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3 **Dr. Orly Taitz, esq**
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8 UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF COLUMBIA

10 Dr. ORLY TAITZ, ESQ, PRO SE
11 Plaintiff,

12 v.

13 Barack Hussein Obama,
14 Defendant.

§ HONORABLE ROYCE LAMBERTH
§ PRESIDING
§ **Civil Action: 10-151 RCL**
§ APPLICATION FOR
§ PRELIMINARY INJUNCTION
§ ORAL ARGUMENT REQUESTED
§

15 Notice of Application For Preliminary Injunction pursuant to LCvR 65.1 (c),
16 LCvR 65.1 (d)

17 Plaintiff is seeking a Preliminary Injunction to recuse the US attorney's office
18 from representing the defendant.

19 Plaintiff is seeking a Preliminary injunction- Injunctive relief to obtain the vital
20 records of the defendant prior to the February 26 deadline for document and response
21 submission of the response by the Plaintiff to the CA Bar.

22 Plaintiff is seeking a preliminary injunction hearing within 20 days, as prescribed
23 by LCvR 65.1 (d) to be scheduled by the court prior to March 1st.

24 Memorandum of point and authorities
25

26 The only relevant authority in this case, is the unanimous decision rendered by
27 the Supreme Court of the United States and provided by the opinion written by two
28 justices: John Paul Stevens and opinion by Steven Breyer. "Sitting president of the
United States has no immunity from civil law litigation against him from acts done

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3 before office and not related to the office”. Clinton v Jones, 520 US 681 (1977).
4 Decision was made based on Article 2 of the Constitution of the United States.

5 Background of the Case and Factual Allegations

- 6 1. Plaintiff in this case is Dr. Orly Taitz, ESQ, (hereinafter Taitz) who is a CA
7 licensed Attorney and also a licensed Doctor of Dental Surgery. She is the
8 president of the “Defend our Freedoms” Foundation, that seeks to educate the
9 citizenry about the Constitutional freedoms, envisioned by the framers of the
10 Constitution and guaranteed to us all. She was born and raised in the
11 Communist Soviet Union and was able to see first hand the social devastation,
12 caused by lack of guaranteed Constitutional freedoms and liberties.
- 13 2. Defendant is Barack Hussein Obama, President of the United States
14 (Hereinafter Obama).
- 15 3. Taitz alleges that she has a unique standing to bring this case as she suffered
16 unique damages and she was the harmed by the actions of the defendant.
- 17 4. Prior to the 2008 election Taitz became concerned regarding Obama’s refusal
18 to unseal any of his original vital records, that would prove his eligibility to
19 office.
- 20 5. Taitz has written to the CA secretary of State Debra Bowen, asking which
21 documents she checked to ascertain Obama’s eligibility.
- 22 6. Bowen responded by stating that she did not check anything, but rather relied
23 on Obama’s statement that he is eligible.
- 24 7. Taitz has related this finding with fellow voters through an article published
25 in Westminster Herald and through public appearances.
- 26 8. Taitz argued that hypothetically speaking, utilizing such lack of zeal in
27 verifying credentials, anyone can become the president, even Osama Bin
28 Ladin can hypothetically become a president if he was to put his name on the
 ballot and have several hundred million for the campaign.

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- 9. Taitz filed two legal actions prior to the meeting of the electoral college. Those actions were filed on behalf of the Presidential candidate from the American Independent party former UN Economics and Cultural Commission Ambassador Alan Keyes and vice presidential Candidate Gail Lightfoot.
- 10. Chief Justice of the Supreme Court John Roberts agreed to hear Lightfoot v Bowen in the conference of all nine justices on 01.23.09.
- 11. On 01.21.09, one day after the inauguration of Barack Hussein Obama, all mention of Lightfoot v Bowen by attorney Taitz was erased from the docket of the Supreme Court. After numerous complaints from the public the case was re-entered in the docket, however subsequently when Taitz asked one of the Justices, Justice Scalia about the case, he had no knowledge of existence of this case. Taitz has filed a complaint and demanded investigation, but received no answer from law enforcement.
- 12. After the 2008 election over 200 members of the US military with ranks up to Major General, a number of state Representatives and others have signed up to be plaintiffs represented by Taitz in seeking verification of eligibility of Obama to be president.
- 13. Taitz has filed a number of legal actions seeking verification of eligibility. Most of the cases were dismissed when the judges claimed that the plaintiffs didn't have standing and the courts lacked jurisdiction.
- 14. There were some 100 Federal and State cases filed by pro se plaintiffs and other attorneys, all of which were dismissed on procedural grounds due to lack of standing or jurisdiction
- 15. Twelve citizen grand juries have come up with indictments or presentments of Obama, as ineligible, however no law enforcement official or judge would assert jurisdiction.

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16. Obama has refused to unseal any of his original vital records. No one was allowed to see his original birth certificate, college application records, financial aid forms or his medical records.
17. The only record Obama presented, was a short version Certification of Live birth, issued in 2007, which didn't provide the name of the hospital, name of the doctor in attendance or signatures of any witnesses.
18. In light of the fact that the state of HI statute 338-17 allowed foreign born children of Hawaiian residents to get Hawaiian birth certificates and statute 338-5 allowed birth certificates to be obtained without any corroborating documents from any hospitals, there is no verifiable prima facia evidence of Obama's birth in Hawaii.
19. Chiuomi Fukino, Hawaiian director of the Health Department has prepared a carefully crafted statement, claiming that Obama's vital records, currently sealed in Hawaii, were valid. She refused to provide any explanation, what birth certificate was on file: was it one based on Statute 338-17, or based on 338-5, was it an amended birth certificate obtained after Obama, was adopted by his Indonesian stepfather, was it a late birth certificate, obtained after the original was lost or destroyed. In all of these instances Obama would have a valid document based on Hawaiian rules and regulations, but not a sufficient verification of Hawaiian birth. In July 2009 Taitz represented Major Stefan Cook in Cook v Good, 4:2009 cv82 in front of Judge Clay D. Land in Columbus GA. In September of 2009 she represented a flight surgeon Captain Connie Rhodes in Rhodes v McDonald in front of the same Judge Clay D Land.
20. In both cases members of the military were supposed to be deployed to Afghanistan and Iraq and they were questioning the deployment orders

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coming from Obama down the chain of command, as they didn't believe those orders were legitimate.

21. After becoming a plaintiff and legitimately seeking verification of Obama's eligibility Major Cook was subjected to retaliation whereby his employer, a small military contractor was pressured by the military to fire Major Cook from his \$120,000 a year job.

22. After investigator Sankey compiled a database for Taitz, showing that some 39 different social security numbers were used by Obama, he was subjected to audit by Lexis Nexis.

23. When former immigration officer and private investigator John Sampson has provided Taitz information showing Obama using Social Security number 042-68-4425 issued in CT, he was locked out of LocatePlus search database in retaliation for his Obama search, which affected his livelihood as investigator.

24. When police officer, Mr. Ronald Dishler from Beaumont, TX cooperated with Taitz and attempted to investigate suspected forgery in Obama's Certification of Live Birth, he was threatened with investigation against him, officer Dischler.

25. In Georgia Presiding judge Clay D. Land tried to intimidate Taitz and stop her from filing any more legal actions against Obama by threatening \$10,000 sanctions if she files any more legal actions on behalf of members of the military against Obama.

26. When Taitz filed a motion for stay of deployment of her client Captain Connie Rhodes, pending re-consideration of her case, Judge Land has assessed \$20,000 against her and has written a denigrating order.

27. Order from Judge Land was forwarded to the CA bar and her answer is due by February 26.

28. Members of CA bar are predominantly Democrats and among largest donors and supporters to Obama campaign and Democratic National Campaign. Taitz

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has a legitimate concern that CA bar will be used as a tool for retaliation against her, particularly in light of recent wrongful disbarment and imprisonment of former Assistant US attorney, community activist and antitrust constitutional lawyer Richard Fine.

29. Taitz clearly became a dissident against Obama regime and her license, her livelihood, well being of her family and, judging by the case of Richard Fine, her very freedom is at stake.

28. Additionally she saw a group of convicted criminals, convicted document forgers, who appear to be working in concert, submitting perjured affidavits, forging her signature in order to derail her cases and endanger her license.

30. There is a clear concerted effort to destroy her legal actions, undermine her law license and destroy her as a human being.

31. Such attacks were unrelenting, coming from each and every direction not by the hour, but by the minute. The attacks have risen to the level of hate crimes. Pro Obama ‘main stream media’ has covered her by a barrage of insults, assaults and harassment.

32. After she received a threat to kill her and burn her body for the whole world to see, there was a warning signal in her car. Test by a mechanic showed that the fumes emissions hose was disconnected and hot combustible fumes were going back to the engine which was a dangerous condition for her and her family riding in the car.

33. At the same time Obama has given speeches about civility, telling the audience, such as theologians at the National prayer breakfast that there is a need for civility, and there should be no questioning of his citizenship. He conveniently forgot to mention to the audience, his refusal to unseal his original vital records or his use of multiple social security numbers, none of which were issued in the state of Hawaii, where he resided.

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34. All Obama had to do, was take one minute of his time and sign a consent to unseal his vital records, yet he has chosen to continue to obfuscate all of his vital records and either orchestrate or at least stay idle, showing reckless disregard to mental anguish Taitz was subjected to, showing more than lack of civility, it showed a totally depraved heart.

Preliminary injunctive relief sought

Plaintiff re-alleges in this paragraph everything alleged previously and also alleges the following:

Plaintiff is seeking an order by this honorable court directing the defendant to release by February 26, 2010 his original birth certificate, which was allegedly obtained based on the defendant's birth in Kapiolani hospital in Hawaii on 08.04.61.

Plaintiff is seeking an order by this Honorable court directing the defendant to release his birthing (birth or labor and delivery) file from Kapiolani Hospital by February 26, 2010.

Plaintiff is seeking an order by this Honorable court directing the defendant to release by February 26 his school enrolment records and financial aid application records from Occidental college, Columbia University, Harvard university and Punahoa high school.

Plaintiff is seeking an order by this Honorable court directing the defendant to release by February 26 any and all of his passport applications.

Plaintiff is seeking an order by this Honorable court directing the defendant to release by February 26 his Social Security application and explain why Social Security number, used by him for most of his life, and **used for registering for the Selective Service** shows 042- the code of the State of CT, even though the defendant never resided there, and why this number shows as being assigned to an individual born in 1890, even though the defendant was not born in 1890 and is not 120 years old.

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Plaintiff is seeking an order by this Honorable court directing the defendant to provide an explanation by February 26, why National databases Choice Point and Lexis –Nexis show him using as many as 39 different Social Security numbers, none of which were issued in the state of Hawaii.

Plaintiff is seeking an order by this Honorable court directing Mr. Michael Astrue. Director of the Social Security administration, to provide by February 26 an original Social Security application for Barack Hussein Obama and an explanation why is he using a Social Security number issued in the state of Ct, to an individual born in 1890, even though the Defendant never resided in the state of CT and was not born in 1890, as well as access to the original Social Security application of the defendant to be granted to the plaintiff’s forensic document expert.

Plaintiff is seeking an order by this Honorable court to direct the Secretary of State Hillary Clinton to release by February 26 defendant’s passport application and an access to such application to be granted to the plaintiff’s forensic document expert.

Injunctive relief is necessary, as monetary damages will not resolve the conflict at hand. Only specific performance will provide the information needed. There is no other source, where such information can be obtained.

Hardship on the defendant is minimal. All that is required from the defendant is one minute of his time to sign a consent for the release of his vital records, that are routinely released by candidates for political office and would simply confirm information alleged by Obama. Those records do not represent prying into personal life and definitely would represent less interference and less disclosure then was experienced by President Clinton in Clinton v Jones, when such disclosure was allowed by the courts.

The plaintiff will suffer irreparable harm if the injunction is not ordered. Her career, law license and her whole life will be in turmoil.

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When one compares the weight of hardships on both parties, the hardship on the plaintiff greatly outweighs the hardship on the defendant.

Requested Injunctive relief is in the interest of the public at large as legitimacy of the president affects the public. An illegitimate president represents danger to the National Security and well- being of the country as a whole.

The system of justice will benefit, as it will show that no one is above the law, that there is no two tier system, where the bottom tier has to abide by the laws and the constitution and the top tier can arrogantly disregard and disrespect them.

Based on all of the above equitable relief of production of all the requested vital records will be a proper and necessary remedy.

Necessity of recusal of the US attorney's office is in the best interest of all of the parties and all of the parties and the public will benefit from such recusal .

In case the US attorney's office is not recused and it is found that the defendant has committed federal criminal offences, the same US attorney's office will be prosecuting him, which will deny him fair trial.

If the US attorney is not recused, due to apparent conflict of interest the plaintiff will be denied access to evidence, as granting such access will create conflict of interest with the defendant as a client of the US attorney's office.

Lastly the public will be in detriment and damaged without such recusal, as the main purpose and function of the US attorney's office is to represent the United States of America and the people of the United States of America. In case the defendant is committing fraud, there will be a conflict of interest between him and the public at large, the public will not be represented which will cause irreparable harm to the public.

Any hardship associated with the recusal, is minimal and nominal. If the defendant is not committing fraud, then all he needs to do, is take a minute of his time to sign the consent for release of a few vital records and the plaintiff will be

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happy to pay the \$12 customary fee for the certified copies as well as for the analysis with the forensic document examiner, if needed.

Based on all of the above, all of the parties to the dispute will benefit from the recusal, and it will be in the best interest of public at large.

Wherefore the plaintiff respectfully requests this Honorable court to grant her application for injunctive relief as stated above.

/s/ DR ORLY TAITZ ESQ

By: _____
Dr. Orly Taitz, Esq. (California Bar 223433)
Attorney for the Plaintiffs
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Affidavit of Orly Taitz

1. My name is Orly Taitz, I am a resident of Orange County CA, I am over 18 years old, free of any mental impairment or condition and declare under penalty of perjury the following.
2. In March of 2009 I have submitted to Attorney General Eric Holder and in April 2009 I submitted to US Attorney for the District of Columbia Jeffrey A. Taylor a Quo Warranto request, where I provided information, that Barack Obama did not provide any prima facie evidence, verifying his eligibility for US presidency.
3. In January-March 2009 I submitted to Atty General Holder and US Attorney for the district of Columbia Taylor a number of dossiers, which provided information that Mr. Obama has obfuscated his vital records and used multiple social security numbers.
4. I submitted an affidavit from a licensed investigator Neil Sankey, showing that according to most reputable National databases Lexis Nexis and Choice Point Barack Obama used as many as 39 different social security numbers, none of which were issued in the state of Hawaii, where he resided. (Submitted as an exhibit with the complaint)
5. The same affidavit contained information, showing that the social security number 042-68-4425, that he used most often, was issued in the state of Connecticut to an individual born in 1890. Since Obama never resided in the state of Connecticut and was not born in 1890, it was a sign of clear violation of Title 42 US Code, section 408(a)(7)(B), misuse of a social security number, which is a federal felony punishable under Title 18 USC by fine or imprisonment of up to five years or both and an evidence of foreign birth and lack of proper citizenship status.
6. I submitted to Eric Holder and Jeffrey Taylor an affidavit from one of the most experienced, leading forensic document experts Sandra Ramsey Lines, showing

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that the Certification of life Birth Obama presented to the public by posting on his official web site cannot be considered genuine without examining the original Birth Certificate, currently sealed in the Health Department in HI.

7. I submitted an affidavit from a licensed investigator Susan Daniels, showing that according to her research Obama used a stolen social security number 042-68-4425, which was issued to another individual born in 1890 in the state of CT.
8. I verified with the Selective Service registration and found that Barack Hussein Obama's official Selective Service registration is under the same stolen social security number 042-68-4425, which was issued in CT to an individual born in 1890.
9. I verified with a former immigration officer and currently a private investigator John N. Sampson, who ran LocatePlus search in my presence and found that indeed Obama used Social Security number 042-68-4425, issued in the state of CT.
10. After Mr. Sampson provided his report, he suffered retaliation and his access to locator.com was locked.
11. For a period of nearly a year since I provided all the information Attorney General Holder and US attorney Taylor haven't responded.
12. Over two hundred members of the US military up to the rank of Major General, as well as State Representatives and candidates on the ballot including former UN Economic and Cultural Commission ambassador Alan Keyes, PhD have signed as my clients-plaintiffs, seeking to unseal vital records of Obama and ascertain his legitimacy for the presidency.
13. As I brought such legal actions in several courts, I was subjected to a campaign of intimidation, harassment and retaliation.
14. In Columbus, GA I represented two members of the US military who questioned Obama's eligibility.

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- 15. Presiding judge Clay D. Land tried to intimidate me and stop me from filing any more legal actions against Obama by threatening \$10,000 sanctions if I file any more legal actions on behalf of members of the military against Obama.
- 16. When I filed a motion for stay of deployment of my client Captain Connie Rhodes, pending re-consideration of her case, Judge Land assessed \$20,000 against me and wrote a denigrating order.
- 17. Order from Judge Land was forwarded to the CA bar.
- 18. Additionally I see a group of convicted criminals, convicted document forgers, who appear to be working in concert, submitting perjured affidavits, forging my signature in order to derail my cases and endanger my license.
- 19. There is a clear concerted effort to destroy my cases, undermine my law license and destroy me as a human being.
- 20. At the same time my clients and associates were subjected to unrelenting attacks.
- 21. I have a serious concern that a CA bar will be used as yet another tool in the same effort to destroy me and stop my efforts in exposing Obama's illegitimacy for the presidency.
- 22. I am supposed to provide an answer to the CA bar by 02.26.10.
- 23. Providing answers and resolving matters of Obama's eligibility for presidency and his use of multiple social security numbers, is the only remedy, that will end the total nightmare, I was subjected to.

Affiant sayith further not.

In witness whereof, Orly Taitz has executed this Affidavit this __12__ day of February, 2010

/s/ DR ORLY TAITZ ESQ
By: _____
Dr. Orly Taitz, Esq. (California Bar 223433)
Attorney for the Plaintiffs
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Rancho Santa Margarita CA 92688

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Tel.: 949-683-5411; Fax: 949-766-7603
E-Mail: dr_taitz@yahoo.com

State of California
County of Orange

Subscribed and sworn before me on _____ day of February, 2010, 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 CA

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PROOF OF SERVICE

I CERTIFY THAT TRUE AND CORRECT COPY OF THE ABOVE PLEADINGS WAS SERVED on 02.12.10 by First Class Mail.

Channing Phillips, US Attorney for the District of Columbia

501 3 rd str. NW

Washington DC

/s/Orly Taitz

Dr. Orly Taitz Esq
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Proposed Order

Defendant is ordered to release by February 26,2010 his original birth certificate, which was allegedly obtained based on the defendant’s birth in Kapiolani hospital in Hawaii on 08.04.61.

Defendant is ordered to release his birthing (birth or labor and delivery) file from Kapiolani Hospital by February 26, 2010.

Defendant is ordered to release by February 26 his school enrolment records and financial aid application records from Occidental college, Columbia University, Harvard University and Punahoa High School.

Defendant is ordered to release by February 26 any and all of his passport applications.

Defendant is ordered to release by February 26 his Social Security application and explain why Social Security number, used by him for most of his life, including Selective Service application shows 042- ,the code of the State of CT, even though the defendant never resided there, and why this number shows as being assigned to an individual born in 1890, even though the defendant was not born in 1890 and is not 120 years old.

Defendant is ordered to provide an explanation by February 26, why National databases Choice Point and Lexis –Nexis show him using as many as 39 different Social Security numbers, none of which were issued in the state of Hawaii.

Mr. Michael Astrue, Director of the Social Security Administration, is ordered to provide by February 26 an original Social Security application for Barack Hussein Obama and an explanation why is he using a Social Security number issued in the state of Ct, to an individual born in 1890, even though the Defendant never resided in the state of CT and was not born in 1890, as well as access to the original Social Security application of the Defendant to be granted to the Plaintiff’s forensic document expert.

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Secretary of State Hillary Clinton is ordered to release by February 26
Defendant's passport application and access to such application to be granted to the
Plaintiff's forensic document expert.

It is so ordered and adjudged

Honorable Royce C. Lamberth