
AFFIDAVIT OF EXPERT WITNESS

MICHAEL SHRIMPTON

CPLR 3101(d)

Accordingly, I, Michael Shrimpton, Esquire, being duly sworn, depose and say under penalty of perjury:

1. *I, Michael Shrimpton, Esquire, am a British Subject and a British Citizen, born on the 9th day of March 1957, with my place of business located at 8 Jusons Glebe, Wendover, in the County of Buckinghamshire, United Kingdom HP22 6PF.*
2. I am a barrister in independent practice, called to the Bar by Gray's Inn at Michaelmas 1983. I am also an independent intelligence consultant and author, formerly a member of the Adjunct Faculty of the American Military University (AMU), which is accredited to the Department of Defense. I taught at AMU on the Masters in Strategic Intelligence program (since this affidavit is being used in an American court, as a courtesy, I am using American English, or what I fondly imagine to be American usage). My book *Spyhunter: A Secret History of German Intelligence* was published in England by June Press (Totnes, in the County of Devonshire) on April 15th 2014. *Spyhunter* is a 711 page intelligence text (see the annexed blurb). I also write a weekly intelligence column for www.VeteransToday.com and have had a peer-reviewed article published in the *Journal of International Security Affairs*, published by the reputable Jewish Institute for National Security Affairs (JINSA). I have participated in JINSA

expert panels on counterterrorism in Washington and at the Simon Wiesenthal Center in Los Angeles. I was a speaker at both the Intelligence Conference at Crystal City, VA in 2005 and the Intelligence Summit, at the same venue, the following year. Shortly after the Summit concluded the United States Navy were gracious enough to fly me out to the nuclear-powered aircraft carrier USS *Enterprise* (CVN-65) at sea, in a Northrop Grumman C-2A Greyhound, as part of their Distinguished Visitor Program. I am a member in good standing of the Royal United Services Institute and the United States Naval Institute. I was invited to join British Mensa in 2012 and am SIGSec of their Intelligence and National Security Special Interest Group. I attended the launch of the United Kingdom National Defence Association in 2007, am a founder member and a member of their advisory council, which has gone through various guises since being set up (it is a largely honorific post and the council does not meet as a body). A number of former Chiefs of the UK Defence Staff are Patrons of UKNDA, whose main aim is to encourage support for our fighting services and press for an increase in their lamentably low budget, even lower than the Pentagon's, I am sorry to say.

3. In 1992 I was appointed a part-time Chairman of the Immigration Appeal Tribunal (IAT) by the then Lord High Chancellor of Great Britain, Lord Mackay of Clashfern. The IAT heard immigration appeals from all over the United Kingdom, including Scotland, and the Islands. It was both an appellate and first instance tribunal, with legally qualified chairmen sitting with lay members, usually two. The lay members tended to have military, intelligence or colonial experience, but they came from all walks of life and had varied backgrounds. First instance cases were heard under s.3(5)(b) of the Immigration Act 1971 (Imp.) and consisted of appeals against decisions to deport on the ground that it was conducive to the public good, usually following a sentence of imprisonment for a serious crime, such as narcotics trafficking.

4. In 1995 I was appointed additionally to serve as an Immigration Adjudicator and Special Adjudicator. Special Adjudicators, now known as Immigration Judges, heard appeals against refusal of political asylum in the United Kingdom. The IAT was abolished not long after I retired from it in 2005. It is right to say that I was prevented from sitting after November 2003 and that when I resigned I was in dispute with the Lord High Chancellor of Great Britain and Secretary of State for Constitutional Affairs, Lord Falconer of Thoroton QC. This is not the place to go into the rights and wrongs of that dispute, but it flowed from my intelligence work and followed a bad faith complaint in June 2002 to my professional body, the Bar Council, by a Citizen of the Islamic Republic of Iran, whom I was advised was connected to their intelligence service, VEVAK. That complaint in turn followed my successful representation of an officer of the US Central Intelligence Agency (CIA) who had been instrumental in expanding the CIA's network inside Iran after the 1979 Iranian Revolution. VEVAK, working with the Iraqi *Mukhabarat*, were involved in the prosecution of this officer, indeed it transpired that VEVAK had an asset inside the Crown Prosecution Service, E. I was partially responsible for the exposure of E, who was thought to have an Iraqi background but whose family in fact came from Iran. My former client had a distinguished CIA career and was formerly a Lockheed U-2 pilot, indeed he was on the U-2 shakedown program.
5. I understand that Plaintiff's intent is to call me as an expert witness, with the leave of the court. I have been asked to make myself available to give evidence in New York on June 18th and 19th 2014. As a courtesy I have supplied copies of my legal and national security resumes to the Plaintiff and they can be made available to the court and other parties. After the failure of an assassination attempt upon me in 1999 I have been subjected to a volley of bad faith accusations, both professional and criminal. These have all either failed or are *sub judice* at this time. I am content to supply further details if asked, but would respectfully

caution all parties that each accusation has involved hostile intelligence agencies, usually GO2, the covert German operation in London set up at the end of World War II, and some have involved fabrication of evidence and tampering with my computer equipment.

6. At the behest of Plaintiff Christopher Earl Strunk, I understand that I am swearing this affidavit under New York State Civil Practice Law Rules Section 3101(d) as to my expert witness qualifications to testify at the hearing scheduled to be heard before the Honorable David I. Schmidt, Justice of the Supreme Court for the County of Kings, in the above Caption tentatively as consolidated cases.
7. I am also of the understanding that there is a related case with orders from the New York State Supreme Court for the County of Kings with Index No.: 6500-2011 now with active consolidated appeal cases with No's: 2012-05515, 2013-06335 and 2014-00297 in the Appellate Division for the Second Department with submission pending the outcome of this matter herein. There is clearly some procedural complexity here and I will not pretend to the court that I have fully understood how the various cases relate to each other, nor the procedural basis for the hearing in June. I comprehend at least this much, that each of the cases turns in part on the question of fact as to whether or not President Barack Hussein Obama Junior was born in either of the hospitals in Honolulu in the State of Hawai'i in which he claims to have been born and the mixed question of fact and law as to whether or not President Obama is a natural born citizen of the United States within the meaning of Article II of the United States Constitution. For the avoidance of doubt, whilst I hold myself out as a constitutional lawyer, I do not pretend to be an expert on the United States Constitution.
8. To a limited extent I accept that I am also a witness of fact, limited to the specific issue of advice I gave in late 2007 to the Central Intelligence Agency and the Defense Intelligence Agency in London, also made available to those very nice people with respect, the National Security Agency, concerning the advisability of a

DNA test on then Senator Obama. I also passed on concerns in the UK intelligence community about the Senator's eligibility for the office of President of the United States. The CIA with respect seemed to recognize my expertise within the field. At any rate my opinion was sought, and as an ally I gave it freely, although they paid for the lunch.

9. In addition to my intelligence and immigration law expertise I had specific expertise in DNA fingerprinting. I believe that I was only the second lawyer in the world to make use of it, in 1985, in an immigration case, consulting Dr. Alec Jefferies, as he then was, by telephone at the University of Leicester (I was practising as a barrister in Leicester at the time, as a 'poor persons' lawyer in a law center). As the court will be aware DNA or genetic fingerprinting had only recently been discovered, by Dr. Jefferies, now Sir Alec, the previous year. I was aware that he had used it successfully in a 'relationship as claimed' immigration case. There were many such cases and by the late 1990s the IAT and Immigration Adjudicators had built up a considerable body of expertise in the field. I was well used to considering DNA fingerprinting reports judicially by the year 2000.
10. I understand of course that ultimately these are matters for the proper U.S. judicial authorities and, if so advised, the United States Congress under the 25th Amendment to the Constitution of the United States, which of course has power to impeach any President who has misled state electoral authorities, Congress itself and the American electorate as to his or her eligibility for office. It would also be a matter entirely for the House of Representatives or the Senate as to whether they appointed special counsel to inquire into the issue of whether or not President Obama fulfills the eligibility requirements for the office of President and require a DNA test if so advised.
11. As the issue may have political ramifications it is right that I should disclose my membership of the Conservative and Unionist Party in Great Britain, although I am not presently an office-holder within the Party. I was formerly a member of

the Labour Party and stood for Parliament in the Labour interest, for the Division of Horsham in the County of West Sussex, in 1987 and the European Parliament for the European Division of West Sussex in 1989. I defected to the Tory Party, largely but not solely on the issue of UK membership of the European Union, shortly after the 1997 General Election in Britain.

12. For the avoidance of doubt it is possible in England to be both an active member of a political party and a judicial officer at the same time, indeed at one time it was quite common for Members of Parliament to sit as Recorders (part-time judges) in the Crown Court. I well recall a particularly pleasant jury trial before the late Sir Peter Archer QC MP at the then Crown Court at the Middlesex Guildhall, e.g., in the late 1990s, after I had left his party for the Tories. He was if I may say so a deeply honorable man and would not have dreamt of allowing such political differences as we might have had to influence his conduct of the trial. Similarly, when I sat as an immigration judge, I did not allow such opinions as I had on the issue of British membership of the European Union to affect the exercise of my judicial discretion when I was asked to refer questions of community law to the Court of Justice of the European Communities under Article 177 of the Treaty of Rome, indeed I became the first immigration judge to refer questions of law to the ECJ in Luxembourg, and went across to Europe to observe the proceedings.

13. I cannot conceive that the requirements on an expert witness in New York State are any less onerous than they are in England. I have not given evidence in an American court before, nor prepared an expert's report for use in an American court, although I count a number of American lawyers as friends and a friend who is a Superior Court judge in Los Angeles was kind enough to invite me to watch proceedings in his court. I have also been privileged to have met with a small number of Justices of the Supreme Court of the United States over the years, including that nice man with respect the late Chief Justice Rehnquist. Whilst I am not an officer of the New York State Supreme Court, as a matter of comity and

out of respect for the court, I would not regard my duties to an American court to be any less onerous than my duties to a court in my own country.

14. I respectfully adopt the observation of Tomlin J. in *Graigola Merthyr v. Swansea Corporation* [1928] 1 Ch. 31 that an expert witness has a “special duty to the court”. I also respectfully adopt the statement by Hodgkinson in *Expert Evidence: Law and Practice* (London: Sweet & Maxwell, 1st ed., 1990), at page 90, that “the expert witness has a principal and overriding duty, not to the party by whom he is retained, but to the court”.
15. For the avoidance of doubt, bearing in mind my own political beliefs and President Obama’s ethnicity, I accept the cardinal importance of avoiding any political or racial bias in coming to my conclusions as an intelligence expert. As it happens, I came to the same conclusion as regarding his eligibility for the office of President of the United States in respect of President Obama’s white Republican opponent, Senator McCain, as I did in relation to then Senator Obama. In relation to Senator McCain that was by reason of his birth in the Republic of Panama. So far as I know my conclusions as regards Senator McCain are in the public domain.
16. I deal firstly with my role in tendering informal advice to the CIA and the DIA. As the court will understand, with respect, intelligence agencies work on a quite different principle to courts and lawyers. Whereas the latter emphasize transparency and rightly so, the intelligence community (INTELCOM) favors deniability. When the CIA invite you to lunch they do not usually send out an embossed invitation. By the time President Obama joined the 2008 presidential race, on February 10th 2007, I would like to think that I was well-known to the CIA. It was not, I suspect, a secret inside INTELCOM that my opinion was that Senator Obama, as he then was, was born in Mombasa in what is now the Republic of Kenya. My success in relation to a paternity test on a British politician was also probably widely known inside INTELCOM. The lunch was held at Claridges Hotel in Brook Street, Mayfair, London on Wednesday October

10th 2007. A senior DIA officer was also present. Officially this was purely a social occasion. I would not be offended were either the CIA or the DIA to deny that the lunch had ever happened, or that I had tendered advice on the desirability of a DNA test and how best to conduct it, indeed that would be standard operating procedure. In fact however, although the advice I gave has been in the public domain since 2008, there has been no denial from either the CIA or DIA.

17. I do not name the names of Allied intelligence officers with whom I have had dealings. There are several reasons for that. I could not function as an intelligence expert if intelligence officers felt they could not repose trust in me not to blow their identities. It is also discourteous and thoroughly bad practice and can expose the officers with whom you are dealing to unnecessary risk. In relation to American intelligence officers it might also involve a breach of the Intelligence Identities Protection Act (IIPA). I am familiar with IIPA as the act was abused in a with respect misconceived prosecution, *United States v. Libby*, during the Bush-Cheney Presidency in relation to a CIA analyst, Valerie Plame, who was not in fact protected by IIPA. As she had had dealings with the Secret Intelligence Service (MI6) and I was aware that the prosecution was without foundation I passed a warning on to attorneys for Karl Rove, whom I believed was the primary target for the operation, and Lewis Libby, the ultimate defendant. Just because a CIA or DIA officer does not happen to be operating undercover when you have dealings with them it does not follow that they are not undercover at the present time. I would be most unwilling to name the officers and if I were to be asked that question I would be grateful for the courtesy of notice, so that I might consult with the offices of General Counsel to the CIA and General Counsel to the DIA. I am known to a number of former General Counsel to US intelligence agencies, including that very nice man with respect William Allard, formerly a distinguished General Counsel to the DIA, and the excellent American Bar

Association Committee on Law and National Security, who were kind enough in 2010 to invite me to one of their working breakfasts in Washington DC.

18. Some years prior to the lunch I had tendered informal advice to the Security Service (MI5) after concerns arose that a senior member of the Labour Government, B, might be a blackmail risk, as a result of claiming a child, L, to be his. To preserve deniability, not least in circumstances where the advice was politically sensitive, the informal advice was given over lunch at a military facility to retired officers of the Service. I gave my analysis as to the true father and suggested a means by which the intelligence might be verified, verification of course being critical. A dinner was held to which myself, the mother, Mrs B, and the suspected father, F, were invited. I believe that MI5 had an asset inside the caterers, a Sikh. The operational concept was that this asset would secrete the wine glasses used by Mrs B and F for DNA comparison with DNA retrieved from L (the baby's) saliva. I had a fair understanding of DNA testing by this time and readily appreciated that you did not need to draw blood, which might be distressing for baby and might amount to a criminal assault upon a minor, something I advised MI5 against. So far as I am aware the test excluded B as a candidate for the father of L. At any rate MI5's budget went up shortly thereafter, two brief later encounters with the then Director-General of MI5 were surprisingly amicable and I heard no more about it, except that F sought to cause me professional difficulties and B did not place me on his Christmas card list.
19. I explained all this to the intelligence officers at the Claridges lunch. My recollection is that the DIA officer was surprised and that the CIA officer just smiled. The technique, which was non-invasive, lawful and quite simple, provided not just sufficient DNA for a reliable test, but a chain of evidence, as the glasses also had the user's fingerprints. Senator Obama's purported mother, Stanley Ann Dunham, sadly had died, aged 53, on November 7th 1995. Maternity was of greater interest than than paternity, as the claimed father, Barack Hussein

Obama Senior had no claim to citizenship of the United States, that is to say then Senator Obama's claim to be a US citizen rested on his claimed relationship with Stanley Ann Dunham. My respectful suggestion, therefore, was to acquire the DNA of Stanley Ann Dunham's mother, Madelyn Lee Dunham, along with that of Senator Obama. That could most easily be done, in my opinion, by using the glass technique successfully trialed by MI5. I also advised checking for photographs of Stanley Ann Dunham, whom I believe was known to the CIA in any event from her days in US AID, in particular from the summer of 1961, when she was supposed to have been pregnant, and her medical records, and Madelyn Dunham's FBI file, which I believed dated from 1944, and Boeing security file, if extant, in connection with Abwehr sabotage activities on the B-29 Superfortress line at Boeing's Wichita, Kansas plant.

20. To the best of my knowledge and belief the DNA test was done and Senator Obama's claim to be the son of Stanley Ann Dunham could not be supported. I cannot say to the court that either CIA or DIA came back to me and said so in terms. I would not expect them to and it would be contrary to good intelligence practice. I would however expect to be told if my advice had led to either agency wasting time or resources, not to mention the cost of a good lunch.
21. The outcome of the DNA test, as I understood it to be, was consistent with what I knew of then Senator Obama's background. It was my understanding then, and still is, that he was born in Mombasa in what was then the Kenyan Protectorate, on or about August 4th 1960. So far as I know that is the internal view of both MI5 and MI6. The President's claimed father was known to British intelligence in 1960 due to his connection with the Mau Mau terrorist organization. There is no evidence that Stanley Ann Dunham went to Kenya in 1960, that is to say she cannot have been the mother, assuming the intelligence about the birth in Mombasa to be correct.
22. I should explain to the court that in 1960 the Kenyan Protectorate was not part of

the British Empire proper. It was not a British imperial possession, but formed part of the territory of His Highness the Sultan of Zanzibar, who very sensibly had placed his territory under British protection. His Highness's subjects as a consequence enjoyed the status of British Protected Persons. The Protectorate was a narrow coastal strip, about ten miles wide, from the Ruvuman River in the south to the Tana River in the north. Kenya Colony lay to the west. The two were merged into modern Kenya by the Kenya Independence Act 1963 (Imp.), citizenship of Kenya being conferred on former British Protected Persons by reason of Section 1(1) of the Independence Constitution of Kenya.

23. I did not have cause to change my opinion when the White House promulgated a purported long form birth certificate online in 2011. I am not a computer specialist but I was not surprised when the document was questioned by forensic computer experts. Long experience as an immigration judge caused me to approach free-standing birth certificates, that is to say without a counterpart, with caution. A genuine birth certificate should have a counterpart entry in the register of live births. Of course any intelligence analysis must be reviewed in the light of new developments, but the electronic facsimile copy of the birth certificate, in my albeit humble expert opinion, was not a material development.

24. I am aware that the senior official of the Hawai'i Department of Health, Ms. Loretta Fuddy, who authenticated the facsimile birth certificate, purportedly died in the crash of a Makani Kai Air Cessna Grand Caravan at or about 3.45 pm on December 11th 2013, on a short flight from Molokai to Oahu, allegedly following engine failure. I cannot express a concluded view, as I have not made a detailed study of the incident, but there are a number of anomalies that I should draw to the court's attention. The engine is said to have failed, but the Grand Caravan is powered by a Pratt and Whitney Canada PT6A turboprop, a highly reliable and well-proven motor, nor is it clear *why* the engine failed. Modern engines do not fail without a reason. No PT6A-engined airplanes were grounded as a result of

the incident and I am unaware of any modification program to the airplane or engine as a result of the incident. Makani Kai Air are a reputable company, with a good safety record, going back many years. Moreover post-crash photographs of the airplane do not appear to me to show damage consistent with ditching.

25. I should explain that it is essential when ditching an airplane to keep the nose up.

In a successful ditching the first part of the aircraft to make contact with the water should be the ventral or lower rear fuselage. I have had some limited flight experience, having flown first solo with the University of Wales Air Squadron (RAFVR) in 1979 and hold myself out as an aviation sabotage expert. I was of course trained in ditching procedure. A number of aviation incidents are covered in *Spyhunter*. It is exceedingly rare for an airplane to ditch without causing some airframe damage. As presently advised I do not accept the official version of events, but I say no more than that.

26. I am aware that Stanley Ann Dunham later married an Indonesian citizen, who appears to have adopted Barack Hussein Obama Junior. It would not be unusual for a minor step-child to take the step-father's nationality, in addition to that of the mother, on re-marriage. Whilst I am not an expert on US nationality law I am an expert in UK immigration and nationality law and am used to considering other countries' immigration and nationality law. Stanley Ann Dunham was a minor when she allegedly gave birth to the president and the claimed father's alleged marriage to her was admittedly bigamous, as he had married a Kenyan woman, Kezia, in 1954. I cannot take the court to a record of a divorce between Barack Hussein Obama Senior and Kezia Obama. It would have been unusual in 1961 for an unmarried minor, applying the definition of minor then in force (21, in Hawai'i), to have been able to transmit her nationality to her child. That is a matter requiring expert evidence on US nationality law and the laws of Hawai'i on majority, but it is right that I should flag up the issue. On the president's own account there appears to me to be a triable issue as to whether or not he was a US

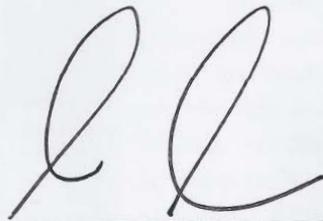
citizen at birth. To my knowledge he never naturalized, that is to say his claim to US citizenship rests in its entirety on his claim to have been born to Stanley Ann Dunham on US soil in 1961, and that claim may not be sufficient in any event having regard to his claimed father's subsisting marriage to Kezia Obama and the age of his claimed mother at the material time.

27. In my opinion the nationality status of President Obama at birth was that of a subject of His Highness the Sultan of Zanzibar and British Protected Person, becoming a citizen of the Republic of Kenya on December 12th 1963. In my further opinion there was a subsequent acquisition of the nationality of the Republic of Indonesia, following the marriage of Stanley Ann Dunham to an Indonesian national. I am respectfully unable to support the president's claim to be a citizen of the United States. I express no view as to the claimed paternity, which is not material to any issue which I believe to be before the court.
28. The following space is left blank deliberately, so that my verification statement and the signatures of both myself and the notary public appear on the same page.

The foregoing is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters as an expert I believe to be true. The grounds of my belief as to all matters not stated upon information and belief are as follows: 3rd parties, books and records, and personal knowledge.

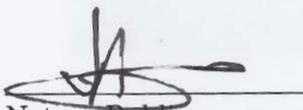
That I am willing and able to appear under oath to provide testimony as to the truth of the statements affirmed to before the Court and for examination by Parties; and

That I appear without reservation of my own free will, and without expectation of payment for such testimony.



Michael Shrimpton, LLB (Hons),
Esquire, of Gray's Inn, Barrister

Sworn to before me
This 12th day of May 2014



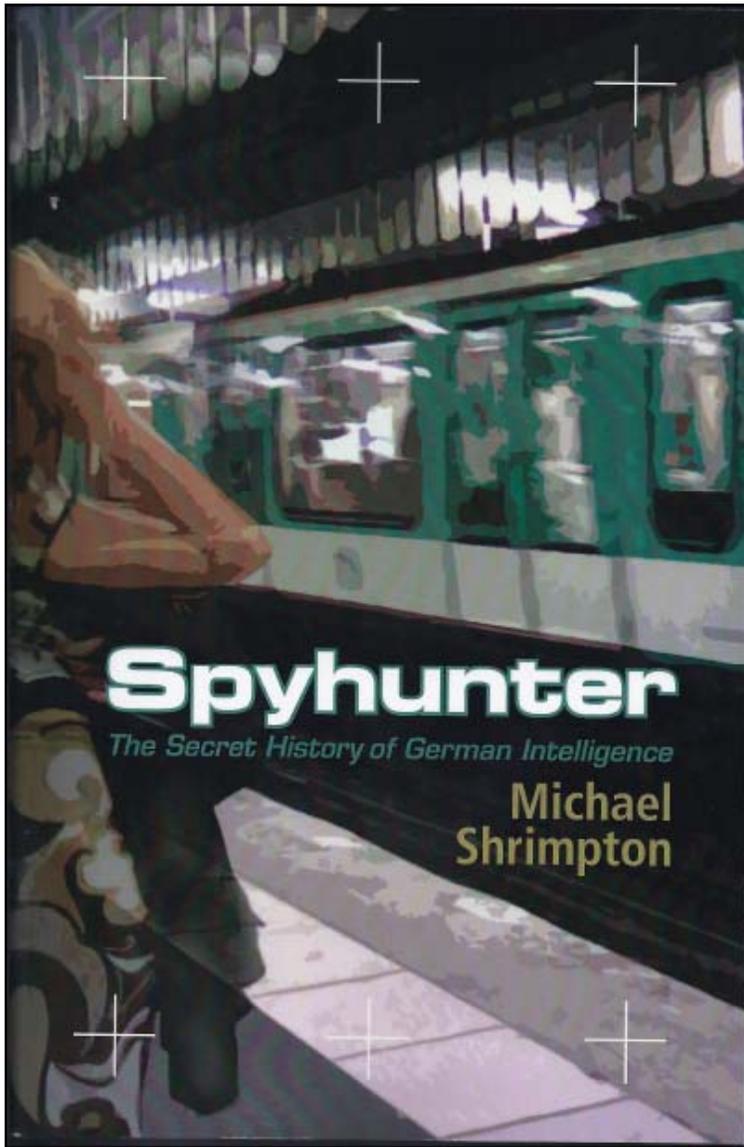
Notary Public

Protocol No.
752/2014



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Spyhunter: The Secret History of German Intelligence



Spyhunter, by the renowned barrister and intelligence specialist Michael Shrimpton, is one of the most fascinating books you will ever read. Riveting to the end. Sex, drugs, and rock & roll-with prominent politicians chasing their rent boys and girls across London- some with fatal consequences.

Drugs are in abundance, but here they are used to assassinate, or, as in the case of Michael Shrimpton, attempted murder-because he knew too much; with the rock and roll jazz provided by Hugh Masekela-reminiscing back to Michael's days as a volunteer Steward with the Anti-Apartheid Movement in London.

His role, as a Barrister, in assisting General Pinochet exit his unlawful detention in the UK was known to me at that time as we often met up socially for drinks and a chat.

His prediction to me in 2002 that the Euro would collapse the precise way that it did was so incredible at that time, I thought he had 'lost it.'

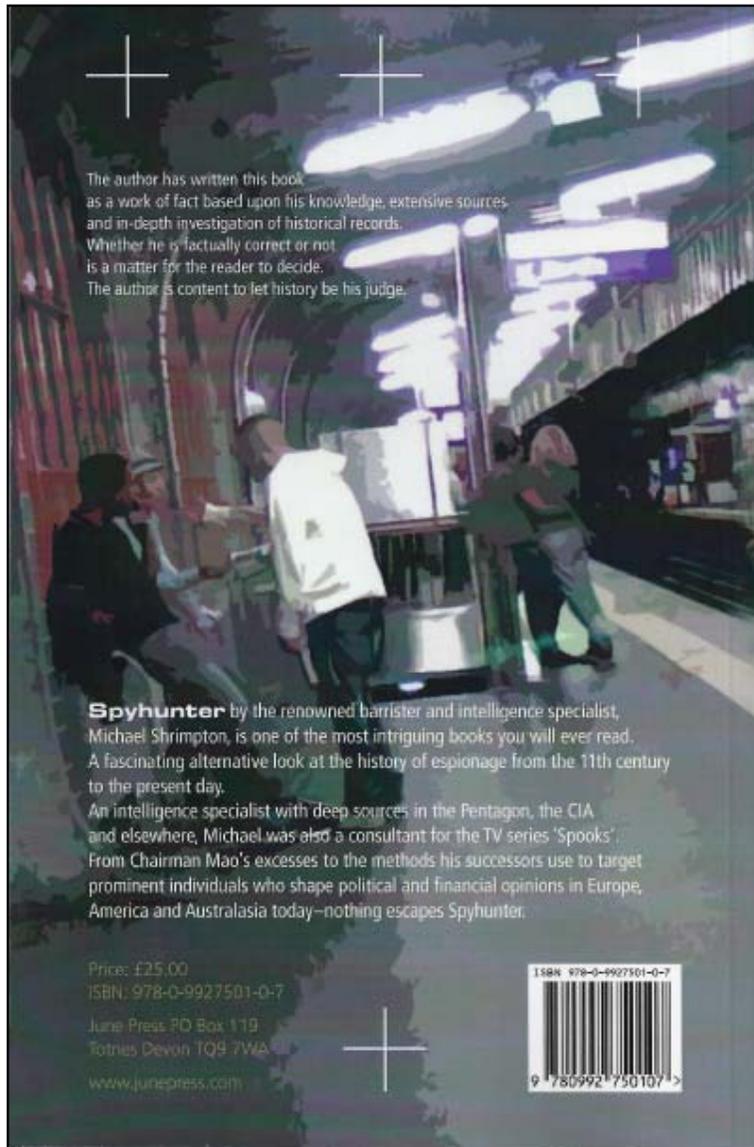
The paedophile life of Chairman Mao and his use of under-age boys for sex to blackmail political opponents is covered as are the honey traps his successors use to target prominent individuals who shape political and financial opinions in Europe, America and Australasia.

His theories about Princess Diana's murder and the gay life of Edward Heath have yet to be proved. 9/11 was a milestone for many-including Michael. Again, his theory has yet to be proven.

The book covers spy rings through the centuries, blackmail, false flags, international leaders' sexual proclivities and appetites-which made them vulnerable and compromised security and the lives of troops and assets. KGB sex training schools for spies, gay and straight, to

make them lovers par excellence. Sleepers and deep cover agents with missions in hibernation spanning decades, waiting to be activated, it's all there. Nothing can be concealed from the Spyhunter.

An intelligence specialist with deep sources in the Pentagon, the CIA and elsewhere, Michael was also consultant for the TV series 'Spooks'.



Most of his contacts worldwide are vetted through Washington and Langley, at least that element of Langley who are, as Michael would say, 'the Good Guys and Gals'.

His life has been in danger many times and checking under his Bentley each morning for bombs is a regular occupation. A must for every bookstore, university and school library—where sixth formers and university undergraduates are guaranteed to be kept more awake during history lessons by Michael's titillating revelations than any porn page on the internet—or dusty geriatric history lecturer, whichever is the greater. It's what history has been waiting for—an alternative wake-up book to challenge the status quo—and start a fierce debate.

Whether you agree or disagree, whether what Shrimpton says is so incredulous you are stupefied in disbelief, anger, rage, or just on the floor with uncontrollable laughter, the 700-page Spyhunter is a fascinating alternative look at the history of espionage from the 11th century to the present day.

Spyhunter: The Secret History of German Intelligence, by Michael Shrimpton;

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