Dr. Orly Taitz, ESQ

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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 WhoteHouse.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, Barchelor 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 WhoteHouse.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

/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

OK

Cancel

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

מבטע בויכו פיי נוויו

(For gifts made during calendar year 2009)

Department of the Treasury Informal Revenue Service

See separate instructions.

2009

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uo	8	If the donor died during the year, check here	processing the second s	1	Yes	No
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orm	10	Enter the total number of donees listed on Schedule A. Co	ount each person only once. 🕨	2	ŧ	
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	17	Will a gift tax return for this year be filed by your spouse?	(If "Yes," mail both returns in the same envelope.)		X	



the Adobe PDF file. This page may differ from other pages of this property sheet that display information from the Windows file system,

OK.

Cancel

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

OMB No. 1545 0020

2009

Department of the Treasury Internal Revenue Service (For gifts made during calendar year 2009)

See separate instructions.

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OBAMA	BARACK H. 4 Address (number, street, and apartment number) 1600 PENNSYLVANIA AVENUE, NW 1LLINOIS 5 Legal residence (domicile) 1LLINOIS 6 City, state, and ZIP code WASHINGTON, DC 20500 8 If the donor died during the year, check here and enter date of death 9 If you extended the time to file this Form 709, check here 2 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 1 th b If the answer to line 1 ta is "Yes," has your address changed since you last filed Form 709 (or 709-A)? 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.) 13 Name of consenting spouse MTCHELLE L. OBAMA 14 SSN 14 SSN 15 Were you married to one another during the entire calendar year? (see instructions) 16 If 15 is "No," check whether married divorced or widowed/deceased, and give date 7 Will a gift tax return for this year be filed by your spouse? (If "Yes," mail both returns in the same envelope.) X 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 igint and several liability for tax created by the execution of this consent.

AFFIDAVIT

STATE OF FLORIDA)

)S.S.

COUNTY OF DUVAL)

I, Felicito 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:

- I am a professional web developer having graduated with a bachelor's degree in IT from ITT
 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.
- On April 15, 2010, the Whitehouse website, <u>www.whitehouse.gov</u>, 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.
- 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."
- 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.
- I submit too 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.
- 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.
- 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-550-09-2302
 - 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

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

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See separate instructions.

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2009

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1944 For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 12 of the separate instructions for this form. ------ 709

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

DMB Vol. (545,0000)

Air ners made ouring calendar year (1909) 2009 > See separate instructions. Donor's first name and middle in 2 Donor's last name Donor's social security number BARACK H. OBAMA 043 68 4425 Address (number, street, and apartment number 5 Legal residence (domicile) 1600 PENNSYLVANIA AVENUE, ILLINOIS 8 City, state, and ZIP code Citizenship (see instructions) WASHINGTON, DO UNITED STATES 8 If the donor died during the year, creck here 🕨 💹 and enter date of death Yes No 9 If you extended the time to the this Form 709, check here Enter the total number of consessisted on Schedule A. Count each person only once. 11a. Have you the donor previously filed a Form 709 (or 709-A) for any other year? If 'No,' skip line 11b b if the answer to line 11s is 14 st has your address changed since you lest filed Form 709 (or 709-A)?

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 furnished and your spouse must sign the consent shown below. If the answer is "No," skip res, the tollowing information must lines 13-18 and go to Schedule A.) Name of consenting spouse MICHELLE L. OBAMA 14 SSN 3 ig the efitire calendar year? (see instructions X Were you married to one another our it 15 is 'No,' check whether married Will a gift tax return for this year be filed by your spouse? (If "Yes," mail both returns in the same envelope.) ifts, and generation-skipping transfers) made by me and by my spouse to third parties during the calendar flus. We are both aware of the joint and several liability for tax created by the execution of this consent. Consent of Spouse. I consent to have the gr MLO ear considered as made one n of us. We are both Muhille Saama Consenting spouse's signature Date Enter the amount from Schedule A. Port 4, line 11 2 Enter the amount from Schedule B, line 3 3 Total taxable gifts. Add lines 1 and 2 3 4 Tax computed on amount on line 3 (see Table for Computing Gift Tax in separate instructions) á 5 Tax computed on amount on line 2 (see Table for Computing Gift Tax in separate instructions) 8 Balance, Subtract line 5 form line 4 8 7 Maximum unified credit inonresident aliens, see instructions i 345,800. 8 Enter the unified credit against tax allowable for all prior periods (from Sch. B. line 1, col. C) 345,800. 9 Balance, Subtract line 8 from line 7 10 Enter 20% (.20) of the arrount allowed as a specific exemption for gifts made after September 8, 1976, and before January 1, 1977 (see instructions) 345,800. 11 Balance, Subtract line 10 from kine 9 12 Unified credit. Enter the smaller of line 6 or line 31 12 13 Credit for foreign gift taxes (see instructions) 13 14 Total credits. And lines 13 and 13 1.6 0. 15 Balance, Subtract line 14 form line 6. Do not enter less than zero 15 18 Generation-skipping transfer taxes (from Schedule C, Part 3, col. H, Total) 18 Ō. 17 Total tax, And lines 15 and 16 18 Sift and generation-skipping transfer taxes prepaid with extension of time to file 18 order ! 19 If line 18 is less than line T, enter balance due (see instructions). 110,1 reater 7 responding the accompanying activities and statements, and to a 5-based on all information of which counties have Sign X Yes L 4/7/10 Here Ch 3/30/1 P00570974 Paid 36-2700600 Preparer's HOWELL & Use Only LASALLE ST STE 2200 3127372-0440 CHICAGO, IL 60601 EHA For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 12 of the separate instructions for this form. ---- 709

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

For one made buning calendar year 1009

OMB Volitative:

2009

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1 9	. 8	Enter the unified cri	of agenst tax allowable for all prior penods (from Sch. B. line 1, col. C)	8		
-	9	Balance, Subtract a	se à from sine 7	9	345,80	00.
Conventation	10	Enter 20% (.20) of	he amount allowed as a specific exemption for gifts made after September 8, 1976, and			***************************************
7.50		pefore January 1, 1	977 (see instructions)	10		
Ü	11	Balance, Subtract is	ie 10 fom ine 9	ACQUIRE CONTRACTOR AND ACCUSATION AN	345,80	00.
× 55	12	Unified credit. Enter	the smaller of line 6 or line 11	12	Management with the second sec	0.
	100	Credit for foreign oil	tiaxes (see instructions)	13		-
		Total credits. Add lin		14	MY METERIAL CONTRACTOR	manufacture 4.5
Part	15		e 14 form line 6. Do not enter less than tern	15	NI ESSA SE qui ini processo anno riconomo esta Sindigativa cinte a gra	0.
-			transfer taxes (from Schedule C. Part 3, tol. H. Total)	16		
	1	Total tax. Add lines		17	Appendix on the best of the second control of the second	0.
				-		U :
	10	ant and dependent	A purp Itansfer taxes prepaid with extension of time to file	18		-
	19	if line 13 is less than	ine i enter balance due (see instructions)	19		0.
-						
-	- 17	t i delett) near amount to be refunded and if the results and secure of the secur	20		
-			Time of the state	May the ISS	350.55 Pis 187.77 w T	-
	ign ere	. v	14/2/	the preparer :	Stront below see	2
1	er e	^	177-10	1	X Yes	No
-		Sphature	d Design Commence of the Comme			
		Proposer 1	7/3-1		parent 5574 or 97%	
Pa	id eparers	PUC	WINEBERG SOLHEIM HOWELL & SHAIN, PC			
	e Only	cours disentents.	100 17 73 637 7 7 000			
-		proveds abovess and ZIP mode	02200200	(na no		
d statement				product with the contract of		**************
- 50	L	A For Disclosure	Privacy Act, and Paperwork Reduction Act Notice, see page 12 of the separate instructions for t	this form.	709	

709 Ur		United States Gift (and Generation-Skipping Tr	ansfer) Tax Return	CME No. 1545
Description of the second	Ment of the Timesory of Provenue Benade	For prite made during coverings over 1009) See separate instructions.		2009
ì	Donor's first name and n MICHELLE L.	2 Donor's last name	3 Denor's	cocial security number
	Address (number, street 1600 PENNSYL	a Dapartment number) VANIA AVENUE, NW	5 Legalres	dence (domicile)
	City, state, and ZIP code WASHINGTON,	OC 20500	/ ILLING	(see instructions)
£ 8	If the donor died during to	e lear, check here land enter date of death	UNITE	STATES Yes
E 10	Enter the total number of	ictors lictarian Constitute & Day as	2	
		of some form 709 for 709-A) for any other year? If No.' skip line 11b. Tes: "Nes your address changed since you last filed Form 709 for 709-A)? This your address changed since you last filed Form 709 for 709-A)?		X
1 - Gen	Your spouse to third partie	(es) Just Bucress Changed since you last filed Form 709 (or 709-A)? I third parties. Do you consent to have the gifts implieding generation-skipp during the calendar year considered as made one-half by each of you? (Set thir must be furnished and your soouse must sign the consent shown belonged.)	ang transfers) made by you and	Бу
13 15	Varie of consenting spous	BARACK H. ORAMA	14 SSN	X
16	4 15 is 'No,' check whether	other during the entire calendar year?(see instructions)		X
17	Will a grift tax return for this	gar be ried by sour spouse? (If Yes, mail both returns in the same envelo		
		in Source? (If 'Yes,' mail both returns in the same anveic to have the gues rang generation as oping transfers) made by me and by hay by each of us. We give both aware of the joint and several liability for it		X
To Constitution	2 Enter the amount from 3 Total taxable date. And	Stredule B. line 3	1 2	The state of the s
and the second	3 Total taxable gifts. App	Minedule B. line 3	2	*
	4 Tax computed on amou	Of the 3 less Table for Come	3	The second secon
		THE TOTAL DESCRIPTION OF COMMUNICATION OF A TABLE	4	
	The second secon	THAT SOUR #	5	
11.	7 Maximum united credit	(nonresident aliens, see instructions)	6	
ou	5 Enfet the unified credit a	plinst tax allowable for all prior periods (from Sch. 8, line 1, col. 6)	7	345,80
1	- Harantes Designations	1 billy of the /	8 9	
		nunt allowed as a specific exemption for gifts made after September 8, 19	76, and	345,800
O 11	Balance, Subtract line 10	formine 9	10	
2 12	Unified credit. Enter the s	nailer of line 6 or line 11	11	345,800
C2 13	Credit for foreign gar take	s (see instructions)	12	0
65 14 CL 15	Total credits, Add lines 1,	ing 13	13	
16	Datance, Subtract line (4	rom line 6. Do not enter less than zero	15	
1	Total tax: Appling bans	er taxes (from Scriedule C. Part 3. col. H. Total)	16	0
18	Gift and generation skipp		17	0
-	and generally response	transfer taxes prepaid with extension of time to file	18	V
19	I line 18 is less than line 1	enter balance due (see instructions)	19	0.
20	1153181 11334	17, enter amount to be refunded	20	
Sign Here	'Sonsture or son	Muhelle Gham	This bry showledge May the PIS be the creater one instructions of the creater one instructions of the creater o	redge and neiter a is cust that return with two colors (see \$\frac{X}{A}\$] Yes \begin{array}{ c c c c c c c c c c c c c c c c c c c
repater: se Only	S TOTAGE WIN	PBERG SOLHEIM HOWELL & SHATE		•