Attention clerk of the Court

on 06.07. 2013 Judge Lamberth declined to give the leave of court to docket attached motions, as he found some areas, where redaction was insufficient. Please, find the motions with corrected redactions to be submitted to Judge Lamberth to be docketed ASAP

Sincerely

/s/ Orly Taitz, ESq

06.07.2013

Let this be filed
along with the
attached motions
and documents.
Royce C. Lamberth
U.S.D.J. 6/13/13

RECEIVED
Mail Room
JUN 10 2013
Angela D. Caesar, Clerk of Court
U.S. District Court, District of Columbia

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**

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U.S. District Court, District of Columbia

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 [redacted]-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 [redacted]-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 [redacted]-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 [redacted]-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 [redacted]-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 [redacted]-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 [redacted]-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 [redacted]-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 11:18:29 AM on April 15, 2010 at http://www.whitehouse.gov/sites/default/filespresident-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 th s 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 [redacted]-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

06 07 2013

President of the Defend Our freedoms Foundation

cc Inspetor 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

Dr. Orly Taitz, ESQ

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E-Mail: [redacted], **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 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[redacted]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	Exemption 5
FY 2009 —applied 69 times	FY 2009—applied 86 times
FY 2010—applied 66 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 ( ) 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: [illegible], 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 [redacted]-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 to120 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 Apri 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

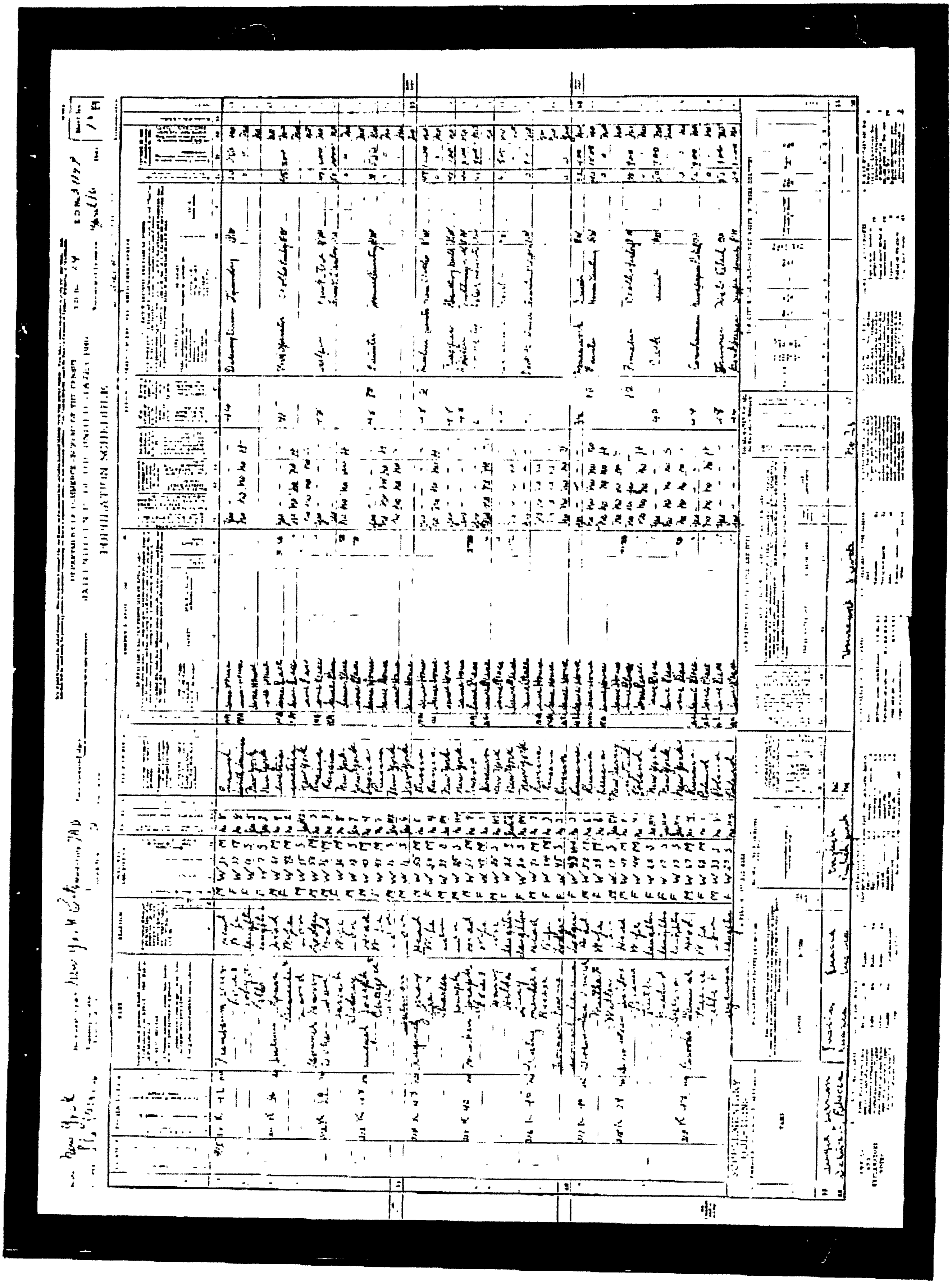
cc Inspector General of the Social Security Administration

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



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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

Report of the Merlins Information systems acxiom.com /identity-solutions database generated under the Social Security number [redacted]-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 acxiom.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 [redacted]-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 [redacted]-4425

2. Barack Obama used Social Security number [redacted]-4425 as well.

Official E-Verify and SSNVS reports attached herein show that [redacted]-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 [redacted]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 database generated under the Social Security number [redacted] 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 [redacted]-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 [redacted]-4425 with Harry Bounel as the name associated with said numident [redacted]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 [redacted]-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 4, 2013

Signature of the Notary Public

Luke Keim

LUKE KEIM NOTARY PUBLIC ALABAMA STATE AT LARGE

SOCIAL SECURITY

Refer to:
S9H: A17967

November 16, 2012

This letter is in response to your Internet request for a Numident for Mr. Harry Bounel.

The Privacy Act of 1974 (5 U.S.C. § 552a) restricts disclosure of the information you requested. The only exception that might permit us to disclose these records to you without consent would be the exception for disclosure required by the Freedom of Information Act (FOIA) (5 U.S.C. § 552).

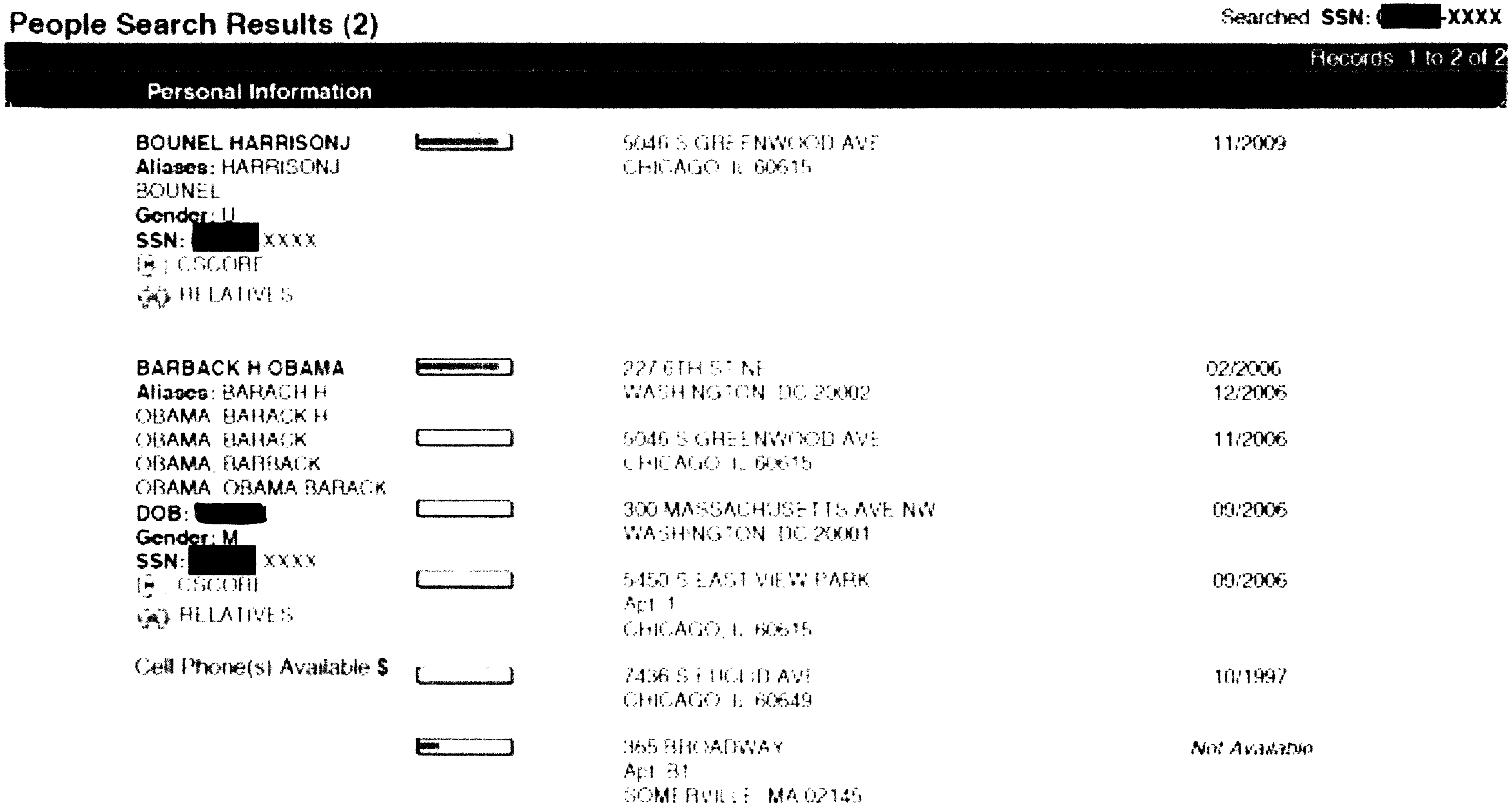
When we receive a request from a member of the public to release personal information about another individual from our records, we must balance the individual's privacy interest in withholding the information against the public interest in disclosing the information. We must determine whether disclosure would affect a personal privacy interest. There is clearly a substantial privacy interest in the personal details furnished to the Government. The only public interest we must consider is if the information sought would shed light on the way an agency performs its statutory duties. We may not consider the identity of the requester or the purpose for requesting the information. While there clearly is a public interest in knowing how the Social Security Administration administers the Social Security Act, disclosing records containing personal information about named individuals would not shed light on how the agency performs its statutory duties. Therefore, disclosing this information would be a clearly unwarranted invasion of personal privacy, and the FOIA (5 U.S.C. § 552(b)(6)) does not require disclosure.

If you disagree with this decision, you may request a review. Mail your appeal within 30 days after you receive this letter to the Social Security Administration, Office of Privacy and Disclosure, 617 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235. Mark the envelope "Freedom of Information Appeal."

Sincerely,

Dawn S. Wiggins

Dawn S. Wiggins
Freedom of Information Officer



People Search Results (2)

Searched **SSN:** ([redacted]-XXXX

Records 1 to 2 of 2

Personal Information

BOUNEL HARRISONJ **Aliases:** HARRISONJ BOUNEL **Gender:** U **SSN:** [redacted] XXXX CSCORE RELATIVES	5046 S GREENWOOD AVE CHICAGO IL 60615	11/2009
BARBACK H OBAMA **Aliases:** BARACH H OBAMA BARACK H	227 6TH ST NE WASHINGTON DC 20002	02/2006 12/2006
OBAMA BARACK OBAMA BARRACK OBAMA OBAMA BARACK	5046 S GREENWOOD AVE CHICAGO IL 60615	11/2006
DOB: [redacted] **Gender:** M **SSN:** [redacted] XXXX	300 MASSACHUSETTS AVE NW WASHINGTON DC 20001	09/2006
CSCORE RELATIVES	5450 S EAST VIEW PARK Apt 1 CHICAGO, IL 60615	09/2006
Cell Phone(s) Available $	7436 S EUCLID AVE CHICAGO IL 60649	10/1997
	365 BROADWAY Apt B1 SOMERVILLE MA 02145	*Not Available*

Relatives Search Results (1)

Searched **BOUNEL HARRISONJ**

Records 1 to 1 of 1

Personal Information

MICHELLE L OBAMA
Aliases. BARACK H
OBAMA, MICHELLE L
OBAMA, MICHELLE L
ROBINSON, MICHELLE
OBAMA, MICHELLE
ROBINSON ROBINSON
MICHELLE
DOB: [redacted]
Gender: F
SSN: [redacted]XXXX
Possible Relationship:
Sister/Spouse
ISCORE
RELATIVES

Cell Phone(s) Available **$**

5046 S GREENWOOD AVE CHICAGO IL 60615		07/2005 12/2010
7436 S EUCLID AVE CHICAGO IL 60649		09/2006
5450 S EAST VIEW PARK Apt 1 CHICAGO IL 60615		02/2004
5470 S EVERETT AVE Apt 15 CHICAGO IL 60615		09/1997
5470 S EVERETT AVE Apt 15 CHICAGO IL 60615		*Not Available*
180 N LA SALLE ST Apt 2200 CHICAGO IL 60601		*Not Available*
3550 S RHODES AVE Apt 1802 CHICAGO IL 60653	**UNLISTED**	*Not 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: [illegible], 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

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(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 [redacted]-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 [redacted]-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 [redacted]-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

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:

1. 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.

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 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.

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. [redacted]4425
    2. Michelle Obama's SSN [redacted]-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 [redacted]0974
       EIN [redacted]0600
       Phone no. 312/372-0440

8 I submit Exhibit B1 (attached herewith) Form 709 U.S. Gift Tax Return of First Lady Michelle Obama with her social security number revealed. The following information are revealed:

1. Michelle Obama's SSN[redacted]2302
2. Barack Obama's SSN. [redacted]4425
3. Preparer's SSN or P[redacted]0974
   LIN [redacted]0600
   Phone no 312/372-0440

9 It is apparent that the tax preparer for Forms 709 of Pres. Obama may have forgotten to lock or flatten the covering top layers before posting them on the Internet. I later noticed that after April 15, 2010, the pdf file posted at the White House has been modified. The top layers on President Obama's Income Tax Return have been locked or flatten and could no longer be dragged out. His SSN and his wife's SSN were no longer visible.

FURTHER AFFIANT SAYETH NOT.

FELICITO PAPA

LERMA V. MANGHUNGAN
Notary Public - State of Florida
My Comm. Expires Oct 27, 2015
Commission # EE 142018
Bonded Through National Notary Assn.

SUBSCRIBED TO AND SWORN TO before me on May 23, 2013.

NOTARY PUBLIC

FL DL- P100.245-45-082-0
Ex. 03/02/2020

Form **709**

Department of the Treasury
Internal Revenue Service

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

(For gifts made during calendar year 2009)

▶ **See separate instructions.**

OMB No. 1545-0020

2009

Part 1 - General Information

1 Donor's first name and middle initial MICHELLE L.	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

		Yes	No
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 ▶ ☐		
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 BARACK H. 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 ☐ married ☐ divorced or ☐ 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 ▶X — **Date** ▶ 4/7/10

Part 2 - Tax Computation

1	Enter the amount from Schedule A, Part 4, line 11	1	0.
2	Enter the amount from Schedule B, line 3	2	0.
3	Total taxable gifts. Add lines 1 and 2	3	0.
4	Tax computed on amount on line 3 (see *Table for Computing Gift Tax* in separate instructions)	4	0.
5	Tax computed on amount on line 2 (see *Table for Computing Gift Tax* in separate instructions)	5	0.
6	Balance. Subtract line 5 from line 4	6	0.
7	Maximum unified credit (nonresident aliens, see instructions)	7	345,800.
8	Enter the unified credit against tax allowable for all prior periods (from Sch. B, line 1, col. C)	8	
9	Balance. Subtract line 8 from line 7	9	345,800.
10	Enter 20% (.20) of the amount allowed as a specific exemption for gifts made after September 8, 1976, and before January 1, 1977 (see instructions)	10	
11	Balance. Subtract line 10 from line 9	11	345,800.
12	Unified credit. Enter the smaller of line 6 or line 11	12	0.
13	Credit for foreign gift taxes (see instructions)	13	
14	Total credits. Add lines 12 and 13	14	
15	Balance. Subtract line 14 from line 6. Do not enter less than zero	15	0.
16	Generation-skipping transfer taxes (from Schedule C, Part 3, col. H, Total)	16	
17	Total tax. Add lines 15 and 16	17	0.
18	Gift and generation-skipping transfer taxes prepaid with extension of time to file	18	
19	If line 18 is less than line 17, enter **balance due** (see instructions)	19	0.
20	If line 18 is greater than line 17, enter **amount to be refunded**	20	

Attach check or money order here.

Sign Here

Under penalties of perjury, I declare that I have examined this return, including any accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than donor) is based on all information of which preparer has any knowledge.

May the IRS discuss this return with the preparer shown below (see instructions)? ☒ Yes ☐ No

▶ X Michelle Obama 4/7/10
Signature of donor — Date

Paid Preparer's Use Only

Preparer's signature ▶	Date 3/30/10	Check if self-employed ☐	Preparer's SSN or PTIN
Firm's name (or yours if self-employed), address, and ZIP code ▶	WINEBERG SOLHEIM HOWELL & SHAIN, PC 180 N LASALLE ST, STE 2200 CHICAGO, IL 60601		EIN Phone no.

005501
12-15-09 LHA **For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 12 of the separate instructions for this form.** Form **709** (2009)

Form **709**

Department of the Treasury
Internal Revenue Service

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

(For gifts made during calendar year 2009)

▶ See separate instructions.

OMB No. 1545-0020

2009

Part 1 - General Information

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

		Yes	No
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 ▶ ☐		
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 ☐ married ☐ divorced or ☐ 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 ▶ X Michelle Obama **Date** ▶ 4-7-10

Part 2 - Tax Computation

1	Enter the amount from Schedule A, Part 4, line 11	1	0.
2	Enter the amount from Schedule B, line 3	2	0.
3	Total taxable gifts. Add lines 1 and 2	3	0.
4	Tax computed on amount on line 3 (see *Table for Computing Gift Tax* in separate instructions)	4	0.
5	Tax computed on amount on line 2 (see *Table for Computing Gift Tax* in separate instructions)	5	0.
6	Balance. Subtract line 5 from line 4	6	0.
7	Maximum unified credit (nonresident aliens, see instructions)	7	345,800.
8	Enter the unified credit against tax allowable for all prior periods (from Sch. B, line 1, col. C)	8	
9	Balance. Subtract line 8 from line 7	9	345,800.
10	Enter 20% (.20) of the amount allowed as a specific exemption for gifts made after September 8, 1976, and before January 1, 1977 (see instructions)	10	
11	Balance. Subtract line 10 from line 9	11	345,800.
12	Unified credit. Enter the smaller of line 6 or line 11	12	0.
13	Credit for foreign gift taxes (see instructions)	13	
14	Total credits. Add lines 12 and 13	14	
15	Balance. Subtract line 14 from line 6. Do not enter less than zero	15	0.
16	Generation-skipping transfer taxes (from Schedule C, Part 3, col. H, Total)	16	
17	Total tax. Add lines 15 and 16	17	0.
18	Gift and generation-skipping transfer taxes prepaid with extension of time to file	18	
19	If line 18 is less than line 17, enter **balance due** (see instructions)	19	0.
20	If line 18 is greater than line 17, enter **amount to be refunded**	20	

Attach check or money order here.

Sign Here

Under penalties of perjury, I declare that I have examined this return, including any accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than donor) is based on all information of which preparer has any knowledge.

▶ X
Signature of donor

4/7/10
Date

May the IRS discuss this return with the preparer shown below (see instructions)? ☒ Yes ☐ No

Paid Preparer's Use Only

Preparer's signature ▶	Date 3/30/10	Check if self-employed ☐	Preparer's SSN or PTIN
Firm's name (or yours if self-employed), address and ZIP code ▶ WINEBERG SOLHEIM HOWELL & SHAIN, PC 180 N LASALLE ST, STE 2200 CHICAGO, IL 60601		EIN Phone no.	

905501
12-15-09

LHA **For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 12 of the separate instructions for this form.** Form **709** (2009)

Form **709**

Department of the Treasury
Internal Revenue Service

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

(For gifts made during calendar year 2009)

▶ **See separate instructions.**

OMB No. 1545-0020

2009

Part 1 - General Information

1 Donor's first name and middle initial MICHELLE L.	2 Donor's last name OBAMA	3 Donor's social security number [redacted]
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

		Yes	No
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 ▶ ☐		
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 BARACK H. OBAMA — 14 SSN [redacted]		
15	Were you married to one another during the entire calendar year? (see instructions)	X	
16	If 15 is "No," check whether ☐ married ☐ divorced or ☐ 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 ▶ X **Date ▶** 4/7/10

[redacted]

Part 2 - Tax Computation

1	Enter the amount from Schedule A, Part 4, line 11	1	0.
2	Enter the amount from Schedule B, line 3	2	0.
3	Total taxable gifts. Add lines 1 and 2	3	0.
4	Tax computed on amount on line 3 (see *Table for Computing Gift Tax* in separate instructions)	4	0.
5	Tax computed on amount on line 2 (see *Table for Computing Gift Tax* in separate instructions)	5	0.
6	Balance. Subtract line 5 from line 4	6	0.
7	Maximum unified credit (nonresident aliens, see instructions)	7	345,800.
8	Enter the unified credit against tax allowable for all prior periods (from Sch. B, line 1, col. C)	8	
9	Balance. Subtract line 8 from line 7	9	345,800.
10	Enter 20% (.20) of the amount allowed as a specific exemption for gifts made after September 8, 1976, and before January 1, 1977 (see instructions)	10	
11	Balance. Subtract line 10 from line 9	11	345,800.
12	Unified credit. Enter the smaller of line 6 or line 11	12	0.
13	Credit for foreign gift taxes (see instructions)	13	
14	Total credits. Add lines 12 and 13	14	
15	Balance. Subtract line 14 from line 6. Do not enter less than zero	15	0.
16	Generation-skipping transfer taxes (from Schedule C, Part 3, col. H, Total)	16	
17	Total tax. Add lines 15 and 16	17	0.
18	Gift and generation-skipping transfer taxes prepaid with extension of time to file	18	
19	If line 18 is less than line 17, enter **balance due** (see instructions)	19	0.
20	If line 18 is greater than line 17, enter **amount to be refunded**	20	

Attach check or money order here.

LO

Sign Here

Under penalties of perjury, I declare that I have examined this return, including any accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than donor) is based on all information of which preparer has any knowledge.

▶ X Michelle Obama 4/7/10

Signature of donor — Date

May the IRS discuss this return with the preparer shown below (see instructions)? ☒ Yes ☐ No

Paid Preparer's Use Only

Preparer's signature ▶	Date 3/30/10	Check if self-employed ☐	Preparer's SSN or PTIN [redacted]
Firm's name (or yours if self-employed), address, and ZIP code ▶	WINEBERG SOLHEIM HOWELL & SHAIN, PC		EIN [redacted]
	180 N LASALLE ST, STE 2200		Phone no. ~~312/372-0440~~
	CHICAGO, IL 60601		

905501
12-15-09 LHA **For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 12 of the separate instructions for this form.** Form **709** (2009)

7

Form **709**

Department of the Treasury
Internal Revenue Service

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

(For gifts made during calendar year 2009)

▶ See separate instructions.

OMB No 1545 0020

2009

Part 1 - General Information

1 Donor's first name and middle initial BARACK H.	2 Donor's last name OBAMA	3 Donor's social security number [redacted]5
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

		Yes	No
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 ▶ ☐		
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 [redacted]		
15	Were you married to one another during the entire calendar year? (see instructions)	X	
16	If 15 is "No," check whether ☐ married ☐ divorced or ☐ 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	

MLO

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 ▶ X Michelle Obama **Date** ▶ 4-7-10

Part 2 - Tax Computation

1	Enter the amount from Schedule A, Part 4, line 11	1	0.
2	Enter the amount from Schedule B, line 3	2	0.
3	Total taxable gifts. Add lines 1 and 2	3	0.
4	Tax computed on amount on line 3 (see *Table for Computing Gift Tax* in separate instructions)	4	0.
5	Tax computed on amount on line 2 (see *Table for Computing Gift Tax* in separate instructions)	5	0.
6	Balance. Subtract line 5 from line 4	6	0.
7	Maximum unified credit (nonresident aliens, see instructions)	7	345,800.
8	Enter the unified credit against tax allowable for all prior periods (from Sch. B, line 1, col. C)	8	
9	Balance. Subtract line 8 from line 7	9	345,800.
10	Enter 20% (.20) of the amount allowed as a specific exemption for gifts made after September 8, 1976, and before January 1, 1977 (see instructions)	10	
11	Balance. Subtract line 10 from line 9	11	345,800.
12	Unified credit. Enter the smaller of line 6 or line 11	12	0.
13	Credit for foreign gift taxes (see instructions)	13	
14	Total credits. Add lines 12 and 13	14	
15	Balance. Subtract line 14 from line 6. Do not enter less than zero	15	0.
16	Generation-skipping transfer taxes (from Schedule C, Part 3, col. H, Total)	16	
17	Total tax. Add lines 15 and 16	17	0.
18	Gift and generation-skipping transfer taxes prepaid with extension of time to file	18	
19	If line 18 is less than line 17, enter **balance due** (see instructions)	19	0.
20	If line 18 is greater than line 17, enter **amount to be refunded**	20	

Attach check or money order here.

Sign Here

Under penalties of perjury, I declare that I have examined this return, including any accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than donor) is based on all information of which preparer has any knowledge.

▶ X
Signature of donor — Date 4/7/10

May the IRS discuss this return with the preparer shown below (see instructions)? ☒ Yes ☐ No

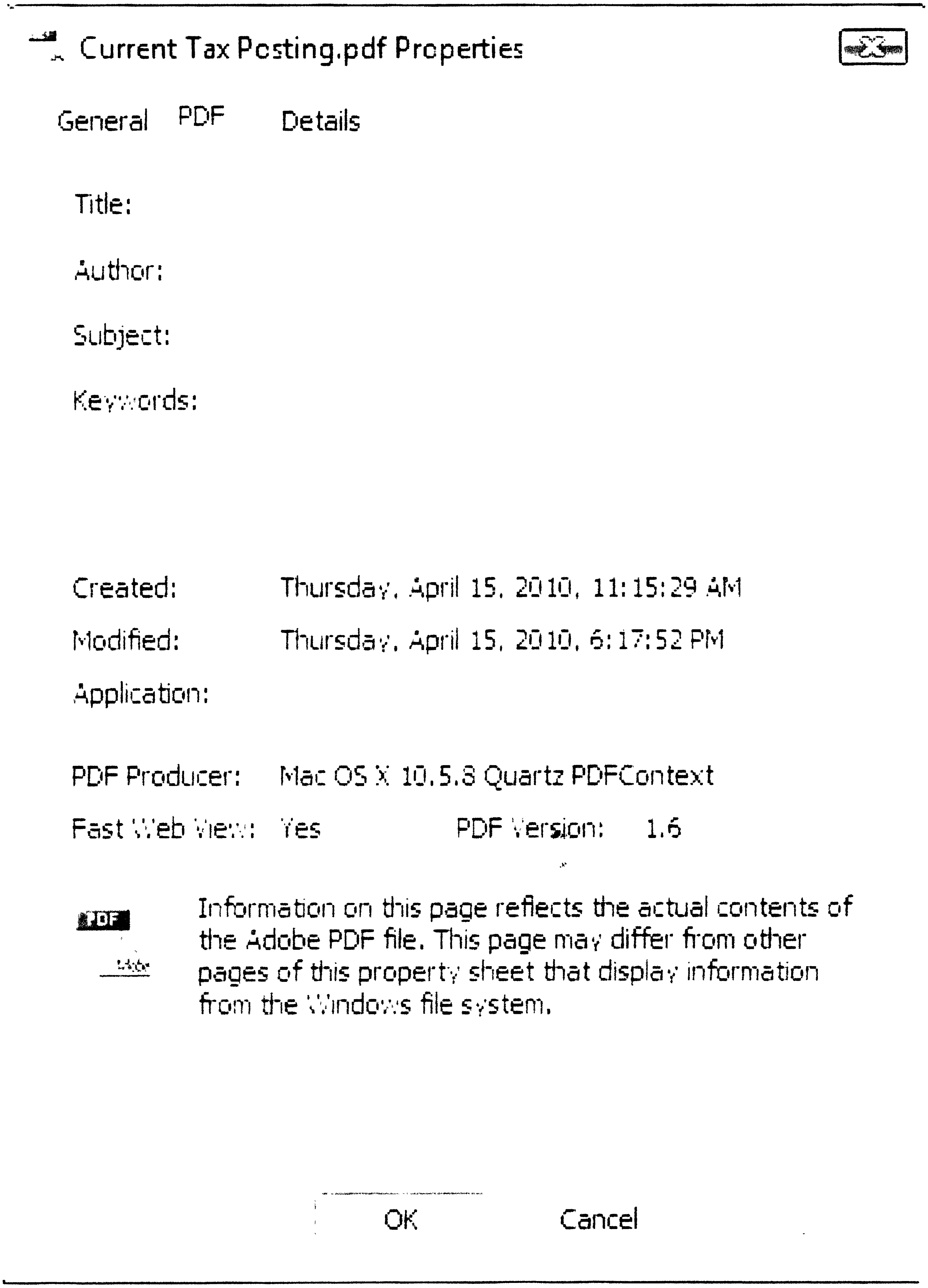
Paid Preparer's Use Only

Preparer's signature ▶ — Date 3/30/10 — Check if self-employed ☐ — Preparer's SSN or PTIN [redacted]0974

Firm's name (or yours if self-employed), address and ZIP code ▶
WINEBERG SOLHEIM HOWELL & SHAIN, PC
180 N LASALLE ST, STE 2200
CHICAGO, IL 60601

EIN [redacted]0600
Phone no. [redacted]

305501 12-15-09 LHA **For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 12 of the separate instructions for this form.** Form **709** (2009)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Title:

Author:

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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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Form **709**

Department of the Treasury
Internal Revenue Service

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

(For gifts made during calendar year 2009)

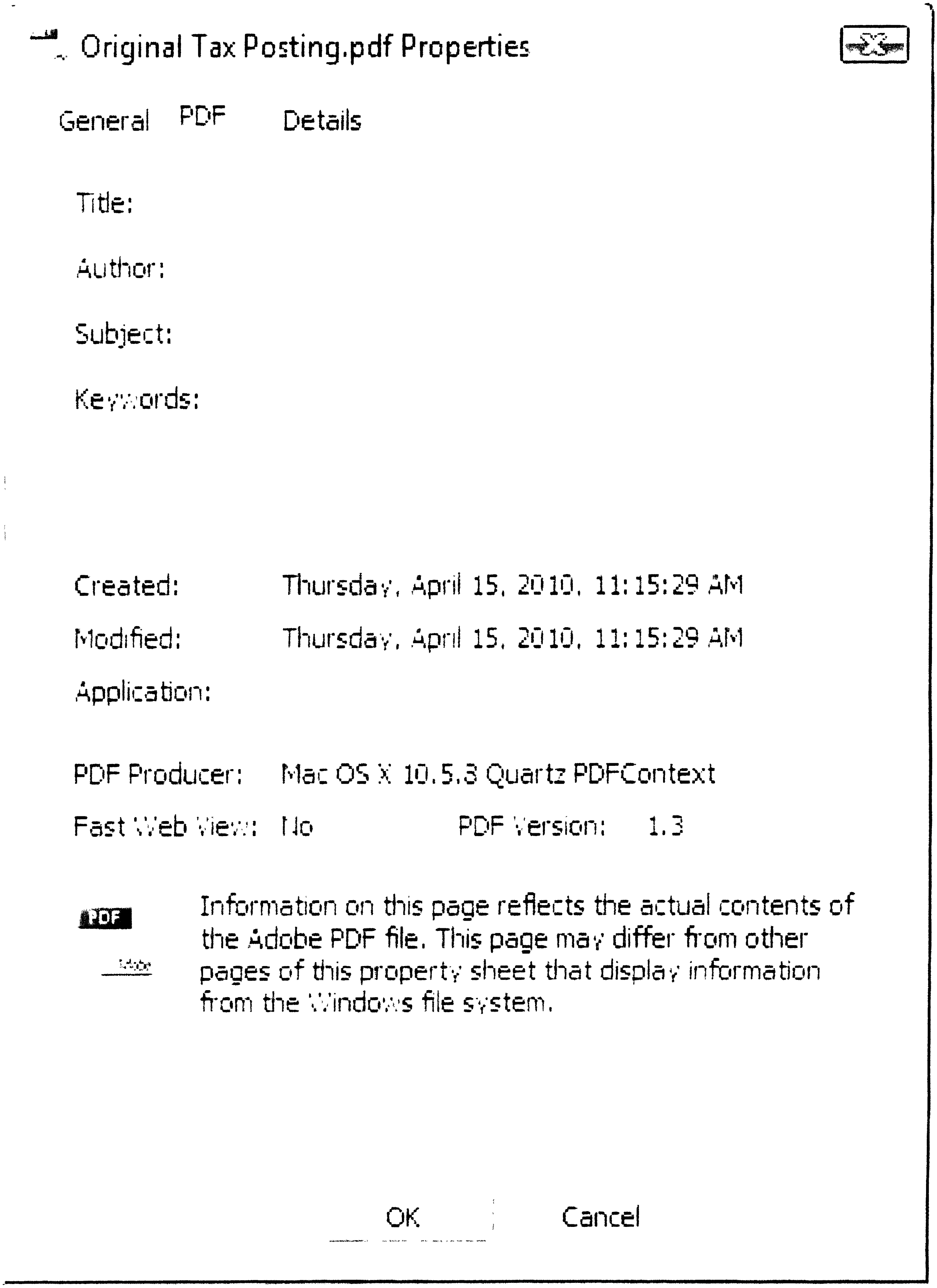
▶ **See separate instructions.**

2009

1 Donor's first name and middle initial BARACK H.	2 Donor's last name OBAMA	3 **Donor's social security number** [redacted]
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

Part 1 General Information

		Yes	No
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 ▶ ☐		
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 [redacted]		
15	Were you married to one another during the entire calendar year? (see instructions)	X	
16	If 15 is "No," check whether ☐ married ☐ divorced or ☐ 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	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Title:

Author:

Subject:

Keywords:

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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

Information on this page reflects the actual contents of the Adobe PDF file. This page may differ from other pages of this property sheet that display information from the Windows file system.

Form **709**

Department of the Treasury
Internal Revenue Service

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

(For gifts made during calendar year 2009)

▶ **See separate instructions.**

OMB No 1545 0020

2009

Part 1 - General Information

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

		Yes	No
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 ▶ ☐		
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 ☐ married ☐ divorced or ☐ 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 ▶ X Michelle Obama **Date** ▶ 4-7-10

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: [illegible], 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

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 [redacted]-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 [redacted]-4425 requested under FOI 5 U.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 [redacted]-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 [redacted]-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 Selective Service Registration (SSR) form which was available on the web at www.sss.gov and copied the SSN Obama used on that form. I also read the reports of licensed investigators Neil Sankey, Susan Daniels and the opinion of retired senior deportation 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 Marianna LaCanfora 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 determine whether a person is authorized to work. LaCanfora 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-Verify System but it required the employer to enter data from their employees I-9 Employment Eligibility Verification Form. I have been unable to locate one for Obama.

On August 17, 2011, I went back on the E-Verify website and saw that there was a "Self-Service" function that was more streamlined and easier to use when checking an employees eligibility. I entered the name Barack H Obama, birth date August 4, 1961 and SSN [redacted]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 B)

Signed ______________________________
Linda Jordan 4416 So Dawson St. Seattle WA 98118 206.723.6471

In the city of ______________________________, County of __________,
Seattle Washington King

Dated the ______ day of ______________, ______.
August 2011

Signature of the Notary ______________________________

Date ______________________________

Self Check™

Notice of Mismatch with Social Security Administration (SSA) Records

Bring this notice with you when you visit SSA

For SSA Field Office Staff: Do not use EV-STAR; See POMS RM 10250.000ff

Obama Barack H
Name of the employee (Last Name First Name MI)
08/17/2011
Date of Mismatch

[redacted]4425
Employee's Social Security Number (SSN)
2011229111431GY
Case Verification Number

Reason for this Notice

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

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

SSA unable to confirm U.S. Citizenship. Cannot confirm that the employee is eligible to work because the SSA records do not show that the SSN Holder is a U.S. Citizen

[✓ **SSA record does not verify. Other reason.**] SSA [illegible]

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

Instructions

attachment B

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: [illegible], 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

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 [redacted]-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.

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(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 [redacted]-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 [redacted]-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 [redacted]-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

GREG HOLLISTER greg.hollister@msn.com Wed, Feb 9, 2011 at [illegible] AM
To: orly.taitz@gmail.com
Cc: [redacted]

Dear Ms Taitz

I have been monitoring your efforts to bring to [illegible] attention the eligibility of Barack Obama to serve as POTUS. I see that you are now filing suit referencing his many SSNs.

I have a copy of Obama's selective service card with the SSN affixed. As a small business owner I have access to the Social Security Number Verification System. As a result I checked the SSNVS for the SSN Obama used registering with Selective Service. The SSNVS search resulted in a report showing that the SSN that Obama used to register for Selective Service was never issued.

Let me be direct. I have not agreed with many of your tactics in this endeavor, however I have continued to monitor your efforts to see where there may be synergy and this is one.

Therefore, if you think this information is worthwhile to you, please let me know and I will send you the image files for both the Selective Service Card and the SSNVS report that states that SSN was never issued.

Sincerely,

Greg Hollister

Gregory S. Hollister, Colonel, USAF, Retired
President, [illegible]

[illegible] Business Services Online

www.socialsecurity.gov BSO Main Menu BSO Information Contact Us Keyboard Navigation Logout

Social Security Number Verification System (SSNVS)

SSNVS Help

SSN Verification Results

Employer's EIN	
Records Submitted	1
Failed	1
Verified Records	0

The following table displays your submitted results The first column indicates if the submitted record verified, failed or employee is deceased The first five digits of the SSN will be masked for verified records and records with a verification results code of 2 3 4 or 6

Verify More SSNs
What to do if an SSN fails to verify
Field Office Locator

- **Failed** - Data does not match Social Security Administration's records Select What to do if an SSN Fails to Verify for more information
- **Deceased** - Data matches Social Security Administration's records and our records indicate that the person is deceased For more information please contact our general SSA information line at 1-800 772 1213 (TDD/TTY 1 800-325-0778) or your local Social Security field office Select Field Office Locator to find the office nearest you
- **Verified** - Data matches Social Security Administration's records

Results	SSN 999999999	First Name	Middle Name	Last Name	Suffix	Date of Birth MMDDYYYY	Gender F/M	Verification Results
Failed	[redacted]4425	BARACK		OBAMA		[redacted]	M	1

Verification Results	
Code	**Description**
1	SSN not in file (never issued)

Have a question? Call **1-800-772-6270** Mon - Fri 7AM to 7PM Eastern Time to speak with Employer Customer Service personnel For TDD/TTY call **1-800-325-0778**