

Dr. Orly Taitz, ESQ

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Dr. ORLY TAITZ, ESQ, PRO SE	§	
Plaintiff,	§	
	§	
v.	§	EMERGENCY
	§	MOTION FOR
Michael Astrue, Commissioner of the	§	RECONSIDERATION
Social Security Administration,	§	11-cv-00402
		§ a hearing within 20 days
		§ requested
		§ Honorable Royce Lamberth
Respondent	§	Chief Justice presiding

Motion for reconsideration under FRCP rule 60B(2), (6)

Rule 60. Relief from a Judgment or Order

(a) Corrections Based on Clerical Mistakes; Oversights and Omissions. The court may correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record. The court may do so on motion or on its own, with or without notice. But after an appeal has been docketed in the appellate court and while it is pending, such a mistake may be corrected only with the appellate court's leave.

(b) Grounds for Relief from a Final Judgment, Order, or Proceeding. On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:

- (1) mistake, inadvertence, surprise, or excusable neglect;
- (2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);
- (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;
- (4) the judgment is void;

(5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or

(6) any other reason that justifies relief.

ARGUMENT

Previously this court denied an appeal of the Social Security Administration denial of release of SS-5 for the Social Security number 042-68-4425 requested under FOIA 5U.S.512 for privacy reasons. At the time Petitioner did not have the name of the individual to whom the number in question was assigned. Recently Orly Taitz, Petitioner herein, obtained official records which were not available at the time of the final decision in this case, showing that the number in question was assigned to Harrison J. Bounel, born in 1890, whose SS-5 was supposed to be released by the SSA according to its' own "120 year rule" as a SS-5 of "extremely aged individuals" of 120 years old or older even without a consent of such individual and without proof of death of such individual. For that reason Taitz is seeking a motion for reconsideration and granting her request for SS-5 for SSN 042-68-4425 under FOIA 5U.S. 552 . Moreover, the emergency handling of the

claim and 20 day hearing is justified due to the fact that this is the most important matter of National security, as Mr. Barack Hussein Obama, aka Mr. Barack (Barry) Soetoro, aka Mr. Barack Soebarkah is currently occupying the White House while fraudulently using the Connecticut Social Security number of Harrison Bounel. Usurpation of the U.S. Presidency by an individual using fraudulent/stolen IDs justifies an emergency 20 day handling of the motion for reconsideration at hand.

**CURRENT MOTION FOR RECONSIDERATION IS BEING
SUBMITTED WITH CONCURRENT REQUESTS FOR JUDICIAL
NOTICE:**

1. Request for a Judicial Notice of the Chief FOIA Officer report and specifically “120 year rule” requiring release of the SS-5s of the extremely aged individuals of 120 years old or older without proof of individual’s death.
2. Request for a Judicial Notice of 1940 census, released to the public in 2011, showing Harrison J. Bounel being 50 years old in 1940, meaning that he was born in 1890, “an extremely aged individual”, whose SS-5 has to be released under the 120 year rule.
3. Request for a Judicial Notice of the Report of Merlins Information systems on Social Security number 042-68-4425 being used by aforementioned

Harrison J. Bounel and sworn affidavit of investigator Albert Hendershot attesting to the authenticity of the report.

4. Request for a Judicial Notice of form 709 of the 2009 Joint Tax Return of Barack and Michelle Obama, posted on the official White House web site WhiteHouse.gov, at 11:15:19 April 15 2010, which showed Barack Obama using a Connecticut Social security number 042-68-4425 of Harrison J. Bounel, as well as a sworn affidavit of Felicito Papa, attesting to the fact that the attached form 709 of the 2009 tax return is a true and correct copy of the aforementioned tax return filed by Barack and Michelle Obama.
5. Request for a Judicial Notice of a E-Verify report showing that Social Security number 042-68-4425 used by Obama in his 2009 tax return, was not issued to Barack Obama, as well as a sworn affidavit of Linda Jordan attesting to the fact that the E-Verify report at hand is a true and correct copy of the aforementioned E-Verify report obtained by her.
6. Request for a judicial notice of SSNVS (Social Security number Verification Systems) showing that the Social Security number 042-68-4425 used by Barack Obama in his 2009 tax returns was not issued to Barack Obama.
7. Declaration of Petitioner Orly Taitz stating that the records and affidavits submitted herein are true and correct copies of the aforementioned records and affidavits received by her.

8. Petitioner is submitting under seal an unredacted copy of the motion at hand and all the attached unredacted records and affidavits.
9. Petitioner is providing a complimentary copy of the aforementioned records and affidavits to the chambers.

Plaintiff herein Orly Taitz provides the following new information:

1. Taitz provides this court with the Official 2011 report of the Chief FOIA officer Section I, §1 (c) which states:

- "We have revisited longstanding decisions regarding the withholding of certain frequently requested data, to determine if our recommended guidance is still applicable and reflects the presumption of openness. For instance, **we issued new guidance for disclosing extremely aged individuals' original Social Security Applications (SS-5) when our records do not indicate a date of death. We developed a new policy that establishes a "120 year rule" and assumes that an individual is alive unless their birth date exceeds 120 years or we have proof of the individual's death.** This new policy enabled us to release more information and potentially reduced requests on appeal." Chief FOIA Officers report released to the public 03.07.2011. (bold accent added).

This document, released to the public in 2011 was not available to Taitz at the time of the original filing.

2.Taitz provides this court with a 1940 census released in 2011, which shows Harrison J. Bounel being 50 years old in 1940, meaning being born in 1890, immigrant from Russia, residing in 1935-40 on 915 Daly Ave, Bronx, NY. This shows that Harrison J. Bounel falls under the category of the "extremely aged individuals" and his SS-5 has to be released under the "120 year rule". This document was released to the public only in 2011 and was not available to Taitz at the time of the original filing.

3.Social Security number in question belongs to Harrison J. Bounel, immigrant from Russia, born in 1890. Taitz is providing herein a sworn affidavit from a professional investigator and debt collector Albert Hendershot showing the number in question found in a database assigned to Harrison J Bounel. In conjunction with this motion Taitz is seeking a Judicial notice of the acxiom.com/identity-solution databases report showing Harrison J. Bounel using Social Security number 042-68-4425. Mr. Hendershot has compiled and notarized his affidavit only on February 3, 2013, as such this information was not available to Taitz at the time of filing of the complaint.

4. Taitz provides a letter from an employee of the Social Security administration Dawn Wiggins dated November 14, 2012 where Wiggins refused to release requested SS-5 for Connecticut SSN of Harry (Harrison) J Bounel even though in 2012 Bounel would have been 122 years old and according to the report of the Chief FOIA officer SS-5 application for individuals over 120 years old should be released. (Letter from Dawn Wiggins is a part of the Affidavit of Albert Hendershot). This letter dated November 14, 2012 was not available to Taitz at the time of filing of the complaint.

5. On March 26, 2013 Taitz traveled to Stamford Connecticut where the number in question was issued and met with employees of the Social Security administration: Representative Madeline Mercado, Assistant Manager Mrs. Sheridan (she refused to give her first name) and General Manager Mrs. Booker (she refused to give her first name). Taitz demanded an explanation, why SSA is refusing to release the SS-5 for an extremely aged individual over 120 years old. Taitz was advised that General manager Booker and assistant manager Sheridan contacted the headquarters of the Social Security administration and Taitz will receive a response from the headquarters. Over 30 days passed and Taitz did not receive any information.

6. On April 15, 2010 Barack Obama posted his 2009 tax returns on line and originally by his own stupidity did not flatten the PDF file, so the full unredacted

Social Security number he used in his tax returns became available to thousands of U.S. citizens who cared to open the file with Adobe Illustrator or a similar program. Later Obama realized that he made a mistake and removed the tax return from the web site, redacted the file and reposted it, however it was too late. The number became available to the public worldwide. The number which Obama used was the Social Security number of Harrison J. Bounel 042-68-4425. Taitz submits 05.23.2013 sworn affidavit of Felicito Papa, Graduate of ITT (Indiana Technical Institute) in Indianapolis, Indiana with the degree of Bachelor of Information technology. Per his affidavit Mr. Papa, he obtained the full, unredacted Social Security number used by Mr. Obama in his 2009 tax returns, form 709, which was posted at 11:15:29 AM on April 15, 2010 at <http://www.whitehouse.gov/sites/default/files/president-obama-2010-complete-return.pdf>. The number was redacted, the file was flattened at 6:17:52 PM on April 15, 2010. this information was not available to the petitioner at the time of filing of the complaint.

7. It was checked through E-Verify and SSNVS, two agencies of the U.S. government which are designed to check Social Security numbers, to make sure illegal aliens are not using stolen numbers and Obama failed both E-Verify and SSNVS, it showed that it was a number never assigned to Obama.

**ADDITIONAL ARGUMENT FAVORING EMERGENCY 20 DAY
HEARING.**

Latest developments in the country favor an expedited handling of the claim at hand.

Currently the Oversight Committee of the U.S. House of Representatives is conducting an investigation over the slaughter of the U.S. Ambassador and staff of the U.S. consulate in Benghazi, Libya. Testimony that was made public, shows Obama and his administration falsifying and altering the CIA report, removing the wording in regards to radical Muslims connected to Al Qaeda attacking the embassy and defrauding 315 million American citizens by claiming that the mortar attack and death of the ambassador was the result of the spontaneous demonstration. Petitioner is bringing these facts to show a modus operandi. If Obama and his staff could falsify the official CIA report in order to win an election, similarly he, working with other federal employees, could defraud American people and cover up the fact that Obama is using a Social Security number of another individual.

Additionally, Your Honor recently made news, as your Honor signed a warrant to release to Obama Department of Justice all of the records of all of the personal e-mails and phone calls of a FOX News reporter

James Rosen and Hon Royce Lamberth justified it as a matter of National security, even though the reporter was simply doing his job and asking questions.

Currently we have a criminal usurping the position of the U.S. President and Commander in Chief with his finger on the red button of the nuclear arsenal, while he is using a stolen Social Security number of an individual born 123 years ago, which represents the biggest crime ever committed against the United States of America. Surely this raises a concern of National Security as well. Previously Hon. Royce Lamberth denied this FOIA request claiming privacy interest. Now there are no more privacy concerns. Petitioner provided the court with the name of the individual to whom the number was issued. The Social Security number in question was issued to Harrison Bounel born in 1890 and according to the SSA "120 year rule" the SSA is obligated to release the number in question. Moreover, since the number was later fraudulently used by an individual usurping the U.S. Presidency, an emergency 20 day hearing is justified.

Petitioner herein is not asking Hon Royce Lamberth to tilt at windmills, she is asking him not to be complicit in the cover up of forgery, fraud,

elections fraud, Social Security fraud, IRS fraud, identity theft, usurpation of the U.S. Presidency and treason.

CONCLUSION

New information provided by petitioner Taitz shows that the Social Security number 042-68-4425 was assigned by the Social Security administration to Harrison J. Bounel, immigrant from Russia, born in 1890, who would have been 123 years old today. According to the Chief FOIA officer of the Social Security administration SS-5 for extremely aged individuals of 120 years old and older has to be released to the public under FOIA requests even without the proof of death. SSA wrongfully refused to release SS-5 for Harrison J. Bounel, extremely aged individual who would be 123 years old if he would be alive. Petitioner Taitz has exhausted her appeals, as she has requested aforementioned information since 2010, for over four years, and was repeatedly denied her request and was advised by the SSA that she exhausted her remedies with the agency and she is free to file an appeal with a court of law, which prompted the legal action at hand. Based on all of the above the SS-5 for "extremely aged" individual Harrison J. Bounel should be released under USC5 §552 and internal "120 year" rule of the Social security administration.

Respectfully submitted,



Dr. Orly Taitz ESQ

President of the Defend Our freedoms Foundation

cc Inspector General of the Social Security Administration

cc Senator Chuck Grassley, Ranking Member of the Senate Judiciary

Committee

cc Congressman Bob Goodlatte, Chair of the House Judiciary Committee

cc Daryl Issa, Chair of the House Oversight Committee

Declaration of Orly Taitz

I, Orly Taitz, am a petitioner herein and I declare under the penalty of perjury that the records, affidavits and any and all documents affixed to this motion and requests for Judicial Notice, are true and correct copies of such records, affidavits and document received by me.



/s/ Orly Taitz

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	§	
	§	
	§	Honorable Royce Lamberth
Respondent	§	Chief Justice presiding

**REQUEST FOR JUDICIAL NOTICE FILED IN CONJUNCTION WITH
AN EERGENCY MOTION FOR RECONSIDERATION**

Plaintiff Pro Se Dr. Orly Taitz (hereinafter "Taitz") hereby requests that the Court take judicial notice of the following document attached as Exhibit 1.

SOCIAL SECURITY ADMINISTRATION

Chief FOIA Officer Report for 2011

This request is made pursuant to Rule 201 (a), (b)1, (b)2, (c)2 of the Federal Rules of Evidence.

RULE 201. JUDICIAL NOTICE OF ADJUDICATIVE FACTS

(a) **Scope.** This rule governs judicial notice of an adjudicative fact only, not a legislative fact.

(b) **Kinds of Facts That May Be Judicially Noticed.** The court may judicially notice a fact that is not subject to reasonable dispute because it:

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(c) **Taking Notice.** The court:

(1) may take judicial notice on its own; or

(2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

(d) **Timing.** The court may take judicial notice at any stage of the proceeding.

(e) **Opportunity to Be Heard.** On timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed. If the court takes judicial notice before notifying a party, the party, on request, is still entitled to be heard.

Social security administration Chief FOIA Officer report is

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. Aforementioned report is posted on the official web site of the Social Security administration www.ssa.gov

and under 201 C (2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

the report in question is relevant to the proceeding as Petitioner Taitz is seeking reconsideration of the decision by the SSA to deny her release of the SS-5 for the Social Security number 042-68-4425 due to privacy considerations. In her motion for reconsideration Taitz provides newly discovered evidence showing that the Social Security number in question was assigned to Harrison J. Bounel, an immigrant from Russia, born in 1890. *Fed. R. Evid.* Rule 201. Under *Fed. R. Evid.* Rule 201(f) judicial notice may be taken at any stage of the proceeding. *Government of Canal Zone v Burjan*, 596 F.2d 690, 694 (5th Circ. 1979).

SSA Chief Foia Officer report in question in Section I, (1) (c) states

- We have revisited longstanding decisions regarding the withholding of certain frequently requested data, to determine if our recommended guidance is still applicable and reflects the presumption of openness. For instance, we issued new guidance for disclosing extremely aged individuals' original Social Security Applications (SS-5) when our records do not indicate a date of death. We developed a new policy that establishes a "120 year rule" and assumes that an individual is alive unless their birth date exceeds 120 years or we have proof of the individual's death. This new policy enabled us to release more information and potentially reduced requests on appeal.
- Since Harrison J. Bounel was born in 1890, he would be 123 years old and according to aforementioned 120 year rule SSA was obligated to release his SS0-5 under FOIA 5US 552.
- **CONCLUSION**
- This court should take the Judicial notice of the SSA Chief FOIA Officer report

Respectfully submitted



/s/ Dr. Orly Taitz ESQ

President of the Defend Our Freedoms Foundation

05.18.2013

cc Inspector General of the Social Security Administration

cc senator Chuck Grassley ranking member of the Senate Judiciary Committee

cc Congressman Bob Goodlatte Chair of the House Judiciary Committee

cc Daryl Issa, Chair of the House Oversight Committee

cc Inspector general of IRS

SOCIAL SECURITY ADMINISTRATION

Chief FOIA Officer Report for 2011

I. Steps Taken to Apply the Presumption of Openness

1. Describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA.

The Social Security Administration (SSA) has always taken pride in our level of service to the public. In that tradition, we continue to use the President's Memorandum and the Attorney General's Guidance to ensure that staff throughout the agency understand and implement the presumption of openness when they respond to FOIA requests.

Throughout the year, two agency components, the Office of Disability Adjudication and Review and the Office of Systems, were the subject of a high volume of FOIA requests. We initiated meetings with Agency FOIA coordinators in these offices to discuss the FOIA requests and proactively sought opportunities to promote the open government directive to respond to them.

a. Describe how the President's FOIA Memorandum and the Attorney General's FOIA Guidelines have been publicized throughout your agency.

We have publicized the President's FOIA Memorandum and the Attorney General's FOIA Guidelines through the following activities:

- The Chief FOIA Officer issued a memorandum to senior staff stating the FOIA policy that agencies must apply a presumption in favor of disclosure when responding to a FOIA request.
- We designed an information packet that we distributed to the agency's FOIA coordinators and posted on our Intranet website. The packet includes several items, including copies of the OPEN Government Act of 2007, the President's FOIA Memorandum and corresponding Attorney General's FOIA Guidelines, and the Chief FOIA Officer's memorandum to senior staff regarding the new FOIA guidance and presumptive disclosure policy. The packet also contains the FOIA response deadlines, the list of SSA FOIA coordinators, and a statement regarding their responsibilities for the FOIA annual report.

b. What training has been attended and/or conducted on the new FOIA Guidelines?

- In 2010, the Office of Privacy and Disclosure (OPD) in the Office of the General Counsel (OGC), which serves as SSA's FOIA office, gave presentations on implementing the new FOIA guidelines at the New OGC Employee Training Session in March, the OPD Biennial Conference in July, and the Annual OGC Conference held in September.
- We continue to revise and update our in-house FOIA/Privacy Act training program instituted last year that focuses on the various technical, legal, and "hands-on" issues involved in processing FOIA requests. The training ensures that analysts understand the importance of presumptive disclosures, and allows us to discuss recent disclosure issues and examine new opportunities for preparing future disclosures.
- We continued our commitment to encourage and provide staff the opportunity to attend outside FOIA training. Staff attended FOIA training sponsored or supported by agencies and organizations like the Department of Justice, the American Society of Access Professionals, and the International Association of Privacy Professionals. This training included all aspects of FOIA, including those that focused on a basic FOIA overview, open government principles, presumptive disclosure, and privacy policy. The training also included multiple "hands on" workshops.

c. How has your agency created or modified your internal guidance to reflect the presumption of openness?

- We have developed a more collaborative relationship with agency FOIA coordinators. This improved relationship ensures that they have our support when conducting extensive searches to provide the most complete and timely responses possible. This approach includes assisting the coordinators when obtaining and reviewing information to ensure that they apply the presumption of openness.
- We are performing more peer reviews and collaborating with other offices in our agency that continually provide us with documents in response to FOIA requests to ensure that we release the maximum amount of information possible. We are also focusing on the discretionary exemptions, such as exemption 2 and exemption 5.

- We have revisited longstanding decisions regarding the withholding of certain frequently requested data, to determine if our recommended guidance is still applicable and reflects the presumption of openness. For instance, we issued new guidance for disclosing extremely aged individuals' original Social Security Applications (SS-5) when our records do not indicate a date of death. We developed a new policy that establishes a "120 year rule" and assumes that an individual is alive unless their birth date exceeds 120 years or we have proof of the individual's death. This new policy enabled us to release more information and potentially reduced requests on appeal.
- d. To what extent has your agency made discretionary releases of otherwise exempt information?**
- We review every request with the intent to release as much information as possible. We no longer withhold information that would be exempt under exemption 2 (low) of the FOIA. For example, we now release transmittal sheets, route slips, and cover sheets that would cause no harm if released.
 - We developed new procedures to review "sensitive" Program Operations Manual System (POMS) with the responsible components. After this review, we released some information from the POMS that we previously had designated as "sensitive."
 - In 2009, we formed a workgroup to review our analyses for some of our most frequently requested types of documents. For example, we receive many requests for Appeals Council Working Papers (ACWP). Because of the ACWP workgroup's activity, we proactively released routine information that previously we withheld under exemption 2 (low), such as transmittal sheets, route slips, and cover sheets. In addition, under exemption 5, we released in full additional segregable portions of ACWP documents.
- e. What exemptions would have covered the information that was released as a matter of discretion?**
- We released information in the examples above that we previously withheld pursuant to FOIA Exemption 2 (low) and (high) and FOIA Exemption 5.

f. How does your agency review records to determine whether discretionary releases are possible?

- We use peer reviews and legal reviews, and often consult with the owner(s) of the records to apply the presumption of openness. We also review our guidance on release of frequently requested documents to determine if it is consistent with the presumption of openness.

g. Describe any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied.

- We continuously emphasize to our FOIA coordinators and other agency staff the importance of government openness, and their responsibility to ensure that we are providing the most information to the public. When necessary, we conduct meetings and conference calls with them. In particularly difficult cases, we consult with the Department of Justice to assist us in making decisions on discretionary releases.
- Our management team meets regularly to review the progress of the oldest cases. In these meetings, staff updates our managers on developing, searching, and reviewing cases, and assistance they need to move the cases to closure. We now have a round-table discussion to assist analysts with particularly complex cases. We use a team approach that includes input from managers, senior FOIA analysts, and peers on the best ways to analyze, review, and research requests.
- We work closely with the Office of the Chief Information Officer to be proactive when disclosing information to the public through our Open Government initiatives. We disclose statistical information about SSA's workloads, processing times, and Administrative Law Judge disposition rates.

2. Report the extent to which the numbers of requests where records have been released in full and the numbers of requests where records have been released in part has changed from those numbers as reported in your previous year's Annual FOIA Report.

In our FY 2010 Annual FOIA report, we reported an increase in the number of full releases from 26,344 in FY 2009 to 31,099 in FY 2010. The number of partial grants decreased from 3005 in FY 2009 to 1507 in FY 2010.

We believe that our consistent attention to the openness principle has contributed to our increase in full releases. However, the reduction in partial releases is harder to determine. The reduction in partial releases may be attributed to the type of FOIA requests that we typically receive. For instance, the vast majority of cases we process at SSA request personal information regarding living individuals. The requested records contain medical, health, financial, and other personal information about social security claimants, and often ask for the earnings records for millions of people. We usually withhold this type of information for personal privacy reasons under FOIA Exemption 6. In addition, the Internal Revenue Code protects most of the earnings information we possess and requires us to exempt this information from disclosure under FOIA Exemption 3. These exemptions leave us little or no room for discretionary disclosures.

Therefore, for this portion of the report, we think that the most meaningful statistics relate to the number of cases to which we applied Exemptions 2 and 5, as the FOIA permits agencies more discretion to disclose under these exemptions. For instance, the number of times we applied these exemptions for initial requests decreased between FY 2009 and FY 2010 as follows:

Exemption 2

FY 2009—applied 69 times

FY 2010—applied 66 times

Exemption 5

FY 2009—applied 86 times

FY 2010—applied 75 times

II. Steps Taken to Ensure that Your Agency has an Effective System in Place For Responding to Requests

Describe here the steps your agency has taken to ensure that your system for responding to requests is effective and efficient. This section should include a discussion of how your agency has addressed the key roles played by the broad spectrum of agency personnel who work with FOIA professionals in responding to requests, including, in particular, steps taken to ensure that FOIA professionals have sufficient IT support. To do so, answer the questions below and then include any additional information that you would like to describe how your agency ensures that your FOIA system is efficient and effective.

a. Do FOIA professionals within your agency have sufficient IT support?

Yes. We have sufficient IT support for the FOIA professionals at our agency. We have a team within our Office of Systems dedicated to providing maintenance and support for our electronic Freedom of Information System (eFOIA). We also have direct access to IT support to post frequently requested documents to our internet sites.

b. Describe how your agency's FOIA professionals interact with your Open Government Team.

OPD and the agency's Office of Open Government (OOG) maintain an extremely close working relationship on an ongoing basis. Accordingly, OPD was a key collaborator with OOG in developing the agency's Open Government Plan in FY 2010. OPD FOIA analysts served on several project workgroups and authored significant sections of the plan.

As a main stakeholder in the plan, OPD also played a central role in reviewing and refining various drafts of the plan, which included a scored evaluation by an independent outside reviewer. This evaluation rendered the highest possible score for the sections related to FOIA. Our staff continued to work with OOG on an on-going basis up through the plan's publication on June 24, 2010.

Additionally, OPD senior leadership and FOIA analysts serve on the agency's Open Government Steering Committee. The Committee confers on a regular basis on all aspects of Open Government, and provides ongoing oversight of the agency's Data Inventory and Plan for Releasing High Value Data.

c. Describe the steps your agency has taken to assess whether adequate staffing is being devoted to responding to FOIA requests.

We are continuously looking at our case processing system to ensure that we are processing FOIA requests in the most effective and efficient manner, and that we have experienced staff assigned to appropriate requests. To ensure the optimum use of staff within our FOIA office, we streamlined the procedure by which we assign FOIA requests to senior analysts and to the analysts who actually process the requests. Senior analysts now have the major role in the initial development and coordination of FOIA requests sent to our components to obtain requested documents. We continue to provide training to our new analysts to prepare them to handle FOIA requests. In addition, we recently hired an intern to assist the in-take FOIA process and one FOIA analyst to process requests. With the additional staff and the continuous training, we have been able to reduce our backlog from 90 in FY 2009 to 68 in FY 2010.

This fiscal year, we reassessed our process for obtaining requested documents. We stressed that components must have adequate staffing to respond timely and accurately when searching for agency records. We also conducted training for staff in our component offices to ensure they are aware of their responsibilities under the FOIA.

d. Describe any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively.

We are always looking for ways to enhance the eFOIA case processing system. We are committed to using technology to enhance our capabilities. In 2007, we implemented a new browser-based platform, called eFOIA, which we designed specifically to automate much of the workflow for handling Privacy Act and FOIA requests. In FY 2010, we released four updates to the system with two more systems improvements scheduled for release soon.

III. Steps Take to Increase Proactive Disclosures

Describe here the steps your agency has taken to increase the amount of material that is available on your agency website, including providing examples of proactive disclosures that have been made since issuance of the new FOIA Guidelines. In doing so, answer the questions listed below and describe any additional steps taken by your agency to make proactive disclosures of information.

a. Has your agency added new material to your agency website since last year?

Yes. Our FOIA Reading Room page (<http://www.ssa.gov/foia/html/frd.htm>) contains links to information made available to the public by several agency components in the past year. Examples of these releases are testimony given by agency officials before Congress during FY 2010, Office of the Inspector General (OIG) Audit Reports, FY 2010 Press Releases, and Budget Reports.

In addition, our FOIA Reading Room contains a link to data sets and informational holdings the agency has posted to data.gov in support of our Open Government Plan. During FY 2010, the agency released 20 data sets on data.gov containing information not previously available to the public. Many of the data sets contain statistical tables of information compiled in response to an identified public need and demand, particularly from the research community. Previously, the information in these files was available only through a FOIA request.

b. What types of records have been posted?

Please see our response to the previous question. We received a high volume of requests for data sets, and we have posted statistical data regarding SSA's work processes, as well as surveys, and reports.

- c. **Give examples of the types of records your agency now posts that used to be available only by making a FOIA request for them.**

Examples include the following:

- Administrative Law Judge (ALJ) disposition data
- Hearing Office Dispositions per ALJ per Day Rate Ranking Report
- Number of Hearings Held In-Person or via Video-Conferencing
- Hearing Office Average Processing Time Ranking Report
- Hearing Office Workload Data
- NETSTAT Report—the average amounts of time it takes for various appeals to move to various levels)
- SSA State Agency Workload Data

- d. **What system do you have in place to routinely identify records that are appropriate for posting?**

Our eFOIA case processing system automatically identifies frequently requested items that we consider for posting to our Reading Room. Senior analysts also flag frequently requested documents and sensitive requests for Reading Room consideration.

- e. **How do you utilize social media in disseminating information?**

SSA has begun to utilize social media on many popular sites, including Facebook, Twitter, and YouTube. Our presence on these sites allows wider dissemination of information to the public, including press releases, informational videos on our programs and services, and frequently requested material such as our most popular baby names list.

We have also implemented idea-sharing technology provided by IdeaScale, to inform and obtain feedback from the public on our Open Government initiatives, and have contracted with a cloud-computing provider to implement a more interactive “frequently asked questions” section of our website, “SSA’s Online Answers Knowledgebase.”

f. Describe any other steps taken to increase proactive disclosures at your agency.

We continuously search for ways to be more proactive in providing the most access to the public:

- We are in the process of re-designing our FOIA Reading Room to be more user-friendly and to link to other sites that may be of interest to the public.
- We continue to work with our FOIA coordinators throughout the agency to help us identify information that would be of interest to the public and could be posted to our website for public access.
- We continuously post new links on the FOIA Reading Room for information that may be of interest to the public, even if this information is available elsewhere. We have linked to information on the agency's budget and performance information, our international agreements, our Exhibit 300s (major IT investments), and provided information regarding payments under the American Recovery and Reinvestment Act of 2009.

IV. Steps Taken to Greater Utilize Technology

A key component of the President's FOIA Memorandum was the direction to "use modern technology to inform citizens about what is known and done by their Government." In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology to respond to requests. In 2010 agencies reported widespread use of technology in handling FOIA request. For this section of your Chief FOIA Officer Report for 2011, please answer the following more targeted questions:

1. Electronic receipt of FOIA requests:

- a. What proportions of the components within your agency which receive FOIA requests have the capability to receive such requests electronically?**

SSA has a centralized FOIA process staffed by FOIA professionals at our headquarters in Baltimore, MD. Our headquarters staff receives and processes all FOIA requests electronically via our eFOIA system. We receive FOIA requests through email, commercial mail services, via fax, or from other SSA components

in paper form and then scan and process them electronically within the eFOIA system.

- b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?**

N/A

- c. What methods does your agency use to receive requests electronically?**

Our eFOIA system offers an online service via the Internet that allows members of the public to make FOIA requests and pay online. We also use an e-mail account to receive FOIA requests, and we receive requests via FAX.

2. Electronic tracking of FOIA request:

- a. What proportion of components within your agency which receive FOIA requests have the capability to receive such requests electronically?**

SSA has a centralized FOIA process at our headquarters in Baltimore, and we have the capability to receive requests electronically.

- b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?**

N/A

- c. What methods does your agency use to track requests electronically?**

We capture, maintain, and track FOIA requests through our eFOIA system. eFOIA is a web-based work management Intranet and Internet system that we use to control, manage, and process FOIA requests.

3. Electronic process of FOIA requests:

- a. What proportion of components within your agency which receive FOIA requests have the capability to process such requests electronically?**

As answered above, we have a centralized electronic FOIA process.

- b. To what extent have you increased the number of components doing so since the filing of your last Chief FOIA Officer Report?**

N/A

- c. What methods does your agency use to process requests electronically?**

Our agency uses the eFOIA system to receive, track, manage, and process FOIA requests. In addition to electronic requests we receive via the Internet, we receive other requests through regular mail, commercial mail services, via fax, or from other SSA components in paper form. We electronically scan and process these requests within the eFOIA system.

4. Electronic preparation of your Annual FOIA report:

- a. What type of technology does your agency use to prepare your agency's Annual FOIA Report, i.e. specify whether the technology is FOIA-specific or a generic data-processing system.**

We use eFOIA, a modified commercial off the shelf product, to prepare our Annual FOIA Report. The eFOIA system is a web-based system specifically designed to process electronic and paper FOIA requests. Our eFOIA system captures most of the data we need to prepare our annual report.

- b. If you are not satisfied with your existing system to prepare your Annual FOIA Report, describe the steps you have taken to increase your use of technology for next year.**

The eFOIA system provides us with an efficient mechanism to manage, track, and control the FOIA workload and to prepare the Annual FOIA Report as required by DOJ.

V. Steps Taken to Reduce Backlogs and Improve Timeliness in Responding to Requests

- 1. If your agency has a backlog, report here whether that backlog is decreasing. That reduction should be measured in two ways. First, report whether the number of backlogged requests and backlogged administrative appeals that remain pending at the end of the fiscal year decreased or increased, and by how many, when compared with last fiscal year. Second, report whether your agency closed in**

Fiscal Year 2010 the ten oldest of those pending requests and appeals from Fiscal Year 2009, and if not, report how many of them your agency did close.

Although we have a minimal backlog, we decreased both our initial case backlog and our administrative appeal backlog in FY 2010 as follows:

Initial Cases	Administrative Appeal Cases
FY 2009—90	FY 2009—9
FY 2010—68	FY 2010—3

We closed the ten oldest pending requests and appeals from FY 2009 in FY 2010.

- 2. If there has not been a reduction in the backlog as measured by either of these metrics, describe why that has occurred. In doing so, answer the following questions and then include any other additional explanation.**

N/A. During FY 2010, our backlog decreased.

- 3. Describe the steps your agency is taking to reduce any backlogs and to improve timeliness in responding to requests and administrative appeals. In doing so answer the following questions and then also include any other steps being taken to improve timeliness.**

- a. Does your agency routinely set goals and monitor the progress of your FOIA caseload?**

Yes. We conduct bi-weekly meetings with management and senior analysts to set milestones and to monitor our backlog to assess the status of old cases, identify the cause for any delay, and to reduce this workload as quickly as possible.

- b. Has your agency increased its FOIA staffing?**

Yes. We hired an additional full-time analyst and an intern to improve our overall FOIA process.

- c. Has your agency made IT improvements to increase timeliness?**

No. However, we will continue to evaluate the need for system improvements.

d. Has your agency Chief FOIA Officer been involved in overseeing your agency's capacity to process requests?

Yes. The Chief FOIA Officer is instrumental in promoting the importance of FOIA within the agency. He championed our need for additional staff to improve the agency FOIA process, as well as highlighted the importance of the FOIA and Open government to senior staff. He also encourages and ensures that OPD staff is able to attend appropriate training.

Spotlight on Success

Out of all the activities undertaken by your agency in this last year to increase transparency, describe here one success story that you would like to highlight as emblematic of your efforts.

In the past year, we have increased our presence on social media sites, such as Facebook, YouTube, and Twitter. Our use of these applications provides a new and versatile outlet for communicating our programs and new initiatives, and allowed transparent public dialogue about them. For instance, our postings on Facebook have already generated hundreds of public comments, acting as a valuable outlet for those wishing to either praise our programs and services, or provide critiques of how we might improve.

We continue to explore new and creative ways in which to expand our use of these applications to increase public awareness and transparency.

Dr. Orly Taitz, ESQ

29839 Santa Margarita Parkway, STE 100

Rancho Santa Margarita CA 92688

Tel: (949) 683-5411; Fax (949) 766-7603

E-Mail: dr_taitz@yahoo.com, orly.taitz@gmail.com

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Dr. ORLY TAITZ, ESQ, PRO SE

§

Plaintiff,

§

§

v.

§ **EMERGENCY**

§ **MOTION FOR**

Michael Astrue, Commissioner of the

§ **RECONSIDERATION**

Social Security Administration,

§ **11-cv-00402**

§

§

§ **Honorable Royce Lamberth**

Respondent

§ **Chief Justice presiding**

**REQUEST FOR A JUDICIAL NOTICE FILED IN CONJUNCTION
WITH AN EMERGENCY MOTION FOR RECONSIDERATION**

Plaintiff Pro Se Dr. Orly Taitz (hereinafter "Taitz") hereby requests that the Court take judicial notice of the following document attached as Exhibit 1.

Sixteenth Census of the United States of America 1940

Population schedule

State of New York,

County -The Bronx,

Ward of city-7A-B

915 Daly Ave

Apartment 311

SD No 24 E.D. No-3-1199

sheet No 13B

Enumerated Apri 16, 1940

Released by the U.S. Census in 2011

This request is made pursuant to Rule 201 (a), (b)1, (b)2, (c)2 of the Federal Rules of Evidence.

RULE 201. JUDICIAL NOTICE OF ADJUDICATIVE FACTS

(a) Scope. This rule governs judicial notice of an adjudicative fact only, not a legislative fact.

(b) Kinds of Facts That May Be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it:

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(c) Taking Notice. The court:

(1) may take judicial notice on its own; or

(2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

(d) Timing. The court may take judicial notice at any stage of the proceeding.

(e) Opportunity to Be Heard. On timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed. If the court takes judicial notice before notifying a party, the party, on request, is still entitled to be heard.

Official census information is:

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. Aforementioned report is easily obtainable from the U.S. Census

and under 201 C (2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

The report in question is relevant to the proceeding as Petitioner Taitz is seeking reconsideration of the decision by the SSA to deny her release of the SS-5 for the Social Security number 042-68-4425 due to privacy considerations. In her motion for reconsideration Taitz provides newly discovered evidence showing that the Social Security number in question was assigned to Harrison J. Bounel, an immigrant from Russia, born in 1890. Part of the new information is 1940 census released to the public in 2011. *Fed. R. Evid.* Rule 201. Under *Fed. R. Evid.* Rule 201(f) judicial notice may be taken at any stage of the proceeding. *Government of Canal Zone v Burjan*, 596 F.2d 690, 694 (5th Circ. 1979).

Aforementioned Census report attached herein as exhibit 1 shows

that Harry Bounel immigrant from Russia, 50 years old at the time of the 1940 census resided as a lodger at Apartment 311 of 915 Daly Ave, Bronx, New York.

This information is relevant to the case at hand since Mr. Bounel was 50 years old at the time of the official 1940 census, it means that he was born in 1890 and he would be 123 years old today and according to 120 year rule of the SSA, his SS-5 has to be released under FOIA 5U.S. 552.

CONCLUSION

This court should take the Judicial notice of

Sixteenth Census of the United States of America 1940

Population schedule

State of New York,

County -The Bronx,

Ward of city-7A-B

915 Daly Ave

Apartment 311

SD No 24 E.D. No-3-1199

sheet No 13B

Enumerated April 16, 1940

Released by the U.S. Census in 2011



Respectfully submitted

/s/ Dr. Orly Taitz ESQ

President of the Defend Our Freedoms Foundation

05.18.2013

cc Inspector General of the Social Security Administration

cc senator Chuck Grassley ranking member of the Senate Judiciary Committee

cc Congressman Bob Goodlatte Chair of the House Judiciary Committee

cc Daryl Issa, Chair of the House Oversight Committee

cc Inspector general of IRS

Dr. Orly Taitz, ESQ

29839 Santa Margarita Parkway, STE 100

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Tel: (949) 683-5411; Fax (949) 766-7603

E-Mail: dr_taitz@yahoo.com, orly.taitz@gmail.com

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Dr. ORLY TAITZ, ESQ, PRO SE	§	
Plaintiff,	§	
	§	
v.	§	EMERGENCY
	§	MOTION FOR
Michael Astrue, Commissioner of the	§	RECONSIDERATION
Social Security Administration,	§	11-cv-00402
	§	
	§	
	§	Honorable Royce Lamberth
Respondent	§	Chief Justice presiding

**REQUEST FOR A JUDICIAL NOTICE FILED IN CONJUNCTION
WITH AN EMERGENCY MOTION FOR RECONSIDERATION**

Report of the Merlins Information systems axiom.com /identity-solutions database generated under the Social Security number 042-68-4425. (redacted report is being posted on the public docket, unredacted report is being filed under seal)

Plaintiff Pro Se Dr. Orly Taitz (hereinafter “Taitz”) hereby requests that the Court take judicial notice of the following document attached as Exhibit 1.

This request is made pursuant to Rule 201 (a), (b)1, (b)2, (c)2 of the Federal Rules of Evidence.

RULE 201. JUDICIAL NOTICE OF ADJUDICATIVE FACTS

(a) Scope. This rule governs judicial notice of an adjudicative fact only, not a legislative fact.

(b) Kinds of Facts That May Be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it:

(1) is generally known within the trial court’s territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(c) Taking Notice. The court:

(1) may take judicial notice on its own; or

(2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

(d) Timing. The court may take judicial notice at any stage of the proceeding.

(e) Opportunity to Be Heard. On timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed. If the court takes judicial notice before notifying a party, the party, on request, is still entitled to be heard.

Merlins Information systems [axiom.com /identity-solutions](http://axiom.com/identity-solutions) database is a database which provides information to licensed debt collector, investigators and attorneys. It provides a collection of data readily available in public records. by entering a specific Social Security number one can find names of individuals who used this Social Security number according to public records.

Aforementioned report is being provided with an accompanying affidavit of a

professional debt collector Albert Hendershot, who under the penalty of perjury attests to its authenticity.

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

and under 201 C (2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

The report in question is relevant to the proceeding as Petitioner Taitz is seeking reconsideration of the decision by the SSA to deny her release of the SS-5 for the Social Security number 042-68-4425 due to privacy considerations. In her motion for reconsideration Taitz provides newly discovered evidence showing that the Social Security number in question was assigned to Harrison J. Bounel, an immigrant from Russia, born in 1890. Part of the new information is 1940 census released to the public in 2011. *Fed. R. Evid.* Rule 201. Under *Fed. R. Evid.* Rule 201(f) judicial notice may be taken at any stage of the proceeding. *Government of Canal Zone v Burjan*, 596 F.2d 690, 694 (5th Circ. 1979).

Aforementioned record is relevant for the request for the judicial notice as it shows that

1. Harrison J Bounel born in 1890 used Social Security number 042-68-4425

2. Barack Obama used Social Security number 042-68-4425 as well.

Official E-Verify and SSNVS reports attached herein show that 042-68-4425 was never issued to Barack Obama, therefore by process of elimination it was assigned to Harrison J. Bounel. Since Harrison J. Bounel was born in 1890 according to 1940 census (attached to the motion) based on 120 year rule, the SS-5 for SSN 042-68-4425 should be released under FOIA 5U.S. 552

CONCLUSION

This court should take the Judicial notice of

Report of the Merlins Information systems [acxiom.com /identity-solutions](http://acxiom.com/identity-solutions) database generated under the Social Security number 042-68-4425.

Respectfully submitted



/s/ Dr. Orly Taitz ESQ

President of the Defend Our Freedoms Foundation

05.18.2013

cc Inspector General of the Social Security Administration

cc senator Chuck Grassley ranking member of the Senate Judiciary Committee

cc Congressman Bob Goodlatte Chair of the House Judiciary Committee

cc Daryl Issa, Chair of the House Oversight Committee

cc Inspector general of IRS

Affidavit of Albert Hendershot

I, Albert Hendershot am a professional debt collector, I am over 18 years old, I have personal knowledge of the facts provided herein and I will be able to competently testify in court of the facts as listed in this affidavit:

1. I personally performed a search with Merlin Information Systems and <http://www.acxiom.com/identity-solutions> database which is routinely used by professional debt collectors
2. I found that both Barack Obama and Harry J. Bounel are listed as holders of the same Connecticut Social Security number 042-68-4425 and resided at the same address 5046 S. Greenwood Ave, Chicago , Illinois, Exhibit 1 attached herein is the true and correct copy of the printout from <http://www.acxiom.com/identity-solutions> database. Exhibit 2 attached herein is the (FOIA) Freedom of Information Act request which was completed for numident 042-68-4425 with Harry Bounel as the name associated with said numident 042-68-4425. Exhibit 2 clearly states that the aforementioned numident belongs to Harry Bounel and not Barack H Obama as detailed in the response from the Social Security Administration dated November 2012.
3. Michelle Obama is listed as a relative of both Harrison (Harry) J. Bounel and Barack Obama.
4. <http://www.acxiom.com/identity-solutions> database shows that the last change in the record of Harry J. Bounel Social security number 042-68-4425 was performed by Michelle Obama in and around November 2009, who is listed as a relative of Harry J. Bounel.

I attest under the penalty of perjury that all of the foregoing is true and correct to the best of my knowledge and informed belief.

Affiant further says naught.

Signed Albert Hendershot



Dated

Feb 1, 2013

Signature of the Notary Public

Luke Keim



People Search Results (2)

Records: 1 to 2 of 2

Personal Information

BOUNEL HARRISONJ Aliases: HARRISONJ BOUNEL Gender: U SSN: 042 68 XXXX  CSCORE  RELATIVES		5046 S GREENWOOD AVE CHICAGO, IL 60615	11/2009
BARBACK H OBAMA Aliases: BARACK H OBAMA, BARACK H OBAMA, BARACK OBAMA, BARBACK OBAMA, OBAMA BARBACK DOB: 08/1961 Gender: M SSN: 042 68 XXXX  CSCORE  RELATIVES		227 6TH ST NE WASHINGTON, DC 20002	02/2006 12/2006
Call Phone(s) Available S		5046 S GREENWOOD AVE CHICAGO, IL 60615	11/2006
		300 MASSACHUSETTS AVE NW WASHINGTON, DC 20001	09/2006
		5450 S EAST VIEW PARK Apt 1 CHICAGO, IL 60615	09/2006
		7496 S FULLER AVE CHICAGO, IL 60649	10/1997
		365 BROADWAY Apt B1 SOMERVILLE, MA 02145	Not Available

Relatives Search Results (1)

Personal Information

MICHELLE L OBAMA
 Aliases: BARACK H
 OBAMA, MICHELLE I
 OBAMA, MICHELLE I
 ROBINSON, MICHELLE
 OBAMA, MICHELLE
 ROBINSON, ROBINSON
 MICHELLE
 DOB: 01/1964
 Gender: F
 SSN: 350 60 XXXX
 Possible Relationship:
 Sister/Sponsee
 USCIBRE
 90 RELATIVE S

5046 S GREENWOOD AVE
 CHICAGO IL 60615
 7436 S LUCILLE AVE
 CHICAGO IL 60649
 5450 S EAST VIEW PARK
 Apt 1
 CHICAGO IL 60615
 5470 S EVERETT AVE
 Apt 15
 CHICAGO IL 60615
 5470 S EVERETT AVE
 Apt 15
 CHICAGO IL 60615
 180 N LA SALLE ST
 Apt 2200
 CHICAGO IL 60601
 3550 S RHODES AVE
 Apt 1802
 CHICAGO IL 60653

07/2005
 12/2010
 18/2006
 02/2004
 08/1007
 Not Available
 Not Available
 Not Available

UNLISTED

Call (Prompts) Available \$

Dr. Orly Taitz, ESQ

29839 Santa Margarita Parkway, STE 100

Rancho Santa Margarita CA 92688

Tel: (949) 683-5411; Fax (949) 766-7603

E-Mail: dr_taitz@yahoo.com, orly.taitz@gmail.com

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Dr. ORLY TAITZ, ESQ, PRO SE	§
Plaintiff,	§
	§
v.	§ EMERGENCY
	§ MOTION FOR
Michael Astrue, Commissioner of the	§ RECONSIDERATION
Social Security Administration,	§ 11-cv-00402
	§
	§
	§ Honorable Royce Lamberth
Respondent	§ Chief Justice presiding

**REQUEST FOR A JUDICIAL NOTICE FILED IN CONJUNCTION
WITH AN EMERGENCY MOTION FOR RECONSIDERATION**

Plaintiff Pro Se Dr. Orly Taitz (hereinafter "Taitz") hereby requests that the Court take judicial notice of the following document attached as Exhibit 1.

Form 709 of the 2009 Tax returns for Barack and Michelle Obama posted by Barack and Michelle Obama on public web site WhiteHouse.gov on Thursday April 15, 2010, 11:15:29 AM and a redacted, flattened version of the same form 709 of the 2009 tax return of Barack and Michelle Obama posted on WhiteHouse.gov by Barack and Michelle Obama on Thursday, April 15, 2010 7 hours 2 minutes and 23 seconds later, at 6:17:52 PM.

Tax return in question is provided together with the authenticating affidavit of Felicito Papa, Bachelor of Science in Informaton Technology who authenticated that the attached copies are true and correct copies of the aforementioned documents posted by Barack and Michelle Obama on WhiteHouse.gov and downloaded by him through Adobe Illustrator program.

This request is made pursuant to Rule 201 (a), (b)1, (b)2, (c)2 of the Federal Rules of Evidence.

RULE 201. JUDICIAL NOTICE OF ADJUDICATIVE FACTS

(a) Scope. This rule governs judicial notice of an adjudicative fact only, not a legislative fact.

(b) Kinds of Facts That May Be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it:

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(c) Taking Notice. The court:

(1) may take judicial notice on its own; or

(2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

(d) Timing. The court may take judicial notice at any stage of the proceeding.

(e) Opportunity to Be Heard. On timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed. If the court takes judicial notice before notifying a party, the party, on request, is still entitled to be heard.

Official census information is:

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. Aforementioned report is a part of public domain and can be received by the court upon request from the White House.

and under 201 C (2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

The report in question is relevant to the proceeding as Petitioner Orly Taitz is seeking a reconsideration of the ruling by this court to affirm the decision by the SSA to deny her FOIA 5US 552 request for release of the SS-5 for the Social Security number 042-68-4425 due to privacy considerations. In her motion for reconsideration Taitz provides newly discovered evidence showing that the Social Security number in question was assigned to Harrison J. Bounel, an immigrant from Russia, born in 1890. *Fed. R. Evid.* Rule 201. Under *Fed. R. Evid.* Rule 201(f) judicial notice may be taken at any stage of the proceeding. *Government of Canal Zone v Burjan*, 596 F.2d 690, 694 (5th Circ. 1979).

This information is relevant as according to acxiom.com/identity-search database also provided with this motion for reconsideration, SSN 042-68-4425

was issued to Harrison J. Bounel born in 1890. Attached tax returns show that Barack Obama is using the Social Security number of Harrison J. Bounel. Additionally E-Verify and SSNVS official reports show that the Social Security number 042-68-4425 was not assigned to Barack Obama. As such not only the SS-5 in question should be released under the 120 year rule of the SSA, under FOIA 5U.S. 552, but this court should grant the petitioner an expedient 20 day hearing of the motion at hand, as this represents the most serious breach of the U.S. National Security in the history of this nation, it shows usurpation of the position of the U.S. President and Commander- in-Chief by a criminal using a stolen Social Security number and an unknown allegiance.

CONCLUSION

This court should take the Judicial notice of

Form 709 of the 2009 Tax returns for Barack and Michelle Obama posted by Barack and Michelle Obama on public web site WhiteHouse.gov on Thursday April 15, 2010, 11:15:29 AM and a redacted, flattened version of the same form 709 of the 2009 tax return of Barack and Michelle Obama posted on WhiteHouse.gov by Barack and Michelle Obama on Thursday, April 15, 2010 7 hours 2 minutes and 23 seconds later, at 6:17:52 PM.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Orly Taitz', with a long horizontal flourish extending to the right.

/s/ Dr. Orly Taitz ESQ

President of the Defend Our Freedoms Foundation

05.18.2013

cc Inspector General of the Social Security Administration

cc senator Chuck Grassley ranking member of the Senate Judiciary Committee

cc Congressman Bob Goodlatte Chair of the House Judiciary Committee

cc Daryl Issa, Chair of the House Oversight Committee

cc Inspector general of IRS

Original Tax Posting.pdf Properties



General PDF Details

Title:

Author:

Subject:

Keywords:

Created: Thursday, April 15, 2010, 11:15:29 AM

Modified: Thursday, April 15, 2010, 11:15:29 AM

Application:

PDF Producer: Mac OS X 10.5.3 Quartz PDFContext

Fast Web View: No PDF Version: 1.3

PDF

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Form **709**

United States Gift (and Generation-Skipping Transfer) Tax Return

OMB No. 1545-0047

2009

Department of the Treasury
Internal Revenue Service

For gifts made during calendar year 2009

▶ See separate instructions.

1 Donor's first name and middle initial BARACK H.		2 Donor's last name OBAMA		3 Donor's social security number 042-68-4425			
4 Address (number, street, and apartment number) 1600 PENNSYLVANIA AVENUE, NW				5 Legal residence (if domicile) ILLINOIS			
6 City, state, and ZIP code WASHINGTON, DC 20500				7 Citizenship (see instructions) UNITED STATES			
Part General Information	8 If the donor died during the year, check here <input type="checkbox"/> and enter date of death _____					Yes	No
	9 If you extended the time to file this Form 709, check here <input type="checkbox"/>						
	10 Enter the total number of donees listed on Schedule A. Count each person only once. ▶ 2						
	11a Have you (the donor) previously filed a Form 709 (or 709-A) for any other year? If "No," skip line 11b					X	
	b If the answer to line 11a is "Yes," has your address changed since you last filed Form 709 (or 709-A)?						X
	12 Gifts by husband or wife to third parties. Do you consent to have the gifts (including generation-skipping transfers) made by you and by your spouse to third parties during the calendar year considered as made one-half by each of you? (See instructions.) (If the answer is "Yes," the following information must be furnished and your spouse must sign the consent shown below. If the answer is "No," skip lines 13-18 and go to Schedule A.)					X	
	13 Name of consenting spouse MICHELLE L. OBAMA			14 SSN 300-2302			
15 Were you married to one another during the entire calendar year? (see instructions)					X		
16 If 15 is "No," check whether <input type="checkbox"/> married <input type="checkbox"/> divorced or <input type="checkbox"/> widowed, deceased, and give date ▶							
17 Will a gift tax return for this year be filed by your spouse? (If "Yes," mail both returns in the same envelope.)					X		

Current Tax Posting.pdf Properties



General PDF Details

Title:

Author:

Subject:

Keywords:

Created: Thursday, April 15, 2010, 11:15:29 AM

Modified: Thursday, April 15, 2010, 6:17:52 PM

Application:

PDF Producer: Mac OS X 10.5.8 Quartz PDFContext

Fast Web View: Yes PDF Version: 1.6



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OK

Cancel

Form **709**

United States Gift (and Generation-Skipping Transfer) Tax Return

OMB No. 1545-0047

Department of the Treasury
Internal Revenue Service

(For gifts made during calendar year 2009)

2009

▶ See separate instructions.

1 Donor's first name and middle initial BARACK H.		2 Donor's last name OBAMA		3 Donor's social security number	
4 Address (number, street, and apartment number) 1600 PENNSYLVANIA AVENUE, NW				5 Legal residence (domicile) ILLINOIS	
6 City, state, and ZIP code WASHINGTON, DC 20500				7 Citizenship (see instructions) UNITED STATES	
8 If the donor died during the year, check here <input type="checkbox"/> and enter date of death _____		9 If you extended the time to file this Form 709, check here <input type="checkbox"/>		Yes	No
10 Enter the total number of donees listed on Schedule A. Count each person only once. ▶		2			
11a Have you (the donor) previously filed a Form 709 (or 709-A) for any other year? If "No," skip line 11b				X	
b If the answer to line 11a is "Yes," has your address changed since you last filed Form 709 (or 709-A)?					X
12 Gifts by husband or wife to third parties. Do you consent to have the gifts (including generation-skipping transfers) made by you and by your spouse to third parties during the calendar year considered as made one-half by each of you? (See instructions.) (If the answer is "Yes," the following information must be furnished and your spouse must sign the consent shown below. If the answer is "No," skip lines 13-18 and go to Schedule A.)				X	
13 Name of consenting spouse MICHELLE L. OBAMA		14 SSN			
15 Were you married to one another during the entire calendar year? (see instructions)				X	
16 If 15 is "No," check whether <input type="checkbox"/> married <input type="checkbox"/> divorced or <input type="checkbox"/> widowed/deceased, and give date ▶					
17 Will a gift tax return for this year be filed by your spouse? (If "Yes," mail both returns in the same envelope.)				X	
18 Consent of Spouse. I consent to have the gifts (and generation-skipping transfers) made by me and by my spouse to third parties during the calendar year considered as made one-half by each of us. We are both aware of the joint and several liability for tax created by the execution of this consent.					
Consenting spouse's signature ▶ <i>X Michelle Obama</i>				Date ▶ 4-7-10	

AFFIDAVIT

STATE OF FLORIDA)
)S.S.
COUNTY OF DUVAL)

I, Felicitó Papa, am over 18 years old and resident of 7579 Walden Road, Jacksonville, FL 32244 with FL DL #P100-245-45-082-0. I do not suffer from any mental impairment and I competently attest to the following under the penalty of perjury:

1. I am a professional web developer having graduated with a bachelor's degree in IT from ITI Technical Institute in Indianapolis, IN. I have over ten years of experience of in web designs and development and I have often used software such as Adobe Photoshop and Adobe Illustrator.
2. On April 15, 2010, the Whitehouse website, www.whitehouse.gov, released the 2009 Form 1040 of Income Tax Return of President Barack H. Obama:
<http://www.whitehouse.gov/sites/default/files/president-obama-2010-complete-return.pdf>.
3. I downloaded this 65-page pdf file on my computer. I observed that all information about the president's and the first lady's social security numbers were redacted. All blocks or spaces for social security numbers were blank, or "white-out."
4. I submit Exhibit A (attached herewith, page 43 part of 2009 Form 1040) Form 709 U.S. Gift Tax Return of Pres. Barack Obama. The space for his social security number is redacted or blank.
5. I submit top Exhibit B (attached herewith, page 49 part of 2009 Form 1040) Form 709 U.S. Gift Tax Return of First Lady Michelle Obama. The space for her social security number is redacted or blank.
6. Then through Adobe Illustrator software, I opened Exhibit A and B and found that these two pdf files have two layers each, not just one layer. When the top layer is turned off or dragged away, the social security numbers of both persons are revealed.
7. I submit Exhibit A1 (attached herewith) Form 709 U.S. Gift Tax Return of Pres. Barack Obama with his social security number revealed. The following information are revealed:

1. Barack Obama's SSN. **042-68-4425**
2. Michelle Obama's SSN-~~9876543210~~-2302
3. An initial MLO on the side of Form 709
4. A 1/4 inch dark square with notation on it.
5. Preparer's SSN or PIN P00570974
EIN 36-2700600
Phone no. 312/372-0440

Part 1 General Information
 Part 2 Tax Computation
 Part 3 General Information
 Part 4 General Information

Line	Description	Amount
1	Gift tax paid	0.00
2	Gift tax credit	0.00
3	Gift tax liability	0.00
4	Gift tax liability after credit	0.00
5	Gift tax liability after credit and refund	0.00
6	Gift tax liability after credit and refund and carryover	0.00
7	Gift tax liability after credit and refund and carryover and carryover	0.00
8	Gift tax liability after credit and refund and carryover and carryover and carryover	0.00
9	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover	0.00
10	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover	0.00
11	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover	0.00
12	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover and carryover	0.00
13	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover	0.00
14	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover	0.00
15	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover	0.00
16	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover	0.00
17	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover	0.00
18	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover	0.00
19	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover	0.00
20	Gift tax liability after credit and refund and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover and carryover	0.00

6/2/10
 [Signature]
 [Signature]
 [Signature]

709

United States Gift (and Generation-Skipping Transfer) Tax Return

2009

See separate instructions

1 Donor's name (or other name by which the donor is known)		2 Donor's address		3 Donor's social security number	
BARACK H.		OBAMA		048-68-1495	
4 Donor's permanent or principal residence address		5 Donor's date of birth		6 Donor's sex (see instructions)	
1600 PENNSYLVANIA AVENUE, NW WASHINGTON, DC 20500				ILLINOIS UNITED STATES	
7 Are there any other persons who have a legal interest in the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
8 Is the property being transferred to a trust? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
9 Is the property being transferred to a trust that is not a grantor trust? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
10 Is the property being transferred to a trust that is a grantor trust? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
11 Are there any other persons who have a legal interest in the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
12 Is the property being transferred to a trust that is not a grantor trust? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
13 Is the property being transferred to a trust that is a grantor trust? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
14 Recipient's name		15 Recipient's address		16 Recipient's social security number	
MICHELLE L. OBAMA		1450 S. MICHIGAN AVE. #2002			
17 Is the recipient a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
18 Is the recipient a nonresident alien? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
19 Is the recipient a resident alien? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
20 Is the recipient a U.S. citizen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

8 Consent of Spouse: If the donor is married, the donor must obtain the consent of the donor's spouse if the gift is of community property, or if the gift is of separate property and the donor is filing a joint return for the year of the gift. See instructions for details.

Consenting spouse's signature: *Michelle Obama* Date: *4-7-10*

Part 2 - Tax Computation			
1	Gift tax on the gift		0.
2	Gift tax on the gift		0.
3	Gift tax on the gift		0.
4	Gift tax on the gift		0.
5	Gift tax on the gift		0.
6	Gift tax on the gift		0.
7	Gift tax on the gift		345,800.
8	Gift tax on the gift		345,800.
9	Gift tax on the gift		345,800.
10	Gift tax on the gift		345,800.
11	Gift tax on the gift		0.
12	Gift tax on the gift		0.
13	Gift tax on the gift		0.
14	Gift tax on the gift		0.
15	Gift tax on the gift		0.
16	Gift tax on the gift		0.
17	Gift tax on the gift		0.
18	Gift tax on the gift		0.
19	Gift tax on the gift		0.
20	Gift tax on the gift		0.

Sign Here: *Barack Obama* Date: *4/2/10*

Preparer's name: *WINEBERG SOLHEIM HOWELL & SHAIN, PC*
 150 N LASALLE ST. STE 2000
 CHICAGO, IL 60601

709

United States Gift (and Generation-Skipping Transfer) Tax Return

2009

See separate instructions

Part 1 - General Information

1 Donor's name (or names) **BARACK H. OBAMA**

2 Donor's social security number

3 Recipient's name (or names) **MICHELLE L. OBAMA**

4 Recipient's social security number

5 Recipient's birth date (month/day/year)

6 Recipient's address (street, city, state, and ZIP+4®) **1600 PENNSYLVANIA AVENUE, NW WASHINGTON, DC 20503 UNITED STATES**

7 Recipient's relationship to donor **Wife**

8 Recipient's occupation (include "Student" if applicable)

9 Recipient's marital status (check one): Single Married Widowed Divorced Separated

10 Recipient's residence (check one): U.S. resident Nonresident alien

11 Recipient's residence (check one): U.S. resident Nonresident alien

12 Recipient's residence (check one): U.S. resident Nonresident alien

13 Recipient's residence (check one): U.S. resident Nonresident alien

14 Recipient's residence (check one): U.S. resident Nonresident alien

15 Recipient's residence (check one): U.S. resident Nonresident alien

16 Recipient's residence (check one): U.S. resident Nonresident alien

17 Recipient's residence (check one): U.S. resident Nonresident alien

18 Recipient's residence (check one): U.S. resident Nonresident alien

19 Recipient's residence (check one): U.S. resident Nonresident alien

20 Recipient's residence (check one): U.S. resident Nonresident alien

Consenting spouse's name **Michelle Obama** Date **4-7-10**

Part 2 - Tax Computation

1	Gift tax on gifts	0.
2	Gift tax on transfers to spouse	0.
3	Gift tax on transfers to minor child	0.
4	Gift tax on transfers to trust	0.
5	Gift tax on transfers to nonresident alien	0.
6	Gift tax on transfers to foreign trust	0.
7	Gift tax on transfers to foreign trust (continued)	0.
8	Gift tax on transfers to foreign trust (continued)	0.
9	Gift tax on transfers to foreign trust (continued)	0.
10	Gift tax on transfers to foreign trust (continued)	0.
11	Gift tax on transfers to foreign trust (continued)	0.
12	Gift tax on transfers to foreign trust (continued)	0.
13	Gift tax on transfers to foreign trust (continued)	0.
14	Gift tax on transfers to foreign trust (continued)	0.
15	Gift tax on transfers to foreign trust (continued)	0.
16	Gift tax on transfers to foreign trust (continued)	0.
17	Gift tax on transfers to foreign trust (continued)	0.
18	Gift tax on transfers to foreign trust (continued)	0.
19	Gift tax on transfers to foreign trust (continued)	0.
20	Gift tax on transfers to foreign trust (continued)	0.
21	Gift tax on transfers to foreign trust (continued)	0.
22	Gift tax on transfers to foreign trust (continued)	0.
23	Gift tax on transfers to foreign trust (continued)	0.
24	Gift tax on transfers to foreign trust (continued)	0.
25	Gift tax on transfers to foreign trust (continued)	0.
26	Gift tax on transfers to foreign trust (continued)	0.
27	Gift tax on transfers to foreign trust (continued)	0.
28	Gift tax on transfers to foreign trust (continued)	0.
29	Gift tax on transfers to foreign trust (continued)	0.
30	Gift tax on transfers to foreign trust (continued)	0.
31	Gift tax on transfers to foreign trust (continued)	0.
32	Gift tax on transfers to foreign trust (continued)	0.
33	Gift tax on transfers to foreign trust (continued)	0.
34	Gift tax on transfers to foreign trust (continued)	0.
35	Gift tax on transfers to foreign trust (continued)	0.
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44	Gift tax on transfers to foreign trust (continued)	0.
45	Gift tax on transfers to foreign trust (continued)	0.
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52	Gift tax on transfers to foreign trust (continued)	0.
53	Gift tax on transfers to foreign trust (continued)	0.
54	Gift tax on transfers to foreign trust (continued)	0.
55	Gift tax on transfers to foreign trust (continued)	0.
56	Gift tax on transfers to foreign trust (continued)	0.
57	Gift tax on transfers to foreign trust (continued)	0.
58	Gift tax on transfers to foreign trust (continued)	0.
59	Gift tax on transfers to foreign trust (continued)	0.
60	Gift tax on transfers to foreign trust (continued)	0.
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71	Gift tax on transfers to foreign trust (continued)	0.
72	Gift tax on transfers to foreign trust (continued)	0.
73	Gift tax on transfers to foreign trust (continued)	0.
74	Gift tax on transfers to foreign trust (continued)	0.
75	Gift tax on transfers to foreign trust (continued)	0.
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83	Gift tax on transfers to foreign trust (continued)	0.
84	Gift tax on transfers to foreign trust (continued)	0.
85	Gift tax on transfers to foreign trust (continued)	0.
86	Gift tax on transfers to foreign trust (continued)	0.
87	Gift tax on transfers to foreign trust (continued)	0.
88	Gift tax on transfers to foreign trust (continued)	0.
89	Gift tax on transfers to foreign trust (continued)	0.
90	Gift tax on transfers to foreign trust (continued)	0.
91	Gift tax on transfers to foreign trust (continued)	0.
92	Gift tax on transfers to foreign trust (continued)	0.
93	Gift tax on transfers to foreign trust (continued)	0.
94	Gift tax on transfers to foreign trust (continued)	0.
95	Gift tax on transfers to foreign trust (continued)	0.
96	Gift tax on transfers to foreign trust (continued)	0.
97	Gift tax on transfers to foreign trust (continued)	0.
98	Gift tax on transfers to foreign trust (continued)	0.
99	Gift tax on transfers to foreign trust (continued)	0.
100	Gift tax on transfers to foreign trust (continued)	0.

Sign Here Yes No

Date **4/7/10**

Preparer's name (print) **WINBERG SOLESM HOWELL & SWAIN PC**

Preparer's address (street, city, state, and ZIP+4®) **130 N CASALE ST, STE 2100 CHICAGO, IL 60601**

United States Gift (and Generation-Skipping Transfer) Tax Return

709

2009

1 MICHELLE E. GRAMA
 2 1600 PENNSYLVANIA AVENUE, NW
 3 WASHINGTON, DC 20503
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 10 UNITED STATES
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Part I: General Information

13 BARRACK H. GRAMA
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Dr. Orly Taitz, ESQ

29839 Santa Margarita Parkway, STE 100

Rancho Santa Margarita CA 92688

Tel: (949) 683-5411; Fax (949) 766-7603

E-Mail: dr_taitz@yahoo.com, orly.taitz@gmail.com

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Dr. ORLY TAITZ, ESQ, PRO SE	§
Plaintiff,	§
	§
v.	§ EMERGENCY
	§ MOTION FOR
Michael Astruc, Commissioner of the	§ RECONSIDERATION
Social Security Administration,	§ 11-cv-00402
	§
	§
	§ Honorable Royce Lamberth
Respondent	§ Chief Justice presiding

**Request FOR A JUDICIAL NOTICE FILED IN Conjunction with AN EMERGENCY
MOTION FOR RECONSIDERATION**

Petitioner Orly Taitz requests a judicial notice of the Official E-Verify report showing that that Barack Obama failed E-Verify in conjunction with the Social Security number 042-68-4425,

which he used in his 2009 tax returns posted on the official White House web site Whitehouse.gov.

E-verify is accompanied with a letter of authentication by Ms. Linda Jordan who obtained the E-Verify and who attests that the E-verify is a true and correct copy provided to her.

Plaintiff Pro Se Dr. Orly Taitz (hereinafter "Taitz") hereby requests that the Court take judicial notice of the following document attached as Exhibit 1.

This request is made pursuant to Rule 201 (a), (b)1, (b)2, (c)2 of the Federal Rules of Evidence.

RULE 201. JUDICIAL NOTICE OF ADJUDICATIVE FACTS

(a) Scope. This rule governs judicial notice of an adjudicative fact only, not a legislative fact.

(b) Kinds of Facts That May Be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it:

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(c) Taking Notice. The court:

(1) may take judicial notice on its own; or

(2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

(d) Timing. The court may take judicial notice at any stage of the proceeding.

(e) Opportunity to Be Heard. On timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed. If the court takes judicial notice before notifying a party, the party, on request, is still entitled to be heard.

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

and under 201 C (2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

The report in question is relevant to the proceeding as Petitioner Taitz is seeking a reconsideration of the decision by this court, whereby this court previously upheld the decision

by the SSA to deny her release of the SS-5 for the Social Security number 042-68-4425 requested under FOI 5U.S. 552 due to privacy considerations. In her motion for reconsideration Taitz provides newly discovered evidence showing that the Social Security number in question was assigned to Harrison J. Bounel, an immigrant from Russia, born in 1890 and SS-5 should be released under the 120 year rule. *Fed. R. Evid.* Rule 201. Under *Fed. R. Evid.* Rule 201(f) judicial notice may be taken at any stage of the proceeding. *Government of Canal Zone v Burjan*, 596 F.2d 690, 694 (5th Circ. 1979).

Aforementioned record is relevant for the request for the judicial notice as according to acxiom.com/identity-search database there were two individuals using the SSN 042-68-4425: Harrison J. Bounel and Barack Obama. Only one person can legally own a specific Social Security number. According to E-verify this number does not match with the name Barack Obama, therefore by process of elimination it belongs to Harrison (Harry) J. Bounel and it should be released under the 120 year rule of the SSA.

CONCLUSION

This court should take the Judicial notice of the E-verify report showing that the Social security number 042-68-4425 does not belong to Barack . Since Obama used the aforementioned number in his tax returns, this constitutes a Social Security fraud, IRS fraud and identity theft and justifies a requested emergency hearing .

Respectfully submitted



/s/ Dr. Orly Taitz ESQ

President of the Defend Our Freedoms Foundation

05.18.2013

cc Inspector General of the Social Security Administration

cc senator Chuck Grassley ranking member of the Senate Judiciary Committee

cc Congressman Bob Goodlatte Chair of the House Judiciary Committee

cc Daryl Issa, Chair of the House Oversight Committee

cc Inspector general of IRS

I, Linda Jordan, am over 18 years old, do not suffer from any mental impairment, have personal knowledge of the facts listed below and declare under penalty of perjury:

I used the government run E-Verify system to verify the employment eligibility for Barack H Obama (Obama) and it revealed a "Notice of Mismatch" between Obama's name, birth date and Social Security Number (SSN), compared to the information the Social Security Administration has on file.

I saw Obama's Service Service Registration (SSR) form which was available on the web at www.ssr.gov and copied the SSN Obama used on that form. I also read the reports of licensed investigators Neil Samkey, Susan Daniels and the opinion of retired senior-deposition officer of the Department of Homeland Security John Sampson, that the SSN Obama was using was fraudulent and/or never issued to him.

Between October 2008 and May 2011 I submitted several requests to agencies and people with the legal responsibility and authority to investigate the use of forged documents and election fraud, concerning Obama's birth records and SSN (attachment A).

To date no one with the legal responsibility and authority has responded to any of my requests.

I read part of the testimony of Marianne LaC author before the Committee on Ways and Means Sub-Committee on Social Security in the House of Representatives dated April 14, 2011. She explained that a SSN in conjunction with a proper identity document determines whether a person is authorized to work. LaC author said that the E-Verify system run by the government is a free, internet-based system that allows employers to electronically verify the employment eligibility of their employees. The Immigration Reform and Control Act of 1986 required all employers to verify the identity and employment eligibility of all new employees regardless of citizenship or national origin.

I considered myself to be one of the employers of the President of the United States.

On July 26, 2011, I tried to enroll in the E-A only System but it required the
employer to enter data from their employees E-9 Employment Eligibility
Verification Form. I have been unable to locate one for Olym.

On August 17, 2011, I went back on the E-A only website and saw that there
was a "Self-Serve" function that was more streamlined and easier to use
when checking an employees eligibility. I entered the name BARKS H
reborn, birth date August 4, 1961 and SSN 042-68-4425. This data was
entered correctly. The report I got back from the SSA included a "Notice of
Mismatch with Social Security Administration (SSA) Records" attachment

Signed _____
Linda Bourne 4119 So Dawson St Seattle WA 98118 206 723 6471

In the city of _____
Seattle Washington
County of _____
King

Dated the _____ day of _____
August 2011

Signature of the Notary _____

Date _____



Instructions

SSA unable to confirm U.S. Citizenship. Check other matching employer's records with the above SSA records to not show that the SSN holder is a U.S. citizen.

SSA record does not verify. Other reason. SSA found discrepancy in the record.

SSA unable to process data. SSA found a discrepancy in other data in the record.

SSN is invalid. The Social Security Number (SSN) entered in Self Check is not a valid number.

SSN does not match. The Social Security Number (SSN) entered in Self Check is valid but the name and date of birth entered do not match SSA records.

Please see the message

Case Workload Number

00000000000000000000

Employee's Social Security Number (SSN)

12-34-25

Date of Disposition

04/1/2011

MR

Name of the employee, Last Name, First Name

ORNING BARACK H

Bring this notice with you when you visit SSA For SSA Field Office Staff. Do not use EV STAR. See POMS RM 10250.000H

Notice of Mismatch with Social Security Administration (SSA) Records



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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Dr. ORLY TAITZ, ESQ, PRO SE	§	
Plaintiff,	§	
	§	
v.	§	EMERGENCY
	§	MOTION FOR
Michael Astrue, Commissioner of the	§	RECONSIDERATION
Social Security Administration,	§	11-cv-00402
	§	
	§	
	§	Honorable Royce Lamberth
Respondent	§	Chief Justice presiding

Request FOR A JUDICIAL NOTICE FILED IN Conjunction with AN EMERGENCY
MOTION FOR RECONSIDERATION

PETITIONER ORLY TAITZ REQUESTS A JUDICIAL NOTICE OF THE OFFICIAL
SSNVS (SOCIAL SECURITY NUMBER VERIFICATION SYSTEMS) REPORT
SHOWING THAT THAT BARACK OBAMA FAILED SSNVS AND IS USING A

CONNECTICUT SOCIAL SECURITY NUMBER 042-68-4425 WHICH WAS NOT ASSIGNED TO HIM. This report is accompanied with a confirmation and authentication of Colonel Gregory Hollister, who personally obtained the report.

Plaintiff Pro Se Dr. Orly Taitz (hereinafter "Taitz") hereby requests that the Court take judicial notice of the aforementioned document attached as Exhibit 1.

This request is made pursuant to Rule 201 (a), (b)1, (b)2, (c)2 of the Federal Rules of Evidence.

RULE 201. JUDICIAL NOTICE OF ADJUDICATIVE FACTS

(a) Scope. This rule governs judicial notice of an adjudicative fact only, not a legislative fact.

(b) Kinds of Facts That May Be Judicially Noticed. The court may judicially notice a fact that is not subject to reasonable dispute because it:

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

(c) Taking Notice. The court:

(1) may take judicial notice on its own; or

(2) must take judicial notice if a party requests it and the court is supplied with the necessary information.

(d) Timing. The court may take judicial notice at any stage of the proceeding.

(e) Opportunity to Be Heard. On timely request, a party is entitled to be heard on the propriety of taking judicial notice and the nature of the fact to be noticed. If the court takes judicial notice before notifying a party, the party, on request, is still entitled to be heard.

(1) is generally known within the trial court's territorial jurisdiction; or

(2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned and under 201 C (2) **must take judicial notice** if a party requests it and the court is supplied with the necessary information.

The report in question is relevant to the proceeding as Petitioner Taitz is seeking a reconsideration of the decision by this court, whereby this court previously upheld the decision

by the SSA to deny her release of the SS-5 for the Social Security number 042-68-4425 requested under FOI 5U.S. 552 due to privacy considerations. In her motion for reconsideration Taitz provides newly discovered evidence showing that the Social Security number in question was assigned to Harrison J. Bounel, an immigrant from Russia, born in 1890 and SS-5 should be released under the 120 year rule. *Fed. R. Evid.* Rule 201. Under *Fed. R. Evid.* Rule 201(f) judicial notice may be taken at any stage of the proceeding. *Government of Canal Zone v Burjan*, 596 F.2d 690, 694 (5th Circ. 1979).

Aforementioned record is relevant for the request for the judicial notice as according to acxiom.com/identity-search database there were two individuals using the SSN 042-68-4425: Harrison J. Bounel and Barack Obama. Only one person can legally own a specific Social Security number. According to SSNVS report this number does not match with the name Barack Obama, therefore by process of elimination it belongs to Harrison (Harry) J. Bounel and it should be released under the 120 year rule of the SSA.

CONCLUSION

This court should take the Judicial notice of the SSNVS report showing that the Social Security number 042-68-4425 does not belong to Barack Obama. Since Obama used the aforementioned number in his tax returns, this constitutes a Social Security fraud, IRS fraud and identity theft and justifies a requested emergency hearing .

Respectfully submitted



/s/ Dr. Orly Taitz ESQ

President of the Defend Our Freedoms Foundation

05.18.2013

cc Inspector General of the Social Security Administration

cc senator Chuck Grassley ranking member of the Senate Judiciary Committee

cc Congressman Bob Goodlatte Chair of the House Judiciary Committee

cc Daryl Issa, Chair of the House Oversight Committee

cc Inspector general of IRS

Social Security Number Verification System (SSNVS)

[SSNVS Help](#)

SSN Verification Results

SSN Verification
 Request Number: 1
 Agent: 1
 Entered By: 1

The SSN 999999999 is associated with the individual request. The SSNVS system is unable to verify the SSN and has returned the following results: SSN 999999999 is

10/25/2011 10:38 AM
 SSN: 999999999
 First Name: JAMES
 Middle Name: J
 Last Name: JAMES

- Failed: Reason: SSN 999999999 is not a valid SSN. It is not a valid SSN.
- Deleted: Data Center SSNVS records do not include SSN 999999999. The SSNVS system is unable to verify the SSN and has returned the following results: SSN 999999999 is not a valid SSN. It is not a valid SSN.
- Verified: SSN 999999999 is a valid SSN.

Results	SSN	First Name	Middle Name	Last Name	Suffix	Date of Birth MMDDYYYY	Gender F/M	Verification Results
	999999999	JAMES	J	JAMES		10/25/2011	M	

Code	Description
1	SSN not in SSA report

Have a question? Call 1-800-772-6276 Mon-Fri 9AM to 5PM Eastern Time or speak with Employee Customer Service online. For more information call 1-800-325-0778