

## **PROPOSED ORDER**

**US District Court**

**For the Eastern District of California**

James Grinols, Robert Odden, in their capacity ) Case # 12-cv-02997  
as Presidential Electors )  
Edward C. Noonan, Thomas Gregory MacLeran, )  
Keith Judd in their capacity as )  
candidates for the U.S. President )  
Orly Taitz in her capacity as candidate for office)  
in the state of CA; Edward Noonan and Orly Taitz  
in their capacity as registered voters in CA )  
v Electoral College, President of the Senate, )  
Governor of California, Secretary of State )  
of California, U.S. Congress , )

aka Barack (Barry) Soetoro, )  
 aka Barack Hussein Soebarkah, )  
 aka alias Barack Hussein Obama, )  
 aka alias Barack A. Obama, )  
 aka alias Harrison (Harry) J. Bounel )  
 aka alias S. A. Dunham )  
 in his capacity )  
 as an individual and candidate for )  
 the U.S. President )

and John Does and Jane Does 1-300

Plaintiffs are seeking to recuse the Department of Justice/U.S. Attorney's office as an attorney for the defendants and strike the Motion to Dismiss the First Amended Complaint filed by the Department of Justice.

1. Department of Justice appeared in this case claiming to represent the Electoral college. Plaintiffs presented a letter from a Presidential elector Don Ascoli (Exhibit 4 of the motion to recuse), which states that he as an elector was never contacted by the US Attorneys who filed the motions on his behalf, moreover the position of Mr. Ascoli is diametrically opposite to the position presented by the U.S. Attorneys' office, namely Mr. Ascoli wanted the case at hand to be heard on the merits to ascertain whether Mr. Obama is indeed using forged IDs and a fraudulently obtained Social security number. On 03.14.2013 the U.S. Attorneys' office filed a Reply to the Opposition to Motion to Dismiss, where the U.S. Attorneys' office conceded that it does not really represent the electoral college as the Reply was filed on behalf of the "Federal Defendants" and the U.S. Attorneys' office conceded that the Electoral College is not a Federal Defendant, as such a Motion to Recuse the Department of Justice/U.S. Attorneys' office as an attorney for the Defendant Electoral College is GRANTED and the pleadings filed on behalf of the Electoral College are STRICKEN.
2. In the same reply to opposition the US Attorneys' office filed the opposition as an attorney for the President of the Senate, however they admit that the President of the Senate is not a party listed in the Amended Complaint, as such Department of Justice/ US Attorneys' office is

recused as an attorney for the President of the Senate and the pleadings in regards to the President of the Senate in the Motion to dismissed are stricken.

3. Plaintiffs also moved to recuse the Department of Justice/US Attorneys' office from the representation of Barack Soebarkah, aka Soetoro aka Obama, who is sued as an individual, a candidate for office, for his actions as a candidate, namely alleged use of forged IDs and a fraudulently obtained Social Security number in order to fraudulently claim eligibility for office. Plaintiffs also filed a motion for reconsideration of the denial of the request for the Default Judgment against Obama, where Plaintiffs provided sworn affidavits from process servers who attested to the fact the Obama refused to accept service of process at his residence, at 1600 Pennsylvania Ave, Washington DC and demands to be served through the Department of Justice. Plaintiffs also attached an order from a District Court Judge David O'Carter in a similar case Keyes et al v Obama 09-cv-082 Central District of California, whereby the same attorney, who is representing the Plaintiffs in the case at hand was ordered by the Federal District Judge to serve Obama through the US Attorneys' office. Therefore the service through the U.S. Attorneys office by the Plaintiffs' attorney was done out of necessity and with the consent of the defendant, however this does not mean that the defendant is entitled to be represented by the U.S. Attorneys' office at the taxpayers' expense. U.S. Taxpayers are paying the U.S. Attorneys' office for the representation of federal employees who acted in the scope of their duties as federal employees. The case at hand deals with Obama's use of allegedly forged IDs in the scope of fraudulently running for office. This was not done by Obama as a federal employee and in the scope of work as a federal employee. As such representation by the U.S. attorneys' office of a candidate will not be appropriate, will be unethical, will represent an embezzlement of taxpayers' funds and will create a conflict of interest, as the purpose of the U.S. Attorneys' office is to protect the institutions of the Federal government from fraud and forgery, not to protect and cover up for an individual, who ran for a position in the Federal government by allegedly committing fraud and allegedly using forged IDs. As such a motion to recuse the Department of Justice/US attorneys' office as an attorney for defendant Obama is GRANTED and the Motion to dismiss brought on behalf of the U.S. Attorneys' office is STRICKEN.
4. Plaintiffs are seeking to recuse the Department of Justice/U.S. Attorneys office from representing the U.S. Congress. Plaintiffs' attorney Taitz provided the court with the sworn affidavit, where she states that she personally talked to several U.S. Congressmen, who advised her that they were never advised by the U.S. Attorneys' office of this representation and were never contacted to ascertain their position before the U.S. Attorneys' office filed an opposition to injunction and a motion to dismiss. Taitz also served members of congress with subpoenas filed in this case in documents 61-91, where Taitz requested a response, whether the members of Congress are indeed represented by the department of Justice. In response members of the U.S. Congress decided to retain the General Counsel for the U.S. Congress, who responded on their behalf. Due to the fact that the members of Congress retained the General Counsel of Congress to represent them and due to the fact that they had no knowledge of the fact that the Department of Justice allegedly represents them, Plaintiffs' motion to recuse the U.S. attorney as an attorney for the U.S. Congress is GRANTED and a motion to dismiss filed by the U.S.

- Attorneys' office is stricken. The new attorney for the U.S. Congress, U.S. House of Representatives general counsel is given 60 days to respond to the First Amended Complaint.
5. Additionally Plaintiffs are seeking under Local Rule 144 (FRCP 6) an order to EXPEDITE the adjudication on their Motions to reconsider the Denial of the Motion for Default Judgment against Defendant Obama, due to new evidence showing impossibility to serve Obama at his residence and due to the fact that Obama consented to service through the U.S. Attorneys' office which was indeed effectuated, however Obama did not respond. This court issues an order to SHOW CAUSE to Defendant Obama, why a Default Judgment should not be issued against him.
  6. Plaintiffs are seeking to stay the Motion hearing on the motion to dismiss by the Defendants the Default of Defendant Obama is adjudicated and until the new counsel for the U.S. Congress has an opportunity to discuss the case with his clients, members of the U.S. Congress, and in light of the fact that the prior responsive pleading filed by the Department of Justice is sought to be stricken. The court orders the Motion to Dismiss filed by the Department of Justice/U.S. attorneys' office to be stricken and gives the General Counsel of the U.S. House of Representatives 60 days to respond.
  7. Lastly Plaintiffs are seeking to Expedite their Motion to correct the First amended Complaint. Plaintiffs argue that this is the most urgent and important matter of National Security as the U.S. Presidency is at stake. Plaintiffs are seeking a class action certification and they are seeking a declaratory relief. Plaintiffs are seeking additional 20 pages to be allowed to be filed. The plaintiffs are stating that on 02.11.2013 they filed the second part of the complaint as an attachment, Document #69 Attachment "Part 2 to the Amended Complaint". Due to technical error Part 1 to the complaint got attached yet again in the place of part 2. The court will allow additional 10 pages to be filed within 10 days after this court adjudicates the Default of Defendant Obama.

So ordered and adjudged

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Honorable Morrison C. England, Chief Judge