contained in their birth certificates is
23 somewhat different than the certification paragraph that is
24 contained in the Obama birth certificate.

25 And last, but not least, the name of the local

Page 34

1 registrar for the Obama birth certificate is different than
2 the one on the Nordyke twins, and you would think that given
3 the fact that they were born within 24 hours of each other,
4 the local registrar would have been the same given the fact
5 that they were born in the same medical facility at the same
6 location.

7 Q Mr. Sampson, so what was your suspicion when you
8 studied the Social Security Number and the birth certificate
9 of Mr. Obama, in your professional opinion?

10 A In my opinion, I believe that there's credible
11 evidence to warrant further investigation and the issuance
12 of court orders requesting the unsealing of records in
13 Hawaii as well as the release of records from the Social
14 Security Administration as to who the owner of [REDACTED]
15 is.

16 Q Mr. Sampson, Mr. Ken Allen testified to the fact
17 that he received immigration records of Mr. Lolo Soetoro,
18 Mr. Obama's stepfather. Those were made public. Did you
19 study those immigration records?

20 A I have a copy of them and I have looked at them,
21 yes.

22 Q Was there any redacting in those records?

23 A My understanding, reading the letter, the
24 transmittal letter, that was accompanying the documents, the
25 A file, what's called the alien file or the A file, that was

Page 35

1 sent to Mr. Allen, was that they redacted a portion of some
2 of the documents. I believe six of them were redacted, and
3 then there were seven pages that were withheld in their
4 entirety due to Privacy Act concerns.

5 Q Mr. Sampson, are there usually redactions in the
6 records of deceased individuals?

7 A No.

8 Q So let's see, who could have been on the
9 immigration records of Lolo Soetoro, who is not deceased
10 today? Is Mr. Soetoro deceased?

11 A Mr. Soetoro is deceased, Ms. Dunham is deceased,
12 the grandparents are deceased, Mr. Barack Obama, Sr. is
13 deceased. Maya Soetoro-Ng was not born at the time, and
14 therefore was not part of this at the time that Stanley Ann
15 Dunham petitioned to have her spouse, Mr. Soetoro,
16 classified as an immediate relative so he could receive an
17 immigrant visa.

18 Q So what would be your conclusion, who could have
19 been listed on Mr. Soetoro's immigration records which was
20 the reason for redaction?

21 A The only person that can come to mind would be
22 Barack Hussein Obama, II, also known as Barry Soetoro.

23 Q Next question, Mr. Sampson. In your opinion as a
24 deportation officer, if Mr. Barack Obama was a natural-born
25 U.S. citizen, he had a valid U.S. citizenship, and he never

Page 36

1 lost the citizenship while living in Indonesia, would he
2 need immigration records, would he need to immigrate?

3 A No, there would be no need for him to be issued an
4 immigrant visa, he'd be considered a U.S. citizen, be able
5 to travel to the United States as a citizen.

6 Q Knowing all the information that you have in
7 regards to Mr. Obama, what would be your conclusion and what
8 do you believe that needs to be done -- or what would you do
9 in cases similar to this with these kind of records?

10 A It would warrant further investigation. What I
11 would do if I was still working with Immigration, is I would
12 be getting the originals of the documents I just mentioned.
13 I would go to the Social Security Administration and request
14 a copy of the SS-5 which is the actual handwritten
15 application for a Social Security Number. I would also
16 request the State of Hawaii submit a certified copy of any
17 birth records, so this way we could rule in or rule out
18 whether or not he was born in Hawaii.

19 Q How about immigration and passport records?

20 A I would be going to the State Department Office of
21 Passport Services to see if there are any U.S. passports
22 issued.

23 Q And if those are not provided or the U.S. Attorney
24 is not willing to proceed with those steps, what would you
25 do?

Page 37

1 A Well first, let me clarify -- in the event we
2 would be conducting an investigation, it would primarily be
3 a criminal investigation to determine whether any charges
4 should be filed. And the way the procedure works in federal
5 system is that you would do a report, submit it to the
6 United States Attorney's Criminal Division, so that they
7 could review it and determine whether or not they would
8 accept it for prosecution.

9 Assuming that they declined it, the alternative
10 would be, if there was evidence to suggest that the
11 individual in question was not a citizen of the United
12 States and in fact had falsely claimed to be a U.S. citizen,
13 that person could be placed in deportation proceedings
14 because falsely claiming to be a U.S. citizen is a separate
15 and entirely standalone charge for deportation purposes.

16 Q Would it be sufficient for warrant for this
17 person's arrest?

18 A Well, that would be how you would commence a
19 removal proceeding. You would request an administrative
20 arrest warrant signed by the field office director, notice
21 to appear in removal proceedings and a custody determination
22 to determine whether or not the individual would be held in
23 custody, released on their recognizance or some other
24 alternative to detention such as electronic ankle monitoring
25 or something like that.

Page 38

1 Q I understand. So just to clarify for the Court,
2 if the U.S. Attorney refuses to proceed -- to act -- as a
3 deportation officer, you would have been seeking a warrant
4 for arrest of this individual and deportation?

5 A I would be seeking a warrant of arrest and then
6 issuance of a notice to appear on any individual who made a
7 false claim to United States citizenship, and who was not
8 clearly a citizen or was clearly admitted for permanent
9 residence.

10 MS. TAITZ: Thank you, thank you, Mr. Sampson.

11 At this point, I would like to admit into evidence
12 the affidavit of Mr. Sampson and the attached documents.

13 JUDGE MALIHI: Thank you, sir, you may step down.

14 THE WITNESS: Thank you, Your Honor.

15 (Witness excused.)

16 JUDGE MALIHI: Counsel, I'm ready to hear your
17 closing argument.

18 MS. TAITZ: Yes, Your Honor. I'm just going to
19 give Mr. Sampson's affidavit.

20 I apologize.

21 (Pause.)

22 (The document referred to was
23 marked for identification as
24 Plaintiff's Exhibit Number 6.)

25 MS. TAITZ: So what do we have in this case?

Page 39

1 We have records from Mr. Obama from Indonesia
2 where he went to school and went under the last name
3 Soetoro; nationality, Indonesian.

4 Keep going, keep going. Now -- stop.

5 Now what's interesting about those records from
6 Indonesia that we just saw a minute ago, it stated that Mr.
7 Obama went to school in Indonesia from 19 -- I'm sorry, from
8 January 1st, 1968 and here is another picture. And this is
9 a well-known picture, it was published in multiple papers,
10 of smiling Mr. Obama with his friend and it states "1969,
11 third grade." And that's a picture from Hawaii.

12 So we have two records. We have a record from
13 Indonesia where there is a boy who goes by name Barry
14 Soetoro, who at least for a period of two years, 1968 and
15 '69, resides in Indonesia and goes by name Barry Soetoro.

16 We have another boy, who during this same time,
17 1968 and '69 resides in Hawaii and goes by name Barry Obama.

18 And we have no idea which boy came back to this
19 country.

20 Keep going. Next document -- this is Mr. Obama's
21 application to become --

22 JUDGE MALIHI: Counsel, are you testifying?

23 MS. TAITZ: I can actually testify.

24 JUDGE MALIHI: You don't have to. I asked you to
25 do closing argument.

Page 40

1 MS. TAITZ: I would like to, yes.

2 JUDGE MALIHI: No, no, no.

3 MS. TAITZ: Actually, since I was the one --

4 JUDGE MALIHI: What personal knowledge do you
5 have?

6 MS. TAITZ: I personally obtained those documents.

7 JUDGE MALIHI: And -- no, no, no. That's not
8 personal knowledge.

9 MS. TAITZ: I have -- this is the official law
10 registration that was -- that is available online. I
11 personally downloaded it from online records of the Illinois
12 Bar. And that's Mr. Obama's registration as an attorney in
13 the State of Illinois.

14 And I would like to testify under oath. Actually
15 not only this, but other records since I was the one who did
16 most of the research, I will testify.

17 THE REPORTER: Raise your right hand, please.
18 Whereupon,

19 ORLY TAITZ
20 appeared as a witness herein and, having been first duly
21 sworn, was examined and testified as follows:

22 DIRECT TESTIMONY

23 THE WITNESS: So, here, what is important about
24 this record? It says full license name: Barack Hussein
25 Obama. Full former names: None.

Page 41

1 We've already seen that in his mother's records,
2 passport records, Mr. Obama is listed by last name
3 Soebarkah. We've seen that in his records in Indonesia, he
4 is listed under name Soetoro.

5 So, clearly, Mr. Obama was committing perjury when
6 he applied for this record.

7 I actually personally contacted the Illinois Bar
8 and inquired about it. I was told that since Mr. Obama is
9 inactive, it's not a problem.

10 I contacted the Bar again and I demanded
11 investigation, at which time, Mr. Obama's record as an
12 attorney was changed from "inactive" to "not allowed to
13 practice law." Mr. Obama has resigned from the Bar, he gave
14 up his law license and I believe it was --

15 JUDGE MALIHI: How is that relevant, counsel, to
16 the legal issues before me?

17 MS. TAITZ: It's relevant to the fact that he is
18 hiding his identity under his prior names -- Soetoro and
19 Soebarkah. And we have a whole record of Mr. Obama going
20 through life hiding records.

21 Next --

22 JUDGE MALIHI: Counsel, I'm going to ask you to
23 submit your testimony in writing.

24 MS. TAITZ: Sure, okay.

25 JUDGE MALIHI: Let's make a closing argument.

1 MS. TAITZ: Okay.

2 Your Honor, U.S. citizens have cherished
3 Constitutional rights, their First Amendment right to -- for
4 free speech. Voting is a political speech that is extremely
5 important. Our democracy rests on this. Women fought for
6 years in suffrage movements for this right to be able to
7 vote. Minorities right here in the south fought for their
8 right.

9 My clients are fighting for their right to vote
10 for a person who is legitimate. They're fighting for their
11 right to participate in lawful elections that are free from
12 fraud and forgery. The Plaintiffs have shown, and the
13 witnesses that testified here have shown, that not only
14 there is a Constitutional problem with Mr. Obama's
15 eligibility that his father was not a U.S. citizen, but we
16 have clear evidence of fraud and forgery in Mr. Obama's
17 birth certificate, his Social Security Number, and since
18 those are primary documents, all the other documents that
19 were issued based on those two.

20 We also presented evidence showing that Mr. Obama
21 used other last names -- Soetoro and Soebarkah -- and we do
22 not have any evidence of him legally changing his name from
23 Soetoro to Obama; and the fact that he was a citizen of
24 Indonesia. There is no evidence to show that this was
25 changed.

Page 43

1 Based on all the above, the Plaintiffs submit that
2 they have proven -- they've met their burden of proof and
3 Mr. Obama should be found ineligible.

4 Moreover, I have issued a subpoena, Your Honor has
5 stated to Mr. Obama that this subpoena needs to be honored,
6 he should have been here with certified documents with
7 embossed seal to show that indeed he has anything. So far,
8 the only thing that Mr. Obama has shown is a computerized
9 image that could have been created yesterday, that he is
10 posting on mugs and tee shirts. Mugs and tee shirts are not
11 a prima facie evidence.

12 Not one single judge in the country has found that
13 Mr. Obama is legitimate for presidency. All the cases --
14 you know, we've heard in the media fraudulent statements
15 that came from Mr. Obama's attorney, Mr. Jablonski, that the
16 issue was litigated, it was proven he is eligible. That's
17 fraud. It was never litigated on the merits. Not one judge
18 stated that Mr. Obama has a valid birth certificate. Not
19 one judge stated that he has a valid Social Security Number.
20 Not one judge found that Obama is legally his name or that
21 the person sitting in the White House is indeed Barack
22 Obama. It was never heard on the merits, it was never heard
23 in a court of law on the merits. And, therefore, the
24 Plaintiffs are asking to rule on the merits.

25 Also, because our reports are due by February 5, I

Page 44

1 would ask Your Honor for Letters of Interrogatory. I worked
2 for three years trying to get additional documents. I was
3 threatened, defamed. And without Letter of Interrogatory
4 from Your Honor to the First Circuit Court in Hawaii to
5 issue a local subpoena to the Department of Health, and
6 Letter of Interrogatory to the D.C. Court to get Mr. Obama's
7 passport, immigration and social security records, we would
8 not be able to get any original records. So I would ask not
9 only to find that Mr. Obama is not eligible based on the
10 documents that we have, but also Letter of Interrogatory so
11 we can disclose all of the original records, if they exist,
12 forward to the other states, so there will be consistency
13 between all 50 states.

14 And as Mr. Sampson has stated, if it would have
15 been anybody else, it would have gone to a warrant for
16 arrest and deportation. We are all equal under the law in
17 this country. A person -- a poor person in the poor house
18 or a president in the White House are all equal under the
19 law and I'm asking Your Honor to hold Mr. Obama in contempt
20 of court due to the fact that subpoena was issued and he
21 intentionally disrespected and disregarded the subpoena.

22 Thank you, Your Honor.

23 JUDGE MALIHI: Thank you very much, counsel. May
24 I have your exhibits before we close?

25 MS. TAITZ: Yes, Your Honor.

Page 45

1 (A document was proffered to the reporter.)

2 THE REPORTER: I don't know what this is.

3 MS. TAITZ: Put the next number on it.

4 (The document referred to was
5 marked for identification as
6 Plaintiff's Exhibit Number 7.)

7 JUDGE MALIHI: Ms. Taitz, may I have your
8 exhibits?

9 (Documents were proffered to the Court.)

10 JUDGE MALIHI: This concludes the hearing for
11 today. Have a good day.

12 MS. TAITZ: Thank you, Your Honor.

13 (Whereupon, the hearing was concluded at
14 11:12 a.m.)

15
16
17
18
19
20
21
22
23
24
25

Page 46

C E R T I F I C A T E

I, Peggy J. Warren, do hereby certify that the foregoing pages represent a true and accurate transcription of the events which transpired at the time and place set out in the caption, to the best of my ability.

Peggy J. Warren, CVR-CM, CCR A-171

1 **TRANSCRIPT OF MEDIA PRESENTATION**

2 **Sheriff Joe Arpaio, Maricopa County, Arizona**

3 **March 1, 2012**

4 **INVESTIGATION INTO BARACK OBAMA'S BIRTH CERTIFICATE**
5 **AND ELIGIBILITY TO HOLD THE OFFICE OF PRESIDENT**

6 **LISA ALLEN** [00:56]: Good afternoon. I'm Lisa Allen, the Director of Media
7 Relations for the Maricopa County Sheriff's Office, here to introduce you to those
8 who are going to be speaking today and presenting the initial findings of a six-month
9 long investigation by the Sheriff's Cold Case Posse into the authenticity of the
10 President's birth certificate and his subsequent eligibility to hold the Office of
11 President.

12 [01:21] Addressing you today will be Sheriff Joe Arpaio. The Sheriff will provide a
13 brief synopsis of the investigation's initial findings. Following his opening remarks,
14 Mike Zullo, Lead Investigator from the Cold Case Posse will provide far more details
15 on the findings and how investigators came to their conclusions so far. Dr. Jerry
16 Corsi, Jerome Corsi, is also here. He will detail his involvement in the investigation.
17 Also present with us today but not having any official presentation is Mara Zebest.
18 She is a computer specialist, author, and lecturer of document creation and
19 publication. Denise O'Rourke is here. She's one of the Phoenix based attorneys who
20 worked alongside investigators during the course of the investigation, and Carl Seel,
21 State Representative from District Six is here to briefly discuss his effort to
22 reintroduce legislation pertaining to this particular matter.

23 [02:24] Once Dr. Corsi finishes his brief remarks, Sheriff Arpaio will conclude the
24 press conference with his final thoughts on the matter. At this point we will be open
25 to questions. Most of the questions, you need to know, will be handled by Mike Zullo
26 or Dr. Corsi. In the materials available to you today is a short introduction on all of
27 those participating in today's press conference.

28 [02:49] This will be what we call a technically complex press conference, and all of
29 us here have endeavored to make it as easy to comprehend as possible. So to
30 facilitate that goal, we have provided not only a lengthy and detailed press release,
31 but the Posse also put together six short presentations which you will see today
32 helping to explain why investigators believe the veracity of the President's birth
33 certificate and Selective Registration card are highly suspect. Those videos will be
34 made available through YouTube later today for public dissemination, and just for full
35 disclosure, this press conference is being streamed live as we speak.

36 Here's Sheriff Arpaio.

37 **SHERIFF ARPAIO** [03:39]: Good afternoon. You know, in August last year, a large
38 group of citizens came to my office from the Surprise Arizona Tea Party and met with
39 me, asked if I would investigate the controversy surrounding President Obama's
40 birth certificate and his ability to serve as the President of the United States. This
41 group expressed displeasure that no law enforcement agency in the country has ever
42 gone on record indicating that they had either looked into this situation or were
43 willing to do so.

44 [04:26] I decided to utilize my Cold Case Posse, volunteers, to investigate the
45 situation at no expense to the taxpayers. I repeat, no expense to the taxpayers. The
46 Cold Case Posse has received much criminal training in investigations from my office
47 and agreed to take on the challenge. The Posse reports directly to the office of the
48 elected Sheriff, per the Arizona Constitution, consisting of former police officers,
49 attorneys, who worked side by side for six months investigating this matter. I asked
50 them to conduct the investigation with no preconceived ideas. Call it like it is. The
51 critics will say that this investigation is politics, but let me clear that up on one point.
52 I felt that this investigation could clear the President Obama's name and put people's
53 mind at ease. It would be beneficial to our country as a whole and to the citizens of

54 Maricopa County, Arizona, who came to me saying they felt their concerns were
55 being ignored.

56 [06:09] The investigation focuses on the electronic file you'll see, that was presented
57 as President Obama's long-form birth certificate to the American people and to
58 citizens of Maricopa County by the White House in April of last year. The
59 investigation then also led us to a closer examination of the President's Selective
60 Service Registration card. Upon close examination of the evidence, we are prepared
61 today to say we believe probable cause exists indicating that forgery and fraud may
62 have been committed, not only in President Obama's long form birth certificate, but
63 more disturbing evidence suggests that another fraud may have been committed
64 regarding his Selective Service Registration card. At the very least, I can tell you
65 this: based on all of the evidence presented and investigated, I cannot in good faith
66 report to you that these documents are authentic.

67 [07:39] My investigators believe that the long form birth certificate was
68 manufactured electronically and that it did not originate in a paper format as claimed
69 by the White House. How we came to that conclusion will be presented to you by our
70 lead investigator, Mike Zullo.

71 **MIKE ZULLO** [08:16]: Good afternoon. My name is Michael Zullo. I am the Lead
72 Investigator for the Maricopa County Cold Case Posse.

73 [08:24] I wanted to give you a little background real quick, and then I'm going to
74 move into some videos that we made. I am going to ask for your forgiveness. The
75 videos we're going to show you today are drafts. The final copies failed to arrive this
76 morning. We have some typos. Please excuse the spelling mistakes.

77 [08:41] Going back to what the Sheriff had just informed you, when the Sheriff
78 commissioned the Cold Case Posse to look into this matter, the Sheriff advised that
79 he had no prior knowledge of this information, he didn't know whether or not an
80 offense had been committed, didn't even know whether this was in his jurisdiction or
81 not. Rather than using taxpayer dollars to go on a fishing expedition, the Sheriff
82 commissioned the Posse. We put together a group of five individuals: three former
83 police officers, all with criminal investigative experiences from other agencies, as

84 well as being trained by the Maricopa County Sheriff's Office General Investigation
85 Division. We also brought in two attorneys so we could get some solid legal input.

86 [09:28] Going forward, our methodology was to look at this document and validate
87 this document. In other words, all we wanted to do was look at this information,
88 reproduce what was in this document, and then move on. If we could reproduce it,
89 there truly is no issue. Unfortunately the evidence took us somewhere else.

90 [09:51] In order to take this complex problem and bring it down to a level that we
91 all can understand it, I'm going to ask you to endure six short videos. The average
92 duration is one-and-a-half minutes, with a concluding video to be about four
93 minutes.

94 [10:30]: While he's doing that, the sixth video is going to be a video highlighting Mr.
95 Obama's Selective Service card. The Selective Service Registration card had been a
96 point of controversy, and during our investigation this information kept surfacing. So
97 we decided to take a look at that as well. That's going to be self-explanatory.

98 [10:51] As far as the birth certificate itself is concerned, the first video you are going
99 to see is what this document should have looked like had it been a paper document
100 to begin with. We do not believe this document that presented on April 27, 2011 by
101 the White House, ever existed in paper form.

102 [11:12] So if you just bear with me, we'll get that video going, and we can move on
103 from there.

104 **= VIDEO 1 START =**

105 [11:23] "What should President Obama's birth certificate have looked like after being
106 scanned into a computer? In order to find out we stripped away the document's
107 green background, leaving only a black and white document. Next the document was
108 photocopied onto green basket-weave safety paper. The document was then
109 scanned into a computer and opened in Adobe Illustrator. Once inside Illustrator
110 the file was as it should be; it has one layer and one link. As the document is
111 enlarged we'll notice two more characteristics that confirm it was produced by

112 scanning a paper document into a computer. First, the texture of the paper can be
113 seen underneath the ink. Secondly, the image noise is consistent throughout the
114 document as we scroll from top to bottom. So to recap, we have one layer, one link,
115 and noise that is consistent throughout the document.

116 [12:30]: "So why didn't the birth certificate file released by President Obama behave
117 the same way? Can the anomalies in President Obama's birth certificate be
118 explained by the use of OCR software or perhaps by the fact that the document was
119 optimized prior to released? We'll explore these possible explanations in a moment.
120 But first we'll take a closer look at President Obama's birth certificate."

121 **= VIDEO 1 END =**

122 **MIKE ZULLO** [13:02] : What I want you to remember about that particular video is
123 because the President's birth certificate released by the White House was an
124 electronic document, we literally had the capability to go into that file and turn off
125 the green safety paper background. Anybody that gets documents anywhere realizes
126 that safety paper is supposed to be a source of comfort that it is an official
127 document. We had the ability to turn it off.

128 [13:29] We turned it off and we scanned the President's birth certificate onto a hard
129 copy paper document, a paper, a safety paper document we actually laid his birth
130 certificate on top of.

131 [13:43] Now what you're going to see is the differences between what we did and
132 what the file from the White House actually contains.

133 **= VIDEO 2 START =**

134 [13:52]: "We've already seen what is supposed to happen when a paper document is
135 scanned into a computer and opened in Adobe Illustrator.

136 [14:01]: "Now let's use Illustrator to open the PDF file of Obama's long-form birth
137 certificate that was posted on WhiteHouse.gov on April 27th, 2011. At first glance the
138 document appears to have only one layer. However a quick glance at the links

139 palette indicates that there are many layers. Nine layers to be exact. As we turn
140 each layer on and off, note the information that each contains. As layers 1 and 2 are
141 turned on and off they appear to contain no information. As we will see later,
142 nothing could be farther from the truth.

143 [14:49]: "Keep your eyes on Box 20, 22 and the Date Stamp at the bottom of the
144 page as we click layers 4, 5 and 6 on and off. Layer 7 contains the State Registrar's
145 stamp, layer 8 most of the type, and layer 9 the green safety paper background.

146 [15:11]: "Perhaps most troubling is the way the Date Stamp, and the State
147 Registrar's stamp at the bottom edge of the page, can be moved around the page in
148 their entirety once they've been selected. This immediately caught the attention of
149 Maricopa County Sheriff's investigators.

150 [15:31]: "You'll recall that when a paper document is scanned into a computer we
151 typically see an even level of noise throughout the document. So does the PDF file
152 released by the White House pass this test? No it does not. As you can see as we
153 scroll down the document, noise is not evenly distributed as it should be.

154 [15:55]: "Those who have attempted to defend the documents authenticity rely
155 primarily on two theories. One, that the document may have had Optical Character
156 Recognition software applied to it, or that because the document was optimized
157 before being released to the general public these anomalies are expected. As you
158 will see, both theories are easily debunked."

159 **= VIDEO 2 END =**

160 **MIKE ZULLO** [16:23]: As you can see in this video, we scanned in a control
161 document the way a document would be if you just simply scan it into a computer,
162 put it into a PDF file, and wanted to upload it onto the internet for viewing. If any
163 one of you brought me your birth certificate, I could scan it into a computer and get
164 that same effect. There would be no links, no layers, nothing able to move on the
165 document.

166 [16:48] Over the last 10 months with all the controversy, there have been those that

167 tried to explain away these anomalies, and they tried to explain them away by
168 offering up excuses of OCR software or optimization. We tried to control study on
169 using OCR software and optimization, attempting to again validate Mr. Obama's birth
170 certificate. These were our results.

171 **= VIDEO 3 START =**

172 [17:19]: "Theories put forth by those who are trying to defend the authenticity of
173 Barack Obama's long-form birth certificate, is that the many anomalies contained in
174 the document are there because Optical Character Recognition (or OCR software)
175 was applied to the document prior to its release by the White House. What is OCR
176 software, and what evidence is there that this software was, or was not, applied to
177 President Obama's long-form birth certificate before being released by the White
178 House?"

179 [17:54] "In order to determine if OCR software had been applied to the file released
180 by the White House, we put it through a 3-part test. First, can fonts be recognized
181 in the document? Secondly, can words be searched for in the document, and third,
182 can text be edited in the document?"

183 [18:13] "Before we look at Barack Obama's long form birth certificate, let's take a
184 look at a document we know has had OCR software applied to it. This document
185 started out as a piece of paper. It was scanned into a computer and then had OCR
186 software applied to it. As we can see, fonts are recognized in the document, so it
187 has passed the first part of our test. Next we'll see if words can be searched for in
188 the document. Let's try the word "constitution" .. and there it is. The document has
189 now passed the second part of the test. Now we'll see if text within the document
190 can be edited .. Indeed it can. The document has passed all three parts of our test.
191 We can say, with 100-percent certainty, that this document did have OCR software
192 applied.

193 [19:32] "Now we'll put the file released by the White House through the same 3-
194 point test. First we check to see what fonts were identified. As you can see no
195 fonts were identified, therefore the document fails the first test. Now we'll search
196 for a word that we know is in the document. It would seem that no matches were