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CLERK U.S. BANKRUPTCY COURT
Central District of California
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re:

CLARK WARREN BAKER,

Case No.: 2:15-bk-20351-BB

Chapter: 7

Adversary No.: 2:15-ap-01535-BB

Debtor(s),

JAMES MURTAGH, M.D.,

Plaintiff(s),

Vs.

CLARK WARREN BAKER

Defendant(s).

**REPORT AND RECOMMENDATION TO
DISTRICT COURT FOR WITHDRAWAL OF
REFERENCE AS TO DETERMINATION OF
CRIMINAL CONTEMPT**

Date: July 10, 2024

Time: 10:00 AM

Location: Courtroom 1539

Because criminal contempt matters under 18 U.S.C. § 401(3) and Rule 42 of the Federal Rules of Criminal Procedure must be tried by the District Court, rather than the Bankruptcy Court, see In re Dyer, 322 F.3d 1178 (9th Cir. 2003), and because this Court believes that the facts of this case warrant consideration of prosecution for criminal contempt, the Court hereby recommends that the District Court *sua sponte* withdraw the reference with

1 respect to all criminal and civil contempt matters in this bankruptcy case pursuant to 28 U.S.C.
2 § 157(d) for the limited purpose of considering criminal contempt proceedings against
3 defendant Clark Warren Baker (“Baker”) for violation of this Court’s February 17, 2022 “Default
4 Judgment and Permanent Injunction” (the “Injunction”) [Docket No. 867 in the above adversary
5 proceeding (the “Action”)¹].

6 Throughout the course of this adversary proceeding, Baker has demonstrated a
7 consistent disregard for his duty to cooperate in discovery, his obligation to comply with orders
8 of this Court and the need to testify truthfully when signing declarations under penalty of
9 perjury. These problems (among others) led this Court (i) to make two criminal referrals to the
10 United States Attorney concerning Baker's conduct in the Action; (ii) to make numerous
11 findings about Baker's failure to comply with orders of this Court; (iii) to strike Baker's answer
12 to complaint and authorize plaintiff to proceed by way of default; and (iv) to hold Baker in civil
13 contempt and have him arrested in an effort to obtain compliance with its orders. As none of
14 these efforts had the effect of deterring Baker from engaging in misconduct in the Action, in
15 June of 2019, the Court issued a Report and Recommendation that Baker be held in criminal
16 contempt and incarcerated for a period of 90 days [Docket No. 513, attached as Exhibit 1
17 hereto]. However, even these measures proved insufficient to cause Baker to turn over a new
18 leaf. Immediately upon entry of a final judgment in the Action that included injunctive relief,
19 Baker began violating the terms of that injunction, resulting in the entry of an order to show
20 cause why he should not be held in contempt yet again and an order holding him in civil
21 contempt, as discussed in more detail below.

22 Although the Court has given Baker repeated opportunities to purge his contempt of the
23 Injunction, Baker has failed to do so. Instead, Baker has treated this Court’s orders requiring
24 him to provide information concerning his efforts to comply with the Injunction under penalty of
25 perjury as little more than creative writing assignments, offering declaration after declaration
26 with responses that are incomplete, nonresponsive and/or inconsistent with his prior
27 declarations, without any explanation for the inconsistencies. These declarations appear to be
28

¹ Unless otherwise noted, all docket numbers used in this Report and Recommendation refer to docket numbers in the Action.

1 little more than efforts by Baker to distract the Court from noticing that he has not actually
2 provided any meaningful information about how and when he took the steps required by the
3 Injunction.

4 When a party has repeatedly demonstrated that he cannot be cajoled or coerced into
5 complying with court orders, civil contempt is no longer an effective tool. Such a party should
6 be held in criminal contempt and punished for his wrongdoing. The Bankruptcy Court lacks the
7 authority to take this action and therefore recommends that the District Court withdraw the
8 reference to the extent necessary to permit it to do so.

9 I

10 **PROCEDURAL HISTORY**

11 To assist the District Court in understanding the nature of the relationship between the
12 parties and the history of problems that this Court has encountered in obtaining compliance
13 with its orders from defendant Baker, the bankruptcy court has included in this Report and
14 Recommendation a lengthy recitation of the background and prior history of the Action.
15 However, the basis of the bankruptcy court's current recommendation that Baker be held in
16 criminal contempt and incarcerated as punishment therefor, the discussion of which begins in
17 Section II below, is limited to Baker's failure to comply with the Injunction [Docket No. 867,
18 attached as Exhibit 2 hereto], and his failure to purge his contempt of the Injunction by taking
19 the steps outlined in this Court's three interim orders re contempt -- Docket No. 975, entered
20 March 22, 2023; Docket No. 1045, entered November 22, 2023; and Docket No. 1087, entered
21 April 25, 2024 -- which orders are attached hereto as Exhibits 3, 4 and 5, respectively.

22 **A. Litigation in State Court**

23 On November 15, 2013, James Murtagh, M.D. ("Murtagh" or "plaintiff") filed a lawsuit
24 against Baker in Los Angeles Superior Court, commencing case no. BC 527716 (the "State
25 Court Action"). In the third amended version of his complaint in the State Court Action, filed
26 February 18, 2015, Murtagh alleged, among other things, that Baker had committed intentional
27 infliction of emotional distress, defamation, intentional interference with contractual relations
28 and intentional interference with prospective economic advantage. On May 12, 2015, the Los
Angeles Superior Court, in the State Court Action, ordered Baker to pay \$60,000 in sanctions

1 to reimburse Murtagh for attorneys' fees and costs attributable to a frivolous motion that Baker
2 had filed in the State Court Action. Baker never paid these sanctions and instead filed a
3 chapter 7 bankruptcy petition in the United States Bankruptcy Court for the Central District of
4 California on June 29, 2015, commencing bankruptcy case no. 2:15-bk-20351 (the "Case").
5 The State Court Action has remained stayed since that date.

6 **B. Litigation in Bankruptcy Court**

7 Murtagh commenced the above adversary proceeding against Baker on October 5,
8 2015. Murtagh's Second Amended Complaint, filed December 29, 2015 [Docket No. 16] (the
9 "Second Amended Complaint"), seeks to have Murtagh's claims against Baker excepted from
10 any discharge that Baker might receive in the Case under Bankruptcy Code section 523(a)(6)².
11 According to the Second Amended Complaint, the original conflict between Murtagh and Baker
12 arose from their opposing views regarding the treatment of patients infected with HIV:

- 13 a. Baker is an "AIDS denier" who: (i) disputes widely accepted medical and scientific
14 evidence that HIV causes AIDS; (ii) through OMSJ³, brokered experts in litigation to
15 discredit test results which resulted in HIV-positive findings; and (iii) encourages
16 HIV-positive individuals to stop taking medically prescribed pharmaceutical
17 treatment based on advocacy that AIDS is just a hoax orchestrated by "Big Pharma"
18 (which advocacy has resulted in many unnecessary or more accelerated deaths).
19 b. Dr. Murtagh is an experienced licensed physician with three board certifications
20 (Internal Medicine, Pulmonary Disease and Sleep Medicine), and is a former
21 professor at Emory University's Medical School; Dr. Murtagh disputes Baker's
22 baseless theories about HIV testing and AIDS; (ii) supports medical treatment for
23
24
25

26 ² Bankruptcy Code section 523(a)(6) excepts from discharge an individual debtor's debts for "for willful and malicious injury
27 by the debtor to another entity or to the property of another entity."

28 ³ According to the Second Amended Complaint at paragraph 5, OMSJ (the "Office of Medical & Scientific Justice, Inc.") is a
private investigation company that claims to be a nonprofit corporation whose stated mission is to "defend victims of
scientific and medical abuse." OMSJ filed bankruptcy on June 29, 2015 – the same day that Baker filed bankruptcy – using
the same attorney that represented Baker in filing bankruptcy. OMSJ used Baker's home address as its business address on
its petition, and Baker signed OMSJ's petition as its president.

1 HIV and AIDS patients; and (iii) believes that medication for the prevention,
2 postponement and/or treatment of AIDS has been proven to be effective.

3 Second Amended Complaint, p. 2 at lines 5-18.

4 Murtagh's Second Amended Complaint offers the following description of Baker's willful
5 and malicious conduct toward him:

6
7 7. In an effort to gain prominence in the AIDS-denialist community and obtain
8 personal financial gain (including an admitted payment to OMSJ of at least \$1.2
9 million from one AIDS denialist), Baker orchestrated a scorched earth campaign
10 against Dr. Murtagh in which Baker sought to: (a) discredit Dr. Murtagh; (b) destroy
11 Dr. Murtagh's professional and personal reputation; and (c) render Dr. Murtagh
unemployable and demoralized (as reflected in Baker's emails taunting Dr. Murtagh
to commit suicide).

12 8. Baker's relentless campaign against Dr. Murtagh began in 2008, continued
13 through filing of the Baker Bankruptcy Case on June 29, 2015 and even continues
14 post-bankruptcy. As part of Baker's effort to ruin Dr. Murtagh financially and
15 personally, Baker fabricated and disseminated outright lies and innuendo about Dr.
Murtagh such as: (a) by publishing them on websites owned and/or created by Baker
about Dr. Murtagh; and (b) by communicating those lies and innuendo directly to Dr.
Murtagh's employers and recruiters, both verbally and in writing.

16 9. In addition to manufacturing false and disparaging material about Dr.
17 Murtagh, Baker improperly obtained Dr. Murtagh's private information, tracked Dr.
18 Murtagh's location and employment and used that private information to contact Dr.
19 Murtagh's current and prospective employers and recruiters; Baker shared the false
damaging material with others to advance Baker's plan to get Dr. Murtagh terminated
from his then current employment and/or to be disqualified from future employment.

20 * * * *

21 11. Sometime in 2012, Baker created, owned and maintained a website
22 named www.jamesmurtaghmd.com, which Baker so named in an effort to deceive
23 readers into believing that Dr. Murtagh had authorized the website. Baker used the
24 website to: (i) post inaccurate and disparaging information about Dr. Murtagh; and
25 (ii) improperly direct traffic to Baker's commercial site (omsj.com), by among other
things, advertising a "confidential consultation" with Baker. Dr. Murtagh was forced to
bring a formal proceeding before the World Internet Property Organization ("WIPO")
-- Murtagh. v. Baker et al., WIPO Case No. 02014-071 -- to protect Dr. Murtagh's
26 professional and personal reputation. Baker defended his claim to the website but
27 Dr. Murtagh prevailed in that, on or about June 26, 2014, WIPO issued a decision
finding that Baker acted in bad faith, with a specific intent to confuse and deceive the
28 public, and the WIPO ordered Baker to transfer the disputed domain name to Dr.
Murtagh.

* * * *

1 12. After losing the right to use the domain name
2 www.jamesmurtaghmd.com, Baker simply moved the content from
3 www.jamesmurtaghmd.com to new sites which Baker created and maintained,
4 including www.jamesmurtaghmdtruth.com and www.jamesmurtaghmdpsycho.com,
5 for the express purpose of publishing the same and additional false and
6 disparaging information about Dr. Murtagh. Baker used the pejorative term
7 "psycho" in the website name to: (i) falsely suggest that Dr. Murtagh has a
8 mental, personality and/or character defect which would render him unfit to work
9 with patients; and (ii) with the intent to inflict reputational and economic harm
10 upon Dr. Murtagh.

11 13. In addition to using confusingly named websites, Baker published false
12 disparaging information about Dr. Murtagh in other online venues, including
13 www.omsj.org, www.cwbpi.com and www.propagandists.org.

14 * * * *

15 18. In addition to disseminating and publishing defamatory content about
16 Dr. Murtagh in writing, and in an effort to cause harm to Dr. Murtagh, Baker
17 regularly communicated, both verbally and in writing, with: (i) numerous recruiters
18 with whom Dr. Murtagh has developed business relationships; and (ii) various
19 hospitals at which Dr. Murtagh was then working and from which Dr. Murtagh
20 was regularly asked to leave promptly after contact with Baker and/or the
21 websites, usually without explanation and despite otherwise positive reviews.

22 19. On June 28, 2014, Baker sent an anonymous email from
23 drm@nym.hush.com to many medical recruiters, including GMedical, one of Mr.
24 Murtagh's recruitment agencies. The email, which included a link to
25 www.jamesmurtaghmd.com, the website which was then controlled by Baker and
26 contained false information about Dr. Murtagh. By sending the email, Baker
27 intended to convince the recruiting agencies to cancel, not honor and/or not
28 renew Dr. Murtagh's contract with the agency. The email stated:

first name: James [redacted] last name: Murtagh [redacted] email: drm@nym.hush.com
[redacted] country: United States [redacted] specialty: [redacted] question: FYI -- James John
Murtagh MD is a Georgia physician who shakes down hospitals and
clinics throughout the United States. Shortly after he finds an employer, he
causes a problem and sues hoping to get a \$10,000 - \$200K settlement.
He records all telephone conversations and uses them to sue recruiting
companies and recruiters. He may try to find jobs through your agency.
For more information about his behavior and court cases, visit
www.jamesmurtaghmd.com.

26 20. Baker hacked into www.internationalwhistleblower.org, a website
27 owned by Dr. Murtagh. Dr. Murtagh took down the website after he discovered
28 Baker's hack which involved Baker's insertion of an unauthorized and defamatory
page on the site. The unauthorized page included a reference to Dr. Murtagh's
alleged, involvement in gay porn and a link to www.jamesmurtaghmd.com, the

1 website created and controlled by Baker at the time. Baker's unauthorized post
2 was intended to cause professional and personal harm to Dr. Murtagh.

3 * * * *

4 22. On November 1. 6. 2012, Baker emailed Dr. Murtagh: "Every
5 message I receive from you reminds me that I have a life and you don't. I have
6 more time now that hospital recruiters no longer call me as much as they did
7 Now that your medical career is finally over, will you work at McDonalds or hang
8 yourself in a closet?"

9 23. On. November 19, 2012, Baker emailed Dr. Murtagh: "Dear Mo:
10 I've received a lot of email and phone calls lately - from former lawyers,
11 healthcare recruiters, hospitals... it looks like your behavior is finally catching up
12 with you. With no job, no family, no children, no prospects and no future, I pray
13 that someone won't find you hanging from a belt in a motel closet this Christmas.
14 I want you alive so that I can depose you on videotape. You're the most
15 fascinating sociopath I've ever met. ¶ You can probably find work somewhere
16 that doesn't require you to interact with other people, delivering papers or maybe
17 as a long haul truck drive. ¶ In 2008, I warned you and your associates that the
18 storm would come. That storm has come."

19 * * * *

20 25. On November 24, 2014, Baker emailed Dr. Murtagh: "Dear Mo ...I see
21 that your medical recruiters, clinics and hospitals regularly visit your website.
22 They spend a few minutes there, click on links that describe your mental
23 problems, and leave. The clock is ticking, your career is circling the drain, and
24 the holiday season will be a very dark and empty place for you and yours - oh
25 wait - you don't have anyone do you. I forgot.
26 <http://www.jamesmurtatghmdtruth.com/>. Happy Thanksgiving, to the biggest
27 turkey I know. Clark Baker (LAPD ret)"

28 Second Amended Complaint, pp. 2-8.

1. The First Criminal Referral

Plaintiff's efforts to obtain testimony from a witness known as David Bender or
Kevin Kuritsky ("Bender") led the Court to make its first criminal referral concerning the
conduct of defendant Baker in the Action. In or about October of 2014, Bender, who resides in
Baltimore, Maryland, had provided Baker with a declaration that he had used in connection
with a motion Baker had filed in the State Court Action (the "2014 Declaration"). According to a
declaration filed by Lisa Hiraide,⁴ one of the attorneys who had previously represented
Murtagh in the Action, when she contacted Bender by telephone in September of 2015 to ask

⁴ See Declaration of Lisa Hiraide, Exhibit 4 to a September 20, 2016 motion by plaintiff for a protective order [Docket No. 152].

1 him about the contents of the 2014 Declaration, Bender advised her that nothing contained in
2 the 2014 Declaration had been true and that he had only provided testimony that was
3 damaging to Murtagh because he had been "totally pressured" and "extorted" by Baker into
4 signing the declaration in exchange for Baker's agreement to remove all embarrassing and
5 damaging materials that Baker had posted about Bender on the internet.

6 Baker conducted a deposition of Bender in the Action in Los Angeles on or about
7 June 6, 2016, but Bender had insisted on leaving the deposition (at approximately 1:55 p.m.
8 that day) before he could be cross-examined by counsel for Murtagh. [See Declaration of John
9 Wallace, Exhibit 3, to plaintiff's September 20, 2016 motion for a protective order [Docket No.
10 152].] Through discovery, Murtagh located a copy of an email exchange between Bender and
11 counsel for Baker in which Bender advised Baker's counsel that he would only be willing to
12 come to Los Angeles to be deposed by Baker if he could leave immediately after Baker's
13 questions and not be cross-examined by counsel for Murtagh. Id. at par. 4.

14 Based on this information, Murtagh filed a motion [Docket No. 154] to have
15 Baker's answer to the Second Amended Complaint stricken or, at a minimum, to have
16 Bender's testimony excluded at trial. The Court reached Bender by telephone on the record
17 during the course of the November 15, 2016 hearing on this motion and obtained Mr. Bender's
18 consent to come to Los Angeles for a continued examination on December 12, 2016. Based
19 on this conversation with Bender and his agreement to appear, the Court entered an order
20 requiring Bender to appear in the offices of plaintiff's counsel on December 12, 2016 at 10:00
21 a.m. and scheduling a continued hearing on plaintiff's motion for January 10, 2017.

22 On December 7, 2016, Bender sent a fax to Judge Bluebond's chambers [Docket
23 No. 189], advising that he would not be appearing for his December 12, 2016 deposition
24 because he had received inadequate notice of the need to travel across the country. At
25 approximately the same time, however, Bender telephoned Judge Bluebond's law clerk,
26 Jennifer Wolfberg, and advised her that the real reason he would not be appearing for his
27 December 12 deposition was that he was afraid of Baker and what Baker had threatened to do
28 if he gave truthful testimony at the continued deposition. He therefore did not appear at his
continued deposition on December 12, 2016.

1 The Court related the substance of Ms. Wolfberg's December 7, 2016 conversation
2 with Bender to the parties at the continued hearing held January 10, 2017, and ruled that, in
3 light of Bender's refusal to submit to an examination by Murtagh and the conflicting stories he
4 had already provided, neither party would be permitted to introduce any testimony from him at
5 trial. See Docket No. 224 (the "Second Bender Order"), entered March 15, 2017. The Court
6 also stated in the Second Bender Order that it would make a referral to the appropriate law
7 enforcement authorities to investigate whether criminal conduct had occurred with regard to
8 the witness.⁵ (A copy of the referral referenced in the Second Bender Order, docket no. 200,
9 is attached as Exhibit 6 hereto.) But this "witness tampering" incident was merely the first of
10 the problems that the Court encountered as a result of Baker's misconduct in connection with
11 the discovery process.

12 **2. Attempts to Obtain Equal Access to Electronic Data**

13 As Baker had denied being responsible for certain of the defamatory and
14 harassing material directed at Murtagh, both parties retained computer experts to assist them
15 in the Action. Plaintiff employed an expert named Bruce Anderson, and defendant employed
16 an expert named James Pickrell.

17 On August 23, 2017, plaintiff moved for a protective order [Docket No. 274] (the
18 "August Motion"), asking that his expert be given the same access that Baker's expert had
19 been given in connection with the preparation of his expert reports to two websites,
20 www.Baddocjrm.com and www.jamesmurtaghmdtruth.com, and to Baker's private Hushmail
21 email account(s). Baker's expert had been given the password or password recovery link
22 necessary to give him access to these websites and any password-protected files, including
23 rights available only to administrators of the sites. However, when Murtagh's expert asked for
24 the same access, Baruch Cohen, then counsel for Baker, refused and offered instead to meet
25

26
27 ⁵ Unfortunately, this story did not end well for Bender. On December 11, 2017, Bender again wrote to the Court,
28 this time complaining that Baker had once again posted personal and harassing information about him on the
internet. According to Bender, "This has obviously occurred after the submission of your 'Referral of Clark Warren Baker for
Investigation for Witness Tampering', docket #200 in the aforementioned case." A copy of Bender's
December 11, 2017 letter appears on the docket in the Action as item no. 310.

1 with plaintiff's expert in Cohen's office and to permit Anderson to review materials on Baker's
2 laptop under the supervision and in the presence of Baker's counsel.

3 The Court granted the August Motion by order entered October 5, 2017 (the
4 "October 2017 Order") [Docket No. 291]. In the October 2017 Order, the Court directed Baker
5 within 3 business days after entry of the order to "provide Bruce Anderson ('Anderson') ... the
6 same level of access to the same websites, passwords, domains, email accounts, etc. that
7 Baker provided to his own expert witness James Pickrell ('Pickrell') in the same manner that
8 Baker provided such access to Pickrell." The October 2017 Order also expressly stated that
9 Anderson could not be required to conduct his investigation in the presence or under the
10 supervision of Baker or his counsel. Baker never complied with this order.

11 **3. Attempts to Obtain Unredacted Copies (or a Privilege**
12 **Log) and Documents in Native Electronic Format**

13 On September 1, 2017, Murtagh filed another discovery motion (the "September
14 2017 Motion"), docket no. 281, complaining, among other things, that Baker had repeatedly
15 produced redacted versions of documents without providing a privilege log, had concealed and
16 withheld documents such as emails between himself and witnesses Pardo, Brown and Bender,
17 and had produced altered paper copies of emails by cutting and pasting so as to remove
18 actual contents of the documents, making redactions difficult to detect. As a result, Murtagh
19 requested, among other relief, that (i) Baker be ordered to produce "in native, exact electronic
20 form," and not as .pdfs or other *images* of documents that can be altered, all emails that he
21 previously produced or submitted as exhibits, including any that had been previously redacted;
22 (ii) Baker be ordered to provide a privilege log describing any documents that Baker chose to
23 withhold on privilege grounds; and (iii) Murtagh be awarded monetary sanctions for the
24 attorneys' fees and costs that he had incurred in bringing and prosecuting the September 2017
25 Motion.⁶

26
27 ⁶ Murtagh filed yet another discovery motion on September 13, 2017 (the "Second September 2017 Motion") -- docket no.
28 284. In the Second September 2017 Motion, Murtagh complains, among other things, that (A) Baker supplemented his Rule
26 disclosures with not less than 435 documents after the discovery cutoff, depriving Murtagh of the ability to depose Baker
or conduct other discovery concerning these documents; (B) many of the documents are emails sent or received by Baker
himself dated as early as 2008, meaning that many of the documents have been in Baker's possession for years and should
have been produced earlier; (C) many of the documents concern a subject matter as to which Baker previously stated under

Following a hearing on the September 2017 Motion, the Court granted the relief requested above, among other forms of relief, and imposed monetary sanctions on Baker in the amount of \$5,675, payable to plaintiff within 45 days after entry of the Court's order on that Motion. See Order on September 2017 Motion, Docket No. 313. These additional sanctions were never paid,⁷ and, according to Murtagh, the required privilege log was never provided.⁸

4. The April and June 2018 Orders

On February 27, 2018, Murtagh filed a motion seeking to have Baker held in contempt and to have certain findings made and certain sanctions imposed based on Baker's violations of this Court's October 2017 Order. According to that motion, Baker violated the terms of the October 2017 Order by failing to give plaintiff's expert, Bruce Anderson, the required level of access to Baker's Hushmail email accounts and to the websites www.Baddocjtm.com and www.jamesmurtaghmdtruth.com. The Court entered an order to show cause on June 26, 2018 in response to that motion (the "June 2018 Order") [Docket No. 361].

The June 2018 Order directed Baker to show cause why the Court should not make a series of findings (collectively, the "First Findings") including the following: (A) that Baker had reduced the amount of the data stored in his Hushmail email account from 155 MB of data to 9 MB of data (the "Data Reduction") after the Court issued the October 2017 Order (the "Data Reduction"); (B) that the Data Reduction was purposeful and intentional and not the result of Baker's having merely deleted a few spam emails; (C) that Baker had deleted

penalty of perjury that he had no documents; (D) the contents of these documents refer to other documents that Baker has withheld, although they fall within the scope of prior discovery requests; (E) many of the documents were previously excluded by the Second Bender Order or are documents that Baker was prohibited from retaining by an earlier order of the Los Angeles Superior Court in the State Court Action. Murtagh requested that these documents be excluded and that monetary sanctions be imposed. In response to the Second September 2017 Motion, the Court entered its December 14, 2017 "Order on Plaintiffs Motion for Protective Order re 435 Late Produced Documents, Etc.," docket number 312, which provides, among other things, that (A) Baker and his counsel must provide plaintiff with a declaration not later than December 11, 2017 in which they explain, as to the 435 late produced documents, why the document was not previously produced; (B) Baker must produce certain documents discussed on the record at the hearing on the Second September 2017 Motion in native electronic format without redactions, without the removal of metadata and without removing or altering information that is embedded in the document that reflects if and when the document was altered and by whom; and (C) plaintiff shall have a period of 90 days after Baker has produced the foregoing documents in native electronic format and the required declarations to propound additional discovery concerning any issues raised by the newly produced documents.

⁷ See Declaration of Robert Rosen, Esq. in Support of Plaintiff's Status Report, Docket No. 400, at p. 13, par. 23(b).

⁸ See Id., p. 11 at par. 19(b).

1 "subaccounts" from his Hushmail email account after the Court had issued its October 2017
2 Order; (D) that, despite having been ordered to do, Baker had failed to restore the data and
3 subaccounts necessary to comply with the Court's April 13, 2018 Order [Docket No. 339];
4 (E) that, after providing access information to Anderson concerning certain websites
5 referenced in the October 2017 Order, Baker changed the username and/or password for
6 these websites to prevent Anderson from actually obtaining the access that Baker had been
7 ordered to provide; and (F) that, notwithstanding Baker's having repeatedly denied that he had
8 anything to do with the website www.Baddocjj.com, (i) Baker's cooperation and assistance
9 were essential to setting up that website and (ii) Baker maintained an ongoing connection to
10 that website.

11 The June 2018 Order also directed Baker to show cause why, in light of the
12 proposed findings, the Court should not, among other things, (A) hold Baker in contempt, (B)
13 impose additional monetary sanctions to reimburse plaintiff for attorneys' fees incurred in
14 attempting to obtain compliance with orders of the Court, (C) refer Baker to the United States
15 Attorney for criminal prosecution for the Data Reduction; (D) issue a report and
16 recommendation to the District Court that Baker be held in criminal contempt and incarcerated
17 for a period of not less than 90 days as punishment for his failure to comply with court orders;
18 (E) enter an order appointing a neutral expert pursuant to Fed. R. Evid. 706 (the "Neutral
19 Expert") to preserve evidence and undertake related activities; and (F) prohibit Baker from
20 raising, contesting or offering evidence or argument to dispute a list of issues in the Action set
21 forth in paragraph 12 of the June 2018 Order (collectively, the "Resolved Issues").

22 In addition, the June 2018 Order required Baker (A) to preserve and refrain from
23 altering, destroying, overwriting, moving, password-protecting or modifying any of Baker's
24 Data⁹ or any device containing Baker's Data; performing any activity that might accidentally
25 and/or intentionally spoliage any of Baker's Data; or changing any access information (including
26 user names, passwords, etc.) or encryption without a prior written Order or prior written
27 stipulation agreed to and signed by Plaintiff's counsel; (B) to restore and to produce to plaintiff
28

⁹ The terms "Baker's Data" and "Baker's Devices," among other terms, are defined in Attachment "A" to the June 2018 Order.

1 by July 27, 2018 all Baker's Data that had been spoliated since October 5, 2017; (C) to send
2 by August 3, 2018 a prescribed form of notice (the "Preservation Notice") to a list of vendors
3 and witnesses; and (D) to file by August 3, 2018 a compliance declaration containing the
4 information outlined in Attachment B to the June 2018 Order.

5 The Court conducted a hearing on the June 2018 Order on August 16, 2018.
6 Having found that Baker had failed to file a written response to the June 2018 Order, failed to
7 file the compliance declaration, failed to send the required Preservation Notices and failed to
8 provide any information concerning any steps that he had taken in an effort to restore deleted
9 data, the Court entered its August 16, 2018 order [Docket No. 339]. In that order, the Court (a)
10 made the First Findings; (b) prohibited Baker from challenging the Resolved Issues; (c) set a
11 hearing and a briefing schedule for it to determine the amount of the monetary sanctions to
12 impose upon Baker; (d) stated that it would enter a separate ordering appointing a Neutral
13 Expert; and (e) set a continued hearing for September 27, 2018 to consider whether to refer
14 Baker to the United States Attorney for criminal prosecution for the Data Reduction and/or to
15 issue a report and recommendation to the District Court that Baker be held in criminal
16 contempt and incarcerated for a period of not less than 90 days as punishment for his failure to
17 comply with court orders.

18 Following the continued hearing, the Court entered its September 28, 2018 order
19 [Docket No. 393]. In that order, the Court imposed monetary sanctions on Baker in the amount
20 of \$133,319.71 (which have not been paid) and set a continued status conference/holding date
21 of December 11, 2018 for a continued hearing on whether it should hold Baker in contempt,
22 refer him to the United States Attorney for criminal prosecution for the Data Reduction and/or
23 issue a report and recommendation to the District Court that Baker be held in criminal
24 contempt. (That hearing was later continued by stipulation between the parties to January 8,
25 2019.)

26 **5. The Neutral Expert's Reports**

27 On September 6, 2018, the Court entered its Order Appointing Neutral Expert
28 [Docket No. 380] (the "Neutral Expert Order"). The Neutral Expert Order outlines the duties of

1 the Neutral Expert and requires, among other things, that Baker deliver all of Baker's Devices¹⁰
2 to the Neutral Expert; provide the Neutral Expert with the information necessary to access the
3 data on Baker's Devices; and reimburse plaintiff for all amounts that he pays as fees and
4 expenses of the Neutral Expert within 5 days after proof of payment therefor. Neil Broom of
5 Technical Resource Center, Inc. accepted the appointment as Neutral Expert and filed status
6 reports with the Court on December 4, 2018 [Docket No. 395] (the "First NE Report"), and
7 January 8, 2019 [Docket No. 403] (the "Second NE Report").

8 In the First NE Report, Broom explains that he contacted Baker's then counsel,
9 Baruch Cohen, on September 7, 2018 to make arrangements for to obtain the Baker
10 Devices.¹¹ Broom reports that he went to Baker's home at 9:00 p.m. on September 18, 2018
11 and collected 8 different devices from Baker for forensic processing in his lab.¹² Broom's initial
12 analysis of the data revealed large numbers of deleted files and "data carved" files¹³, but, as of
13 the date of the First NE Report, Broom was not in a position to determine whether any of the
14 deleted or data carved files were relevant to the subject matter of the Action.

15 In the Second NE Report, Broom made several important observations:

16 a. On September 7, 2018, less than 2 hours after Broom contacted
17 Baker's counsel to discuss a turnover of Baker's Devices, Baker ran an
18 encryption application (True Crypt) on one of the devices¹⁴ later turned over to
19 Broom (Device AA321), accessing directories that included ones named "Pardo"

22 ¹⁰ Capitalized terms used in the Neutral Expert Order have the meanings set forth in Attachment B to that order.

23 ¹¹ Baruch Cohen filed a Substitution of Attorney with the Court on September 13, 2018 [Docket No. 384], replacing
24 himself as counsel for Baker with Baker, acting in propria persona. On September 23, 2018, Jessica Ponce substituted in as
25 counsel for Baker. See Substitution of Attorney, Docket No. 388. She has served as counsel for Baker in the Action ever
26 since.

27 ¹² After forensically imaging the data on these devices, Broom returned all but one of the devices to Baker. The one device
28 not returned, a Dell XPS 1340 Laptop, Model PPI 7S, was instead turned over the Los Angeles Police Department Internet
Crimes Against Children Taskforce, as Broom discovered materials on that device that he considered to be contraband. A
criminal prosecution of Baker by the Los Angeles Police Department for child pornography ensued. According to a report
from NBC News in Los Angeles dated July 25, 2019, the result of this prosecution was that Baker was sentenced to five
years of formal probation and was ordered to register as a sex offender and attend 52 weeks of sex offender counseling.

¹³ Broom explains in the First NE Report that "Data Carving" is the process used to recover files that have been previously
deleted.

¹⁴ According to page 30 of the Second NE Report, "On Device AA3, TrueCrypt was installed on July 1, 2018 and
run on the following dates: September 7, September 8, September 11, and September 18, 2018 for a total of 7 runs."

(who has previously been identified as a witness in the Action) and "Murtagh hush."

b. The following day, on September 8, 2018, Baker again ran the encryption application on Device AA3¹⁵: he connected to an encrypted volume labelled "O" and accessed several files (including one entitled, "Message Source"); and connected to a volume labelled "E:" from which he accessed directories named "Discovery," "goons," "batcave," "Pardo," and "Brown"¹⁶ Pardoetc. email." Broom was unable to locate the directories "batcave" and "Brown Pardo etc email" on any of the devices that Baker turned over to him. As Broom explains on page 31 of the Second NE Report, "This is concerning because the directory 'batcave' contains security and encryption files, while the directory 'Brown Pardo etc email' contains 'Pardo' and 'Murtagh hush' files."

c. Three days later, on September 11, 2018, Baker connected a backup drive (Device AC) to Device AA3 and copied files (including 335GB of video files) from Device AA3 to Device AC. According to the Neutral Expert, "Any data that had been previously stored on Device AC (and then deleted), would have been permanently destroyed by copying the huge video files onto Device AC, by overwriting the old data with the new video files."

d. Later that same day, September 11, 2018, Baker reformatted Device AC. According to the Neutral Expert, "Reformatting a hard drive prepares the drive to hold new data by creating a new file system on the drive. This process destroys the previous data that was on the drive. Again, shortly after copying 335 GB of video files onto Device AC (destroying the data previously there), Baker then destroyed the new video files by reformatting the hard drive."

e. Lastly on September 11, 2018, Baker copied backup files from Device AH onto Device AC. The Neutral Expert reports that, "This activity is

¹⁵ Broom assigned a designation to each device given to him by Baker. A list of the devices and the designations given each device appears on page 2 of the First NE Report.

¹⁶ Brown had been identified as a witness in the Action.

1 consistent with someone attempting to generate worthless data to thwart a
2 forensic examination."

3 f. Baker deleted large numbers of files after the entry of orders from
4 this Court prohibiting such activity and requiring the turnover of that data to the
5 Neutral Expert, many of which files appear relevant to the subject matter of the
6 Action. A list of these deleted files and the corresponding deletion dates appears
7 on pages 3 through 9 of the Second NE Report.

8 g. Baker did not provide Broom with the password and instructions to
9 access the encrypted file "Birthday 2.wmv," located on three of Baker's devices,
10 despite Broom's request for this information.¹⁷ See Second NE Report, p. 30, for
11 a recitation of the discussions between Broom and Baker on this subject.

12 h. "Baker was running the TrueCrypt application as late as the day he
13 turned his devices over to the Neutral Expert, yet he now states that he cannot
14 remember the password." Second NE Report, p. 30.

15 i. Baker has not provided the Neutral Expert with multiple USB
16 devices that have been used on Baker's Devices.

17 j. Baker installed another encryption program named "Axcrypt" on
18 Device AA3 ON May 5, 2018. Baker ran Axcrypt on Device AA3 on September
19 12, September 13, September 14, September 15 and September 17, 2018, for a
20 total of 30 runs. Baker ran Axcrypt on Device AH on September 17, 2018. Baker
21 did not provide a list of the files that he encrypted with this program and did not
22 provide the Neutral Expert with the password necessary to unlock these files.
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26 ¹⁷ In multiple declarations filed later with the Court, Baker claimed to be unable to recall the password or encryption key
27 necessary to access this file. Broom notes further, on page 29 of the Second NE Report, that, although this file bears the
28 extension ".wmv," which is the standard file extension for a Windows Media Video file, and Baker has placed this file in the
directory, "Users/Baker/Videos," this file is NOT a Windows Media Video file. Broom concludes that, by naming the file
with this extension and placing it in a directory of video files, "Baker was attempting to hide the file from detection." Second
NE Report, p. 29. Page 29 of the Second NE Report also explains the basis for Broom's conclusion that the file
Birthday2.wmv is a TrueCrypt Encrypted Volume.

1 k. Baker used a portable and secure operating system on a USB drive
2 named "Qubes." The USB drive was used on Devices AH, AB and AG. Baker did
3 not give Broom any device that had the Qubes operating system on it.

4 **6. The February 19, 2019 OSC**

5 Based on Baker's failure to comply with earlier orders of the Court and the
6 troubling findings made by the Neutral Expert in the Second NE Report, following the January
7 8, 2019 hearing, the Court issued its February 19, 2019 "Order to Show Cause re Contempt"
8 [Docket no. 413] (the "February 2019 OSC"). Paragraph 10 of that order, which appears on
9 pages 10 through 11 thereof, details the findings the Court had previously made concerning
10 Baker's violations of this Court's orders.¹⁸ Paragraph 1 of the February 2019 OSC directs
11 Baker to appear on April 2, 2019 to show cause why the Court should not do the following
12 based on Baker's noncompliance with Court orders (collectively, the "Additional Steps"):

13 a. hold Baker in civil contempt for having failed to comply with prior orders of the
14 Court; issue a warrant for his arrest; and direct that Baker be incarcerated until he
15 performs the "Affirmative Acts" set forth in paragraph 8 of the February 2019 OSC;¹⁹

16 b. make a criminal referral to the U.S. Attorney based on, among other things,
17 Baker's spoliation of evidence;

18 c. make the "Additional Findings" detailed in paragraph 11 of the February 2019
19 OSC;²⁰

20 d. Issue a report and recommendation to the District Court that Baker be held in
21 criminal contempt and incarcerated for a period of not less than 90 days; and

22 e. Strike Baker's answer to complaint and enter judgment for Murtagh for
23 damages and injunctive relief.

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27 ¹⁸ The "Declaration of Robert Rosen, Esq. in Support of Plaintiffs Status Report" [Docket No. 400], filed January 4, 2019,
also contains a listing of respects in which Baker has failed to comply with orders of this Court.

28 ¹⁹ Paragraph 9 of the February 2019 OSC sets forth the information that Baker should include in the Baker Declaration if he
claims to be unable to perform any of the Affirmative Acts.

²⁰ The proposed findings set forth in paragraph 11 of the February 2019 OSC track closely the findings of the Neutral Expert
in the Second NE Report and include the observations outlined above in Section 5 on pages 14 through 17.

1 The February 29 OSC advised Baker that any response was due not later than
2 March 19, 2019 and ordered him to include in his response his own declaration containing
3 certain specified information. Baker's response to the February 29 OSC consisted of a brief
4 memorandum of points and authorities and a declaration *from Baker's counsel* authenticating
5 an email she sent to plaintiff's counsel passing along hearsay statements made by Baker in
6 response to the order to show cause. [See Declaration of J. Ponce, filed March 19, 2019,
7 Docket No. 423-1.] Baker offered no other evidence in a timely manner in response to the
8 February 2019 OSC and made no attempt at any time to refute any of the observations made
9 by the Neutral Expert in the Second NE Report.

10 At the April 2, 2019 hearing on the February 2019 OSC, the Court struck the
11 email attached to Ms. Ponce's declaration as hearsay and found that Baker had failed to show
12 cause why the Court should not take the Additional Steps. However, in light of the drastic
13 nature of some of the Additional Steps, the Court agreed to review and consider (i) the
14 declaration that Baker had belatedly filed on the morning of the April 2 hearing, (ii) any
15 additional declaration(s) that Baker might file on or before April 9, 2019 and (iii) any response
16 to these declarations that the plaintiff might file by April 16, 2019, before entering an order in
17 response to the February 2019 OSC. After reviewing the declarations that Baker filed on April
18 2, 2019 [Docket No. 442] and April 9, 2019 [Docket No. 453] and Murtagh's response thereto
19 [Docket No. 462], the Court remained of the view that there was cause for it to take the
20 Additional Steps and entered its April 24, 2019 order holding Baker in civil contempt [Docket
21 No. 466] (the "Civil Contempt Order").

22 **7. Baker's Arrest and Release: The Second Criminal Referral**

23 In the Civil Contempt Order, the Court held Baker in civil contempt for reasons
24 detailed on pages 6 through 7 of that order and directed that Baker be remanded to the
25 custody of the United States Marshal's Service of the Central District of California and detained
26 until he had purged his contempt by completing the "Required Affirmative Acts" defined in
27 paragraph 2 of that order (other than any of the Required Affirmative Acts that he proved
28 "categorically and in detail" he was unable to perform). The Court also made the Additional
Findings in the Civil Contempt Order and stated that it would refer Baker to the United States

1 Attorney for criminal prosecution for the spoliation of evidence.²¹ The Court scheduled a status
2 conference on Baker's performance of the Required Affirmative Acts for June 11, 2019.

3 The United States Marshal's Service arrested Baker on May 1, 2019 and brought
4 him to bankruptcy court for a status conference at 2:00 p.m. that day. It appearing to the Court
5 that it would be difficult to make the arrangements necessary to have Baker released from
6 federal custody in time for him to appear in state criminal court on May 13, 2019 for a
7 preliminary hearing on his child pornography charges,²² the Court agreed to release Baker
8 from custody and gave him until May 9, 2019 to file and serve a declaration attesting to his
9 having performed each of the Required Affirmative Acts by that date.

10 The Court entered an order on May 10, 2019 [Docket No. 490] (the "May 10
11 Order"), setting forth its findings after having reviewed Baker's May 9, 2019 declaration
12 [Docket No. 486] and Murtagh's response thereto [Docket No. 489]. As the May 10 Order
13 explains, although the Court did not find Baker's testimony as to his inability to perform
14 certain of the Required Affirmative Acts to be credible: "In the context of civil contempt,
15 incarceration may be used only to coerce a party to take a particular action. It may not be used
16 to punish a party for having failed to take a particular action." May 10 Order, at par. 9.
17 "Although this Court has no doubt that Baker has disregarded repeated orders of this Court
18 and remains in contempt of this Court, this Court has no reason to believe that continued
19 incarceration of Baker will result in an increased level of cooperation from Baker." May 10
20 Order, at par. 10.

21 As a result, the Court elected not to issue a new warrant for Baker's arrest for
22 civil contempt and, instead, proceeded with its June 11, 2019 hearing. At that hearing, Baker
23 had been ordered to show cause why the Court should not (a) strike his answer to complaint
24 and enter judgment for the plaintiff and (b) issue a report and recommendation that the District
25 Court hold Baker in criminal contempt. Baker's response to that order to show cause (the May
26 10 Order) was due by May 28, 2019.

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²¹ Attached hereto as Exhibit 7 is a copy (without exhibits) of this Court's second referral to the U.S. Attorneys' office concerning Baker's conduct [Docket No. 503].

²² See supra note 12.

1 Baker filed a supplemental declaration regarding the Required Affirmative Acts
2 on May 28, 2019. Only one paragraph of that declaration was responsive to the May 10 Order
3 to show cause -- paragraph 11 -- in which Baker explained that he should not be incarcerated
4 because he is his elderly mother's full time caregiver.²³ Finding that Baker had failed to show
5 cause why the Court should not take the Additional Steps, after the June 11, 2019 hearing on
6 the May 10 Order, the Court entered its June 12, 2019 order [Docket No. 501]. In this order,
7 the Court struck Baker's answer to complaint, authorized Murtagh to proceed by way of default
8 and agreed to issue a report and recommendation to the District Court that Baker be held in
9 criminal contempt. Thereafter, the Court prepared its June 27, 2019 report and
10 recommendation to the District Court, Docket No. 513, a copy of which is attached hereto as
11 Exhibit 1. This report and recommendation resulted in the entry of a July 29, 2019 Minute
12 Order in District Court Case No. CV 19-05734-AG (In re Clark Warren Baker) (the "First District
13 Court Case") [Docket No. 4 in the First District Court Case] holding Baker in criminal contempt
14 and remanding him to the custody of the Bureau of Prisons for a term of 90 days.

15 **8. The Default Judgment and Injunction**

16 After obtaining a series of extensions of the deadline for him to file a motion for
17 default judgment (and extended litigation concerning the ability of third parties to prevent the
18 disclosure to plaintiff or plaintiff's expert of allegedly privileged materials held by Broom),
19 plaintiff filed his motion for default judgment on July 28, 2021 [Docket No. 776]. The Court
20 eventually granted this motion and entered its Default Judgment and Permanent Injunction (the
21 "Injunction") on February 17, 2022 [Docket No. 867] [attached as Exhibit 2 hereto].

22 In addition to awarding plaintiff nondischargeable compensatory damages of
23 \$10,342,525 and punitive damages of \$20,000,000, the Injunction prohibited Baker from
24 continuing or resuming the wrongful conduct that gave rise to these damages in the first place.
25 More specifically, it prohibits Baker from, among other things, posting material about the
26 plaintiff on the internet, registering domain names and opening email accounts in the plaintiff's
27

28 ²³ This testimony was contradicted by earlier testimony offered by Baker to the effect that his mother had another caregiver who comes in for a few hours a day and that Baker's girlfriend also lived in the household with his mother. (Baker claimed that his girlfriend was elderly as well and could not provide the required care for his mother.)

1 name, cyberstalking or cyber-harassing the plaintiff, maintaining copies of defamatory
2 materials concerning the plaintiff that Baker had previously posted on the internet and
3 recruiting or employing others to engage in any of these activities on his behalf. The Injunction
4 requires Baker within 10 days after issuance of the Injunction (A) to purge and eliminate from
5 the internet the defamatory materials that he posted and (B) transfer to plaintiff certain
6 identified files and websites. [See Injunction, Docket No. 867, at pp. 4-5].

7 If, for any reason, Baker was not able to complete any of the steps required by
8 the Injunction, the Injunction required him to notify the Court and plaintiff's counsel in writing,
9 identifying the specific directive he was unable to complete and the reason it could not be
10 completed [Injunction, p. 5 at par. 9]. And, to assist plaintiff in ascertaining whether Baker had
11 complied with his obligations under the Injunction, Baker was further required to copy plaintiff's
12 counsel on any written communications by him or any of his agents or representatives with
13 Third-Party Providers²⁴ concerning any aspect of the Injunction and to notify plaintiff's counsel
14 in writing of any oral communications with Third-Party Providers concerning any aspect of the
15 Injunction within 12 hours after any such communication [Injunction, p. 5 at par. 13].

16 Although it appears that Baker eventually removed his defamatory material
17 concerning plaintiff from public-facing aspects of the internet, he has not turned over files and
18 other defamatory material to plaintiff, has only provided plaintiff with copies of communications
19 with a single Third-Party Service Provider (and did so only belatedly after multiple orders
20 requiring that such materials be turned over) and has provided only inconsistent, incomplete
21 and inaccurate declarations concerning the steps he has taken to comply with the Injunction.
22 After more than a year of attempting to obtain evidence of compliance with the Injunction from
23 Baker, the Court has reached the conclusion that it lacks the power with which to compel
24 Baker through civil contempt orders or otherwise to do anything other than "thumb his nose" at
25 this Court's efforts to ensure compliance with the Injunction.

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28 ²⁴ The Injunction defines the term, "Third-Party Providers," as referring collectively to third-parties providing services in connection with Baker's website, www.jamesmurtaghmdtruth.com, or any other of Baker's websites and other web content, including without limitation, Internet Service Providers (ISP), domain-name registrars, domain name registries, website or web hosting providers, web designers, search engine or ad-word providers, banks, or online payment platforms or services, and peer-to-peer payment platforms.

II

THE CURRENT CONTEMPT PROCEEDINGS

A. The Court's Efforts to Obtain Compliance with the Injunction

On December 21, 2022, plaintiff filed a notice of motion and motion for issuance of an order to show cause why Baker should not be held in contempt for violating the Injunction [Docket No. 936, Exhibit 8 hereto]. In response to that motion, the Court issued its December 22, 2022 "Order to Show Cause re Contempt" (the "OSC") [Docket No. 939, Exhibit 9 hereto].

Thereafter, the Court conducted multiple hearings and entered a series of orders (collectively, the "Interim Orders"), including without limitation the following, finding Baker in contempt of the Injunction and requiring Baker to file declarations providing additional information and to produce various documents for the purpose of purging his contempt of the Injunction:

1. its March 25, 2023 "Interim Order re Contempt Sanctions against Clark Baker" (the "First Interim Order") [Docket No. 975] [Exhibit 3 hereto], which was modified and corrected by this Court's March 28, 2023 "Order Modifying and Correcting Interim Order re Contempt Sanctions Against Clark Baker" [Docket No. 977, Exhibit 10 hereto];

2. its November 22, 2023 "Second Interim Order re Contempt Sanctions Against Clark Baker" (the "Second Interim Order") [Docket No. 1045, Exhibit 4 hereto]; and

3. its April 25, 2024 "Third Interim Order re Contempt Sanctions Against Clark Baker" (the "Third Interim Order") [Docket No. 1087, Exhibit 5 hereto].

In response to the Interim Orders, Baker filed a series of declarations, including without limitation the following, and produced a limited number of documents as attachments to those declarations:

1. "Defendant Clark Baker's Supplemental Declaration in Response to OSC re Contempt" [Docket No. 948] filed January 25, 2023 [Exhibit 11 hereto];

2. “Defendant Clark Baker’s Declaration in Response to Court’s Interim Order and Order Modifying and Correcting Interim Order” [Docket No. 979] filed April 21, 2023 [Exhibit 12 hereto];

3. “Defendant Clark Baker’s Declaration in Response to Item 2.c.i. of Page 5-6 of Order of March 22, 2023 for C. Baker to Aver Compliance” [Docket No. 990] filed May 5, 2023 [Exhibit 13 hereto];

4. “Defendant Clark Baker’s Supplemental Declaration in Response to Court’s Order of Nov. 22, 2023” [Docket No. 1065] filed December 28, 2023 [Exhibit 14 hereto];

5. “Fourth Baker Compliance Declaration” [Docket No. 1098] filed May 15, 2024 [Exhibit 15 hereto];

6. “Supplement to Fourth Baker Compliance Declaration” [Docket No. 1101] filed June 6, 2024 [Exhibit 16 hereto]; and

7. “Declaration of Clark Baker in Response to Proposed Order (Dkt. #1103) and Supplemental Brief (Dkt. #1102)” [Docket No. 1104] filed July 15, 2024 (the “July 2024 Baker Declaration”) [Exhibit 17 hereto].

In its First Interim Order (as modified and corrected by Docket No. 977), the Court held Baker in contempt for willfully violating the February 17, 2022 Injunction by doing all of the following:

- a. Continuing to own, administer or maintain online properties such as websites, blogs, or domain names that refer to Dr. Murtagh (paragraph 2²⁵);
- b. Maintaining or retaining websites or online storage sites that contain content and/or host documents concerning Dr. Murtagh (paragraph 5);
- c. Failing to purge from the internet content that he controls referring to or mentioning Dr. Murtagh (paragraph 6);

²⁵ The paragraph numbers in these sub-indented paragraphs refer to paragraph numbers in the Injunction.

- d. Failing to ensure that Baker's content about Murtagh was "deindexed" from internet search engines (paragraph 7);
- e. Failing to transfer to Dr. Murtagh within 10 days of the entry of the Injunction domain names and websites referencing Dr. Murtagh (paragraph 8);
- f. Failing to notify the Court and Dr. Murtagh within 10 days after the entry of the Injunction if he was unable to comply with any of the above directives (paragraph 9); and
- g. Failing to copy Dr. Murtagh's counsel on any third-party communications made in an effort to comply with the directives contained in the Injunction (paragraph 13).

Although Baker eventually complied with certain of the directives outlined in the Interim Orders in the various declarations he submitted in response to these orders, as of the last hearing on the OSC on July 10, 2024, a number of deficiencies remained. The Court permitted Baker to file yet another declaration following that hearing in an effort to purge his contempt. The result was the July 2024 Baker Declaration, which did not address any of the remaining deficiencies identified by the Court at the July 10, 2024 hearing and did not attach any of the exhibits that the declaration itself represented were attached to that document.

Baker was advised in the First Interim Order [p. 7 at par. 3] that, if he failed to purge his contempt in the manner described by that order, or if the Court determined that any of the information contained in his compliance declarations was materially incomplete or false, or both, the Court would prepare a report and recommendation to the District Court in which it recommended to the District Court that it withdraw the reference of the Action to the extent necessary to hold Baker in criminal contempt and order that Baker be incarcerated for a period of not less than one year. Similar warnings/reminders were contained in the Second Interim Order [Docket 1045, p. 3 at lines 17-23] and the Third Interim Order [Docket No. 1087, p. 3 at lines 10-16].

The Court has repeatedly requested information about the steps that Baker took in an effort to comply with the Injunction and has given Baker multiple opportunities to describe the

1 process he used to ensure compliance and to explain how he arrived at the dates on which he
2 previously testified compliance occurred but cannot obtain anything remotely resembling
3 informative answers to its questions. Accordingly, on July 18, 2024, the Court entered its
4 “Order After July 10, 2024 Hearing on Order to Show Cause re Contempt” (the “July 2024
5 Order”) [Docket No. 1106, Exhibit 18 hereto].

6 **B. Baker’s Failure to Purge His Contempt of the Injunction**

7 In the July 2024 Order, the Court found that Baker has failed to purge his contempt of
8 the Injunction in at least the following respects:

9 **1. Baker has failed to provide a full, complete and truthful explanation of all**
10 **information, documents and any other grounds upon which he relied when**
11 **he represented that he had deleted numerous files on October 20, 2016.**

12 a. In his May 5, 2023 declaration [Docket No. 990], Baker testified **292**
13 **times** that he had “closed, terminated or last used or accessed” a particular
14 document or internet property on October 20, 2016. When directed in the Second
15 Interim Order and Third Interim Order to explain this testimony by, among other
16 things, advising the Court how he knows that he deleted these files on October
17 20, 2016 – what specific documents, entries or other records or documents he
18 saw that reflected this date, Baker has failed to supply an answer to this
19 question.

20 b. Instead, Baker testified in his May 15, 2024 declaration that he
21 never said he deleted files on this date and that this date was first mentioned in
22 the Court’s November 6, 2023 Tentative Ruling. (See Docket No. 1098, p. 2 at
23 pars. 4(a) and (c) (“The October 20, 2016 date is first mentioned in the Court’s
24 November 6, 2023 Tentative Ruling. It is repeated in the subsequent Second
25 Interim Order and Third Interim Order. . . . To be clear, Baker does not reference
26 October 20, 2016 in either declaration or in any previous declaration.”) Baker’s
27 testimony in this declaration is false and demonstrates, at a minimum, that Baker
28 does not take the time necessary to verify the accuracy of his statements before
swearing to them under penalty of perjury in a declaration.

1 c. In the July 2024 Baker Declaration, on page 18, Baker offers the
2 following additional response to the prompt, “How does Baker know that he
3 deleted these files on October 20, 2016?”: “I have no independent recollection of
4 the searches and deletions I performed eight years ago. I vaguely recall that i
5 searched for files and deleted them when I discovered them.” He adds in
6 response to a question that asked what documents, entries or other records or
7 documents he saw that reflected this date, “Because I have deleted my files, I
8 have no independent recollection of having deleted files on 20 October 2016. I
9 do, however, have a general recollection of having deleted files in 2016.”

10 d. None of this testimony explains how, in May of 2023, when Baker
11 signed docket number 990 under penalty of perjury, Baker knew that he had
12 deleted files on October 20, 2016. Did he invent this date out of whole cloth or
13 did he see this date on some document that he has not identified? Or was there
14 some other reason that he selected or recalled this date when he prepared his
15 May 2023 declaration and signed it under penalty of perjury? Baker never tells us
16 or makes any effort to describe what steps he took to arrive at this date.
17

18 **2. Baker has failed to provide a full, complete and truthful explanation of all**
19 **information, documents and any other grounds upon which Baker relied when he**
20 **testified in his May 2023 declaration [Docket No. 990] that he conducted a diligent**
21 **search on January 4, 2023 for files and other materials that he was required to**
22 **delete pursuant to the Injunction, as required by the Third Interim Order.**

23 a. In his May 2023 Declaration, Docket No. 990, Baker testifies **275**
24 **times** that, “On or about January 4, 2023 Declarant conducted a diligent search
25 online and of his own computer and confirmed deletion” of various materials.

26 b. In response to the Third Interim Order, Baker filed his May 15, 2024
27 Fourth Compliance Declaration. On page 3 of that document, in paragraph 5,
28 Baker suggests that the Court must have gotten this date wrong and must have
been referring to April 20, 2023. (See Fourth Compliance Declaration, Docket

1 No. 1098 (“In case the court is intending to reference April 20, 2023, to which
2 Baker made numerous references in the 4/21/2023 and 5/5/2023 declarations,
3 Baker responds as follows. Baker conducted diligent searches on his computer
4 and as further described below on and around April 20, 2023 in preparation for
5 the declaration submitted April 21, 2023.”)).

6 c. In the very next section of the Fourth Compliance Declaration,
7 Baker provides a few paragraphs describing how he went about conducting the
8 search referenced in the preceding section. He includes the date January 4,
9 2023 as one of the dates in the heading of that section, but it is clear from the
10 text of paragraph 5 of the declaration that he is not testifying that he actually did
11 any of this on January 4, 2023. As a result, Baker has never explained what if
12 anything he did on or about January 4, 2023. As with the October 20 date, the
13 question remains, did Baker invent this date out of whole cloth or was there some
14 reason that he recalled or selected this date at the time he prepared his May
15 2023 declaration? Baker never tells us or makes any effort to describe why he
16 arrived at this date when he prepared his May 2023 declaration, again leaving
17 the Court with the distinct impression that he “plays fast and loose” with the facts
18 that he puts in declarations and does not make any effort to verify the accuracy
19 of information given to the Court, even when he swears to the accuracy of that
20 information under penalty of perjury.

21 d. In the July 2024 Baker Declaration [Docket No. 1104] on page 18 in
22 approximately the middle of the page, he responds to the prompt, “(6) What
23 steps did Baker take on January 4, 2023 as part of this ‘diligent search?’” as
24 follows: “I vaguely recall going through the same process on or about January
25 2023.” He does not describe in this declaration what he means by “the same
26 process.” The preceding paragraph says merely, “I vaguely recall that i searched
27 for files and deleted them when I discovered them.” That is hardly a detailed
28 explanation of the steps he took in performing this “diligent search” and does not
contain any information as to what documents or information Baker looked at to

determine that he conducted this diligent search on January 4, 2023 or how he remembered in May of 2023 that this “diligent search” had occurred on or about January 4, 2023.

3. Baker has failed to provide a full, complete and truthful explanation of all of the following, as required by the Third Interim Order: (1) how in preparing his December 28, 2023 declaration he missed the fact that one of his email accounts (jtdeshonq@hotmail.com) contained information that should have been deleted in response to the Injunction; (2) how and when he discovered that this information still existed; and (3) what this newly-discovered information was.

a. In his December 28, 2023 declaration [Docket No. 1065], Baker certified under penalty of perjury that the Outlook email account jtdeshonq@hotmail.com had not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of an moniker, such as ‘goon,’ ‘mo,’ ‘shakedowndoc,’ ‘baddoc,’ or baddocjjm,’ etc.” (Docket No. 1065, p. 18 at lines 12–17.) However, shortly after filing that declaration, Baker’s counsel advised opposing counsel (and confirmed on the record at a January 9, 2024 hearing) that Baker had located emails from this account that pertained to Dr. Murtagh.

b. As a result, the Court found in the Third Interim Order that Baker’s certification that this email account did not contain any such information was false (see Third Interim Order, p. 5 at pars. 7-8) and ordered Baker to explain in a fourth compliance declaration how this oversight occurred. Paragraph 9 of the Third Interim Order requires Baker to include the following in the fourth Baker compliance declaration:

i. The complete factual basis for such testimony [his testimony that this email account does not include any communications concerning Dr. Murtagh];

- 1 ii. A recitation of the steps that Baker took in connection with
2 conducting a diligent search and preparing his responses to the
3 Second Interim Order [his December 28, 2023 declaration],
4 including without limitation with respect to [the email address
5 jtdeshonq@hotmail.com]; and
6 iii. Identification of the location and nature of documents and
7 communications that Baker subsequently located at the above
8 online property.

9 c. Baker's Fourth Compliance Declaration [Docket No. 1098] fails to
10 provide the requested information and instead provides an explanation that is
11 demonstrably false.

12 d. In the Fourth Compliance Declaration, on page 4 at paragraphs 9
13 through 12, Baker provides the following testimony:

14 9. Declarant was doing a final sweep of his email accounts in
15 preparation for submitting his Declaration in response to the Third
16 Interim Order.

17 10. On the eve of the deadline Declarant searched the email
18 address server hosting jtdeshonq@hotmail.com and was horrified
19 to see emails regarding Kurtizky and Murtagh pop up (as his
20 recollection at that moment was that on the previous check no such
21 emails were there).

22 11. When I discovered the emails Declarant immediately notified
23 his attorney via email. Apparently in the final rush just before the
24 filing, she did not catch that final correction. See the accompanying
25 Declaration of Jessica Ponce.

26 12. Defendant had, in the meantime, signed and submitted his
27 Declaration in response to the Third Interim Order without adjusting
28 his responses to reflect the change.

1 e. This testimony cannot be accurate. The Third Interim Order was not
2 even entered until four months after the declaration containing the relevant
3 omission was filed. Therefore, Baker could not have prepared his December
4 2023 declaration [Docket No. 1065] in compliance with an order [Docket No.
5 1087] that did not yet exist. Although it could certainly be that Baker was merely
6 confused and that he was preparing this declaration in response to the Second
7 Interim Order rather than the Third, this testimony once again underscores the
8 fact that Baker apparently makes little if any effort to ensure that his declarations
9 are accurate when they are signed and filed with the Court.

10 f. After this inaccuracy was called to his attention, Baker filed the July
11 2024 Baker Declaration [Docket No. 1104], which contains more false
12 information (or information that reveals that his earlier declaration was false). In
13 his December 2023 declaration, Baker testified that he found these offending
14 emails “on the eve of the deadline” for filing his declaration and promptly notified
15 his attorney and that she must have missed making this correction before filing
16 the declaration. In the July 2024 Baker Declaration, Baker states that, “later, after
17 submitting his declaration, he realized that the declaration needed correction.”
18 So, apparently, he signed and “submitted” the declaration before conducting this
19 alleged “final sweep”?

20 g. In any event, even if these inconsistencies can be harmonized, Baker
21 has never explained what steps he took *before* submitting his December 2023
22 declaration to make sure that the representations and certifications contained in
23 that declaration were accurate, as directed by the Third Interim Order. (He found
24 these documents while doing his “final sweep.” Were there other, earlier
25 sweeps? If so, what did those consist of? And, if not, why didn’t he make any
26 effort to ensure that his certification was correct before signing the declaration?)
27 And he does not provide a description of the location and nature of the offending
28 emails. He says merely that this email address was copied on emails of Murtagh

1 and his associates as they acted against him and claims that these emails
2 proved that the plaintiff pressured Kuritzky to change his testimony and lie.²⁶
3

4 **4. Baker has failed to provide plaintiff's counsel with copies of written**
5 **communications (or to send emails describing oral communications) evidencing**
6 **that Baker has complied with the Injunction by taking down websites, online**
7 **storage sites and other online properties that contain disparaging information**
8 **concerning the plaintiff.**

9 a. Paragraph 13 of the Injunction (entered February 17, 2022)
10 requires Baker to copy plaintiff's counsel with any written communication by
11 Baker (or any agent or representative of Baker, or anyone acting on Baker's
12 behalf), with any Third-Party Provider concerning any part of the Injunction. That
13 same paragraph requires Baker to inform plaintiff's counsel by email of the
14 substance of any verbal communication that Baker (or any agent or
15 representative of Baker, or anyone acting on Baker's behalf) has with any Third-
16 Party Provider concerning any aspect of the Injunction within 12 hours of any
17 such verbal communication.

18 b. In several instances in his compliance declarations, Baker referred
19 to communications that fell within the scope of paragraph 13 of the Injunction,
20 yet, with the exception of four documents attached to his June 6, 2024
21 declaration²⁷ [Docket No. 1101], Baker has never supplied copies of any written
22 communications concerning his compliance with the Injunction and has never
23 sent plaintiff's counsel an email describing any oral communications concerning
24 compliance. And Baker has never explained why he failed to produce copies of
25

26 ²⁶ As discussed above, the Court previously found that Baker (and not the plaintiff) had pressured Kuritzky (also known as
27 David Bender) to sign a perjurious declaration and referred Baker to the U.S. Attorney's office for further investigation and
28 possible criminal prosecution for witness tampering. A copy of this referral appears as docket no. 200 in the Action and is
attached hereto as Exhibit 6.

²⁷ The four documents produced on June 6, 2024 were (1) an email from Bluehost dated June 14, 2023; (2) an email from
Bluehost dated July 28, 2023; (3) a printout of a chat with Eliyas Mohammad (a representative of Bluehost) dated August 27,
2023; and (4) a printout of an online chat between Baker and Bluehost dated June 4-5, 2024.

documents dating back to June and July of 2023 to plaintiff's counsel until June of 2024.

c. In the Third Interim Order, the Court specifically identified the following references from Baker's December 28, 2023 declaration that indicate or evidence the existence of a writing that should have been produced and ordered Baker to produce these writings:

- i. Proton email, 6 April 2022 between Baker and McNair [Docket No. 1065, p. 28, n. 3];
- ii. In an effort to comply with court requests, Baker exchanged emails with McNair in March 2022 [Id., pp. 27:25–28:1];
- iii. Shortly after my July/Aug 2023 depositions, I sent an email and made numerous calls to [Carol] Dunn in an effort to identify the company and individuals who removed my case files. [Id., p. 31:16–17]; and
- iv. “Lloyd Interaction #1-112909429” reported to me that “Michael” (No further info) had purchased the [omsj.org] website and posted the pages hours after I closed my account. [Id., p. 33:11–13].

d. The Third Interim Order also directed Baker to include in the Fourth Baker Compliance Declaration a “complete explanation as to why Baker failed to copy Dr. Murtagh's counsel, or provide contemporaneous copies, on all such communications.” (Third Interim Order at par. 17.)

e. Baker's May 15, 2024 declaration fails to comply with these requirements. Instead, in this declaration, Baker offers testimony which, if true, means that his prior testimony concerning the existence of these documents was false. In his May 15, 2024 declaration, Baker represents that he cannot produce any of the requested documents because “no such documents have ever existed.” [Docket No. 1098, at par. 19.] Baker provides no explanation as to why he previously testified that there were April and March 2022 emails with McNair if these emails never existed.

1 f. With regard to the email that his December 28, 2023 declaration
2 states he sent to Carol Dunn, he offered the following testimony in his May 15,
3 2024 declaration [Docket No. 1098, p. 6 at par. 20]: “Declarant spoke with Carol
4 Dunn on the telephone about shredding documents approximately one year ago.
5 Declarant asked if there were receipts or documentation of the shredding and
6 she said no.” He neither mentions his prior testimony in which he stated that he
7 sent her an email nor offers any explanation as to how or why his prior testimony
8 was in error, if he now contends that this is the case.

9 g. In the July 2024 Baker Declaration [Docket No. 1104] on page 7,
10 Baker provides more detail about his conversations with Carol Dunn, but now
11 refers only to an email that Carol Dunn sent to him. Absent from this declaration
12 is any reference to the email that he sent to her (once again without an
13 explanation or discussion of the inconsistency). These inconsistencies further
14 exacerbate the Court’s concern that Baker does not take seriously his obligation
15 to provide truthful testimony to the Court each and every time he submits a
16 declaration under penalty of perjury.

17 h. In the July 2024 Baker Declaration [Docket No. 1104], Baker makes
18 reference to (A) communications with McNair [p. 4 at line 7], (B) the results of a
19 WhoIs search that Baker conducted on July 11, 2024 [pp. 4, 5, 6 & 9]; and (C)
20 two documents that detail the nature of certain cases in which Baker was
21 involved [p. 11 at line 4] and represents that these documents are attached to the
22 declaration. They are not; there were no exhibits filed with the July 2024 Baker
23 Declaration.

24 i. The whole purpose of the injunctive relief included in the Court’s
25 February 2022 judgment was to prevent Baker from resuming his internet
26 defamation campaign against the plaintiff, which the Court found had resulted in
27 actual compensatory damages to the plaintiff of more than \$10,000,000. Toward
28 this end, paragraph 6 of the Injunction requires Baker to “Take all necessary
steps to purge and eliminate from the internet any and all traces of any websites

1 . . . , webpages, files, court filings, exhibits or other attachment thereto . . . which
2 is about, refers to, references or mentions Dr. James Murtagh, M.D. in any form,
3 variation or misspelling “ Baker was ordered by this same paragraph to
4 complete all of these steps within 10 days after issuance of the Injunction. The
5 provisions of paragraph 13 of the Injunction required Baker to copy plaintiff’s
6 counsel on communications with Third-Party Providers so that plaintiff’s counsel
7 could verify that Baker had in fact complied with the Injunction.

8 j. With the exception of the four documents identified in footnote 27
9 above, Baker has never provided plaintiff or this Court with any documents
10 evidencing his efforts to remove defamatory material from the internet.
11

12 III
13 **RECOMMENDATION**

14 The gist of Baker’s compliance declarations has always been, “I deleted all of the
15 material that I was supposed to a long time ago. Just take my word for it.” The Court
16 respectfully submits that, in light of Baker’s track record for submitting declarations that contain
17 false information, the Court cannot possibly accept Baker’s unsupported assurances as
18 evidence that he has in fact complied with the Injunction. The Injunction required Baker to
19 supply corroborating evidence that he has removed the offending material from the internet.
20 The only corroborating evidence Baker has ever produced are the four documents attached to
21 his June 6, 2024 declaration evidencing an attempt to cause Bluehost to take down a single
22 website. This is insufficient.

23 The Injunction was entered more than two years ago and, only through the diligent
24 efforts of plaintiff’s counsel has any compliance with the Injunction been obtained.²⁸ Baker
25 took no steps to comply with the Injunction until plaintiff moved for the entry of an order why he
26

27 ²⁸ When plaintiff’s counsel first contacted Baker’s counsel in May 2022 to note several violations of the Injunction, she
28 responded (although she had attended the hearings at which provisions of the Injunction were discussed, negotiated and
revised and had been served with an entered copy of the Injunction) that she was “shocked that there are provisions which
require affirmative action by my client.” (See Exhibit “G” to the Declaration of Derek Linke filed in support of “Plaintiff
James Murtagh M.D.’s Notice of Motion and Motion for Issuance of an Order to Show Cause Why Defendant Clark Baker
Should Not be Held in Contempt of Court” [Docket No. 935].)

1 should not be held in contempt for failing to comply with the Injunction. And, at every step in
2 the process, Baker has made at best only half-hearted attempts to supply the information and
3 documentation that the Court has requested, with apparently little if any regard for the
4 accuracy of whatever testimony he provides in his compliance declarations. As a result, Baker
5 has caused the plaintiff and this Court to expend inordinate amounts of time and effort in a
6 largely fruitless effort that, in this Court's view, has been tantamount to "trying to nail Jello to
7 the wall." This process needs to come to an end. As Baker claims to be judgment proof and
8 has failed to pay hundreds of thousands of dollars in compensatory sanctions that the Court
9 has already imposed, and this Court's prior efforts to induce Baker's compliance with its orders
10 through the use of its civil contempt powers have not led to a notable improvement in Baker's
11 behavior, the Court believes that the time has come for it to request that the District Court
12 employ its criminal contempt powers in this Action (again). There needs to be a consequence
13 for failing to comply with court orders and "playing fast and loose" with the truth in submitting
14 declarations under penalty of perjury to a court of law.

15 Baker has done his best to make it impossible for plaintiff to determine what has
16 become of the defamatory materials that Baker previously posted about him on the internet.
17 As a result, plaintiff has no assurance that, at some point in the future, Baker will not re-post
18 these materials on the internet or recruit a confederate to post these materials for him. Baker
19 needs to be taught that he is not above the law and that he does indeed have an obligation to
20 comply in good faith with orders of this Court. This Court is hopeful that a somewhat lengthier
21 incarceration for Baker will finally accomplish this objective.

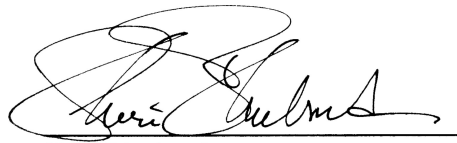
22
23 In accordance with 28 U.S.C. § 157(a), the District Court has issued a standing order
24 generally referring all cases under title 11 and all proceedings arising under, arising in or
25 related to cases under title 11 to the bankruptcy judges for the Central District of California.
26 The District Court is authorized by 28 U.S.C. § 157(d) to withdraw, in whole or in part, the
27 reference as to any case or controversy "for cause shown." This Court respectfully submits
28 that the foregoing facts, coupled with this Court's lack of authority to hear and determine
criminal contempt matters, constitute sufficient cause within the meaning of this section for the

District Court to withdraw the reference to the extent set forth below. Accordingly, this Court recommends that:

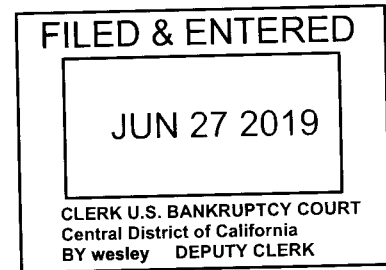
1. the District Court *sua sponte* withdraw, in part, the reference pursuant to 28 U.S.C. § 157(d) for the limited purpose of considering criminal contempt proceedings against defendant Clark Warren Baker; and
2. the District Court find Clark Warren Baker guilty of criminal contempt and sentence him to be incarcerated for a period of one year or such other period as the District Court may deem appropriate.

###

Date: July 22, 2024



Sheri Bluebond
United States Bankruptcy Judge



UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

CLARK WARREN BAKER,

Debtor(s).

JAMES MURTAGH, M.D.,

Plaintiff(s),

v.

CLARK WARREN BAKER,

Defendant(s).

CHAPTER 7

Case No.: 2:15-bk-20351-BB
Adv No: 2:15-ap-01535-BB

**REPORT AND RECOMMENDATION TO
DISTRICT COURT FOR WITHDRAWAL OF
REFERENCE AS TO DETERMINATION OF
CRIMINAL CONTEMPT**

Date: June 11, 2019
Time: 10:00 AM
Courtroom: 1539

Because criminal contempt matters under 18 U.S.C. § 401(3) and Rule 42 of the Federal Rules of Criminal Procedure must be tried by the District Court, rather than the Bankruptcy Court, see In re Dyer, 322 F.3d 1178 (9th Cir. 2003), and because this Court

believes that the facts of this case warrant consideration of prosecution for criminal contempt, the Court hereby recommends that the District Court *sua sponte* withdraw the reference with respect to all criminal and civil contempt matters in this bankruptcy case pursuant to 28 U.S.C. § 157(d) for the limited purpose of considering criminal contempt proceedings against defendant Clark Warren Baker ("Baker").

PROCEDURAL HISTORY

A. Litigation in State Court

On November 15, 2013, James Murtagh, M.D. ("Murtagh") filed a lawsuit against Baker in Los Angeles Superior Court, commencing case no. BC 527716 (the "State Court Action"). In the third amended version of his complaint in the State Court Action, filed February 18, 2015, Murtagh alleged, among other things, that Baker had committed intentional infliction of emotional distress, defamation, intentional interference with contractual relations and intentional interference with prospective economic advantage. In his prayer for relief, Murtagh requested compensatory damages, estimated at not less than \$ 5 million, exemplary or punitive damages and injunctive and declaratory relief.

On May 12, 2015, the Los Angeles Superior Court, in the State Court Action, ordered Baker to pay \$60,000 in sanctions to reimburse Murtagh for attorneys' fees and costs attributable to a frivolous motion that Baker had filed in the State Court Action. Baker never paid these sanctions and instead filed a chapter 7 bankruptcy petition in the United States Bankruptcy Court for the Central District of California on June 29, 2015, commencing bankruptcy case no. 2:15-bk-20351 (the "Case"). The State Court Action has remained stayed since that date.

B. Litigation in Bankruptcy Court

On October 5, 2015, Murtagh commenced the above-entitled adversary proceeding against Baker in the Case (the "Action"). Murtagh's Second Amended Complaint, filed December 29, 2015, seeks to have Murtagh's claims against Baker

1 excepted from any discharge that Baker might receive in the Case under Bankruptcy
2 Code section 523(a)(6).¹ According to the Second Amended Complaint [Docket No.
3 16²], attached as Exhibit 1 hereto, the original conflict between Murtagh and Baker
4 arose from their opposing views regarding the treatment of patients infected with HIV:

- 5 a. Baker is an “AIDS denier” who: (i) disputes widely accepted medical and
6 scientific evidence that HIV causes AIDS; (ii) through OMSJ³, brokered
7 experts in litigation to discredit test results which resulted in HIV-positive
8 findings; and (iii) encourages HIV-positive individuals to stop taking
9 medically prescribed pharmaceutical treatment based on advocacy that
10 AIDS is just a hoax orchestrated by “Big Pharma” (which advocacy has
11 resulted in many unnecessary or more accelerated deaths).
- 12 b. Dr. Murtagh is an experienced licensed physician with three board
13 certifications (Internal Medicine, Pulmonary Disease and Sleep Medicine),
14 and is a former professor at Emory University’s Medical School; Dr.
15 Murtagh disputes Baker’s baseless theories about HIV testing and AIDS;
16 (ii) supports medical treatment for HIV and AIDS patients; and (iii) believes
17 that medication for the prevention, postponement and/or treatment of
18 AIDS has been proven to be effective.

19 Second Amended Complaint, p. 2 at lines 5-18.

20 Murtagh’s Second Amended Complaint offers the following description of Baker’s
21 willful and malicious conduct toward him:

22
23
24
25 ¹ Bankruptcy Code section 523(a)(6) excepts from the discharge that an individual debtor may receive any debt “for
willful and malicious injury by the debtor to another entity or to the property of another entity.”

26 ² Unless otherwise noted, all docket numbers used in this Report and Recommendation refer to docket numbers in
the Action.

27 ³ According to the Second Amended Complaint at ¶ 5, OMSJ (the “Office of Medical & Scientific Justice, Inc.”) is a
28 private investigation company that claims to be a nonprofit corporation whose stated mission is to “defend victims
of scientific and medical abuse.” OMSJ filed bankruptcy on June 29, 2015 – the same day that Baker filed
bankruptcy – using the same attorney that represented Baker in filing bankruptcy. OMSJ used Baker’s home
address as its business address on its petition, and Baker signed OMSJ’s petition as its president.

9. In addition to manufacturing false and disparaging material about Dr. Murtagh, Baker improperly obtained Dr. Murtagh's private information, tracked Dr. Murtagh's location and employment and used that private information to contact Dr. Murtagh's current and prospective employers and recruiters; Baker shared the false damaging material with others to advance Baker's plan to get Dr. Murtagh terminated from his then current employment and/or to be disqualified from future employment.

11. Sometime in 2012, Baker created, owned and maintained a website named www.jamesmurtaghmd.com, which Baker so named in an effort to deceive readers into believing that Dr. Murtagh had authorized the website. Baker used the website to: (i) post inaccurate and disparaging information about Dr. Murtagh; and (ii) improperly direct traffic to Baker's commercial site (omsj.com), by among other things, advertising a "confidential consultation" with Baker. Dr. Murtagh was forced to bring a formal proceeding before the World Internet Property Organization ("WIPO") -- *Murtagh. v. Baker et al.*, WIPO Case No. D2014-071 -- to protect Dr. Murtagh's professional and personal reputation. Baker defended his claim to the website but Dr. Murtagh prevailed in that, on or about June 26, 2014, WIPO issued a decision finding that Baker acted in bad faith, with a specific intent to confuse and deceive the public, and the WIPO ordered Baker to transfer the disputed domain name to Dr. Murtagh.

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When a party cannot be cajoled or coerced into complying with court orders, civil contempt is not an effective tool. Such a party should be held in criminal contempt and punished for his wrongdoing. The Bankruptcy Court lacks the authority to take this

1 action and therefore recommends that the District Court withdraw the reference to the
2 extent necessary to permit it to do so.

3 **1. The First Criminal Referral**

4 Plaintiff's efforts to obtain testimony from a witness known as David
5 Bender or Kevin Kuritsky ("Bender") led the Court to make its first criminal
6 referral concerning the conduct of defendant Baker in the Action. In or about
7 October of 2014, Bender, who resides in Baltimore, Maryland, had provided
8 Baker with a declaration that he had used in connection with a motion Baker had
9 filed in the State Court Action (the "2014 Declaration"). According to a
10 declaration filed by Lisa Hiraide⁴, one of the attorneys for Murtagh in the Action,
11 when she contacted Bender by telephone in September of 2015 to ask him about
12 the contents of the 2014 Declaration, Bender advised her that nothing contained
13 in the 2014 Declaration had been true and that he had only provided testimony
14 that was damaging to Murtagh because he had been "totally pressured" and
15 "extorted" by Baker into signing the declaration in exchange for Baker's
16 agreement to remove all embarrassing and damaging materials that Baker had
17 posted about Bender on the internet.

18 Baker conducted a deposition of Bender in the Action in Los Angeles on or
19 about June 6, 2016, but Bender had insisted on leaving the deposition (at
20 approximately 1:55 p.m. that day) before he could be cross-examined by counsel
21 for Murtagh. [See Declaration of John Wallace, Exhibit 3, to plaintiff's September
22 20, 2016 motion for a protective order [Docket No. 152].] Through discovery,
23 Murtagh located a copy of an email exchange between Bender and counsel for
24 Baker in which Bender advised Baker's counsel that he would only be willing to
25 come to Los Angeles to be deposed by Baker if he could leave immediately after
26 Baker's questions and not be cross-examined by counsel for Murtagh. Id. at ¶ 4.

27
28 ⁴ See Declaration of Lisa Hiraide, Exhibit 4 to a September 20, 2016 motion by plaintiff for a protective order [Docket No. 152].

1 Based on this information, Murtagh filed a motion [Docket No. 154] to
2 have Baker's answer to the Second Amended Complaint stricken or, at a
3 minimum, to have Bender's testimony excluded at trial. The Court reached
4 Bender by telephone on the record during the course of the November 15, 2016
5 hearing on this motion and obtained Mr. Bender's consent to come to Los
6 Angeles for a continued examination on December 12, 2016. Based on this
7 conversation with Bender and his agreement to appear, the Court entered its
8 November 18, 2016 Interim Order [Docket No. 187] attached hereto as Exhibit 2,
9 which orders Bender to appear in the offices of plaintiff's counsel on December
10 12, 2016 at 10:00 a.m. and schedules a continued hearing on plaintiff's motion
11 for January 10, 2017.

12 On December 7, 2016, Bender sent a fax to chambers [Docket No. 189,
13 attached as Exhibit 3 hereto], advising that he would not be appearing for his
14 December 12, 2016 deposition because he had received inadequate notice of
15 the need to travel across the country. Attached to this fax were copies of emails
16 he had exchanged with counsel for the parties complaining about not having
17 received adequate notice of the need to appear in Los Angeles for this
18 deposition. At approximately the same time, however, Bender telephoned Judge
19 Bluebond's law clerk, Jennifer Wolfberg, and advised her that the real reason he
20 would not be appearing for his December 12 deposition was that he was afraid of
21 Baker and what Baker had threatened to do if he gave truthful testimony at the
22 continued deposition. He therefore did not appear at his continued deposition on
23 December 12, 2016.

24 The Court related the substance of Ms. Wolfberg's December 7, 2016
25 conversation with Bender to the parties at the continued hearing held January 10,
26 2017, and found that, in light of Bender's refusal to submit to an examination by
27 Murtagh and the conflicting stories he had already provided, neither party would
28 be permitted to introduce any testimony from him at trial. See Docket No. 224,

1 Exhibit 4 hereto (the "Second Bender Order"), entered March 15, 2017. The
2 Court also stated in the Second Bender Order that it would "make a referral to
3 the appropriate law enforcement authorities to investigate whether criminal
4 conduct has occurred with regard to the witness" and set a briefing schedule and
5 a continued hearing for March 14, 2017 on whether monetary sanctions should
6 be imposed on Baker and his counsel based on this conduct. A copy of the
7 referral referenced in the Second Bender Order, docket No. 200, is attached
8 hereto as Exhibit 5.

9 At the continued hearing held March 14, 2017, the Court imposed
10 monetary sanctions on Baker in the amount of \$35,000 to compensate Murtagh
11 for his reasonable attorneys' fees and expenses in connection with the
12 preparation and prosecution of the motion that led to the exclusion of Bender's
13 testimony. See Final Bender Order, Docket No. 229, attached as Exhibit 6
14 hereto. Counsel for Baker filed a notice of compliance on April 26, 2017 [Docket
15 No. 248] in which he reports that these sanctions were paid on April 20, 2017,⁵
16 but this "witness tampering" incident was merely the first of the problems that the
17 Court encountered as a result of Baker's misconduct in connection with the
18 discovery process.

19 **2. Attempts to Obtain Equal Access to Electronic Data**

20 As Baker had denied being responsible for certain of the defamatory and
21 harassing material directed at Murtagh, both parties retained computer experts to
22 assist them in the Action. Plaintiff employed an expert named Bruce Anderson,
23 and defendant employed an expert named James Pickrell. Mr. Pickrell filed an
24 expert witness report with the Court on May 15, 2017 as docket no. 252 and a
25 supplemental expert report on June 19, 2017 as docket no. 268. (The Court
26

27 ⁵ Unfortunately, this story did not end well for Bender. On December 11, 2017, Bender again wrote to the Court,
28 this time complaining that Baker had once again posted personal and harassing information about him on the
internet. According to Bender, "This has obviously occurred after the submission of your 'Referral of Clark Warren
Baker for Investigation for Witness Tampering', docket #200 in the aforementioned case." A copy of Bender's
December 11, 2017 letter, docket no. 310, is attached hereto as Exhibit 7.

1 subsequently found that there was no reason for Baker to have filed these
2 reports at that time and made these filings "private events.")

3 On August 23, 2017, plaintiff moved for a protective order [Docket No.
4 274], asking that his expert be given the same access that Baker's expert had
5 been given in connection with the preparation of his expert reports to two
6 websites, www.Baddocjim.com and www.jamesmurtaghmdtruth.com, and to
7 Baker's private Hushmail email account(s). Baker's expert had been given the
8 password or password recovery link necessary to give him access to these
9 websites and any password-protected files, including rights available only to
10 administrators of the sites. However, when Murtagh's expert asked for the same
11 access, Baruch Cohen, then counsel for Baker, refused and offered instead to
12 meet with plaintiff's expert in Cohen's office and to permit Anderson to review
13 materials on Baker's laptop under the supervision and in the presence of Baker's
14 counsel. A copy of Murtagh's August 23, 2017 motion for protective order (the
15 "August Motion"), docket no. 274, is attached hereto as Exhibit 8.

16 The Court granted the August Motion by order entered October 5, 2017
17 (the "October 2017 Order"), docket no. 291, a copy of which is attached hereto
18 as Exhibit 9. In the October 2017 Order, the Court directed Baker within 3
19 business days after entry of the order to "provide Bruce Anderson ('Anderson')
20 . . . the same level of access to the same websites, passwords, domains, email
21 accounts, etc. that Baker provided to his own expert witness James Pickrell
22 ('Pickrell') in the same manner that Baker provided such access to Pickrell."

23 To protect Baker, the October 2017 Order prohibited Anderson from
24 sharing any information obtained pursuant to the October 2017 Order with
25 Murtagh or anyone acting on Murtagh's behalf and directed him to use this
26 information solely for purposes related to his investigation and analysis in this
27 adversary proceeding and/or for the formation of expert opinions in the Action.
28 The October 2017 Order also expressly stated that Anderson could not be

1 required to conduct his investigation in the presence or under the supervision of
2 Baker or his counsel. As the Court's later findings reflect, Baker never complied
3 with this order.

4 **3. Attempts to Obtain Unredacted Copies (or a Privilege**
5 **Log) and Documents in Native Electronic Format**

6 On September 1, 2017, Murtagh filed another discovery motion (the
7 "September 2017 Motion"), docket no. 281, Exhibit 10 hereto, complaining,
8 among other things, that Baker had repeatedly produced redacted versions of
9 documents without providing a privilege log, had concealed and withheld
10 documents such as emails between himself and witnesses Pardo, Brown and
11 Bender, and had produced altered paper copies of emails by cutting and pasting
12 so as to remove actual contents of the documents, making redactions difficult to
13 detect. As a result, Murtagh requested, among other relief, that (i) Baker be
14 ordered to produce "in native, exact electronic form," and not as .pdfs or other
15 *images* of documents that can be altered, all emails that he previously produced
16 or submitted as exhibits, including any that had been previously redacted; (ii)
17 Baker be ordered to provide a privilege log describing any documents that he
18 may withhold on privilege grounds; and (iii) Murtagh be awarded monetary
19 sanctions for the attorneys' fees and costs that he had incurred in bringing and
20 prosecuting the September 2017 Motion.⁶

21
22 ⁶ Murtagh filed yet another discovery motion on September 13, 2017 (the "Second September 2017 Motion") --
23 docket no. 284. (The Court has not attached a copy of this motion as it runs, with exhibits and attachments,
24 approximately 126 pages.) In the Second September 2017 Motion, Murtagh complains, among other things, that (A)
25 Baker supplemented his Rule 26 disclosures with not less than 435 documents after the discovery cutoff, depriving
26 Murtagh of the ability to depose Baker or conduct other discovery concerning these documents; (B) many of the
27 documents are emails sent or received by Baker himself dated as early as 2008, meaning that many of the documents
28 have been in Baker's possession for years and should have been produced earlier; (C) many of the documents
concern a subject matter as to which Baker previously stated under penalty of perjury that he had no documents; (D)
the contents of these documents refer to other documents that Baker has withheld, although they fall within the
scope of prior discovery requests; (E) many of the documents were previously excluded by the Second Bender Order
or are documents that Baker was prohibited from retaining by an earlier order of the Los Angeles Superior Court in
the State Court Action. Murtagh requests that these documents be excluded and that monetary sanctions be
imposed. In response to the Second September 2017 Motion, the Court entered its December 14, 2017 "Order on
Plaintiff's Motion for Protective Order re 435 Late Produced Documents, Etc.," Docket No. 312, which provides,
among other things, that (A) Baker and his counsel must provide plaintiff with a declaration not later than December

Following a hearing held October 31, 2017 on the September 2017 Motion, the Court granted the forms of relief requested above, among other forms of relief, and imposed monetary sanctions on Baker in the amount of \$5,675, payable to plaintiff within 45 days after entry of the Court's order on that Motion. See Order on September 2017 Motion, Docket No. 313, attached hereto as Exhibit 11. These additional sanctions were never paid,⁷ and, according to Murtagh, the required privilege log was never provided.⁸

4. The April and June 2018 Orders

On February 27, 2018, Murtagh filed a motion seeking to have Baker held in contempt and to have certain findings made and certain sanctions imposed based on Baker's violations of the terms of this Court's October 2017 Order. According to that motion, Baker violated the terms of the October 2017 Order by failing to give plaintiff's expert, Bruce Anderson, the required level of access to Baker's Hushmail email accounts and to the websites www.Baddocijm.com and www.jamesmurtaghmdtruth.com (jointly, the "Two Websites").

The order entered in response to that motion (the "April 2018 Order") [Docket No. 339], attached as Exhibit 12 hereto, identifies the respects in which Baker failed to comply with the October 2017 Order and sets a hearing and a briefing schedule on an order to show cause why Baker should not be held in contempt and the sanctions requested by plaintiff should not be imposed. The Court conducted a hearing on the April 2018 Order on May 8, 2019 at 2:00 p.m.

At the May 8 hearing, the Court expressed concern that it might be inappropriate for the Court to hold Baker in contempt and impose some or all of

11, 2017 in which they explain, as to the 435 late produced documents, why the document was not previously produced; (B) Baker must produce certain documents discussed on the record at the hearing on the Second September 2017 Motion in native electronic format without redactions, without the removal of metadata and without removing or altering information that is embedded in the document that reflects if and when the document was altered and by whom; and (C) plaintiff shall have a period of 90 days after Baker has produced the foregoing documents in native electronic format and the required declarations to propound additional discovery concerning any issues raised by the newly produced documents.

⁷ See Declaration of Robert Rosen, Esq. in Support of Plaintiff's Status Report, Docket No. 400, at p. 13, par. 23(b).

⁸ See *id.* at p. 11, par. 19(b).

1 the sanctions requested by Murtagh's February 27, 2018 motion because the
2 April 2018 Order did not itself contain sufficient detail to apprise Baker of the
3 possible sanctions to be imposed.⁹ The Court therefore scheduled a further
4 hearing on Murtagh's requests for relief for August 16, 2018 at 10:00 a.m., set a
5 briefing schedule for that hearing and issued a more detailed order to show
6 cause -- the "June 2018 Order," docket no. 361, a copy of which is attached
7 hereto as Exhibit 13 hereto.

8 In the June 2018 Order, the Court, among other things:

- 9 a. Directed Baker to show cause why the Court should not make a
10 series of findings (collectively, the "First Findings") including the
11 following:
- 12 i. That Baker had reduced the amount of the data stored in his
13 Hushmail email account from 155 MB of data to 9 MB of
14 data (the "Data Reduction") after the Court issued the
15 October 2017 Order, which required Baker to provide
16 plaintiff's expert with the same access to data that Baker had
17 given to his own expert;
 - 18 ii. That the Data Reduction was purposeful and intentional and
19 not the result of Baker's simply removing a few spam emails;
 - 20 iii. That Baker had deleted "subaccounts" from his Hushmail
21 email account after the Court issued the October 2017
22 Order;
 - 23 iv. That, after having been ordered in the April 2018 Order to
24 provide Anderson with all Hushmail emails that had been in
25 his Hushmail email accounts at any time during the 10 years
26 prior to the entry of the April 2018 Order, Baker failed to

27
28 ⁹ See Local Bankruptcy Rule 9020-1, requiring that a proposed order to show cause why someone should not be held in contempt should, among other things, identify clearly the allegedly contemptuous conduct (and not just by reference to the content of the motion) and the possible sanctions that the Court may impose at the hearing.

1 restore the data and subaccounts necessary to comply with
2 the April 2018 Order;

- 3 v. That, after providing access information to Anderson
4 concerning certain websites referenced in the October 2017
5 Order, Baker changed the username and/or password for
6 these websites to prevent Anderson from actually obtaining
7 the access that Baker had been ordered to provide; and
8 vi. That, notwithstanding Baker's having repeatedly denied that
9 he had anything to do with the website www.Baddocji.com,
10 (A) Baker's cooperation and assistance were essential to
11 setting up that website and (B) Baker maintains an ongoing
12 connection to that website; and

13 b. Ordered Baker to show cause why, based on the above proposed
14 findings, the Court should not, among other things:

- 15 i. Hold Baker in civil contempt and impose additional monetary
16 sanctions to reimburse plaintiff for attorneys' fees incurred in
17 attempting to obtain compliance with orders of the Court;
18 ii. Refer Baker to the United States Attorney for criminal
19 prosecution for the Data Reduction;
20 iii. Issue a report and recommendation to the District Court that
21 Baker be held in criminal contempt and incarcerated for a
22 period of not less than 90 days as punishment for his failure
23 to comply with court orders;
24 iv. Enter an order appointing a neutral expert pursuant to Fed.
25 R. Evid. 706 (the "Neutral Expert") to preserve evidence and
26 undertake related activities and directing Baker and his
27 counsel to cooperate with the Neutral Expert by, among
28 other things, sending a specified form of letter to a list of

vendors and witnesses directing them to take certain actions;

- v. Impose additional monetary sanctions; and/or
- vi. Prohibit Baker from raising, contesting or offering evidence or argument to dispute a list of issues in the Action set forth in paragraph 12 of the June 2018 Order (collectively, the "Resolved Issues");

- c. Ordered Baker to preserve and refrain from altering, destroying, overwriting, moving, password-protecting or modifying any of Baker's Data¹⁰ or any device containing Baker's Data; performing any activity that might accidentally and/or intentionally spoliage any of Baker's Data; or changing any access information (including user names, passwords, etc.) or encryption without a prior written Order or prior written stipulation agreed to and signed by Plaintiff's counsel;
- d. Required Baker by July 27, 2018 to restore all Baker's Data that had been spoliated since October 5, 2017, including emails deleted from his Hushmail email accounts and any contents removed from the Two Websites, and to produce to plaintiff all data removed as part of the Data Reduction;
- e. Required Baker by July 27, 2018 to send a prescribed form of notice (the "Preservation Notice") to a list of vendors and witnesses identified in attachments to the June 2018 order and each administrator, author, contributor, developer, manager and/or owner known to Baker of the Two Websites and the website shakedowndoc.com; and

¹⁰ The terms "Baker's Data" and "Baker's Devices," among other terms, are defined in Attachment "A" to the June 2018 Order.

- 1
- 2 f. Required Baker to file by August 3, 2018 a compliance declaration
- 3 containing the information outlined in Attachment B to the June
- 4 2018 Order (the "Compliance Declaration").

5 The Court conducted a hearing on the June 2018 Order on August 16,

6 2018 at 10:00 a.m. The Court's August 16, 2018 order, docket no. 369, attached

7 hereto as Exhibit 14 (the "August 2018 Order"), memorializes the Court's findings

8 at that hearing, which included the fact that Baker had failed to:

- 9 a. file a written response to the June 2018 Order and had therefore
- 10 waived any opposition to the relief requested;
- 11 b. file the required Compliance Declaration;¹¹
- 12 c. send the required Preservation Notice to third parties;¹² and
- 13 d. provide any information concerning steps that he had taken in an
- 14 effort to restore deleted data.

15 In light of the foregoing, in its August 2018 Order, the Court (a) made the First

16 Findings; (b) prohibited Baker from challenging the Resolved Issues; (c) set a

17 hearing for September 27, 2018 at 10:00 a.m. and a briefing schedule for it to

18 determine the amount of the monetary sanctions to impose upon Baker; (d)

19 stated that it would enter a separate ordering appointing a Neutral Expert; and (e)

20 set a continued hearing for September 27, 2018 at 10:00 a.m. to consider the

21 following issues (collectively, the "Continued Matters")¹³:

22

23

24

25 ¹¹ Baker filed declarations on April 13, 2018 (docket no. 228) and June 13, 2018 (docket no. 356), but these

26 declarations did not satisfy the requirements of the June 2018 Order for the reasons set forth in paragraph 3 of the

27 August 2018 Order.

¹² Baker claims to have mailed letters on June 1, June 6 and June 28, 2018, but these letters did not satisfy the

28 requirements of the June 2018 Order for the reasons set forth in paragraph 4 of the August 2018 Order.

¹³ The penultimate paragraph of the August 2018 Order clarifies that the September 27, 2018 hearing would be only

a "holding date" with regard to the Continued Matters and that the Court would set a further briefing schedule and

hearing date on the Continued Matters once it received and reviewed the report of the Neutral Expert.

- i. Whether the Court should hold Baker in civil contempt and issue additional orders intended to compel compliance with its orders;
- ii. Whether the Court should refer Baker to the United States Attorney for criminal prosecution for the Data Reduction; and/or
- iii. Whether the Court should issue a report and recommendation to the District Court that Baker be held in criminal contempt and incarcerated for a period of not less than 90 days as punishment for his failure to comply with court orders.

Following the September 27, 2018 hearing, the Court entered its September 28, 2018 order [Docket No. 393], a copy of which is attached hereto as Exhibit 15. That order imposed monetary sanctions on Baker in the amount of \$133,319.71 due and payable within 30 days after entry of that order and set a continued status conference/holding date on the Continued Matters for December 11, 2018 at 2:00 p.m. (That hearing was later continued by stipulation between the parties to January 8, 2019 at 2:00 p.m.)

5. The Neutral Expert's Reports

On September 6, 2018, the Court entered its Order Appointing Neutral Expert [Docket No. 380], a copy of which is attached as Exhibit 16 hereto (the "Neutral Expert Order"). The Neutral Expert Order outlines the duties of the Neutral Expert and requires, among other things, that Baker:

- a. deliver all of Baker's Devices¹⁴ to the Neutral Expert;
- b. provide the Neutral Expert with the information necessary to access the data on Baker's Devices¹⁵; and

¹⁴ Capitalized terms used in the Neutral Expert Order have the meanings set forth in Attachment B to that order.

¹⁵ See supra note 14.

c. reimburse plaintiff for all amounts that he pays as fees and expenses of the Neutral Expert within 5 days after proof of payment is sent to Baker's counsel.¹⁶

Neil Broom of Technical Resource Center, Inc. accepted the appointment as Neutral Expert by filing the required Notice of Acceptance by Neutral Expert with the Court on September 10, 2018 [Docket No. 383] and filed status reports with the Court on December 4, 2018 [Docket No. 395] (the "First NE Report"), attached as Exhibit 17 hereto, and January 8, 2019 [Docket No. 403] (the "Second NE Report"), attached as Exhibit 18 hereto.

In the First NE Report, Broom explains that he contacted Baker's then counsel, Baruch Cohen, on September 7, 2018 to make arrangements for Baker to deliver the Baker Devices to the Neutral Expert.¹⁷ Broom reports that he went to Baker's home at 9:00 p.m. on September 18, 2018 and collected 8 different devices from Baker for forensic processing in his lab.¹⁸ Broom's initial analysis of the data that he imaged revealed large numbers of deleted files and "data carved" files,¹⁹ but that, as of the date of the First NE Report, Broom was not in a position to determine whether any of the deleted or data carved files were relevant to the subject matter of the Action.

In the Second NE Report, Broom makes several observations that are worthy of note:

¹⁶ According to "Plaintiff's Notice of Defendant Baker's Non-Compliance with the Court's September 6, 2018 Order" [docket no. 409], Murtagh sent Baker proof that he had paid Broom \$22,870 on January 22, 2019, but Baker has failed to reimburse Murtagh for this payment.

¹⁷ Baruch Cohen filed a Substitution of Attorney with the Court on September 13, 2018 [docket no. 384], replacing himself as counsel for Baker with Baker, acting in propria persona. On September 23, 2018, Jessica Ponce substituted in as counsel for Baker. See Substitution of Attorney, docket no. 388.

¹⁸ After forensically imaging the data on these devices, Broom returned all but one of the devices to Baker. The one device not returned, a Dell XPS 1340 Laptop, Model PP17S, was instead turned over the Los Angeles Police Department Internet Crimes Against Children Taskforce, as Broom discovered materials on that device that he considered to be contraband. A criminal prosecution of Baker by the Los Angeles Police Department for child pornography ensued and remains pending as of the date of this report and recommendation. Counsel for Baker has advised that a plea agreement was reached in connection with this prosecution and that Baker is due to be sentenced shortly in connection with this matter.

¹⁹ Broom explains in the First NE Report that "Data Carving" is the process used to recover files that have been previously deleted.

- 1 a. On September 7, 2018, less than 2 hours after Broom contacted
2 Baker's counsel to discuss a turnover of Baker's Devices, Baker
3 ran an encryption application (True Crypt) on one of the
4 devices²⁰ later turned over to Broom (Device AA3²¹), accessing
5 directories that included ones named "Pardo" (who has
6 previously been identified as a witness in the Action) and
7 "Murtagh hush."
- 8 b. The following day, on September 8, 2018, Baker again ran the
9 encryption application on Device AA3: he connected to an
10 encrypted volume labelled "O" and accessed several files
11 (including one entitled, "Message Source"); and connected to a
12 volume labelled "E." from which he accessed directories named
13 "Discovery," "goons," "batcave," "Pardo," and "Brown²² Pardo
14 etc. email." Broom was unable to locate the directories
15 "batcave" and "Brown Pardo etc email" on any of the devices
16 that Baker turned over to him. As Broom explains on page 31 of
17 the Second NE Report, "This is concerning because the
18 directory 'batcave' contains security and encryption files, while
19 the directory 'Brown Pardo etc email' contains 'Pardo' and
20 'Murtagh hush' files."
- 21 c. Three days later, on September 11, 2018, Baker connected a
22 backup drive (Device AC) to Device AA3 and copied files
23 (including 335GB of video files) from Device AA3 to Device AC.
24 According to the Neutral Expert, "Any data that had been
25

26 ²⁰ According to page 30 of the Second NE Report, "On Device AA3, TrueCrypt was installed on July 1, 2018 and
27 run on the following dates: September 7, September 8, September 11, and September 18, 2018 for a total of 7 runs."

28 ²¹ Broom assigned a designation to each device given to him by Baker. A list of the devices and the designations
given each device appears on page 2 of the First NE Report. The same list appears on page 12 of this Court's
February 19, 2019 Order to Show Cause re Contempt, docket no. 413, Exhibit 19 hereto.

²² Brown has also been identified as a witness in the Action.

1 previously stored on Device AC (and then deleted), would have
2 been permanently destroyed by copying the huge video files
3 onto Device AC, by overwriting the old data with the new video
4 files.”

- 5 d. Later that same day, September 11, 2018, Baker reformatted
6 Device AC. According to the Neutral Expert, “Reformatting a
7 hard drive prepares the drive to hold new data by creating a
8 new file system on the drive. This process destroys the
9 previous data that was on the drive. Again, shortly after copying
10 335 GB of video files onto Device AC (destroying the data
11 previously there), Baker then destroyed the new video files by
12 reformatting the hard drive.”
- 13 e. Lastly on September 11, 2018, Baker copied backup files from
14 Device AH onto Device AC. The Neutral Expert reports that,
15 “This activity is consistent with someone attempting to generate
16 worthless data to thwart a forensic examination”
- 17 f. Baker deleted large numbers of files after the entry of orders
18 from this Court prohibiting such activity and requiring the
19 turnover of that data to the Neutral Expert, many of which files
20 appear relevant to the subject matter of the Action. A list of
21 these deleted files and the corresponding deletion dates
22 appears on pages 3 through 9 of the Second NE Report.
- 23 g. Baker has not provided the password and instructions to access
24 the encrypted file “Birthday 2.wmv,” located on three of Baker’s
25 devices, despite Broom’s request for this information.²³ See

26
27 ²³ In multiple declarations filed later with the Court, Baker claims to be unable to recall the password or encryption
28 key necessary to access this file. Broom notes further, on page 29 of the Second NE Report, that, although this file
bears the extension “wmv,” which is the standard file extension for a Windows Media Video file and Baker has
placed this file in the directory, “Users/Baker/Videos,” this file is NOT a Windows Media Video file. Broom
concludes that, by naming the file with this extension and placing it in a directory of video files, “Baker was

Second NE Report, p. 30, for a recitation of the discussions between Broom and Baker on this subject.

- h. “Baker was running the TrueCrypt application as late as the day he turned his devices over to the Neutral Expert, yet he now states that he cannot remember the password.” Second NE Report, p. 30.
- i. Baker has not provided the Neutral Expert with multiple USB devices that have been used on Baker’s Devices.
- j. Baker installed another encryption program named “Axcrypt” on Device AA3 ON May 5, 2018. Baker ran Axcrypt on Device AA3 on September 12, September 13, September 14, September 15 and September 17, 2018, for a total of 30 runs. Baker ran Axcrypt on Device AH on September 17, 2018. Baker did not provide a list of the files that he encrypted with this program and has not provided the Neutral Expert with the password necessary to unlock these files.
- k. Baker used a portable and secure operating system on a USB drive named “Qubes.” The USB drive was used on Devices AH, AB and AG. Baker did not give Broom any device that had the Qubes operating system on it.

6. The February 19, 2019 OSC

Based on Baker’s failure to comply with earlier orders of the Court and the troubling findings made by the Neutral Expert in the Second NE Report, following the January 8, 2019 hearing, the Court issued its February 19, 2019 “Order to Show Cause re Contempt” [Docket no. 413], attached hereto as Exhibit 19 (the “February 2019 OSC”). Paragraph 10 of that order, which appears on pages 10

attempting to hide the file from detection.” Second NE Report, p. 29. Page 29 of the Second NE Report also explains the basis for Broom’s conclusion that the file Birthday2.wmv is a TrueCrypt Encrypted Volume.

1 through 11 thereof, details the findings the Court had previously made as to
2 Baker's violations of this Court's orders.²⁴ Paragraph 1 of the February 2019
3 OSC directs Baker to appear on April 2, 2019 at 10:00 a.m.²⁵ to show cause why
4 the Court should not do the following based on Baker's noncompliance with
5 Court orders (collectively, the "Additional Steps"):

- 6 a. hold Baker in civil contempt for having failed to comply with prior
7 orders of the Court; issue a warrant for his arrest; and direct that
8 Baker be incarcerated until he performs the "Affirmative Acts"
9 set forth in paragraph 8 of the February 2019 OSC;²⁶
- 10 b. make a criminal referral to the U.S. Attorney based on, among
11 other things, Baker's spoliation of evidence;
- 12 c. make the "Additional Findings" detailed in paragraph 11 of the
13 February 2019 OSC;²⁷
- 14 d. Issue a report and recommendation to the District Court that
15 Baker be held in criminal contempt and incarcerated for a period
16 of not less than 90 days; an
- 17 e. Strike Baker's answer to complaint and enter judgment for
18 Murtagh for damages and injunctive relief.

19 Paragraph 2 of the February 2019 OSC directs Baker to file and serve any
20 written response to the February 2019 OSC not later than March 19, 2019 and to
21

22 ²⁴ The "Declaration of Robert Rosen, Esq. in Support of Plaintiff's Status Report" [docket no. 400], filed January 4,
23 2019, also contains a listing of respects in which Baker has failed to comply with orders of this Court.

24 ²⁵ Plaintiff also noticed a hearing for April 2, 2019 on his motion for an order directing the Neutral Expert to
25 turnover to plaintiff's cyber expert, Anderson, all data that he has received from Baker. The Court granted that
26 motion by order entered April 23, 2019 [docket no. 464]. The Court's April 23 order contained provisions designed
27 to protect former clients of Baker from having privileged materials delivered to Anderson. The Court provided
28 additional protections for third parties claiming a privilege with regard to the information obtained from Baker in its
June 12, 2019 order supplementing the April 23 order [docket no. 500]. As a result of these third-party privilege
issues, data that the Neutral Expert obtained from Baker has not yet been turned over to Anderson.

²⁶ Paragraph 9 of the February 2019 OSC sets forth the information that Baker should include in the Baker
Declaration if he claims to be unable to perform any of the Affirmative Acts.

²⁷ The proposed findings set forth in paragraph 11 of the February 2019 OSC track closely the findings of the
Neutral Expert in the Second NE Report and include the observations outlined above in Section 5 on pages 19
through 21.

1 include in his response the declaration described in paragraph 7 of the order (the
2 "Baker Declaration"). The Baker Declaration, as described in paragraph 7, is
3 Baker's own declaration under penalty of perjury setting forth, among other
4 things:

- 5 i. each deletion of data or change in access information or
6 credentials that has taken place with regard to Baker's Data or
7 Baker's Devices from and after certain dates;
- 8 ii. all steps that Baker has taken in an effort to locate backups or
9 copies of any deleted data;
- 10 iii. the names and contact information for custodians of any such
11 backup copies;
- 12 iv. why he had not paid the \$132,633.25 sanction award;
- 13 v. the source of funds used to pay prior sanction awards; and
- 14 vi. all efforts he had made to locate or obtain funds with which to
15 pay the monetary sanctions imposed by the Court.

16 Instead of filing the declaration required by the terms of the February 2019
17 OSC, Baker's counsel filed a brief memorandum of points and authorities and her
18 own declaration authenticating an email she sent to Murtagh's counsel passing
19 along hearsay statements from Baker concerning some of the information that
20 should have been included in the Baker Declaration. [See Declaration of J.
21 Ponce, filed March 19, 2019, Docket No. 423-1, attached hereto as Exhibit 20.]
22 Baker offered no other evidence in a timely manner in response to the February
23 2019 OSC and made no attempt at any time to refute any of the observations
24 made by the Neutral Expert in the Second NE Report.

25 At the April 2, 2019 hearing on the February 2019 OSC, the Court struck
26 the email attached to Ms. Ponce's declaration as hearsay and found that Baker
27 had failed to show cause why the Court should not take the Additional Steps.
28 However, in light of the drastic nature of some of the Additional Steps, the Court

1 agreed to review and consider (i) the declaration that Baker had belatedly filed on
2 the morning of the April 2 hearing, (ii) any additional declaration(s) that Baker
3 might file on or before April 9, 2019 and (iii) any response to these declarations
4 that Murtagh might file by April 16, 2019, before entering an order in response to
5 the February 2019 OSC.

6 After reviewing the declarations that Baker filed on April 2, 2019 [Docket
7 No. 442] and April 9, 2019 [Docket No. 453] and Murtagh's response thereto
8 [Docket No. 462], the Court remained of the view that there was cause for it to
9 take the Additional Steps and entered its April 24, 2019 order holding Baker in
10 civil contempt [Docket No. 466], attached hereto as Exhibit 21 (the "Civil
11 Contempt Order").

12 **7. Baker's Arrest and Release; The Second Criminal Referral**

13 In the Civil Contempt Order, the Court held Baker in civil contempt for
14 reasons detailed on pages 6 through 7 of that order and directed that Baker be
15 remanded to the custody of the United States Marshal's Service of the Central
16 District of California and detained until he had purged his contempt by completing
17 the "Required Affirmative Acts" defined in paragraph 2 of that order (other than
18 any of the Required Affirmative Acts that he proved "categorically and in detail"
19 he was unable to perform). The Court also made the Additional Findings in the
20 Civil Contempt Order and stated that it would refer Baker to the United States
21 Attorney for criminal prosecution for the spoliation of evidence.²⁸ The Court
22 scheduled a status conference on Baker's performance of the Required
23 Affirmative Acts for June 11, 2019 at 10:00 a.m.

24 The United States Marshal's Service arrested Baker on May 1, 2019 and
25 brought him to bankruptcy court for a status conference at 2:00 p.m. that day. It
26 appearing to the Court that it would be difficult to make the arrangements

27
28 ²⁸ Attached hereto as Exhibit 22 is a copy (without exhibits) of this Court's second referral to the U.S. Attorney's office concerning Baker's conduct [Docket No. 503].

1 necessary to have Baker released from federal custody in time for him to appear
2 in state criminal court on May 13, 2019 for a preliminary hearing on his child
3 pornography charges,²⁹ the Court agreed to release Baker from custody and
4 gave him until May 9, 2019 to file and serve a declaration attesting to his having
5 performed each of the Required Affirmative Acts by that date. (The Court
6 advised that it would issue a new warrant for Baker's arrest if he failed to file the
7 foregoing declaration in a timely manner or failed to complete any of the
8 Required Affirmative Acts by May 9, 2019.) See "Order After Status Conference on
9 Civil Contempt" [Docket No. 479] attached hereto as Exhibit 23.

10 The Court entered an order on May 10, 2019 [docket no. 490] (the "May
11 10 Order"), a copy of which is attached hereto as Exhibit 24, setting forth its
12 findings after having reviewed Baker's May 9, 2019 declaration [docket no. 486]
13 and Murtagh's response thereto [docket no. 489]. As the May 10 Order explains,
14 although the Court did not find Baker's testimony as to his inability to perform
15 certain of the Required Affirmative Acts to be credible: "In the context of civil
16 contempt, incarceration may be used only to coerce a party to take a particular
17 action. It may not be used to punish a party for having failed to take a particular
18 action." May 10 Order, at ¶ 9. "Although this Court has no doubt that Baker has
19 disregarded repeated orders of this Court and remains in contempt of this Court,
20 this Court has no reason to believe that continued incarceration of Baker will
21 result in an increased level of cooperation from Baker." May 10 Order, at ¶10.

22 As a result, the Court elected not to issue a new warrant for Baker's arrest
23 at this time and, instead, scheduled a further hearing for June 11, 2019 at 10:00
24 a.m., at which time Baker was to show cause why the Court should not (a) strike
25 his answer to complaint and enter judgment for the plaintiff and (b) issue a report
26 and recommendation that the District Court hold Baker in criminal contempt.
27 Baker's written response to the May 10 Order was due by May 28, 2019.
28

²⁹ See supra, note 16.

1 Baker filed a supplemental declaration regarding the Required Affirmative
2 Acts on May 28, 2019. Only one paragraph of that declaration was responsive to
3 the May 10 Order to show cause -- paragraph 11 -- in which Baker explained that
4 he should not be incarcerated because he is his elderly mother's full time
5 caregiver.³⁰ Finding that Baker had failed to show cause why the Court should
6 not take these additional steps, after the June 11, 2019 hearing on the May 10
7 Order, the Court entered its June 12, 2019 order [docket no. 501], a copy of
8 which is attached hereto as Exhibit 25. In this order, the Court struck Baker's
9 answer to complaint and authorized Murtagh to proceed by way of default³¹ and
10 agreed to issue the instant report and recommendation.

11 II

12 RECOMMENDATION

13 After Baker was ordered to give plaintiff's expert access to all the same electronic
14 data that he had given to his own expert, Baker deleted large amounts of that data and
15 changed passwords or user names so that plaintiff's expert could not access this
16 information. After Baker was ordered to turnover electronic data and devices to the
17 Neutral Expert and not to alter, destroy, encrypt or overwrite that data, he encrypted,
18 overwrote and destroyed large amounts of data and turned over only a portion of his
19 devices to the Neutral Expert.

20 When held in civil contempt and incarcerated for this behavior, Baker responded
21 by submitting declaration after declaration swearing under penalty of perjury that he
22 could not remember the passwords or encryption keys necessary to unencrypt the data,
23 had no known backups and could not restore any data that had been deleted. When
24 the Court imposed monetary sanctions, Baker submitted multiple declarations swearing
25 under penalty of perjury that his only income is the pension he receives as a retired
26

27 ³⁰ This testimony is contradicted by earlier testimony offered by Baker to the effect that his mother has another
28 caregiver who comes in for a few hours a day and that Baker's girlfriend also lives in the household with his mother.
(Baker claims that his girlfriend is elderly as well and cannot provide the required care for his mother.)

³¹ The Court set a deadline of September 10, 2019 for Murtagh to file and serve a motion for default judgment.

1 LAPD officer – all of which he spends each month for basic living expenses – and that
2 he does not have, and will not be able to obtain, the funds with which to pay any portion
3 of the monetary sanctions that the Court has imposed upon him.

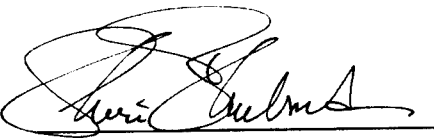
4 According to Baker's own testimony, it is now impossible for him to undo the
5 harm that he has caused. Baker claims he cannot restore data that has been deleted,
6 cannot unlock files that have been encrypted and cannot compensate the other side for
7 the costs that it has incurred because of his conduct. Therefore, if Baker's declarations
8 are to be believed, continued reliance on coercive contempt sanctions is futile. Yet
9 Baker cannot be permitted to violate order after order of this Court with impunity and
10 should not be excused from further sanction simply because, by his own actions, he has
11 rendered himself incapable of complying with court orders.

12
13 In accordance with 28 U.S.C. § 157(a), the District Court has issued a standing
14 order generally referring all cases under title 11 and all proceedings arising under,
15 arising in or related to cases under title 11 to the bankruptcy judges for the Central
16 District of California. The District Court is authorized by 28 U.S.C. § 157(d) to withdraw,
17 in whole or in part, the reference as to any case or controversy "for cause shown." See
18 Fed. R. Bankr. P. 5011(a) and 9033. This Court respectfully submits that the foregoing
19 facts, coupled with this Court's lack of authority to hear and determine criminal contempt
20 matters, constitute sufficient cause within the meaning of this section for the District
21 Court to withdraw the reference to the extent set forth below. Accordingly, the Court
22 recommends:

- 23 1. that the District Court *sua sponte* withdraw, in part, the reference pursuant
24 to 28 U.S.C. § 157(d) for the limited purpose of considering criminal
25 contempt proceedings against defendant Clark Warren Baker; and
- 26 2. that the District Court find Clark Warren Baker guilty of criminal contempt
27 and sentence him to be incarcerated for a period of 90 days or such other
28 period as the District Court may deem appropriate.

###

Date: June 27, 2019


Sheri Bluebond
United States Bankruptcy Judge

Derek Newman (SBN 190467)
dn@newmanlaw.com
Derek Linke (SBN 302724)
linke@newmanlaw.com
NEWMAN DU WORS LLP
100 Wilshire Blvd., Suite 700
Santa Monica, CA 90401
(310) 359-8200

Attorneys for Plaintiff
James Murtagh, M.D.

FILED & ENTERED

FEB 17 2022

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY vandenst DEPUTY CLERK

CHANGES MADE BY COURT

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION**

In re

CLARK WARREN BAKER,

Debtor.

BK Case No.: 2:15-bk-20351-BB
Chapter 7
ADV Case No.: 2:15-ap-01535 BB

**DEFAULT JUDGMENT AND
PERMANENT INJUNCTION**

JAMES MURTAGH, M.D.,

Plaintiff,

Hearing:
Date: February 15, 2022
Time: 2:00 p.m.
Place: Courtroom 1539

vs.

CLARK BAKER,

Defendant.

The Court, having reviewed Plaintiff James Murtagh, M.D.’s Motion for Entry of Default Judgment and Permanent Injunction Against Defendant Clark Baker (“Baker”) and all related papers, together with any opposition or reply, having separately entered its Findings of Fact and Conclusions of Law concurrently herewith, and for good cause shown,

//

//

//

1 **IT IS HEREBY ORDERED** that Plaintiff's Motion for Entry of Default Judgment and
2 Permanent Injunction against Defendant Clark Baker is **GRANTED**. Judgment is entered in
3 favor of Plaintiff Dr. James Murtagh and against Defendant Clark Baker as follows:

4 1. Judgment is hereby entered against Defendant Baker on all counts alleged in Dr.
5 Murtagh's Second Amended Complaint.

6 2. Judgment is hereby entered against Defendant Baker and in favor of Dr. Murtagh
7 for a total of \$30,535,844.71, as follows: (a) compensatory damages in the amount of
8 \$10,342,525; (b) punitive damages under California Civil Code § 3294 in the amount of
9 \$20,000,000.00; and (c) unpaid sanctions awarded against Baker in this proceeding (in addition
10 to the \$60,000 awarded but unpaid in the LASC Case) in the total amount of \$193,319.71 of
11 unpaid sanctions.¹

12 3. This Judgment is nondischargeable pursuant to 11 U.S.C. § 523(a)(6).

13 4. Judgment shall bear interest from and after the entry of this order at the federal
14 judgment rate under 28 U.S.C. § 1961.

15 **IT IS FURTHER ORDERED** that, under Rule 65(d)(2) of the Federal Rules of Civil
16 Procedure², Baker and his agents, servants, employees, attorneys, and all persons in active
17 concert or participation with any of them, who receive actual notice of this Order, by personal
18 service or otherwise, are immediately ENJOINED and RESTRAINED, subject to the exceptions
19 in Paragraph 12, below, from:

20 1. Engaging in any activity which uses, mentions, or refers to James Murtagh, M.D.,
21 or any version, variation, misspelling, of his name, or references Dr. Murtagh in any way,
22 including by the use of any moniker meant to refer to Dr. Murtagh, such as "goon", "Mo",
23 "shakedowndoc", "baddoc", "baddocjlm", or "psycho" including:

24 a. on the internet, on websites (even if password protected), on social-media
25 sites, and blogs, in website names, domain names, hostnames, file names, URL's, emails, email
26 _____

27 ¹ See *Stolfo v. Kindercare Learning Ctrs.*, 727 Fed. Appx. 861, 863 (7th Cir. 2018) (unpaid sanctions
28 were a nondischargeable debt under 11 U.S.C. § 523(a)(6) because they were intended to remedy a
"willful and malicious injury").

² Fed. R. Civ. P. 65 is made applicable in this proceeding by FBPR 7065.

addresses, email sender names, website addresses, sponsored links, hyperlinks, metatags, search engine optimization (SEO), search term or keyword optimization, electronic devices, books, logos, advertisements, articles, promotional materials, medical services, mailings, business cards, notices, letters, memos, telephone listings, and/or publications; and

b. in any written or verbal communications with any health care facility, recruiter of medical personnel, and/or locum tenens healthcare staffing agency, or with any current or former coworker or colleague of Dr. Murtagh.

2. Registering, purchasing, owning, selling, or transferring (other than to Dr. Murtagh), administering, or maintaining any online properties including websites, domain names, blogs, social-media accounts, apps, or email accounts that mention or refer to James Murtagh, M.D., or any version, variation on, or misspelling of Dr. Murtagh's name, or that otherwise reference Dr. Murtagh in any way or form, including by the use of the terms "goon", "Mo", "shakedowndoc", "baddoc", or "baddocjjm".

3. Cyberstalking or cyber-harassing Dr. Murtagh including pinging his mobile phone, or any other activity that traces or attempts to trace his location; hacking into or attempting to hack into any computer, mobile phone, iPad, or other electronic device of Dr. Murtagh; tampering or attempting to tamper with any website or social-media account, messaging or social-media app (including Facebook, Instagram, LinkedIn, Twitter, WeChat, TikTok, Pinterest) of Dr. Murtagh, or any online account owned or registered by Dr. Murtagh or under Dr. Murtagh's name.

4. As a means of undermining or evading any provision of this Order, offering services or obtaining or brokering the services of any other person(s), or instructing, directing or encouraging any other person(s), to create or post on any website, social-media account, messaging or social-media app (Facebook, Instagram, LinkedIn, Twitter, WeChat, TikTok, Pinterest), or using any blog, domain name, email address, electronic device, hyperlink, URL, internet search algorithm, metatag, search term optimization tool, or any other online vehicle about or referencing any witness in (including any party to) any legal proceeding including the use of the witness' (or party's) name or business name.

5. Maintaining or retaining copies in any format (digital or otherwise) of any of Baker's Websites and Other Web Content,³ or any portion thereof, including but not limited to, the files listed in **Attachment A** hereto, in any form and on any medium.

IT IS FURTHER ORDERED that Baker and his agents, servants, employees, attorneys, and all persons in active concert or participation with them who receive actual notice of this Order, by personal service or otherwise, shall, subject to the exceptions in Paragraph 12, below, immediately:

6. Take all necessary steps to purge and eliminate from the internet any and all traces of any websites (including, but not limited to jamesmurtaghmdtruth.com, baddocijm.com, shakedowndoc.com, omsj.org), webpages, files, court filings, exhibits or other attachment thereto, native digital files, electronically stored information (including but not limited to, emails, email attachments, metadata, text messages, text message attachments, text files, digital files of any kind, administrative data and/or system data, directories, messages, photos, Skype data, tweets, retweets, social-media or networking site posts, reposts, blog posts, microblog posts, website posts, website data, directories, file directories, facsimiles, files, folders, file links, hidden files, hidden directories, linked documents, documents, Mp3 or other audio files, any video files, metalinks, hyperlinks, hidden codes, internet search algorithms, PDF files, Microsoft Office documents (Word, Excel, Access, PowerPoint), compressed files (e.g., ZIP, RAR, 7-ZIP, GZIP), native electronic working files, drafts, drafts of websites, digital text files, swap files, temporary files, digital videos or YouTube files, internet browser data, forensic file data, forensic artifacts, and/or any other content, which is about, refers to, references, or mentions Dr. James Murtagh, M.D. in any form, variation, or misspelling, in any way, including by the use of any moniker, such as "goon", "mo", "shakedowndoc", "baddoc" or "baddocijm", which Baker, or anyone who assisted, aided, was hired by, retained by, directed, worked with, or consulted by, Baker, created, posted, obtained, received, purchased, authored, set up, transferred, maintained, or organized, in any way (collectively, "Baker's Websites and Other Web Content"). Baker must complete the foregoing within 10 days of the issuance of this Order.

³ See ¶ 12 below for definition of Baker's Websites and Other Web Content.

7. Take all necessary steps to ensure that no part of Baker's Websites and Other Web Content appears or comes up in any internet search engine (e.g., Google, Bing, Yahoo!, DuckDuckGo, YouTube, Facebook, Baidu, Ecosia) search of Dr. Murtagh's name or any moniker for Dr. Murtagh (e.g., "goon", "mo", "baddoc", "baddocjjm", "shakedowndoc"). Baker must complete the foregoing within 10 days of the issuance of this Order.

8. Immediately forfeit and transfer to Plaintiff within 10 days of the issuance of this Order the following:

a. the domain names for Baker's Websites that include Dr. Murtagh's name in any form, variation, or misspelling, in any way, including any moniker, such as "goon", "mo", "shakedowndoc", "baddoc", or "baddocjjm";

b. all files about, concerning, or referencing Dr. Murtagh, in anyway, that Baker, any agent or representative of Baker, or anyone acting on Baker's behalf posted on the internet or on any website, whether or not password protected, including, but not limited to all files listed in Attachment A hereto; and

c. every file that Baker, any agent or representative of Baker, or anyone acting on Baker's behalf, ever saved, uploaded, or stored in any "goons" directory or folder.

9. If any directive set forth in Paragraphs 6, 7 or 8 above cannot be completed, Baker must notify the Court and Designated Plaintiff's Counsel in writing by identifying the specific directive and the reason it cannot be completed.

IT IS FURTHER ORDERED that:

10. Third-parties providing services in connection with Baker's website, www.jamesmurtaghmdtruth.com or any other of Baker's Websites and Other Web Content, including without limitation, Internet Service Providers (ISP), domain-name registrars, domain name registries, website or web hosting providers, web designers, search engine or ad-word providers, banks, or online payment platforms or services, peer-to-peer payment platforms (collectively "Third-Party Providers") having knowledge of this Order by service, actual notice or otherwise, are enjoined from providing services to Baker in conjunction with any of the acts set forth in Paragraphs 1 through 5 above;

11. Third-Party Providers having knowledge of this Order by service, actual notice, or otherwise, shall immediately disable, remove, take down, or cancel any of Baker's Websites and Other Web Content.

12. Notwithstanding anything to the contrary, nothing in this Order shall be construed:

- a. to apply to documents filed with a court that would otherwise be protected by a litigation privilege;
- b. to apply to confidential attorney-client communications or protected attorney work product;
- c. to require anyone to purge internal electronic or paper copies of litigation files;
- d. to apply to dockets maintained by any court;
- e. to include Neil Broom ("NB") within the definition of a "Third-Party Provider"; or
- f. to prohibit NB from maintaining copies of, or to require him to take any actions with regard to, Baker's Websites and Other Web Content, or any other data or files that he has obtained in his capacity as a court-appointed expert in this adversary proceeding.

13. Baker's communications. Any written communication by Baker (or any agent or representative of Baker, or anyone acting on Baker's behalf), with any Third-Party Provider concerning any part of this Order, shall be copied (if by email, on the same email) to Designated Plaintiff's Counsel. Baker shall further inform Designated Plaintiff's Counsel by email of the substance of any verbal communication Baker (or any agent or representative of Baker, or anyone acting on Baker's behalf) has with any Third-Party Provider concerning any aspect of this Order within 12 hours of said verbal communication.

14. Per diem monetary penalty. In addition to and notwithstanding any other remedy available to Plaintiff for violations of this Order, Baker shall be ordered to pay Plaintiff a per diem monetary penalty in the amount of \$5,000 for any violation of this Order upon written notice of said violation by Plaintiff to the Court.

1 15. Notice of Possible Violation. Baker shall provide written notice (by email) to
2 Designated Plaintiff's Counsel of any known or suspected violation of this Order by any person
3 within 24 hours of learning of the known or suspected violation.

4 Designated Plaintiff's Counsel:

5 Derek Linke, Esq. (SBN 302724)
6 Newman Du Wors LLP
7 2101 Fourth Avenue, Suite 1500
8 Seattle, WA 98121
9 Email: linke@newmanlaw.com; Ph: (206) 274-2800

10 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that this Court shall
11 retain jurisdiction over this matter and over Defendant Baker in order to implement and carry out
12 the terms of all orders and decrees that may be entered and to entertain any suitable application
13 or motion for additional relief within the jurisdiction of this Court, and will order other relief that
14 this Court deems appropriate under the circumstances.

15 There being no reason for delay, under Rule 54(b) of the Federal Rules of Civil
16 procedure, the Clerk is ordered to enter this Judgment forthwith and without further notice.

17 **IT IS SO ORDERED.**

18 ###

19 Date: February 17, 2022

20
21
22
23 

24 Sheri Bluebond
25 United States Bankruptcy Judge
26
27
28

ATTACHMENT A

The websites and weblinks containing Plaintiff James Murtagh, M.D.'s name, as well as metalinks, hyperlinks, hidden codes, and Internet search algorithms improperly infringing upon Plaintiff's name and rights include, but are not limited to, the following:

www.baddocjjm.com
www.shakedowndoc.com
www.jamesmurtaghmdtruth.com
www.jamesmurtaghmdtruth.com/omsj-the-questionablecompany-robert-gallo-keeps
www.jamesmurtaghmdtruth.com/sleepcare2014
www.jamesmurtaghmdtruth.com/gapprop
www.jamesmurtaghmdtruth.com/emory-merits
www.jamesmurtaghmdtruth.com/profile-muddled
www.jamesmurtaghmdtruth.com/james-john-murtagh
www.jamesmurtaghmdtruth.com/court-cases
www.jamesmurtaghmdtruth.com/tag/lawsuits
www.omsj.org/authors/corruption-dooms-dcwhistleblowers
www.jamesmurtaghpsycho.com
www.omsj.org/issues/civil-cases/murtagh-celeb
www.propogandists.org/court-cases-murtagh/ohio-comm-plea-2012
www.propogandists.org/court-cases-murtagh/ndga-fulton-dekalb-1999
www.propogandists.org/court-cases-murtagh/ndga-va-2000
www.propogandists.org/court-cases-murtagh/ndga-fulton-dekalb-2009
www.propogandists.org/court-cases-murtagh/tax-court-2003
www.propogandists.org/court-cases-murtagh/ndga-usa-emory-1999

A. Files stored at jamesmurtaghmdtruth.com include, but are not limited to, the following:⁴

<http://www.jamesmurtaghmdtruth.com/court-cases/11th-cir-emory-2001/>
<http://www.jamesmurtaghmdtruth.com/court-cases/11th-cir-fulton-dekalb-2000/>
<http://www.jamesmurtaghmdtruth.com/court-cases/murtagh-v-baker/>
<http://www.jamesmurtaghmdtruth.com/court-cases/d-idaho-2012/>
<http://www.jamesmurtaghmdtruth.com/court-cases/d-maine-st-marys-2012/>
<http://www.jamesmurtaghmdtruth.com/court-cases/dc-sup-ct-fulton-dekalb-2007/>
<http://www.jamesmurtaghmdtruth.com/court-cases/ga-ct-app-emory-2012/>
<http://www.jamesmurtaghmdtruth.com/court-cases/ga-sup-ct-emory-2004/>
<http://www.jamesmurtaghmdtruth.com/court-cases/supreme-ct-ga/>
<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-emory-1999/>
<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-emory-2009/>
<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-fulton-dekalb-1999/>
<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-usa-emory-1999/>
<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-va-2000/>
<http://www.jamesmurtaghmdtruth.com/court-cases/ny-sup-ct-farber-2009/>

⁴ See Ex. 662, Anderson Decl. ¶12.

1 <http://www.jamesmurtaghmdtruth.com/court-cases/ohio-comm-plea-2012/>

2 <http://www.jamesmurtaghmdtruth.com/court-cases/tax-court-2003/>

3 **B. Files at <http://shakedowndoc.com/docs> and <http://shakedowndoc.com/wordpress>**
4 **containing files about Dr. Murtagh, include the following:⁵**

5 **1. The Links associated with the /docs directory are:**

6 1.pdf

7 20090413_Observations.pdf

8 2bk2010--76346_442013-22200-PM.mp3

9 68.pdf

10 75.pdf

11 April 11 2013 MOTION FOR RECONSIDERATION DENIED TO SUPPLEMENT
12 RECORD DENIED.pdf

13 April 21 2013 NOTICE OF INTENT TO GA SUPREME COURT.pdf

14 April 8 2013 MOTION FOR RECONSIDERATION APPELLANT.pdf

15 April 8 2013 TO SUPPLEMENT RECORD.pdf

16 Arbitrator Award.pdf

17 Arbitrator Decision.pdf

18 Arbitrator award2.pdf

19 August 17 2012 REPLY BRIEF APPELLANT.pdf

20 BartonProblem.mp3

21 CourtofAppeals26Jul2012.pdf

22 Defamation suit.pdf

23 Emory 29Mar2013.pdf

24 Emory1-1.pdf

25 Emory1-2.pdf

26 Emory1-3.pdf

27 Emory1-4.pdf

28 Emory1-5.pdf

Emory1-6.pdf

Emory1.pdf

Emory10.pdf

Emory11.pdf

Emory12-1.pdf

Emory12.pdf

Emory13.pdf

Emory14.pdf

Emory2.pdf

Emory3-1.pdf

Emory3-10.pdf

Emory3-11.pdf

Emory3-12.pdf

Emory3-2.pdf

Emory3-3.pdf

Emory3-4.pdf

⁵ See Ex. 464 (Anderson Decl. Re shakedowndoc.com)

1 Emory3-5.pdf
2 Emory3-6.pdf
3 Emory3-7.pdf
4 Emory3-8.pdf
5 Emory3-9.pdf
6 Emory3.pdf
7 Emory4-1.pdf
8 Emory4.pdf
9 Emory5-1.pdf
10 Emory5-2.pdf
11 Emory5-3.pdf
12 Emory5.pdf
13 Emory6-1.pdf
14 Emory6-2.pdf
15 Emory6-3.pdf
16 Emory6.pdf
17 Emory7.pdf
18 Emory8.pdf
19 Emory9.pdf
20 Evidence of retaliation.pdf
21 Fake Clark to St Mary.pdf
22 Farber v. Jefferys N.Y. Sup. Ct. 2009.pdf
23 Fierer1997.pdf
24 FiererSellingLies.jpg
25 Final Order.pdf
26 Fulton1-1.pdf
27 Fulton1-2.pdf
28 Fulton1-3.pdf
Fulton1.pdf
Fulton10-1.pdf
Fulton10-2.pdf
Fulton10.pdf
Fulton11-1.pdf
Fulton11-2.pdf
Fulton11-3.pdf
Fulton11-4.pdf
Fulton11-5.pdf
Fulton11-6.pdf
Fulton11-7.pdf
Fulton11-8.pdf
Fulton11-9.pdf
Fulton11.pdf
Fulton12-1.pdf
Fulton12-2.pdf
Fulton12-3.pdf
Fulton12.pdf
Fulton13-1.pdf

1 Fulton13-2.pdf
2 Fulton13-3.pdf
3 Fulton13-4.pdf
4 Fulton13-5.pdf
5 Fulton13-6.pdf
6 Fulton13-7.pdf
7 Fulton13.pdf
8 Fulton14-1.pdf
9 Fulton14-2.pdf
10 Fulton14.pdf
11 Fulton15.pdf
12 Fulton16.pdf
13 Fulton17.pdf
14 Fulton18.pdf
15 Fulton19-1.pdf
16 Fulton19.pdf
17 Fulton2-1.pdf
18 Fulton2.pdf
19 Fulton20-1.pdf
20 Fulton20-2.pdf
21 Fulton20-3.pdf
22 Fulton20.pdf
23 Fulton21.pdf
24 Fulton22.pdf
25 Fulton23.pdf
26 Fulton4-1.pdf
27 Fulton4-2.pdf
28 Fulton4.pdf
Fulton7.pdf
Fulton8-1.pdf
Fulton8-10.pdf
Fulton8-11.pdf
Fulton8-12.pdf
Fulton8-13.pdf
Fulton8-14.pdf
Fulton8-15.pdf
Fulton8-16.pdf
Fulton8-17.pdf
Fulton8-2.pdf
Fulton8-3.pdf
Fulton8-4.pdf
Fulton8-5.pdf
Fulton8-6.pdf
Fulton8-7.pdf
Fulton8-8.pdf
Fulton8-9.pdf
Fulton8.pdf

Gable affidavit.pdf
Giustra depo.pdf
Idaho1.pdf
Idaho2.pdf
Idaho3.pdf
Idaho5.pdf
Idaho6.pdf
Idaho7.pdf
James J Murtagh Lawsuits.docx
Joe Bird Bankruptcy Docket Report.pdf
July 13 2012 RESPONSE TO MOTION FOR SUPERSEDEAS.pdf
July 26 2012 REQUEST TO ARGUE GRANTED.pdf
July 30 2012 BRIEF OF APPELLEE.pdf
July 30 2012 TO SUPPLEMENT RECORD.pdf
July 9 2012 BRIEF OF APPELLANT.pdf
July 9 2012 REQUEST TO ARGUE APPELLANT.pdf
July 9 2012 REQUEST TO ARGUE APPELLEE.pdf
June 29 2012 NOTICE OF APPEARANCE.pdf
Kuritzky REDACTED.pdf
MURTAGH v. EMORY, Ga. Ct. App. 2012.pdf
MURTAGH v. FULTON---DEJAKB, D.C. Super. Ct. 2007 (1482---2).pdf
MURTAGH v. ST MARY'S REGIONAL HEALTH CENTER, D. Me. 2012 (docs avail).pdf
Mahanylaw.jpg
May 1 2013 NOTICE OF FILING CERT TO GA SUPREME COURT.pdf
Murtagh 2008.jpg
Murtagh 2011.jpg
Murtagh Resume 2010.pdf
Murtagh v. COMMISSIONER OF INTERNAL REVENUE, U.S.T.C. 2003.pdf
Murtagh v. Emory University, N.D. Ga. 1999.pdf
Murtagh v. Emory, 11th Cir. 2001.pdf
Murtagh v. Emory, N.D. Ga. 2009 (docs avail).pdf
Murtagh v. Fulton---DeKalb, 11th Cir. 2000.pdf
Murtagh v. Fulton---DeKalb, N.D. Ga. 2009 (docs avail).pdf
Murtagh v. Fulton---DeKalb, N.D. Ga. 1999.pdf
Murtagh v. Southwest Idaho Acute Care, D. Idaho 2012 (docs avail).pdf
Murtagh v. Veterans Admin, N.D. Ga. 2000.pdf
Murtagh vs. Sleepcare Diagnostics, Ohio Comm. Pleas. 2012.pdf
Murtagh---Pardoemail27Sep2012.pdf
Murtagh_v._Southwest_Idaho_Acu_1.pdf
Ohare.mp3
PoisoningAffidavit.pdf
RebJJM.jpg
RebJJMParis.jpg
RebJJMwine.jpg
September 10 2012 TO RESCHEDULE ORAL ARGUMENT.pdf
September 11 2012 TO RESCHEDULE ORAL ARGUMENT GRANTED.pdf
September 13 2012 SUPP BRIEF DENIED APPELLEE.pdf

September 6 2012 TO FILE SUPP BRIEF APPELLEE.pdf
Settlement Agreement.pdf
StMarys1.pdf
StMarys10.pdf
StMarys11.pdf
StMarys12.pdf
StMarys13.pdf
StMarys14.pdf
StMarys17.pdf
StMarys19.pdf
StMarys2.pdf
StMarys20.pdf
StMarys21-1.pdf
StMarys21-2.pdf
StMarys21.pdf
StMarys22-1.pdf
StMarys22-2.pdf
StMarys22.pdf
StMarys23.pdf
StMarys25.pdf
StMarys26.pdf
StMarys27.pdf
StMarys28.pdf
StMarys29.pdf
StMarys3.pdf
StMarys30.pdf
StMarys31.pdf
StMarys33.pdf
StMarys35-1.pdf
StMarys35-2.pdf
StMarys35-3.pdf
StMarys35-4.pdf
StMarys35.pdf
StMarys36.pdf
StMarys38-1-1.pdf
StMarys38-1.pdf
StMarys38-2.pdf
StMarys38-3.pdf
StMarys38-4.pdf
StMarys38-5.pdf
StMarys38-6.pdf
StMarys38.pdf
StMarys39.pdf
StMarys4.pdf
StMarys40-1.pdf
StMarys40.pdf
StMarys42.pdf
StMarys43.pdf

StMarys44.pdf
StMarys45.pdf
StMarys46.pdf
StMarys47.pdf
StMarys49.pdf
StMarys5-1.pdf
StMarys5-2.pdf
StMarys5.pdf
StMarys50.pdf
StMarys51.pdf
StMarys52.pdf
StMarys53.pdf
StMarys54.pdf
StMarys55-1.pdf
StMarys55-2.pdf
StMarys55-3.pdf
StMarys55.pdf
StMarys56-1.pdf
StMarys56-2.pdf
StMarys56-3.pdf
StMarys56.pdf
StMarys57-1.pdf
StMarys57-2.pdf
StMarys57.pdf
StMarys58.pdf
StMarys59.pdf
StMarys6.pdf
StMarys60.pdf
StMarys61.pdf
StMarys63-1.pdf
StMarys63.pdf
StMarys64.pdf
StMarys67.pdf
StMarys7.pdf
StMarys70.pdf
StMarys71.pdf
StMarys72.pdf
StMarys75.pdf
StMarys76.pdf
StMarys77.pdf
StMarys78.pdf
StMarys8.pdf
StMarys80.pdf
StMarys81.pdf
StMarys83.pdf
StMarys9.pdf
USA ex rel Murtagh v. Emory, N.D. Ga. 1999.pdf
gactapp 22 apr 2014.pdf

johnsmoke.mp3
unsealed.pdf

2. The Links Associated with the /wordpress directory are:

<http://www.omsj.org/goons/murtagh/2014/sleepcarejudg.pdf>
<http://www.omsj.org/goons/murtagh/2014/sleepcarecomplaint.pdf>
<http://shakedowndoc.com/wordpress/gapprop/>
<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-22.png>
<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-27.png>
<http://mspbwatcharchive.files.wordpress.com/2013/05/murtagh-poisoning-affidavit.pdf>
<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-27-n-22.png>
<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-27-n-22.png>
<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-27-n-22.png>
<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-emory-2009/>
<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-emory-2009/>
<http://www.omsj.org/goons/murtagh/Emory%2029Mar2013.pdf>
<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-27-n-22.png?>
<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-emory-2009/>
<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-30.png>
["http://mspbwatcharchive.wordpress.com/2013/05/12/murtagh-hagiography-gap-propaganda](http://mspbwatcharchive.wordpress.com/2013/05/12/murtagh-hagiography-gap-propaganda)
<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-30.png>
<http://www.omsj.org/goons/murtagh/Fulton8-4.pdf#page=34>
<http://www.omsj.org/goons/murtagh/Fulton8-3.pdf#page=70>
<http://www.omsj.org/goons/murtagh/Fulton8-3.pdf>
http://www.omsj.org/wp-content/uploads/30919_414238817832_1231093_n.jpg
http://www.omsj.org/wp-content/uploads/30919_414238817832_1231093_n.jpg
<http://www.omsj.org/goons/murtagh/Fulton8-16.pdf>
<http://www.omsj.org/goons/murtagh/Fulton8-12.pdf>
[http://www.omsj.org/corruption/defending-semmelweis"](http://www.omsj.org/corruption/defending-semmelweis)
<http://www.omsj.org/corruption/judge-denies-motion-to-dismiss-farber-libel-suit-case-continues>
<http://www.omsj.org/authors/corruption-dooms-dc-whistleblowers>
<http://www.omsj.org/corruption/the-aidstruth-rats-scatter>
<http://www.omsj.org/corruption/the-semmelweis-report-gallos-egg>
<http://www.omsj.org/corruption/the-semmelweis-report-gallos-egg>
<http://deviningafraud.wordpress.com/2012/11/27/the-devine-lewis-soeken-murtagh-connection>

C. Unauthorized photographs of Dr. Murtagh on Baker's websites, such as shakedowndoc.com and omsj.org include:

<http://www.Shakedown.doc/docs/RebJJM.jpg>
<http://www.Shakedown.doc/docs/RebJJMParis.jpg>
<http://www.Shakedown.doc/docs/RebJJMwine.jpg>
<http://www.omsj.org/goons/murtagh/RebJJM.jpg>
<http://www.omsj.org/goons/murtagh/RebJJMParis.jpg>
<http://www.omsj.org/goons/murtagh/RebJJMwine.jpg>

FILED & ENTERED

MAR 22 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY evangeli DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT

CHANGES MADE BY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re

Case No.: 2:15-bk-20351-BB

CLARK WARREN BAKER,

Chapter 7

Debtor.

Adv. Case No.: 2:15-ap-01535-BB

JAMES MURTAGH, M.D.,

**INTERIM ORDER RE CONTEMPT
SANCTIONS AGAINST CLARK BAKER**

Plaintiff,

Date: March 28, 2023

vs.

Time: 10:00 a.m.

CLARK BAKER,

Court: 1539

Defendant.

On January 31, 2023, the Court held a hearing on its December 22, 2022 Order to Show Cause re Contempt (Dkt. 939), at which Defendant Clark Warren Baker (“Baker”) was ordered to appear and show cause why he should not be held in contempt for violations of the following Court orders: (1) February 17, 2022 Default Judgment and Permanent Injunction (“Injunction”) (Dkt. 867); (2) September 6, 2018 Order Appointing Neutral Expert (“Neutral Expert Order”) (Dkt. 380); and (3) November 8, 2021, Order Directing Clark Baker to Produce Financial Documents (“Damages Discovery Order”) (Dkt. 810). At the hearing, the Court overruled Baker’s written objections to the issuance of an order to show cause filed at Docket No. 942.

At the hearing, the Court considered the following: (1) Plaintiff James Murtagh, M.D.’s Motion for an Order to Show Cause why Defendant Clark Baker Should Not Be Held in Contempt of the Permanent Injunction and Other Orders (“Motion”) and accompanying Memorandum of Points and Authorities filed on December 21, 2022 (Dkt. 935); (2) the declaration of James Murtagh, M.D. and exhibits thereto (Dkt. 936); (3) the declaration of Derek Linke and exhibits thereto (Dkt. 937); (5) Defendant Clark Baker’s Response to OSC re Contempt, filed on January 17, 2023 (Dkt. 944); (6) Plaintiff James Murtagh, M.D.’s Response in Support of Order to Show Cause why Defendant Clark Baker Should Not Be Held in Contempt of Court, filed on January 24, 2023 (Dkt. 947); and (7) Supplemental Declaration of Derek Linke in Support of Plaintiff James Murtagh, M.D.’S Motion for an Order to Show Cause Re Contempt Sanctions for Defendant Clark Warren Baker’s Violations of the Permanent Injunction and Other Orders, filed on January 24, 2023 (Dkt. 947-1).

On January 25, 2023, Baker also filed Defendant Clark Baker’s Supplemental Declaration in Response to OSC re Contempt (Dkt. 948), which the Court hereby strikes and disregards as untimely under the OSC and LBR 9020-1. The Court, having found that Baker has willfully violated paragraphs 2, 5, 6, 7, 8, 9 and 13 of the Injunction,

IT IS ORDERED as follows:

1. Murtagh is hereby held in contempt of this Court for willfully violating the Injunction by:

- a. Continuing to own, administer or maintain online properties such as websites, blogs, or domain names that refer to Dr. Murtagh (paragraph 2);
 - b. Maintaining or retaining websites or online storage sites that contain content and/or host documents concerning Dr. Murtagh (paragraph 5);
 - c. Failing to purge from the internet content that he controls referring to or mentioning Dr. Murtagh (paragraph 6);
 - d. Failing to ensure that Baker's content about Murtagh was "deindexed" from internet search engines (paragraph 7);
 - e. Failing to transfer to Dr. Murtagh within 10 days of the entry of the Injunction domain names and websites referencing Dr. Murtagh (paragraph 8);
 - f. Failing to notify the Court and Dr. Murtagh within 10 days after the entry of the Injunction if he was unable to comply with any of the above directives (paragraph 9); and
 - g. Failing to copy Dr. Murtagh's counsel on any third-party communications made in an effort to comply with the directives contained in the Injunction (paragraph 13).
2. In order to purge this contempt, Baker must take all of the following steps within 30 days after entry of this Order:
- a. Baker must file and serve a declaration sworn under penalty of perjury, providing full, complete, and truthful answers and responses to the following enumerated questions and other items (the "Baker Declaration"). In order to satisfy the obligations imposed by this order, the Baker Declaration must be accompanied by a declaration under penalty of perjury from Baker's counsel in which she certifies that she does not know of any responsive information that is not already contained in the Baker Declaration and that she has no reason to believe that any of the information contained in the Baker Declaration is false, inaccurate or incomplete.

b. The Baker Declaration must address each of the following questions and other items specifically by number. Baker's response to each question or item shall be independent and complete in that it shall not rely on or incorporate other specific responses or other materials by reference.

c. Baker's Online Properties and Accounts:

- i. The Baker Declaration must include a list of all domains, domain names, URLs, hosts and accounts that Baker has at any time registered, purchased, controlled, owned, sold, transferred, or otherwise held in any way, directly or indirectly, at any time since January 2013 including websites, domain names, blogs, social-media accounts, email accounts, and other online communications accounts (collectively, "Online Properties").
- ii. For each Online Property, the Baker Declaration must separately certify the following: (1) the most-recent date he closed, terminated, or last used or accessed that Online Property (other than use or access for the purpose of this certification); (2) the account name or names he used in connection with that Online Property, if applicable; (3) the alias or aliases under which he used that Online Property, if applicable; (4) any steps that he took in an effort to comply with provisions of the Injunction with regard to such Online Property; and (5) the identity, contact information, and means of communication that Baker used in connection with the foregoing compliance efforts.
- iii. For each of the following Online Properties, the Baker Declaration must separately certify each of the following: (1) whether he has ever owned or controlled it, (2) the most-recent date he closed, terminated, or last used or accessed that Online Property (other than use or access for the purpose of this certification); (3) the account name or names he used in connection with that property, if applicable; (4) the alias or

aliases under which he used that property, if applicable; (5) any steps that he took in an effort to comply with provisions of the Injunction with regard to such Online Property; and (6) the identity, contact information, and means of communication that Baker used in connection with the foregoing compliance efforts:

- (<http://elmaltes.blogspot.com/2008/08/gallos-egg-investigation-continues.html>)
- <https://sites.google.com/site/karristokely/misc/gallo-s-egg>
- <https://www.docin.com/p-388129527.html>
- omsj.org
- <https://m.facebook.com/SearchingforAnswersBlog/posts/clark-bakerfor-those-whove-wondered-about-the-identity-of-snout-we-tracked-him-d/123924284468167/>
- <http://elmaltes.blogspot.com/2008/07/hiv-aids-gallos-egg.html>
- <https://lokeshvuyyurumd.wordpress.com/2014/03/06/duesberg-semmelweis/>
- <https://lokeshvuyyurumd.wordpress.com/category/cohorts/james-murtagh/>
- jamesmurtaghmdtruth.com
- baddocjjm.com
- shakedowndoc.com

c. Baker's Websites and Other Online Content About Dr. Murtagh

- i. The Baker Declaration must list all online hosts, websites, email accounts, and storage providers that Baker (or anyone that Baker has used to assist or aid him, or anyone that he hired, retained, directed or worked with or consulted with) has used at any time since January 2013 to host, store, maintain, or communicate about any content relating to Dr. Murtagh, in any form, variation, or misspelling,

1 including by the use of any moniker, such as “goon,” “mo,”
2 “shakedowndoc,” “baddoc,” or “baddocjjm,” including without
3 limitation: jamesmurtaghmdtruth.com, baddocjjm.com,
4 shakedowndoc.com, omsj.org, file directories, files, folders, file links,
5 hidden files, hidden directories, linked documents, documents, Mp3 or
6 other audio files, video files, metalinks, hyperlinks, hidden codes,
7 internet search algorithms, PDF files, Microsoft Office documents
8 (Word, Excel, Access, PowerPoint), compressed files (e.g., ZIP, RAR,
9 7-ZIP, GZIP), digital text files, swap files, temporary files, digital
10 videos or YouTube files.

11 ii. For each such online host, or storage provider (collectively, “Third-
12 Party Provider”), the Baker Declaration must separately certify the
13 following: (1) the most-recent date he closed, terminated, or last used
14 or accessed that Third-Party Provider (other than use or access for the
15 purpose of this certification); (2) the account name or names he used
16 in connection with that Third-Party Provider, if applicable; (3) the
17 alias or aliases under which he used that Third-Party Provider, if
18 applicable; (4) any steps that Baker took in an effort to comply with
19 provisions of the Injunction with regard to such Third Party Provider;
20 and (5) the identity, contact information, and means of communication
21 that Baker used in connection with the foregoing compliance efforts.

22 d. **Deposition:** Within 30 days after Baker serves the Baker Declaration on
23 counsel for plaintiff, at a time and place to be agreed upon in good faith
24 between the parties, Baker must appear for a deposition by plaintiff. The scope
25 of said deposition, which may total up to 21 hours on the record and which may
26 be continued from day to day as needed, will be anything reasonably calculated
27 to lead to the discovery of information concerning Baker’s compliance with, or
28 violation of, the Injunction.

3. If Baker fails to purge his contempt by complying with all of the directives contained in paragraph 2 (including its sub-parts) within 30 days after entry of this order, or if the Court finds that the Baker Declaration or any testimony given at his deposition is materially incomplete or false, or both, the Court will prepare a report and recommendation to the District Court in which it recommends to the District Court that it withdraw the reference of this adversary proceeding to the extent necessary to hold Baker in criminal contempt and direct that he be incarcerated for a period of not less than one year.
4. Within 30 days after the completion of Baker's deposition, Plaintiff may lodge a further proposed order re contempt sanctions and file and serve a supplemental brief re contempt sanctions. Defendant's response and objections, if any, must be filed and served within 7 days of Plaintiff's lodging of a further proposed order and filing and service of a supplemental brief re contempt sanctions. Plaintiff's reply, if any, must be filed and served by within 7 days of Defendant's filing.
5. On June 6, 2023, at 2:00 p.m., the Court will conduct a continued hearing on the OSC to review the extent to which Baker has complied with this order and assess what further steps should be taken in order to ensure Baker's compliance with the Injunction.

IT IS SO ORDERED.

###

Date: March 22, 2023



Sheri Bluebond
United States Bankruptcy Judge

Derek Newman (SBN 190467)
dn@newmanlaw.com
Derek Linke (SBN 302724)
linke@newmanlaw.com
NEWMAN LLP
100 Wilshire Blvd., Suite 700
Santa Monica, CA 90401
(310) 359-8200

Attorneys for Plaintiff
James Murtagh, M.D.

FILED & ENTERED

NOV 22 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY *evangel* DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re

CLARK WARREN BAKER,

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK BAKER,

Defendant.

Case No.: 2:15-bk-20351-BB

Chapter 7

Adv. Case No.: 2:15-ap-01535-BB

**SECOND INTERIM ORDER RE
CONTEMPT SANCTIONS AGAINST
CLARK BAKER**

Hearing:

Date: November 7, 2023

Time: 10:00 a.m.

Court: 1539

Continued Hearing:

Date: January 9, 2024

Time: 10:00 a.m.

Court: 1539

On November 7, 2023 at 10:00 a.m., the Court held a hearing on its March 22, 2023 Interim Order re Contempt Sanctions Against Clark Baker (Dkt. 975) and March 28, 2023 Order Modifying and Correcting Interim Order re Contempt Sanctions Against Clark Baker (Dkt. 977) (together, “Interim Order”) which arose from the Court’s December 12, 2022 Order to Show Cause re Contempt (“December 2022 OSC”) (Dkt. 939) relating to Baker’s compliance with the Court’s February 17, 2022 Default Judgment and Permanent Injunction (“Injunction”) (Dkt. 867). Defendant Clark Warren Baker’s attorney, Jessica Ponce, appeared remotely by video conference at the hearing. Baker was not in attendance. Other appearances were as noted in the record at the time of hearing.

At the hearing, the Court considered the following: (1) Plaintiff James Murtagh, M.D.’s Supplemental Brief re Interim Order re Contempt Sanctions (Dkt. 1012); (2) the declaration of Derek Linke, Esq., and exhibits thereto (Dkt. 1013); (3) Plaintiff James Murtagh, M.D.’s proposed Order Holding Clark Warren Baker in Contempt (Dkt. 1014); (4) Defendant Clark Baker’s Response to Plaintiff’s Supplemental Brief re Interim Order re Contempt Sanctions (Dkt. 1025); Defendant Clark Baker’s Objections (“Baker’s Objections”) (Dkt. 1026); and Plaintiff James Murtagh, M.D.’s Supplemental Reply Brief re Interim Order re Contempt Sanctions (Dkt. 1027), along with the prior record on the Court’s December 22, 2022 Order to Show Cause re Contempt (Dkt. 939), including as recited in the Interim Order.

At the hearing, the Court overruled Baker’s Objections in their entirety. All of the objections relate to Murtagh’s Supplemental Brief—a memorandum of points and authorities—not to any declaration that was filed. There is no such thing as an evidentiary objection to a memorandum of points and authorities. It is not evidence.

At the hearing, the Court also considered, among other things noted on the record, the two declarations Baker filed pursuant to the Interim Order: (1) Defendant Clark Baker’s Declaration in Response to Court’s Interim Order and Order Modifying and Correcting Interim Order (“First Baker Compliance Declaration”) (Dkt. 979); and (2) Defendant Clark Baker’s Declaration in Response to Item 2.c.i. of Order of March 22, 2023, for C. Baker to Aver Compliance (“Second Baker Compliance Declaration”) (Dkt. 990). Based on the foregoing,

IT IS HEREBY ORDERED as follows:

A. Supplemental Baker Declaration

1. On or before **December 11, 2023**, Baker must file and serve a declaration sworn under penalty of perjury, providing full, complete, and truthful answers and responses to the following enumerated questions and other items (the “Supplemental Baker Declaration”).
2. The Supplemental Baker Declaration is subject to the Interim Order’s standards for Baker’s testimony under the Interim Order as follows:
 - a. In order to satisfy the obligations imposed by this order, the Supplemental Baker Declaration must be accompanied by a declaration under penalty of perjury from Baker’s counsel in which she certifies that she does not know of any responsive information that is not already contained in the Supplemental Baker Declaration and that she has no reason to believe that any of the information contained in the Supplemental Baker Declaration is false, inaccurate or incomplete. (*See* Interim Order (Dkt. 975) at p. 3, ¶ 2.a.)
 - b. If the Court finds that testimony provided in the Supplemental Baker Declaration is materially incomplete or false, or both, the Court will prepare a report and recommendation to the District Court in which it recommends to the District Court that it withdraw the reference of this adversary proceeding to the extent necessary to hold Baker in criminal contempt and direct that he be incarcerated for a period of not less than one year. (*See* Interim Order (Dkt. 975) at p. 7, ¶ 3.)
 - c. The Supplemental Baker Declaration must address each of the following questions and other items specifically by number. Baker’s response to each question or item shall be independent and complete in that it shall not rely on or incorporate other specific responses or other materials by reference. (*See* Interim Order (Dkt. 975) at p. 4, ¶ 2.b.)

B. Supplemental Baker Declaration Item 1— Baker’s Testimony About Online Properties to Which He Claims the Court’s Orders Do Not Apply

3. For each instance in either the First Baker Compliance Declaration or the Second Baker Compliance Declaration where Baker testifies that there are no provisions in the Court’s Injunction, December 2022 OSC, and/or Interim Order applicable to a particular online property, the Court finds that such testimony is materially incomplete.

4. With respect to each such instance of testimony from either the First Baker Compliance Declaration or the Second Baker Compliance Declaration, the Supplemental Baker Declaration must include a certification under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjjm.” The Injunction, December 2022 OSC, and Interim Order are each broad enough to include any website, URL, or other online property that refers to Dr. Murtagh in any way, even if those properties are not identified by name in the particular order.

C. Supplemental Baker Declaration Item 2— Baker’s Testimony About Online Property for Which He Claims John McNair or Another Unidentified Individual Is Responsible

5. The Second Baker Compliance Declaration (on page 6 at lines 23–28) includes the following testimony relating to the shakedowndoc.com online property:

“A back-up of JamesMurtaghMDTruth.com was transferred from Declarant [Baker] sometime in 2015 or 2016 and was taken down before 2017. The lack of screenshots (one, compared to OMSJ’s 300+ and JamesMurtaghMDTruth.com 29 times). Australian citizen John McNair facilitated that transfer to the unknown server owner.”

6. The Court finds that such testimony is materially incomplete.
7. The Supplemental Baker Declaration must explain the above testimony, including, without limitation, addressing: (1) The complete factual basis for such testimony. (2) Identification of the location and nature of documents or communications, by subject matter and type of document or communication, supporting such testimony. (3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony. (4) Who is John McNair? (5) Why was McNair the one facilitating the referenced transfer of the backup of JamesMurtaghMDTruth.com? (6) Does Baker have McNair’s contact information? And if so, list all such contact information. (7) What is the basis for Baker’s knowledge that McNair facilitated the transfer?

D. Supplemental Baker Declaration Item 3— Baker’s Testimony About Online Property for Which He Claims David Pardo Is Responsible

8. The Second Baker Compliance Declaration (on page 152 at lines 22–28) includes the following testimony about an online property:

“d) ‘http://mspbwatcharchive.files.wordpress/gapprop/’ –
Declarant [Baker] certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: This website was owned by David Pardo. Declarant [Baker] does not own this website and does not have any control over its content. Declarant [Baker] believes this website has been deleted in approximately 2016.”

9. The Court finds that the above testimony is materially incomplete.
10. The Supplemental Baker Declaration must explain the above-quoted testimony, including, without limitation, addressing: (1) What is the basis for Baker’s belief that this property was owned by Pardo? (2) Identification of the location and nature of documents or communications, by subject matter and type of document

or communication, supporting such testimony. (3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony. (4) What steps did Baker take to determine when this file was deleted if it was not his?

E. Supplemental Baker Declaration Item 4—Baker’s Testimony About Another Online Property for Which He Claims David Pardo Is Responsible

11. The Second Baker Compliance Declaration (on page 6 at lines 23–28) includes the following testimony relating to the shakedowndoc.com online property:

“g) ‘http://deviningafraud.wordpress.com/2012/11/27/the-devine-lewis-soeken-murtaghconnection’ – Declarant [Baker] certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: This website was owned by David Pardo. Declarant [Baker] has never owned this website. Declarant [Baker] believes this was deleted in approximately 2016.
- ii) Account name or names used: David Pardo
- iii) Alias or aliases used: N/A”

12. The Court finds that the above testimony is materially incomplete.

13. The Supplemental Baker Declaration must explain the above-quoted testimony, including, without limitation, addressing: (1) The complete factual basis for such testimony. (2) Identification of the location and nature of documents or communications, by subject matter and type of document or communication, supporting such testimony. (3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony. (4) What is the basis for Baker’s belief that this property was owned by Pardo? (5) What steps did Baker take to determine when this file was deleted if it was not his?

F. Supplemental Baker Declaration Item 5—Baker’s Testimony About Claimed Destruction of Hard-Copy Materials By Shredding

14. Baker’s testimony provided pursuant to the Interim Order included claims that he shredded, or caused to be shredded, 8, 9, or 10 boxes of written information concerning Dr. Murtagh. (*See* Transcript of August 3, 2023 Deposition of Clark Baker, filed as Exhibit C to the Linke declaration (Dkt. 1013) at 387:8–389:11, 394:10–395:13.)

15. The Court finds that such testimony is materially incomplete.

16. The Supplemental Baker Declaration must explain the foregoing testimony, including, without limitation, addressing: (1) The complete factual basis for such testimony. (2) Identification of the location and nature of documents or communications, by subject matter and type of document or communication, supporting such testimony. (3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony. (4) Where or how did Baker find the shredding company that he used? (5) Did the shredding company come to Carol Dunn’s house to pick up the documents and take them elsewhere for shredding or did the shredding occur at the house? (6) Or did Baker bring the boxes to the shredder? (7) Where was the company located? (8) How did he make arrangements with them? By phone, by email? (9) How much did they charge? (10) Does Baker have a receipt or certificate confirming the destruction of the contents of the boxes. (11) Have any of these materials not yet been shredded and remain available?

G. Supplemental Baker Declaration Item 6—Baker’s Testimony About Prohibited References to Dr. Murtagh on OMSJ.org

17. Baker testified repeatedly in the First Baker Compliance Declaration and the Second Baker Compliance Declaration that he deleted everything related to Dr. Murtagh from the OMSJ.org website prior to the signing and filing of each

1 declaration under penalty of perjury. The Court finds that such testimony has been
2 proven false, as evidenced by Exhibit E to the Linke declaration (Dkt. 1013),
3 which shows files relating to Dr. Murtagh still present on that website as of
4 August 4, 2023. Additionally, the Court rejects Baker's testimony attempting to
5 blame the continuing existence of these files on the CIA, NSA, CDC, or Dr. Fauci
6 as having been invented out of whole cloth and therefore finds that it is also
7 materially false.

- 8 18. The Supplemental Baker Declaration must explain such testimony, including,
9 without limitation, addressing: (1) The complete factual basis for such testimony.
10 (2) Identification of the location and nature of documents or communications, by
11 subject matter and type of document or communication, supporting such
12 testimony. (3) Identification, including all available contact information, of all
13 individuals from whom Baker obtained information forming the basis of such
14 testimony. (4) Why there continued to be prohibited references to Dr. Murtagh on
15 OMSJ.org as of August 4, 2023; (5) Whether the files or information which
16 resulted in those prohibited references appearing on OMSJ.org have since been
17 deleted; and (6) If so, a complete description of all steps Baker has taken since
18 August 4, 2023 to cause those files or information to be permanently destroyed.

19
20 **H. Supplemental Baker Declaration Item 7—Baker's Testimony About Claimed**
21 **Deletion of Electronic Files and Subsequent Search Efforts**

- 22 19. In his testimony provided pursuant to the Interim Order, Baker testifies at great
23 length about files that claims to have deleted on October 20, 2016 and the diligent
24 search that he conducted on his computer on January 4, 2023. The Court finds that
25 such testimony is materially incomplete.
- 26 20. The Supplemental Baker Declaration must explain such testimony, including,
27 without limitation, addressing: (1) The complete factual basis for such testimony.
28 (2) Identification of the location and nature of documents or communications, by

subject matter and type of document or communication, supporting such testimony. (3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony. (4) How does Baker know that he deleted these files on October 20, 2016? (5) What specific documents, entries, or other records or documents did he see that reflected this date? (6) What steps did Baker take on January 4, 2023 as part of this “diligent search”?

I. Supplemental Baker Declaration Item 8—Baker’s Materially Incomplete Testimony About Other Online Properties for Which Baker Claims Someone Else Is Responsible

21. In addition to the above items 1 through 7, for each instance in either the First Baker Compliance Declaration or the Second Baker Compliance Declaration where Baker testified that somebody else other than him was responsible for a particular online property, the Court finds that such testimony is materially incomplete.
22. The Supplemental Baker Declaration must provide an explanation of each such instance of testimony, including without limitation, (1) the basis for such testimony with respect to each such online property; (2) identification as to the location and nature of documents or communications, by subject and category of document type supporting such testimony with respect to each such online property; (3) identification, including all available contact information, for each person Baker communicated with or otherwise obtained information from about such online property.

J. Supplemental Baker Declaration Item 8—Certification of Protonmail Accounts

23. The Supplemental Baker Declaration must also include a certification by Baker identifying each Protonmail account or subaccount he has owned, held, or controlled.

24. For each such account or subaccount, the Supplemental Baker Declaration must separately certify the following: (1) the date that account or subaccount was created; (2) the most-recent date he closed, terminated, or last used or accessed (other than for purposes of responding to this Order or the Interim Order) that account or subaccount; (3) the alias or aliases under which he used or accessed that account or subaccount; (4) all forms of communication Baker has used in connection with the creation, operation, or termination of each such account or subaccount; and (5) the identity, including all available contact information, for each person other than Baker who has had access to each such account or subaccount.

25. Should Baker claim that any of the identified Protonmail accounts or subaccounts have been terminated, the Supplemental Baker Declaration must separately certify the following: (1) the date on which such account or subaccount was terminated; and (2) the reason or reasons that Baker terminated such account or subaccount.

K. Records of Baker's Protonmail Activity

26. At the November 7, 2023 hearing, Dr. Murtagh's counsel proposed a mechanism by which certain information about Baker's usage of his Protonmail accounts might be obtained consistent with the parameters the Court identified on the record. The Court set forth a procedure intended to implement that proposal.

27. Dr. Murtagh's counsel has now advised the Court that, following a diligent investigation into the technical feasibility of that particular proposal, it does not appear to be possible under these circumstances. Therefore, Dr. Murtagh is evaluating alternate approaches that he will promptly submit to the Court for consideration if and when he identifies an alternate approach that would be technically feasible.

28. Pending further order of the Court, Baker is ordered to not delete, transfer, or otherwise lose access to all contents of each identified Protonmail account and

subaccount and all associated activity or other logs or any other electronically stored information or documents associated with any of the Protonmail accounts or subaccounts.

29. The Court reserves determination as to whether and to what extent the previously found privilege waiver applies to any putatively privileged communications associated with any of Baker's Protonmail accounts or subaccounts.

L. Baker's Alleged Recent Harassing and Cyberstalking of Dr. Murtagh in Violation of the Injunction

30. In Dr. Murtagh's briefing and at the November 7, 2023 hearing, his counsel advised the Court of Dr. Murtagh's contention that there is ongoing online harassment and cyberstalking by Baker that Dr. Murtagh claims violates the Injunction.

31. Such issues are not immediately before the Court in connection with the resolution of the pending contempt motion.

32. The Court indicated at the hearing that it would authorize Dr. Murtagh—and hereby makes such authorization—to conduct third-party discovery to the extent reasonably calculated to lead to the discovery of admissible evidence in connection with such alleged online harassment and cyberstalking.

M. Continued Contempt Hearing and Related Deadlines

33. The Court hereby continues its consideration of all matters at issue in the Injunction, December 2022 OSC, and/or Interim Order to January 9, 2024 at 10:00 a.m.

34. Baker shall appear at the continued hearing.¹

35. At the January 9, 2024 hearing, the Court will also conduct a continued status

¹ Parties and their counsel may appear either in person or by Zoom for Government. Connection information will be posted along with the Court's tentative ruling. For more information, see Judge Bluebond's Phone/Video Appearance procedures on the Court's webpage.

conference in the above adversary proceeding. The parties need not file a status report in advance of that conference.

36. This Order is not intended to modify the Injunction, December 2022 OSC, and/or Interim Order.

IT IS SO ORDERED.

###

Date: November 22, 2023



Sheri Bluebond
United States Bankruptcy Judge

Derek Newman (SBN 190467)
dn@newmanlaw.com
Derek Linke (SBN 302724)
linke@newmanlaw.com
NEWMAN LLP
100 Wilshire Blvd., Suite 700
Santa Monica, CA 90401
(310) 359-8200

Attorneys for Plaintiff
James Murtagh, M.D.

FILED & ENTERED

APR 25 2024

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY **llewis** DEPUTY CLERK

CHANGES MADE BY COURT

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re

CLARK WARREN BAKER,

Debtor.

Case No.: 2:15-bk-20351-BB

Chapter 7

Adv No.: 2:15-ap-01535 BB

JAMES MURTAGH, M.D.,

Plaintiff,

**THIRD INTERIM ORDER RE
CONTEMPT SANCTIONS AGAINST
CLARK BAKER**

vs.

CLARK BAKER,

Defendant.

Prior Hearings

Date: January 9 and April 16, 2024

Time: 10:00 a.m.

Court: 1539

Continued Hearings

Date: June 20, 2024

Time: 11:00 a.m.

Court: 1539

On January 9, 2024, the Court held a hearing on its March 25, 2023 Interim Order re Contempt Sanctions against Clark Baker (“Interim Order”) (Dkt. 975) as modified by the April 27, 2023 Order Extending Deadline with Respect to Item 2.c.i of Page 5-6 of the Order of March 22, 2023, for C. Baker to Aver Compliance and Related Deadlines and Continuing Hearing Dates (Dkt. 988), and the November 22, 2023 Second Interim Order re Contempt Sanctions Against Clark Baker (“Second Interim Order”) (Dkt. 1045) (collectively, “Interim Contempt Orders”) which arose from the Court’s December 12, 2022 Order to Show Cause re Contempt (“December 2022 OSC”) (Dkt. 939) relating to Baker’s compliance with the Court’s February 17, 2022 Default Judgment and Permanent Injunction (“Injunction”) (Dkt. 867). Defendant Clark Warren Baker’s attorney, Jessica Ponce, appeared remotely by video conference at the hearing. Baker was in attendance by Zoom for a portion of the hearing. Other appearances were as noted in the record at the time of hearing.

At the hearing, which was a continuation of all matters at issue in the Injunction, December 2022 OSC, and Interim Contempt Orders, the Court considered Defendant Clark Baker’s Supplemental Declaration in Response to Court Order of Nov. 22, 2023 (“Third Baker Compliance Declaration”¹) (Dkt. 1065), along with the prior record on the Court’s December 2022 OSC, including as recited in the Interim Contempt Orders. Based on the foregoing,

IT IS HEREBY ORDERED as follows:

A. Fourth Baker Compliance Declaration

1. On or before **May 1, 2024**, Baker must file and serve a declaration sworn under penalty of perjury, providing full, complete, and truthful answers and responses to the following enumerated questions and other items (the “Fourth Baker Compliance Declaration”).
2. The Fourth Baker Compliance Declaration is subject to the Interim Order’s

¹ As referenced previously in the record on the Court’s December 2022 OSC: (1) “First Baker Compliance Declaration” refers to Defendant Clark Baker’s Declaration in Response to Court’s Interim Order and Order Modifying and Correcting Interim Order (Dkt. 979) and (2) “Second Baker Compliance Declaration” refers to Defendant Clark Baker’s Declaration in Response to Item 2.c.i. of Order of March 22, 2023, for C. Baker to Aver Compliance (Dkt. 990). *See* Dkt. 1045.

standards for Baker's testimony under the Interim Order as follows:

- a. In order to satisfy the obligations imposed by this Order, the Fourth Baker Compliance Declaration must be accompanied by a declaration under penalty of perjury from Baker's counsel in which she certifies that she does not know of any responsive information that is not already contained in the Fourth Baker Compliance Declaration and that she has no reason to believe that any of the information contained in the Fourth Baker Compliance Declaration is false, inaccurate or incomplete. (*See* Interim Order (Dkt. 975) at p. 3, ¶ 2.a.)
- b. If the Court finds that testimony provided in the Fourth Baker Compliance Declaration is materially incomplete or false, or both, the Court will prepare a report and recommendation to the District Court in which it recommends to the District Court that it withdraw the reference of this adversary proceeding to the extent necessary to hold Baker in criminal contempt and direct that he be incarcerated for a period of not less than one year. (*See* Interim Order (Dkt. 975) at p. 7, ¶ 3.)
- c. The Fourth Baker Compliance Declaration must address each of the following questions and other items specifically by number. Baker's response to each question or item shall be independent and complete in that it shall not rely on or incorporate other specific responses or other materials by reference. (*See* Interim Order (Dkt. 975) at p. 4, ¶ 2.b.)

B. Fourth Baker Compliance Declaration Item 1

3. In Paragraph 19 of its Second Interim Order, the Court found that, "In his testimony provided pursuant to the Interim Order, Baker testifies at great length about files that claims to have deleted on October 20, 2016 and the diligent search that he conducted on his computer on January 4, 2023. The Court finds that such testimony is materially incomplete." (Second Interim Order ¶ 19.) Accordingly, the Court ordered Baker to explain such testimony in the Third Baker Compliance

Declaration, “including, without limitation, addressing: (1) The complete factual basis for such testimony. (2) Identification of as to the location and nature of documents or communications, by subject and category of document type supporting such testimony. (3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony. (4) How does Baker know that he deleted these files on October 20, 2016? (5) What specific documents, entries, or other records or documents did he see that reflected this date? (6) What steps did Baker take on January 4, 2023 as part of this “diligent search”? (*Id.* ¶ 20.)

4. The Court finds that the Third Baker Compliance Declaration fails to include any such testimony in response to Paragraph 20 of the Second Interim Contempt Order and is thus materially incomplete.

5. The Fourth Baker Compliance Declaration must include (1) full, complete, and truthful answers and responses to each of the questions and directions presented in Paragraph 20 of the Second Interim Contempt Order; (2) a complete explanation as to why Baker failed to provide them in the Third Baker Compliance Declaration as directed in the Second Interim Contempt Order; (3) a full, complete, and truthful explanation and identification of all other information, documents, and any other grounds upon which Baker relied in determining what files he claims to have deleted on October 20, 2016; and (4) a full, complete, and truthful explanation and identification of all other information, documents, and any other grounds upon which Baker relied on or implemented in conducting his claimed “diligent search” on January 4, 2023.

C. Fourth Baker Compliance Declaration Item 2

6. The Third Baker Compliance Declaration (on page 18 at lines 12–17) includes the following testimony relating to the Outlook email account jtdeshonq@hotmail.com online property:

“kk. Outlook ‘jtdeshonq@hotmail.com’ – Declarant certifies the following information:...

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of an moniker, such as ‘goon,’ ‘mo,’ ‘shakedowndoc,’ ‘baddoc,’ or baddocjim,’ etc.

(x) Yes

() No”

7. At the Hearing, Baker’s counsel confirmed that, notwithstanding the above testimony, Baker subsequently conceded that there was material pertaining to Dr. Murtagh located at this online property.

8. Therefore, the Court finds that the above testimony at page 18 at lines 12–17 of the Third Baker Compliance Declaration was false.

9. The Fourth Baker Declaration must explain the above testimony, including without limitation, addressing: (1) The complete factual basis for such testimony. (2) What steps did Baker take in connection with conducting a diligent search and preparing his responses to the Second Interim Order, including without limitation with respect to the above online property. (3) Identification of the location and nature of documents and communications that Baker subsequently located at the above online property.

D. Fourth Baker Compliance Declaration Item 3

10. In Paragraph 3 of its Second Interim Order, the Court found that, “3. For each instance in either the First Baker Compliance Declaration or the Second Baker Compliance Declaration where Baker testifies that there are no provisions in the Court’s Injunction, December 2022 OSC, and/or Interim Order applicable to a

particular online property, the Court finds that such testimony is materially incomplete.” (Second Interim Order ¶ 3.) Accordingly, the Court ordered Baker to explain such testimony in the Third Baker Compliance Declaration, “With respect to each such instance of testimony from either the First Baker Compliance Declaration or the Second Baker Compliance Declaration, the Supplemental Baker Declaration must include a certification under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjjm.” The Injunction, December 2022 OSC, and Interim Order are each broad enough to include any website, URL, or other online property that refers to Dr. Murtagh in any way, even if those properties are not identified by name in the particular order.” (*Id.* ¶ 4.)

11. The Court finds that the Third Baker Compliance Declaration did not address two such sites, clarkbaker.org and osmj.org, and for that reason, that such testimony was materially incomplete.
12. The Fourth Baker Compliance Declaration must explain the above testimony, including without limitation, addressing: (1) full, complete, and truthful answers and responses to each of the questions and directions presented in Paragraph 4 of the Second Interim Contempt Order; (2) a complete explanation as to why Baker failed to provide them in the Third Baker Compliance Declaration as directed in the Second Interim Contempt Order; (3) the complete factual basis for such testimony; and (4) what steps did Baker take in connection with conducting a diligent search and preparing his responses to the Second Interim Order, including without limitation with respect to the above online properties.

E. Fourth Baker Compliance Declaration Item 4

13. The Injunction required Baker to copy Dr. Murtagh’s counsel on certain third-party communications made in an effort to comply with the Injunction (Dkt. 867 ¶ 13, p. 6:18–24):

¶ 13. Baker’s communications. Any written communication by Baker (or any agent or representative of Baker, or anyone acting on Baker’s behalf), with any Third-Party Provider concerning any part of this Order, shall be copied (if by email, on the same email) to Designated Plaintiff’s Counsel. ...

14. In the December 2022 OSC, the Court found that, Dr. Murtagh had made a “a prima facie showing that Baker did not copy Dr. Murtagh’s counsel on any written communication and did not inform Dr. Murtagh’s counsel by email of the substance of any such verbal communications in violation of the specific and definite requirements of Paragraph 13 of the Injunction.” (Dkt. 939 at 7:11–15)

15. The Court finds that Baker has failed to copy Dr. Murtagh’s counsel on any such written communication, including without limitation, the following communications referenced in the Third Baker Compliance Declaration:

(1) “Proton email, 6 April 2022 between Baker and McNair” (Dkt. 1065, p. 28, n. 3); (2) “In an effort to comply with court requests, Baker exchanged emails with McNair in March 2022...” (*Id.*, pp. 27:25–28:1); (3) “Shortly after my July/Aug 2023 depositions, I sent an email and made numerous calls to [Carol] Dunn in an effort to identify the company and individuals who removed my case files.” (*Id.*, p. 31:16–17); and (4) “ ‘Lloyd Interaction #1-112909429’ reported to me that ‘Michael’ (No further info) had purchased the [omsj.org] website and posted the pages hours after I closed my account.” (*Id.*, p. 33:11–13.)

16. Baker is hereby ORDERED to produce copies of all such communications, including without limitation those identified in the preceding paragraph, to Dr. Murtagh, via his counsel, **within five days of the entry date of this Order.**

17. The Fourth Baker Compliance Declaration must include a complete explanation

as to why Baker failed to copy Dr. Murtagh's counsel, or provide contemporaneous copies, on all such communications.

F. Baker's Consents re Omsj.org Service Providers

18. On or before **May 1, 2024**, Dr. Murtagh may provide to Baker, via email to his counsel, proposed consent forms under which Baker provides full, complete, and unrestricted consent to Dr. Murtagh's obtaining directly from Network Solutions, LLC and from Bluehost, Inc. (and/or any affiliated company) all records, communications, invoices, logs, and other materials associated with the domain name omsj.org and any website or other materials hosted at the domain name omsj.org at any time, including without limitation relating to the registration, hosting, sale, transfer, billing, ownership, of such domain name, website, or hosted materials.

19. Such consent may apply to any account controlled or owned by Baker, Office of Medical & Scientific Justice, Inc., or any pseudonym, user name, email address, or handle identified by Baker in any testimony provided in response to the Interim Contempt Orders, including without limitation in the First Baker Compliance Declaration, Second Baker Compliance Declaration, Third Baker Compliance Declaration, or any deposition testimony.

20. Such consent may include Baker's relinquishing all privacy or other rights, under state, federal, or other law that might otherwise restrict the release of such information and materials and will apply to any and all means of requesting such information and materials, including without limitation, informal requests by Dr. Murtagh's counsel, subpoena, or other means reasonably calculated to obtain the materials reliably and efficiently.

21. Baker shall return duly executed copies of such consent forms to Dr. Murtagh's counsel via email within three business days after receiving them.

22. Subsequently, Baker shall provide all reasonable cooperation requested in writing by Dr. Murtagh's counsel in connection with obtained such information and materials.

G. Takedown of OMSJ.org

23. Baker and his agents, servants, employees, attorneys and successors, and all persons in active concert or participation with any of them, who receive actual notice of this Order, by personal service or otherwise, are immediately ORDERED to take down the omsj.org website and all content hosted therein.

H. Continued Contempt Hearing

24. The Court hereby continues its consideration of all matters at issue in the Injunction, December 2022 OSC, and/or Interim Order to June 20, 2024 at 11:00 a.m.

25. Within 30 days after the filing and service of the Fourth Baker Compliance Declaration, Plaintiff may lodge a further proposed order re contempt sanctions and file and serve a supplemental brief re contempt sanctions. Defendant's response and objections, if any, must be filed and served within 7 days of Plaintiff's lodging of a further proposed order and filing and service of a supplemental brief re contempt sanctions. Plaintiff's reply, if any, must be filed and served within 7 days of Defendant's filing.

26. Baker shall appear at the continued hearing.²

27. On June 20, 2024 at 11:00 a.m., the Court will also conduct a continued status conference in the above adversary proceeding. The parties need not file a status report in advance of that conference.

28. This Order is not intended to modify the Injunction, December 2022 OSC, and/or Interim Contempt Orders.

IT IS SO ORDERED.

Date: April 25, 2024

#



Sheri Bluebond
United States Bankruptcy Judge

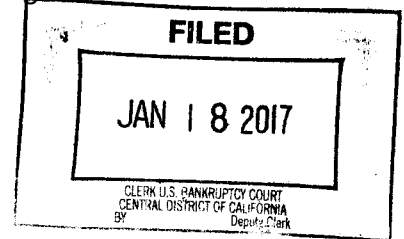
² Parties and their counsel may appear either in person or by Zoom for Government. Connection information will be posted along with the Court's tentative ruling. For more information, see Judge Bluebond's Phone/Video Appearance procedures on the Court's webpage.

United States Bankruptcy Court

Central District of California
Roybal Federal Building & Courthouse
255 East Temple Street, Suite 1534
Los Angeles, California 90012



Sheri Bluebond
Chief Bankruptcy Judge



Ph: 213-894-8980
Fax: 213-894-1336

January 18, 2017

VIA FACSIMILE; ORIGINAL BY FIRST CLASS MAIL

Eileen M. Decker, Esq.
United States Attorney
United States Attorney's Office
Central District of California
312 North Spring Street, Suite 1200
Los Angeles, California 90012

Re: Referral of Clark Warren Baker for Investigation for Witness Tampering

Dear Ms. Decker,

I recently encountered a situation in one of the adversary proceedings pending before me that I want to bring to your attention for further investigation and possible criminal prosecution. The action, entitled James Murtagh v. Clark Warren Baker, adversary proceeding number 2:15-01535-BB (the "Action"), currently pending in the United States Bankruptcy Court for the Central District of California, Los Angeles division, was commenced on October 5, 2015. The plaintiff, James Murtagh, is currently represented by John B. Wallace, Esq., of Rosen & Associates, P.C. in Los Angeles. The defendant, Clark Warren Baker, is currently represented by Baruch Cohen, Esq., of the Law Office of Baruch C. Cohen, also in Los Angeles. (Addresses and contact information for these attorneys appears below.)

Plaintiff Murtagh alleges in the complaint that commenced the Action that Baker engaged in a variety of improper conduct (e.g., stalking, defamation, hacking, etc.) and that the damage that Murtagh suffered as a proximate result of this conduct should be excepted from Baker's discharge in bankruptcy. (Baker filed a voluntary chapter 7 bankruptcy petition on June 29, 2015.) Baker disputes these allegations and has been vigorously defending the Action.

One of witnesses in the Action is a gentleman who currently resides in Baltimore, Maryland, named David Bender. (His contact information appears below as well.) Mr. Bender had signed a declaration in connection with an earlier state court action between Murtagh and Baker in Los Angeles Superior Court (Case No. BC527716) (the "Bender Declaration"). According to a declaration filed in this Action by Lisa Hiraide of Rosen & Associates (a copy of which is attached hereto), when she interviewed Mr. Bender in this Action, he reported that he had been "'totally pressured' and 'extorted'" by Baker into signing the Bender Declaration,

Eileen M. Decker, Esq.
United States Attorney
January 18, 2017
Page Two

that Baker makes a habit of contacting him approximately monthly to ensure that he does not intend to recant his earlier testimony and that he (Bender) is afraid to retract his earlier, false testimony for fear that Baker will reactivate the damaging and embarrassing content about Bender that Baker had previously posted on the internet.

During the course of a hearing held November 15, 2016 in the Action, in the presence of counsel for both parties, I telephoned Mr. Bender at a phone number provided by counsel for Baker and inquired as to Mr. Bender's willingness to appear for a continued examination by Murtagh's counsel in Los Angeles on December 12, 2016. (Bender had previously been examined at a deposition by counsel for Baker but had left before Murtagh had been able to cross-examine him.) Although Mr. Bender agreed during that conversation to appear at the continued deposition, he subsequently failed to appear. Instead, he sent a fax to my chambers, on or about December 7, 2015, forwarding copies of correspondence complaining that he had not received a formal deposition notice in a timely manner and therefore would not be appearing for his deposition on December 12, 2016. At approximately the same time, however, he telephoned my chambers and spoke to one of my law clerks, Jennifer Wolfberg, advising her that the real reason that Bender would not be appearing for his deposition was that he was afraid of Baker and what Baker had threatened to do to him if he gave truthful testimony at the continued deposition.

I docketed Mr. Bender's fax to me and related the substance of my law clerk's conversation with him to the parties on the record at a hearing held January 10, 2017 in the Action. Thereafter, I entered an order barring either party from relying on testimony from Mr. Bender in the Action, but I believe that further investigation is warranted into the manner in which Baker has behaved with regard to Mr. Bender. I have not made any factual findings on this issue, but it seems likely to me that, if what Mr. Bender has told Ms. Hiraide and Ms. Wolfberg is true, Mr. Baker may well have engaged in conduct that amounts to witness tampering within the meaning of 18 U.S.C. § 1512(b). Accordingly, I would appreciate your taking whatever steps you deem appropriate in this matter.

Thank you very much for your consideration in this matter.

Very truly yours,



SHERI BLUEBOND

Enclosures
cc: Baruch C. Cohen, Esq.
John B. Wallace, Esq.

CONTACT INFORMATION

Counsel for plaintiff James Murtagh, M.D.:

John B. Wallace, Esq.
Rosen & Associates
444 S. Flower Street, Suite 3010
Los Angeles, CA 90071
Telephone: (213)362-1000
Telecopier: (213)362-1001
Email: mail@rosen-law.com

Counsel for defendant Clark Warren Baker:

Baruch C. Cohen, Esq.
Law Office of Baruch C. Cohen
A Professional Law Corporation
4929 Wilshire Boulevard, Suite 940
Los Angeles, CA 90010
Telephone: (323)937-4501
Telecopier: (323)937-4503
Email: BCC4929@gmail.com

Debtor/Defendant:

Clark Warren Baker
2645 Greenvally Road
Los Angeles, CA 90046

Witness:

David Bender
1631 Whetstone Way #426
Baltimore, MD 21230
Telephone: (617)710-3303
Email: bender.d@icloud.com

1 **ROSEN & ASSOCIATES, P.C.**
2 **Robert C. Rosen (SBN 79684)**
3 **John B. Wallace (SBN 93047)**
4 **Lisa Hiraide (SBN 206142)**
5 **David Bleistein (SBN 191810)**
6 444 S. Flower Street, Suite 3010
7 Los Angeles, CA 90071
8 Tel.: (213) 362-1000; Fax: (213) 362-1001
9 email: mail@rosen-law.com
10
11 Attorneys for Plaintiff JAMES MURTAGH, M.D.

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION

In re

CLARK WARREN BAKER,

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB (Ch. 7)
Adv. Case No. 2:15-AP-01535-BB

DECLARATION OF LISA HIRAIDE

I, Lisa Hiraide, declare as follows:

1. I am an attorney duly licensed to practice law before all courts of the State of California. I am an associate attorney with Rosen & Associates, P.C., counsel for Plaintiff James Murtagh, M.D. in the above-captioned matter. I have personal knowledge of the matters stated herein and if called upon to testify as a witness, I could and would competently do so.

2. One of my responsibilities in this case is to interview certain witnesses. One of the witnesses I interviewed was David Bender, f/k/a Kevin Kuritzky ("Mr. Bender"). On September 21, 2015, I spoke to Mr. Bender by telephone.

1 3. The primary purpose of my telephone call to Mr. Bender was to
2 question him about certain damaging statements about Dr. Murtagh contained in a
3 declaration that Mr. Bender signed on or about October 8, 2014 ("Bender Declaration").
4 The Bender Declaration had been submitted in support of Baker's anti-SLAPP motion
5 filed by Baker in Dr. Murtagh's state court action against Baker.¹

6 4. During our telephone conversation, I asked Mr. Bender if any of the
7 statements about Dr. Murtagh contained in his Declaration was true. Mr. Bender, in a
8 candid and up-front manner, admitted to me that:

9 a. Nothing contained in his Declaration about Dr. Murtagh was
10 true;

11 b. The only reason that Mr. Bender signed the Declaration was
12 because he was "totally pressured" and "extorted" by Baker into signing the Declaration in
13 exchange for Baker's agreeing to remove all the embarrassing and damaging materials
14 that Baker posted about him on the internet. (See Ex. 21 (p. 3 of 3); Ex. 164 (p. 2 of 3);
15 and Ex. 494 (p. 6 of 7) - "Fugitive on the run captured" webpage).

16 c. he did not even read the entire Declaration - maybe only the first
17 two pages - before he signed it;

18 d. Dr. Murtagh did not spoof any emails in Baker's name as Mr.
19 Bender had testified in his Declaration, nor did Dr. Murtagh direct Mr. Bender to do any of
20 the things of which he accused Dr. Murtagh in his Declaration - it was all made up by
21 Baker.

22 e. he did not forward to Baker any of the emails attached to his
23 Declaration as exhibits;

24 f. he did not read any of the emails attached as exhibits to his
25 Declaration before he signed it.

26 g. his sole motivation in signing the Declaration was to get Baker

27
28 ^{1/} On 11/15/2013 Dr. Murtagh filed a state court action against Clark Baker and
Baker's company, the Office of Medical and Scientific Justice, Inc., Los Angeles
Superior Court Case No. BC527716.

1 to remove Baker's posts about him on the internet.

2 5. I asked Mr. Bender if he would sign a declaration for Dr. Murtagh repeating
3 what he told me during our telephone conversation.

4 6. Mr. Bender expressed that he was very, very reluctant to sign a declaration
5 which recanted his earlier Declaration because Baker had threatened him that with a flick
6 of a switch he could and would reactivate the damaging and embarrassing internet
7 content about him.

8 7. Mr. Bender explained to me that now that he had gotten his life together
9 working at a \$125,000 per year great job at the University of Maryland with great health
10 insurance benefits, he simply could not afford to risk doing anything, i.e., disavowing the
11 Declaration Baker extorted him into signing, which would set off Baker and trigger his
12 retaliation by re-posting the damaging material about him on the internet.

13 8. Mr. Bender said the fact that the internet postings were taken down
14 concurrently with his signing his Declaration should be proof enough that he was extorted
15 into signing it.

16 9. I asked Mr. Bender if he was still in contact with Baker. Mr. Bender
17 stated that he contacts Baker every month or so to make sure that Baker believes that
18 Mr. Bender is still on his side.

19 10. Mr. Bender stated to me that he has not turned against Dr. Murtagh
20 and reiterated yet again that he was extorted by Baker into signing the Declaration and
21 did so in order to get Baker off his back.

22 11. Mr. Bender said he thinks Baker is crazy and that what he is doing
23 to Dr. Murtagh is reprehensible.

24 **Work on Joint Stipulation Re Plaintiff's Motion For: (A) Protective Order and Order**

25 12. **Experience and Customary Billing Rate.** I have over 15 years of litigation
26 practice in state and federal court , which includes complex business litigation, securities
27 litigation and FINRA arbitrations. My normal and customary billing rate is \$425 per hour.

28 My understanding is that my hourly rate is consistent with the prevailing rates in

downtown Los Angeles for lawyers with my level of experience. The Los Angeles Superior Court in the litigation with Baker has previously determined that my rate is reasonable.

13. **My Work.** I maintain time records on a daily basis contemporaneously documenting my professional time. I have reviewed my time sheet entries since August and September 2016, and list the time related to the Bender deposition as follows.

6/15/16 - 9/2/16: Analyzed portions of D. Bender's deposition transcript in preparation for working on Joint Stipulation; prepared, revised and edited Declaration of L. Hiraide; revised and edited Declarations of J. Wallace, J. Murtagh in support of Joint Stipulation Re D. Bender's deposition Testimony; prepared, revised and edited Joint Stipulation; communications with J. Murtagh and J. Wallace Re declarations and Joint Statement; prepared exhibits; prepared tables.

Total hour spent: 8.3 hours

I also anticipate spending another 2.0 hours working on the Supplemental/Reply brief in support of the instant Motion. Thus, my total attorney's fees in connection with this Motion is \$4,377.50.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration is executed this September 2, 2016, at Los Angeles, California.



LISA HIRAIDE

United States Bankruptcy Court



Central District of California
Roybal Federal Building & Courthouse
255 East Temple Street, Suite 1534
Los Angeles, California 90012

Sheri Bluebond
U.S. Bankruptcy Judge

Ph: 213-894-8980
Fax: 213-894-1336

May 6, 2019

VIA EMAIL

Jolene Tanner, Esq.
Coordinator, Bankruptcy Fraud Task Force
U.S. Attorney's Office
300 N. Los Angeles Street, Suite 7211
Los Angeles, CA 90012

Re: Criminal Referral of Chapter 7 Debtor Clark Warren Baker
Bk. Case No. 2:15-bk-20351-BB; Adv. No. 2:15-ap-015-BB

Dear Ms. Tanner:

Section 3057 of Title 18 of the United States Code requires a judge who has grounds for believing that a violation of the laws of the United States has occurred, or that an investigation should be had as to whether such a violation has occurred, to report the relevant facts and circumstances to the United States Attorney. In fulfillment of that duty, I am writing to convey my opinion that the individual identified above, Clark Warren Baker ("Baker"), has violated 18 U.S.C. § 1519 by knowingly destroying, altering or concealing relevant evidence in an adversary proceeding currently pending before me for the purpose of impeding, obstructing or influencing the outcome of the litigation. If you are not the correct person to whom such facts and circumstances should be reported, I would appreciate your forwarding this letter and its enclosures to the appropriate party or parties.

Baker filed a voluntary chapter 7 petition on June 29, 2015, commencing the above-referenced bankruptcy case. On October 5, 2015, Dr. James Murtagh ("Murtagh") filed the above-referenced adversary proceeding against Baker in that bankruptcy case (the "Action"), asserting, among other things, that Baker had posted defamatory material about Dr. Murtagh on the internet and seeking a nondischargeable monetary judgment and injunctive relief. Baker was initially represented in the Action by Baruch Cohen, until Mr. Cohen was replaced in or about September of 2018 by Jessica Ponce. Dr. Murtagh has been and continues to be represented in the Action by John B. Wallace and Lisa Hiraide of Rosen & Associates, P.C., in Los Angeles.

Jolene Tanner, Esq.
May 6, 2019
Page Two

After the parties commenced discovery in the Action, Dr. Murtagh became frustrated with, among other things, Baker's failure or refusal to give plaintiff's expert, Bruce Anderson of Cyber Investigation Services, LLC, the same access to electronic information that he had given to his own expert, as required by this Court's October 5, 2017 order [Exhibit 1 hereto]. Dr. Murtagh sought and obtained a series of orders from this Court directing Baker to cooperate with Dr. Murtagh's efforts to obtain electronic discovery, including this Court's June 26, 2018 order [Exhibit 4 hereto], which ordered Baker not to "alter, change, damage, delete, destroy, remove, move, empty, hide, limit, move, overwrite, password-protect, secrete modify, spoliage and/or otherwise adversely affect (collectively 'Spoliage') any of Baker's Data, or any device containing Baker's Data," as defined in that order.

Based on written testimony provided by Mr. Anderson, in its August 16, 2018 order [Exhibit 5 hereto at p. 4], this Court found, among other things, that Baker had deleted electronic information after having been ordered to give Mr. Anderson access to that information (the "Data Reduction") and that the "Data Reduction was purposeful and intentional and was not the result of Baker's simply removing a few spam emails." And although this Court has repeatedly ordered Baker to restore this deleted information, Baker has never done so.

In light of Baker's repeated failures to comply with this Court's orders concerning the preservation and production of electronic data, on September 6, 2018, this Court entered an order [Exhibit 6 hereto] that, among other things, appointed Neil Broom of Technical Resource Center, Inc., as its Neutral Expert and directed Baker to turnover all of his electronic devices to Mr. Broom. Included in that order were additional provisions prohibiting Baker from destroying, deleting, altering or removing data and directing Mr. Broom to ascertain whether Baker had deleted any data that might be relevant to the matters at issue in the Action since the inception of the Action and, if so, when such deletion occurred.

Mr. Broom submitted two reports to the Court, detailing his findings. Copies of these reports are attached hereto as Exhibits 8 and 9. Based on Mr. Broom's findings in these reports (jointly, the "Expert Reports"), the Court advised Baker in its February 19, 2019 order to show cause re contempt [Exhibit 10 hereto] that, absent evidence from Baker demonstrating that the assertions of fact contained in the Expert Reports were inaccurate, the Court would make the additional findings of fact outlined on pages 11 through 16 of this Court's February 19, 2019 order (the "Additional Findings"). Notwithstanding having been given at least two opportunities to supply evidence to contradict Mr. Broom's findings, Baker has failed to do so. As a result, in its April 24, 2019 order holding Baker in civil contempt [Exhibit 11 hereto], the Court made the Additional Findings.

Jolene Tanner, Esq.
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Page Three

The Additional Findings include the following:

- Baker deleted multiple files on the Baker Devices after the Court issued its September 28, 2018 Order [docket no. 393] (the "September Order"). Specifically, on Device AA3, files were placed in the Recycle Bin, Emails were deleted, and files accessed after the September Order was entered were deleted.
- Baker destroyed electronic evidence by overwriting data and then reformatting Device AC.
- On Device AA3, TrueCrypt [an inscription program] was installed on July 1, 2018 and run on the following dates: September 7 [the day after the Court entered an order directing that Baker's devices be turned over to the Neutral Expert], September 8, September 11, and September 18, 2018, for a total of 7 runs.
- The Neutral Expert contacted Baker on December 14, 2018 and again on December 21, 2018, via iPhone Chat (iMessage) and requested his TrueCrypt password; however, Baker provided the wrong password to Mr. Broom on both occasions and claimed that he could not remember the correct password.
- Baker was running the TrueCrypt application as late as the day he turned his devices over to the Neutral Expert.
- Baker installed another encryption program named "Axcrypt" on May 5, 2018 on Device AA3. Baker did not provide a list of files that he accessed with the Axcrypt encryption application or the password to unlock these files.
- Baker is skilled in the use of encryption applications, knew he had used encryption on the Baker Devices and knew the Neutral Expert would need the passwords to access the encrypted files.
- On Device AA3, Axcrypt was run on the following dates: September 12, September 13, September 14, September 15, and September 17, 2018, for a total of 30 runs.
- On Device AH, Axcrypt was run on September 17, 2018.
- On Device AA3, the Neutral Expert detected TrueCrypt Activity and directory names that appear relevant to this adversary proceeding. However, these directories do not appear to be on any of Baker's Devices.
- On September 7, 2018 at 2:53 P.M., the Neutral Expert emailed Baker's then Attorney Baruch Cohen to ascertain when Baker would meet for the Court Ordered evidence collection.
- On September 7, 2018 at 4:46 P.M. (less than 2 hours later), Baker ran the TrueCrypt application on Device AA3. Baker mounted (connected to the encrypted volume) labeled "N:" and accessed multiple files (including "Pardo" and "Murtagh hush") on that volume.

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Page Four

- On September 8, 2018, Baker again ran the TrueCrypt application on Device AA3. He mounted (connected to the encrypted volume) labeled "0:" and accessed multiple files (including "Message Source") on that volume. On this same date, Baker connected to a volume labeled "E:" and accessed directories named "Discovery," "goons," "batcave," "Pardo," and "Brown Pardo etc email." These directories do not appear on any of Baker's Devices delivered to Mr. Broom.
- The directory "batcave" contains security and encryption files.
- The directory "Brown Pardo etc email" contains "Pardo" and "Murtagh hush" files.
- Electronic evidence on Baker's Devices reveals that, on September 11, 2018 at 6:50 AM, Baker connected Device AC (the Seagate Backup Plus Portable Drive) to Device AA3 (the Operating System hard drive in the Custom Desktop Black Case Computer). Baker then copied files (including 335GB of video files) to Device C from 8:35 AM until 9:52 AM.
- Device AC shows that on, September 11, 2018 at 10:35 AM, the Master File Table was created, which shows the device was reformatted. By so doing, Baker destroyed the previous data that was on the drive.

As you will note from page 10 of my April 24, 2019 order [Exhibit 11 hereto], after making the foregoing findings, it appeared to me that a referral to the United States Attorney for spoliation of evidence was warranted. Hence, this letter. Please let me know if there is any additional information that you require to assist your office with its investigation of this matter. (For your convenience, I have also attached a chart containing contact information for the potential witnesses identified above.)

Very truly yours,



SHERI BLUEBOND

cc: Peter C. Anderson (via email)
Jessica Ponce, Esq. (via email)
John B. Wallace, Esq. (via email)
Neil Broom (via email)

Contact Information for Potential Witnesses

NAME	ADDRESS	TELEPHONE	EMAIL
Baruch C. Cohen	Law Offices of Baruch C. Cohen 4929 Wilshire Blvd. Suite 940 Los Angeles, CA 90010	(323)937-4501	barchcohen@baruchcohenesq.com
Jessica Ponce	Law Offices of Jessica Ponce 3255 Wilshire Blvd. Suite 1801 Los Angeles, CA 90010	(213)362-2911	office@jponcelaw.com
John B. Wallace	Rosen & Associates, P.C. 515 S. Figueroa St. Suite 1060 Los Angeles, CA 90071	(213)362-1000	JohnWallace@rosen-law.com
Lisa Hiraide	Rosen & Associates, P.C. 515 S. Figueroa St. Suite 1060 Los Angeles, CA 90071	(213)362-1000	LHiraide@rosen-law.com
Bruce Anderson	Cyber Investigation Services 3433 Lithia Pinecrest Road Suite 190 Valrico, Florida 33596		bruce@cyberinvestigationsservices.com
Neil Broom	Tehnnical Resources Center, Inc. 20422 Beach Blvd., Suite 205 Huntington Beach, CA 92648	(678)428-6304	nbroom@trcglobal.com

Derek Newman (SBN 190467)
dn@newmanlaw.com
Derek Linke (SBN 302724)
linke@newmanlaw.com
NEWMAN DU WORS LLP
100 Wilshire Blvd., Suite 700
Santa Monica, CA 90401
(310) 359-8200

Attorneys for Plaintiff
James Murtagh, M.D.

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION**

In re

CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff.

v.

CLARK BAKER

Defendant.

BK Case No. 2:15-bk-20351-BB
Chapter 7
ADV. Case No. 2:15-ap-01535 BB

**DECLARATION OF JAMES
MURTAGH, M.D. IN SUPPORT OF
PLAINTIFF JAMES MURTAGH, M.D.'S
MOTION FOR ISSUANCE OF AN
ORDER TO SHOW CAUSE WHY
DEFENDANT CLARK BAKER SHOULD
NOT BE HELD IN CONTEMPT OF
COURT**

Date: TBD
Time: TBD
Dept: 1539

1 I, James Murtagh, M.D., swear under penalty of perjury under the laws of the United
2 States to the following:

3 1. I am the Plaintiff in the above adversary proceeding, over the age of 18, competent to
4 testify in this action, and make this declaration from personal knowledge.

5 2. Under the Court's February 17, 2022 Default Judgement and Permanent Injunction
6 ("Injunction"), I understand that Defendant Clark Baker was prohibited from registering,
7 purchasing, owning, selling, transferring (other than to me), administering, or maintaining any
8 online properties including websites, domain names, blogs, social-media accounts, apps, or email
9 accounts that mention or relate to me.

10 3. As of the date of this declaration, Baker still has the following active websites
11 targeting me by name:

12 4. A blog post by Baker about me titled "Gallo's Egg - The Investigation Continues" is
13 located at: <http://elmaltes.blogspot.com/2008/08/gallos-egg-investigation-continues.html> . I
14 visited this site and a true and correct copy of this site as of December 15, 2022 is attached as
15 Exhibit A.

16 5. A blog post by Baker about me titled "HIV, AIDS & Gallo's Egg" is located at
17 <https://sites.google.com/site/karristokely/misc/gallo-s-egg>. I visited this site and a true and
18 correct copy of this site as of December 15, 2022 is attached as Exhibit B.

19 6. Baker maintains an online repository of some of my personal correspondence located
20 at <https://www.docin.com/p-388129527.html>. I visited this site and a true and correct copy of
21 this site as of December 15, 2022 is attached as Exhibit C.

22 7. Baker continues to own the domain name OMSJ.org at which he posted and likely
23 continues to host his repository of thousands of pages of documents about me, among other
24 victims of Baker's targeted harassment and intimidation campaigns. I visited this site and a true
25 and correct copy of the OMSJ.org homepage as of December 15, 2022 is attached as Exhibit D.

26 8. Baker maintains a Facebook post republishing an OMSJ.org article about me located
27 at [https://m.facebook.com/SearchingforAnswersBlog/posts/clark-bakerfor-those-whove-](https://m.facebook.com/SearchingforAnswersBlog/posts/clark-bakerfor-those-whove-wondered-about-the-identity-of-snout-we-tracked-him-d/123924284468167/)
28 [wondered-about-the-identity-of-snout-we-tracked-him-d/123924284468167/](https://m.facebook.com/SearchingforAnswersBlog/posts/clark-bakerfor-those-whove-wondered-about-the-identity-of-snout-we-tracked-him-d/123924284468167/). I visited this site

1 and a true and correct copy of this Facebook post as of December 15, 2022 is attached as Exhibit
2 E.

3 9. A blog post by Baker about me titled, “HIV, AIDS & Gallo’s Egg” is located at
4 <http://elmaltes.blogspot.com/2008/07/hiv-aids-gallos-egg.html>. I visited this site and a true and
5 correct copy of this site as of December 15, 2022 is attached as Exhibit F.

6 10. Additionally, Baker continues to own the domain name jamesmurtaghmdtruth.com

7 11. Baker also continues to maintain online a copy of the 2014 declaration he coerced
8 from David Bender which contains extremely harmful and defamatory content about me that
9 Baker has been known to use to attempt to harm me. This is hosted at the OMSJ.org domain
10 name and as of December 15, 2022, is available at

11 <http://www.omsj.org/temp/Kuritzky%20FINAL%20OctB%20EXHIBITS.pdf>

12 12. Baker created an online repository of files about me and other targets of Baker’s
13 online harassment he called the “Goons” file. He stored these materials in that online location to
14 make it easy to retrieve defamatory and harmful materials about me and other victims.

15 13. Baker’s “goons” file also includes files on other persons he has harassed online or
16 extorted, including David Bender fka Kevin Kuritzky and Dr. Lokesh Vuyyuru.

17 14. The Goons file contained documents relating to me including my private
18 photographs, documents marked “Confidential” that I produced in discovery to Baker in the
19 California Superior Court action which preceded this adversary proceeding titled *Murtagh v.*
20 *Baker*, No. BC527716 (“LASC Case”).

21 15. In 2015, during the LASC Case, Baker was ordered to destroy various materials
22 because they were found to include my attorney-client privileged communications which Baker
23 had obtained improperly.

24 16. Earlier this year, when my counsel in this proceeding first threatened to seek
25 contempt sanctions, Baker produced a collection of tens of thousands of documents which he still
26 possesses. Multiple copies of the privileged and confidential files Baker had been ordered to
27 destroy by the court in the LASC Case were included in the documents, including for example,
28 copies of the following documents:

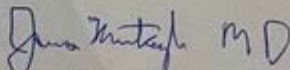
Murtagh-Pardoemail27Sep2012.pdf
Murtagh 2008.jpg
Murtagh 2011.jpg
Fake Clark to St Mary.pdf
Clark TMB Complaint.pdf
Greenfire timelineXXXyyY.pdf
Kendrick Dec20June14 FINAL.pdf
TMB Complaint17Oct13.pdf
Kendrick Dec20June14 FINAL.pdf
Kendrick Declaration.pdf
Kendrick FINAL.pdf
Tracy Dec 21June14 DRAFT.docx
mcdermott6mar2014.wav
xxClark Declaration FINAL 12 March-ATT.pdf
xxPardo Declaration 10Mar2014.pdf
Fake Clark to St Mary.pdf
Greenf.pdf

17. Additionally, Baker's 2022 production revealed that he retains copies of the following privileged documents that he had been ordered to destroy:
Bird Brown 9 Apr 2013.pdf
Bird emails.pdf
Goodhart Fax 2010.pdf
Hack 1 Dec 2012.pdf
Hack 10 Dec 2012.pdf
Hack 18 Nov 2012.pdf
Hack 18 Oct 2010.pdf
Hack 19 Nov 2012.pdf

1 Hack 19 Nov 2012a.pdf
2 Hack 21 Nov 2012.pdf
3 Hack 29 Apr 13 Bird to Brown.pdf
4 Hack 3 Dec 2012.pdf
5 Kendrick Dec20June14 FINAL.pdf
6 Fulton8-4 p21-43.pdf
7 Goodhart Fax 2010.pdf
8 Hack 1 Dec 2012.pdf
9 Hack 10 Dec 2012.pdf
10 Hack 18 Nov 2012.pdf
11 Hack 18 Oct 2010.pdf
12 Hack 19 Nov 2012.pdf
13 Hack 19 Nov 2012a.pdf
14 Hack 21 Nov 2012.pdf
15 Hack 29 Apr 13 Bird to Brown.pdf
16 Hack 3 Dec 2012.pdf
17 Kendrick Dec20June14 FINAL.pdf
18 Fake ymail to Pardo.pdf
19 SmokingGunKS1 (1).pdf
20 SmokingGunKS3.pdf

21
22 I declare under the penalty of perjury under the laws of the United States that the foregoing
23 is true and correct.

24
25 Dated: December 16, 2022.

26 
27 James Murtagh, M.D.
28

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 2101 Fourth Avenue, Suite 1500, Seattle, WA 98121

A true and correct copy of the foregoing documents entitled (specify): **DECLARATION OF JAMES MURTAGH, M.D. IN SUPPORT OF PLAINTIFF JAMES MURTAGH, M.D.'S MOTION FOR ISSUANCE OF AN ORDER TO SHOW CAUSE WHY DEFENDANT CLARK BAKER SHOULD NOT BE HELD IN CONTEMPT OF COURT** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF) – Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) December 21, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Peter A Arhangelsky parhangelsky@emord.com, jfernandes@emord.com
- David P Bleistein dbleistein@rosen-law.com, robertrosen@rosen-law.com, johnwallace@rosen-law.com, lhiraide@rosen-law.com, mail@rosen-law.com, jim@rosen-law.com, sharan@rosen-law.com, Marcia@rosen-law.com
- Baruch C Cohen bcc@BaruchCohenEsq.com, paralegal@baruchcohenesq.com
- Michael J Conway MConway@gblawllp.com, ksopky@gblawllp.com
- Lisa Hiraide lhiraide@rosen-law.com
- Sam S Leslie (TR) sleslie@trusteesleslie.com, sleslie@ecf.axosfs.com, trustee@trusteesleslie.com
- Derek Linke ecf@newmanlaw.com
- Alan I Nahmias anahmias@mbnlawyers.com, jdale@mbnlawyers.com
- Douglas M Neistat dneistat@gblawllp.com, mramos@gblawllp.com
- Jessica Ponce office@jponcelaw.com
- United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On (date) , I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) December 16, 2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Honorable Sheri Bluebond
United States Bankruptcy Court
Los Angeles Division
255 East Temple Street
Suite 1534/Ctrm. 1539
Los Angeles, CA 90012
Personal Delivery

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

December 21, 2022
Date

Derek Linke
Printed Name

s/ Derek Linke
Signature

Derek Newman (SBN 190467)
dn@newmanlaw.com
Derek Linke (SBN 302724)
linke@newmanlaw.com
NEWMAN DU WORS LLP
100 Wilshire Blvd., Suite 700
Santa Monica, CA 90401
(310) 359-8200

Attorneys for Plaintiff
James Murtagh, M.D.

FILED & ENTERED

DEC 22 2022

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY *evangel* DEPUTY CLERK

CHANGES MADE BY COURT

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re

CLARK WARREN BAKER,

Debtor.

BK Case No.: 2:15-bk-20351-BB

Chapter 7

ADV Case No.: 2:15-ap-01535 BB

JAMES MURTAGH, M.D.,

Plaintiff,

ORDER TO SHOW CAUSE RE
CONTEMPT

vs.

Date: January 31, 2023
Time: 10:00 a.m.
Crtm: 1539

CLARK BAKER,

Defendant.

On December 21, 2022, Plaintiff James Murtagh, M.D. filed a Motion for an Order to Show Cause why Defendant Clark Baker Should Not Be Held in Contempt of the Permanent Injunction and Other Orders (“Motion”) (Dkt. 935).

Having considered the Motion and accompanying Memorandum of Points and Authorities, the declarations of James Murtagh, M.D., and exhibits thereto (Dkt. 936), and Derek Linke, and exhibits thereto (Dkt. 937); having provided Baker 21 days to object to the issuance of an order to show cause under LBR 9020-1(b)¹; and having reviewed any such objection:

IT IS HEREBY ORDERED THAT BAKER IS ORDERED TO SHOW CAUSE why he should not be held in contempt for violations of the following Court orders: (1) February 17, 2022 Default Judgment and Permanent Injunction (“Injunction”) (Dkt. 867); (2) September 6, 2018 Order Appointing Neutral Expert (“Neutral Expert Order”) (Dkt. 380); and (3) November 8, 2021, Order Directing Clark Baker to Produce Financial Documents (“Damages Discovery Order”) (Dkt. 810), as follows:

A. Baker’s alleged violations of the Injunction

1. The Injunction prohibits Baker from owning websites or domain names targeting Dr. Murtagh

Paragraph 2 of the Injunction prevents, inter alia, Baker from owning, administering, or maintaining online properties such as websites, blogs, or domain names that refer to Dr. Murtagh (Injunction ¶ 2, p. 3:8–13):

¶ 2. Registering, purchasing, owning, selling, or transferring (other than to Dr. Murtagh), administering, or maintaining any online properties including websites, domain names, blogs, social-media accounts, apps, or email accounts that mention or refer to James Murtagh, M.D., or any version, variation on, or misspelling of Dr. Murtagh’s name, or that otherwise reference Dr. Murtagh in any way or form, including by the use of the terms “goon”, “Mo”, “shakedowndoc”, “baddoc”, or “baddocjjm”.

The Motion and supporting documents make a prima facie showing that Baker continues to register, own, administer, or maintain online properties, including websites, domain names,

¹ The Motion requested that the objection period be extended from the seven days provided under LBR 9020-1(b) for objection to 21 days to avoid undue burden on the Court, Baker, and Baker’s counsel during the holiday season.

blogs, or social-media accounts which violate the specific and definite requirements of Paragraph 2 of the Injunction, including at the following online properties:

- <http://elmaltes.blogspot.com/2008/08/gallos-egg-investigation-continues.html>
- <https://sites.google.com/site/karristokely/misc/gallo-s-egg>
- <https://www.docin.com/p-388129527.html>
- omsj.org
- <https://m.facebook.com/SearchingforAnswersBlog/posts/clark-bakerfor-those-whove-wondered-about-the-identity-of-snout-we-tracked-him-d/123924284468167/>
- <http://elmaltes.blogspot.com/2008/07/hiv-aids-gallos-egg.html>
- jamesmurtaghmdtruth.com

2. The Injunction prohibits Baker from maintaining or retaining copies of specified websites and content.

Paragraph 5 of the Injunction prevents, inter alia, Baker from maintaining or retaining copies of “Baker’s Websites and Other Web Content” (*id.* ¶ 5, p. 4:1–3) which is defined as:

Websites (including, but not limited to jamesmurtaghmdtruth.com, baddocjjm.com, shakedowndoc.com, omsj.org), webpages, files, court filings, exhibits or other attachment thereto, native digital files, electronically stored information (including but not limited to, emails, email attachments, metadata, text messages, text message attachments, text files, digital files of any kind, administrative data and/or system data, directories, messages, photos, Skype data, tweets, retweets, social-media or networking site posts, reposts, blog posts, microblog posts, website posts, website data, directories, file directories, facsimiles, files, folders, file links, hidden files, hidden directories, linked documents, documents, Mp3 or other audio files, any video files, metalinks, hyperlinks, hidden codes, internet search algorithms, PDF files, Microsoft Office documents (Word, Excel, Access, PowerPoint), compressed files (e.g., ZIP, RAR, 7-ZIP, GZIP), native electronic working files, drafts, drafts of websites, digital text files, swap files, temporary files, digital videos or YouTube files, internet browser data, forensic file data, forensic artifacts, and/or any other content, which is about, refers to, references, or mentions Dr. James Murtagh, M.D. in any form, variation, or misspelling, in any way, including by the use of any moniker, such as “goon”, “mo”, “shakedowndoc”, “baddoc” or “baddocjjm”, which Baker, or anyone who assisted, aided, was hired by, retained by, directed, worked with, or consulted by, Baker, created, posted, obtained, received, purchased, authored, set up, transferred, maintained, or organized, in any way.

1 This also includes, without limitation, the files listed in Attachment A to the Injunction.

2 The Motion and supporting documents make a prima facie showing that Baker maintains
3 or retains websites and other web content in violation of the specific and definite requirements of
4 Paragraph 5 of the Injunction, including that:

- 5 • Baker still owns the domain names jamesmurtaghmdtruth.com and omsj.org, as well
6 as the other online content listed in Section A.1, above, which constitute information
7 and materials Baker has retained and is maintaining about Dr. Murtagh;
- 8 • Baker is maintaining and hosting the declaration he obtained from David Bender
9 which contains disparaging and defamatory content about Dr. Murtagh. This
10 declaration has been used by Baker in the past to harm Dr. Murtagh and remains
11 available at a URL located at the OMSJ.org domain name:
12 http://www.omsj.org/temp/Kuritzky*20FINAL*20OctB*20EXHIBITS.pdf.
- 13 • Baker continues to maintain a folder or directory named “goons” in his online
14 Dropbox account at which he hosts thousands of files about, referring to, referencing,
15 or mentioning Dr. Murtagh, including without limitation, all of the files listed in
16 Attachment A to the Injunction.

17
18 **3. Baker was ordered to purge from the internet all of Baker’s content about Dr.**
19 **Murtagh**

20 Within 10 days of issuance of the Injunction, Baker was required to “take all necessary
21 steps to purge and eliminate from the internet” about, referring to, or mentioning Dr. Murtagh,
22 including without limitation content located at jamesmurtaghmdtruth.com and omsj.org which
23 Baker was involved in creating or publishing (*id.* ¶ 6, p. 4:8–27):

24 ¶ 6. Take all necessary steps to purge and eliminate from the internet any and all
25 traces of any websites (including, but not limited to jamesmurtaghmdtruth.com,
26 baddocjrm.com, shakedowndoc.com, omsj.org), webpages, files, court filings,
27 exhibits or other attachment thereto, native digital files, electronically stored
28 information (including but not limited to, emails, email attachments, metadata,
text messages, text message attachments, text files, digital files of any kind,
administrative data and/or system data, directories, messages, photos, Skype data,
tweets, retweets, social-media or networking site posts, reposts, blog posts,

microblog posts, website posts, website data, directories, file directories, facsimiles, files, folders, file links, hidden files, hidden directories, linked documents, documents, Mp3 or other audio files, any video files, metalinks, hyperlinks, hidden codes, internet search algorithms, PDF files, Microsoft Office documents (Word, Excel, Access, PowerPoint), compressed files (e.g., ZIP, RAR, 7-ZIP, GZIP), native electronic working files, drafts, drafts of websites, digital text files, swap files, temporary files, digital videos or YouTube files, internet browser data, forensic file data, forensic artifacts, and/or any other content, which is about, refers to, references, or mentions Dr. James Murtagh, M.D. in any form, variation, or misspelling, in any way, including by the use of any moniker, such as “goon”, “mo”, “shakedowndoc”, “baddoc” or “baddocjm”, which Baker, or anyone who assisted, aided, was hired by, retained by, directed, worked with, or consulted by, Baker, created, posted, obtained, received, purchased, authored, set up, transferred, maintained, or organized, in any way (collectively, “Baker’s Websites and Other Web Content”). Baker must complete the foregoing within 10 days of the issuance of this Order.

The Motion and supporting documents make a prima facie showing that Baker did not take any such steps, much less “all necessary steps,” in violation of the specific and definite requirements in Paragraph 6 of the Injunction.

4. Baker was required to ensure that Baker’s content about Dr. Murtagh was deindexed from internet search engines

Within 10 days of issuance of the Injunction, Baker was required to “take all necessary steps to ensure” that no part of Baker’s Websites and Other Web Content come up in an internet search for Dr. Murtagh (*id.* ¶ 7, p. 5:1–5):

¶ 7. Take all necessary steps to ensure that no part of Baker’s Websites and Other Web Content appears or comes up in any internet search engine (e.g., Google, Bing, Yahoo!, DuckDuckGo, YouTube, Facebook, Baidu, Ecosia) search of Dr. Murtagh’s name or any moniker for Dr. Murtagh (e.g., “goon”, “mo”, “baddoc”, “baddocjm”, “shakedowndoc”). Baker must complete the foregoing within 10 days of the issuance of this Order.

The Motion and supporting documents make a prima facie showing that Baker has not taken any steps, much less “all necessary steps,” in violation of the specific and definite requirements of Paragraph 7 of the Injunction.

5. Baker was required to transfer to Dr. Murtagh all domain names and files for Baker's websites referencing Dr. Murtagh

Within 10 days of issuance of the Injunction—*i.e.* no later than February 27, 2022, Baker was required to (*id.* ¶ 8, p. 5:6–16):

¶ 8. Immediately forfeit and transfer to Plaintiff within 10 days of the issuance of this Order the following:

- a. the domain names for Baker's Websites that include Dr. Murtagh's name in any form, variation, or misspelling, in any way, including any moniker, such as "goon", "mo", "shakedowndoc", "baddoc", or "baddocjm";
- b. all files about, concerning, or referencing Dr. Murtagh, in anyway, that Baker, any agent or representative of Baker, or anyone acting on Baker's behalf posted on the internet or on any website, whether or not password protected, including, but not limited to all files listed in Attachment A hereto; and
- c. every file that Baker, any agent or representative of Baker, or anyone acting on Baker's behalf, ever saved, uploaded, or stored in any "goons" directory or folder.

The Motion and supporting documents make prima facie showings that Baker (1) did not transfer any such domain names or files to Dr. Murtagh within 10 days of issuance, and (2) has never forfeited such files, in violation of the specific and definite requirements of Paragraph 8 of the Injunction

6. Baker was required to notify the Court and Dr. Murtagh's counsel if Baker was unable to complete the directives under Paragraphs 6, 7, or 8 of the Injunction.

Within 10 days of issuance of the Injunction, Baker was required to notify the Court and Dr. Murtagh's counsel if he was unable to complete any of the directives identified in Paragraphs 6, 7, or 8 of the Injunction, which are addressed immediately above in order (*id.* ¶ 9, p. 5:17–19):

¶ 9. If any directive set forth in Paragraphs 6, 7 or 8 above cannot be completed, Baker must notify the Court and Designated Plaintiff's Counsel in writing by identifying the specific directive and the reason it cannot be completed.

The Motion and supporting documents make a prima facie showing that Baker has never notified the Court in writing that he was unable to complete the directives in Paragraphs 6, 7, or 8 of the

Injunction, in violation of the specific and definite requirements of Paragraph 9 of the Injunction.

7. Baker was required to copy Dr. Murtagh’s counsel on any communications with a third-party provider.

Baker was required to copy Dr. Murtagh’s counsel on certain third-party communications made in an effort to comply with the Injunction (*id.* ¶ 13, p. 6:18–24):

¶ 13. Baker’s communications. Any written communication by Baker (or any agent or representative of Baker, or anyone acting on Baker’s behalf), with any Third-Party Provider concerning any part of this Order, shall be copied (if by email, on the same email) to Designated Plaintiff’s Counsel. Baker shall further inform Designated Plaintiff’s Counsel by email of the substance of any verbal communication Baker (or any agent or representative of Baker, or anyone acting on Baker’s behalf) has with any Third-Party Provider concerning any aspect of this Order within 12 hours of said verbal communication.

The Motion and supporting documents make a prima facie showing that Baker did not copy Dr. Murtagh’s counsel on any written communication and did not inform Dr. Murtagh’s counsel by email of the substance of any such verbal communications in violation of the specific and definite requirements of Paragraph 13 of the Injunction.

* * *

Under LBR 9020-1(c)(1), Baker must file a written explanation, if there is such an explanation, why he should not be held in contempt for the foregoing alleged violations of Paragraphs 2, 3, 5, 6, 7, 8, 12, and 13 of Injunction.

B. Baker’s alleged violations of the Court’s Damages Discovery Order.

On November 8, 2021, the Court issued its Damages Discovery Order. (Dkt. 810) The Damages Discovery Order included questions about Baker’s finances and related document requests, along with specific instructions for Baker’s responses, including that his response must include “all responsive Documents available to You, including any Documents in Your possession, custody, or control.” (*Id.*, Schedule 1 § B, ¶ 4.)

The Motion and supporting documents make a prima facie showing that Baker reviewed and understood the instructions in the Damages Discovery Order and was aware that they applied to his responses, including that he understood that he was required to “produce all responsive

documents that were available to me including any of the documents that were in my possession, custody, and control at the time.”

The Motion and supporting documents make a prima facie showing that Baker intentionally limited his search under the Damages Discovery Order to search only information about financial institutions in existing bookmarks in his web browser and that he took no other steps to determine whether his response was complete.

The Motion and supporting documents make a prima facie showing that Baker’s written response to the Damages Discovery Order identified multiple bank accounts, yet he failed to produce a majority of the statements for those accounts across the time period specified in the Damages Discovery Order and took no steps whatsoever to obtain missing statements for production. The majority of his banking records were not produced, including statements from Bank of America accounts ending in 1650, 2514, 6467, 9291 and USAA accounts ending in 2924 and 4538.

Under LBR 9020-1(c)(1), Baker must file a written explanation, if there is such an explanation, why he should not be held in contempt for the foregoing alleged violations of the Damages Discovery Order.

C. Baker’s alleged violations of the Neutral Expert Order.

The Court appointed a Neutral Expert to collect Baker’s data. Baker was ordered to “cooperate with all activities of the Neutral Expert” and “provide access to all locations, devices, Data and information promptly upon request therefor from the Neutral Expert.” (Dkt. 380 ¶ 12.) The term “Data” was defined to include, inter alia, “any and all documents, native digital files, electronically stored information (including but not limited to, emails (including Cc’s, Bcc’s, forwards), email attachments, [and] metadata....” (*id.* at p. 11.) More specifically, Baker was required to “supply the Neutral Expert with any and all information necessary for the Neutral Expert to obtain access to Baker’s electronic information, email accounts, websites, data storage locations, and any other repository of any of the Data.” (*Id.* ¶ 12.)

Baker’s court-ordered cooperation included providing the Neutral Expert with:
(1) “functioning and effective physical and electronic access to Baker’s Devices and Baker’s

Data at all Data Locations”; (*Id.* ¶ 12(a)) and (2) “usernames, passwords and/or other access codes and/or answers to security questions as may be necessary to access data” (*Id.* ¶ 12(d))

The Motion and supporting documents make a prima facie showing that Baker intentionally concealed and withheld, with his counsel’s assistance, the existence of and access to, Baker’s Protonmail account which he created for the express purpose of avoiding discovery in this proceeding.

Under LBR 9020-1(c)(1), Baker must file a written explanation, if there is such an explanation, why he should not be held in contempt for the foregoing alleged violations of the Neutral Expert Order.

D. Order to Show Cause re Contempt Sanctions

Baker must show cause why, based on the foregoing alleged violations of its orders, the Court should not:

1. hold Baker in civil contempt and impose monetary sanctions to reimburse Plaintiff for his attorneys’ fees and costs; and
2. hold Baker in civil contempt and issue further orders for the purpose of compelling compliance with the Court’s orders, including incarceration.

E. Hearing Date and Deadline for Baker’s Written Response

1. Baker shall appear before this Court at a hearing at 10:00 a.m. on January 31, 2023, in the above-captioned courtroom (the “Hearing”) to show cause, if any, why the Court should not enter an order adjudging Baker to be in contempt for his violations of the Injunction, Damages Discovery Order, and/or Neutral Expert Order.²

2. On or before January 17, 2023, Baker shall file and serve a written explanation, if there is an explanation, why he should not be held in contempt of court for the alleged violations as follows:

² Parties and their counsel may appear either in person or by Zoom for Government. Connection information will be posted along with the Court’s tentative ruling. For more information, see Judge Bluebond’s Phone/Video Appearance procedures on the Court’s webpage.

3. **Injunction Paragraph 2 Required Explanation.** Baker's written explanation, if there is an explanation, why he should not be held in contempt of court for the alleged violations of Paragraph 2 of the Injunction must include, at a minimum, the following:

- (a) A detailed explanation, if there is an explanation, of all of the efforts Baker undertook in an attempt to comply with the prohibition against Baker registering, purchasing, owning, selling, or transferring (other than to Dr. Murtagh), administering, or maintaining any online properties including websites, domain names, blogs, social-media accounts, apps, or email accounts that mention or refer to James Murtagh, M.D. under Paragraph 2 of the Injunction;
- (b) A detailed explanation, if there is an explanation, as to why Baker should not be held in contempt for violating Paragraph 2 of the Injunction as a result of registering, purchasing, owning, selling, or transferring (other than to Dr. Murtagh), administering, or maintaining each of the following online properties:
 - <http://elmaltes.blogspot.com/2008/08/gallos-egg-investigation-continues.html>
 - <https://sites.google.com/site/karristokely/misc/gallo-s-egg>
 - <https://www.docin.com/p-388129527.html>
 - omsj.org
 - <https://m.facebook.com/SearchingforAnswersBlog/posts/clark-bakerfor-those-whove-wondered-about-the-identity-of-snout-we-tracked-him-d/123924284468167/>
 - <http://elmaltes.blogspot.com/2008/07/hiv-aids-gallos-egg.html>
 - jamesmurtaghmdtruth.com
 - http://www.omsj.org/temp/Kuritzky*20FINAL*20OctB*20EXHIBITS.pdf
- (c) A detailed explanation, if there is an explanation, as to any justification as to why Baker failed to comply with the prohibition against registering, purchasing, owning, selling, or transferring (other than to Dr. Murtagh), administering, or maintaining any online properties including websites, domain names, blogs, social-media accounts,

apps, or email accounts that mention or refer to James Murtagh, M.D., under Paragraph 2 of the Injunction.

4. **Injunction Paragraph 5 Required Explanation.** Baker's written explanation, if there is an explanation, why he should not be held in contempt of court for the alleged violations of Paragraph 5 of the Injunction must include, at a minimum, the following:

- (a) A detailed explanation, if there is an explanation, of all of the efforts Baker undertook in an attempt to comply with the prohibition against Baker maintaining or retaining copies of Baker's Websites and Other Web Content, or any portion thereof, including the files listed in Attachment A to the Injunction, under Paragraph 5 of the Injunction;
- (b) A detailed explanation, if there is an explanation, as to why Baker should not be held in contempt for violating Paragraph 5 of the Injunction as a result of maintaining or retaining each of the following:
 - <http://elmaltes.blogspot.com/2008/08/gallos-egg-investigation-continues.html>
 - <https://sites.google.com/site/karristokely/misc/gallo-s-egg>
 - <https://www.docin.com/p-388129527.html>
 - omsj.org
 - <https://m.facebook.com/SearchingforAnswersBlog/posts/clark-bakerfor-those-whove-wondered-about-the-identity-of-snout-we-tracked-him-d/123924284468167/>
 - <http://elmaltes.blogspot.com/2008/07/hiv-aids-gallos-egg.html>
 - jamesmurtaghmdtruth.com
 - http://www.omsj.org/temp/Kuritzky*20FINAL*20OctB*20EXHIBITS.pdf
 - The folder or directory named "goons" stored in Baker's Dropbox account containing over 20,000 files.
- (c) A detailed explanation, if there is an explanation, as to any justification as to why Baker failed to comply with the prohibition against maintaining or retaining copies

of Baker's Websites and Other Web Content, or any portion thereof, including the files listed in Attachment A to the Injunction, under Paragraph 5 of the Injunction.

5. **Injunction Paragraph 6 Required Explanation.** Baker's written explanation, if there is an explanation, why he should not be held in contempt of court for the alleged violations of Paragraph 6 of the Injunction must include, at a minimum, the following:

- (a) A detailed explanation, if there is an explanation, of all of the efforts Baker undertook in an attempt to comply with the requirement that he take all necessary steps to purge and eliminate from the internet any and all traces of Baker's Websites and Other Web Content, as required under Paragraph 6 of the Injunction;
- (b) A detailed explanation, if there is an explanation, as to why Baker should not be held in contempt for violating Paragraph 6 of the Injunction as a result of failing to take all necessary steps to purge and eliminate each of the following:
 - <http://elmaltes.blogspot.com/2008/08/gallos-egg-investigation-continues.html>
 - <https://sites.google.com/site/karristokely/misc/gallo-s-egg>
 - <https://www.docin.com/p-388129527.html>
 - omsj.org
 - <https://m.facebook.com/SearchingforAnswersBlog/posts/clark-bakerfor-those-whove-wondered-about-the-identity-of-snout-we-tracked-him-d/123924284468167/>
 - <http://elmaltes.blogspot.com/2008/07/hiv-aids-gallos-egg.html>
 - jamesmurtaghmdtruth.com
 - http://www.omsj.org/temp/Kuritzky*20FINAL*20OctB*20EXHIBITS.pdf
 - The folder or directory named "goons" stored in Baker's Dropbox account containing over 20,000 files
- (c) A detailed explanation, if there is an explanation, as to any justification as to why Baker failed to take all necessary steps to purge and eliminate from the internet any

and all traces of Baker's Websites and Other Web Content, as required under Paragraph 6 of the Injunction.

6. **Injunction Paragraph 7 Required Explanation.** Baker's written explanation, if there is an explanation, why he should not be held in contempt of court for the alleged violations of Paragraph 7 of the Injunction must include, at a minimum, the following:

- (a) A detailed explanation, if there is an explanation, of all of the efforts Baker undertook in an attempt to comply with the requirement that he take all necessary steps to ensure that no part of Baker's Websites and Other Web Content appears or comes up in any internet search engine, as required under Paragraph 7 of the Injunction;
- (b) For each internet search engine with respect to which Baker claims to have made efforts in relating to Paragraph 7, identification of the internet search engine, a description of such efforts with respect to such internet search engine, the identification of all persons or entities, including all available contact information and title, if applicable, with whom Baker communicated in connection with such efforts, and the dates of all such efforts and communications; and
- (c) A detailed explanation, if there is an explanation, as to any justification as to why Baker failed to take all necessary steps to ensure that that no part of Baker's Websites and Other Web Content appears or comes up in any internet search engine, as required under Paragraph 7 of the Injunction.

7. **Injunction Paragraph 8 Required Explanation.** Baker's written explanation, if there is an explanation, why he should not be held in contempt of court for the alleged violations of Paragraph 8 of the Injunction must include, at a minimum, the following:

- (a) Identification of each domain name for Baker's Websites that include Dr. Murtagh's name in any form, variation, or misspelling, in any way, that Baker failed to forfeit

and transfer to Dr. Murtagh as required by Paragraph 8(a) of the Injunction, including, without limitation, jamesmurtaghmdtruth.com and omsj.org;

- (b) For each such domain name Baker failed to forfeit and transfer to Dr. Murtagh as required by Paragraph 8(a) of the Injunction, a detailed explanation of Baker's efforts to forfeit and transfer such domain name to Dr. Murtagh;
- (c) A detailed explanation, if there is an explanation, as to any justification as to why Baker failed to forfeit and transfer to Dr. Murtagh any such domain name as required by Paragraph 8(a) of the Injunction;
- (d) Identification, including by file name and specific online location, including, as applicable, the internet address or hosting provider, of all files about, about, concerning, or referencing Dr. Murtagh, in anyway, that Baker, any agent or representative of Baker, or anyone acting on Baker's behalf posted on the internet or on any website, whether or not password protected, including, but not limited to all files listed in Attachment A to the injunction, that Baker failed to forfeit and transfer to Dr. Murtagh as required by Paragraph 8(b) of the Injunction;
- (e) For each such online file that Baker failed to forfeit and transfer to Dr. Murtagh as required by Paragraph 8(b) of the Injunction, a detailed explanation of Baker's efforts to forfeit and transfer such file to Dr. Murtagh;
- (f) A detailed explanation, if there is an explanation, as to any justification as to why Baker failed to forfeit and transfer to Dr. Murtagh any such online files as required by Paragraph 8(b) of the Injunction;
- (g) Identification, including by file name and specific online location, including, as applicable, the internet address or hosting provider, of every file that Baker, any agent or representative of Baker, or anyone acting on Baker's behalf, ever saved, uploaded, or stored in any "goons" directory or folder, that Baker failed to forfeit and transfer to Dr. Murtagh as required by Paragraph 8(c) of the Injunction; and
- (h) For each such file in a "goons" directory or folder that Baker failed to forfeit and transfer to Dr. Murtagh as required by Paragraph 8(c) of the Injunction, a detailed

1 explanation of Baker's efforts to forfeit and transfer such file to Dr. Murtagh; and

- 2 (i) A detailed explanation, if there is an explanation, as to any justification as to why
3 Baker failed to forfeit and transfer to Dr. Murtagh any such file in a "goons"
4 directory or folder as required by Paragraph 8(c) of the Injunction.

5
6 **10. Injunction Paragraph 12 Explanation.** Baker's written explanation, if there is an
7 explanation, why he should not be held in contempt of court for the alleged violations of
8 Paragraph 12 of the Injunction must include, at a minimum, the following:

- 9 (a) Identification of each directive under Paragraph 6, 7, or 8 of the Injunction which
10 Baker failed to complete;
11 (b) For each such uncompleted directive, a detailed explanation of Baker's efforts to
12 comply with such directive and the reason if could not be completed; and
13 (c) For each such uncompleted directive, a detailed explanation, if there is an
14 explanation, as to any justification as to why Baker failed to notify the Court and Dr.
15 Murtagh's counsel in writing by identifying the specific directive and the reason it
16 could not be completed as required under Paragraph 9 of the Injunction.

17
18 **11. Injunction Paragraph 13 Explanation.** Baker's written explanation, if there is an
19 explanation, why he should not be held in contempt of court for the alleged violations of
20 Paragraph 13 of the Injunction must include, at a minimum, the following:

- 21 (a) Identification of all persons or entities, including all available contact information
22 and title, if applicable, associated with a Third Party Provider, with whom Baker (or
23 any agent or representative of Baker or anyone acting on Baker's behalf)
24 communicated with in writing or verbally concerning the Injunction;
25 (b) For each such person or entity, a detailed description of the dates of such
26 communication, the means of such communication (i.e. whether written or verbal),
27 and the substance of such communication; and
28

- (c) A detailed explanation, if there is an explanation, as to any justification as to why Baker failed to copy Dr. Murtagh's counsel on such communications (if written) or to inform Dr. Murtagh's counsel of the substance of the communication within 12 hours (if verbal) as required under Paragraph 13 of the Injunction.

12. **Discovery Order Required Explanation.** Baker's written explanation, if there is an explanation, why he should not be held in contempt of court for the alleged violations of the Damages Discovery Order must include, at a minimum, the following:

- (a) A detailed explanation of all of the efforts Baker undertook in an attempt to comply with the requirement that he produce all statements for each of the bank or other financial accounts listed in his written response to the Damages Discovery Order, including, without limitation, statements from Bank of America accounts ending in 1650, 2514, 6467, 9291 and USAA accounts ending in 2924 and 4538;
- (b) Identification of all persons or entities, including all available contact information and title, if applicable, with whom Baker exchanged communications in an effort to obtain records, including without limitation bank or other financial statements, he was required to produce under the Damages Discovery Order; and
- (c) Identification of all bank or other financial accounts that Baker failed to identify in his written response to the Damages Discovery Order.

13. **Neutral Expert Order Required Explanation.** Baker's written explanation, if there is an explanation, why he should not be held in contempt of court for the alleged violations of the Neutral Expert Order must include, at a minimum, the following:

- (a) An identification of each Protonmail account held or controlled by Baker, including the email address, any aliases used with that address, the date the account or address was created, and if applicable, any pseudonym Baker used in connection with creation or use of each such account or address;

- (b) An explanation as to why Baker did not supply the Neutral Expert with information necessary to access Baker's Protonmail account or accounts;
- (c) An explanation as to why Baker did not disclose the Protonmail account or accounts to the Court in any of the compliance declarations or other filings made in response to previous Court Orders; and
- (d) An identification of each other email account, website, data storage location, or any other repository of Baker's Data that Baker failed to provide to the Neutral Expert, including, as may be applicable, the email or website address, any aliases used with that address, the date the account, address, or website was created, and if applicable, any pseudonym Baker used in connection with creation or use of each such account, address, or website.

14. If Baker files such written explanation, Dr. Murtagh may file any responsive written submission no later than **January 24, 2023**.

15. At the Hearing, the Court may treat as true any uncontroverted facts established by declaration and limit testimony to controverted facts only.

IT IS SO ORDERED.

###

Date: December 22, 2022



Sheri Bluebond
United States Bankruptcy Judge

FILED & ENTERED

MAR 28 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY evangeli DEPUTY CLERK

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re:

CLARK WARREN BAKER,

Case No.: 2:15-bk-20351-BB

Chapter: 7

Adversary No.: 2:15-ap-01535-BB

Debtor(s),

JAMES MURTAGH, M.D.,

Plaintiff(s),

vs.

CLARK WARREN BAKER,

Defendant(s).

**ORDER MODIFYING AND CORRECTING
INTERIM ORDER RE CONTEMPT
SANCTIONS AGAINST CLARK BAKER**

Date: March 28, 2023

Time: 10:00 AM

Location: Courtroom 1539 and via
Zoom for Government

The Court conducted a continued hearing on its December 22, 2022 Order to Show Cause re Contempt [Docket No. 939] at 10:00 a.m. on March 28, 2023 in Courtroom 1539 of the above-entitled Court. Appearances were as noted on the record at the time of hearing.

The Court having entered its “Interim Order re Contempt Sanctions Against Clark Baker” [Docket No. 975] on March 22, 2023 (the “Interim Order”); counsel for plaintiff, James Murtagh, M.D. (“Murtagh”), having brought to the Court’s attention a significant error in the Interim Order; and counsel for defendant Clark Baker (“Baker”) having advised the Court that it would be difficult for her to attend a hearing on the date the Court unilaterally selected in the Interim Order for a further hearing, and other good cause appearing therefor,

IT IS ORDERED that the Interim Order is hereby modified and corrected in the following respects:

1. Lines 26 and 27 of paragraph 1, commencing on page 2 of the Interim Order, are hereby corrected to read as follows: “1. **Baker** is hereby held in contempt of this Court for willfully violating the Injunction by.”; and
2. Paragraph 5 on page 7 of the Interim Order is hereby deleted and replaced with the following: “On **June 13, 2023**, at 2:00 p.m., the Court will conduct a continued hearing on the OSC to review the extent to which Baker has complied with this order and assess what further steps should be taken in order to ensure Baker’s compliance with the Injunction.”

IT IS FURTHER ORDERED that, except as expressly set forth to the contrary herein, all terms and provisions of the the Interim Order remain in full force and effect.

###

Date: March 28, 2023



Sheri Bluebond
United States Bankruptcy Judge

JESSICA PONCE (SBN 284043)
LAW OFFICES OF JESSICA PONCE
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
Tel. (213) 263-2911
Fax (213) 403-5737

Attorney for Debtor,
CLARK BAKER

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re
CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB
Chapter 7
Adv. Case No. 2:15-AP-01535-BB

**DEFENDANT CLARK BAKER'S
SUPPLEMENTAL DECLARATION IN
RESPONSE TO OSC RE CONTEMPT**

Date: January 31, 2023
Time: 10:00 a.m.
Ct.Rm: 1539

SUPPLEMENTAL DECLARATION OF CLARK BAKER

I, Clark Warren Baker, declare:

1. If called as a witness I could competently testify to the following matters, which are of
my own personal knowledge.

2. This Declaration is made in further response to the OSC re Contempt set for hearing on January 31, 2023. This declaration provides additional information and addresses matters which were not previously directly addressed.

Elmates . . . gallos-egg

3. Declarant does not own, administer or maintain “elmates.blogspot.com/2008/08/gallos-egg-investigation-continues.html”. Declarant did not register, purchase, sell or transfer this website.

a. This website is a cross-post by a third party from my original post in 2008. I have long-deleted the original post and URL but the author of this blog had re-posted my original post back in 2008. I do not have any control over the third-party website content.

b. After receipt of this OSC, Declarant did a search on the website on Google which reported that the operator of this blog is someone named Manu located in Europe. Declarant does not know Manu and does not have any affiliation with him or the website/blog.

c. Declarant left a comment on the page asking Manu to contact him on January 7, 2023 in an effort to have the page removed. Declarant has not received a response as of the writing of this Declaration.

Karristokely . . . gallo-s-egg

4. Declarant does not own, administer or maintain “<https://sites.google.com/site/karristokely/misc/gallo-s-egg>.” Declarant did not register, purchase, sell or transfer this website.

a. This site is a posting by Karri Stokely (who died between 2010-2012) on WordPress in 2008. This was a reposting of Declarant’s original content without Declarant’s

1 cooperation or participation. Declarant does not have any access to the website or any
2 ability to delete the posting.

3 **Docin.com**

4 5. Murtagh makes the bald and unsupported allegation that Declarant “maintains an online
5 repository of some of my personal correspondence located at <https://docin.com/p-388129527.html>”.

6
7 a. To be clear, Declarant did not establish, does not maintain an “online repository,” and has
8 no affiliation with this website. Declarant does not own, administer or maintain this
9 website.

10 b. Declarant did not register, purchase, transfer or sell this website. From Declarant’s
11 search, it is registered to Gang Mai in Beijing.

12
13 **OMSJ.org**

14 6. OMSJ.org does not make a single mention of Murtagh or anything related to Murtagh in any
15 section of the website.

16 **Facebook**

17 7. Declarant does not have a Facebook account and does not maintain any Facebook pages or
18 posts.

19 **Blogpost**

20 8. Murtagh complains about a blogpost which he claims was posted by Baker at
21 Elmaltes.blogspot.com/2008/07/hiv-aids-gallos-egg.html. As noted above, Declarant does not own,
22 administer or maintain this website. Declarant did not register, purchase, sell or transfer this website.

23
24 a. This website is a cross-post by a third party from Baker’s original post in 2008. Baker has
25 long-deleted the original post and URL but the author of this blog had re-posted Baker’s
26 original post. Baker does not have any control over the third-party website content.
27
28

1 b. After receipt of this OSC, Declarant did a search on the website on Google which
2 reported that the operator of this blog is someone named Manu located in Europe.
3 Declarant does not know Manu and does not have any affiliation with him or the
4 website/blog.

5 c. Declarant left a comment on the page asking Manu to contact him on January 7, 2023 in
6 an effort to have the page removed. Declarant has not received a response as of the
7 writing of this Declaration.
8

9 **Jamesmurtaghmdtruth.org**

10 9. Declarant's continued ownership of the domain name jamesmurtaghmdtruth.org is due to
11 Murtagh and Murtagh's counsel's lack of cooperation in coordinating the transfer.
12

13 a. In May 2022, Declarant submitted his Declaration of Compliance to Murtagh and
14 counsel, explaining "Declarant has tried to transfer the single remaining URL owned by
15 Declarant that contains Dr. Murtagh's name in any form, variation, or misspelling, in any
16 way... (as further described in Par. 8.a.), namely, "jamesmurtaghmdtruth.com"
17 (Declarant has done a search for this name and it does not appear on the internet). When
18 Declarant attempted to transfer the URL, Declarant was instructed that he would need to
19 unlock the URL and, after approximately 48 hours, Declarant can send it to the specified
20 destination. This URL will not let Declarant transfer without specifying a destination
21 account.
22

23 "Declarant has requested a transferee name, telephone number and email address
24 with whom Declarant can coordinate and complete the transfer from Dr. Murtagh
25 in May 2022. Declarant will initiate the transfer upon receipt of transferee's said
26
27
28

information.” (Baker May 2022 Declaration of Compliance.) A true and correct copy of Baker’s Declaration of Compliance is attached hereto as Exhibit 1.

b. Declarant cannot comply with this order without cooperation by Murtagh or Murtagh’s counsel.

David Bender

10. The allegation regarding David Bender declaration provided a link that went to an “Error 404” site.

a. Nonetheless, Declarant does not maintain an online copy of the 2014 declaration from Bender hosted at the OMSJ.org domain name.

Retaining Specified Websites

11. Declarant has not maintained/retained copies of the specified websites and content nor have I maintained or retained copies.

a. Neither of the websites cited by Murtagh contain any information or copies related to Murtagh in the backend or on the pages themselves.

b. The link provided by Murtagh regarding the David Bender Declaration goes to “Error 404 – Not Found”.

c. Declarant is not maintaining the David Bender Declaration in any other location.

Purging Content from Internet

12. Declarant has purged and eliminated all of his original content from the internet in accordance with the Judgment.

a. Declarant has spent hours online trying to comply combing through the internet and Google searching through many, many, pages.

- 1 b. As explained above, Declarant's original content has been re-posted by third parties,
2 without my knowledge or consent.

3 **13. De-indexing from search engines**

- 4 a. Declarant has de-indexed all of his previously-posted content related to Murtagh from
5 Google.
6
7 b. Declarant is not able to de-index anything that has been indexed by third parties that he
8 has no affiliation with or control over.

9 **14. Discovery Order**

- 10 a. Declarant closed his Bank of America accounts ending in 1650, 2514, 6467, 9291
11 between 2016-2019. Declarant accessed the statements he was able to locate and turned
12 them over to Murtagh.
13
14 b. Declarant provided his statements for his two USAA accounts 2924 and 4538.

15 **15. Protonmail Account**

- 16 a. Mr. Linke on behalf of Dr. Murtagh makes the following conclusory and highly
17 misleading accusation that with respect to the creation of a Protonmail email account,
18 "...he recently admitted was intended to prevent it from being discovered in this
19 proceeding."
20
21 b. The transcript of his deposition actually said that he set the account up to send his
22 attorney-client communications.
23
24

25 I declare under the foregoing is true and correct under the penalty of perjury under the laws of
26 the state of California. Executed this January 24, 2023 in Vero Beach, Florida.
27
28

Dated: January 24, 2023



CLARK BAKER

EXHIBIT 1

JESSICA PONCE (SBN 284043)
LAW OFFICES OF JESSICA PONCE
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
Tel. (213) 362-2911
Fax (213) 403-5737

Attorney for Debtor,
CLARK BAKER

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re
CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB
Chapter 7
Adv. Case No. 2:15-AP-01535-BB

**DEFENDANT CLARK BAKER'S
DECLARATION OF COMPLIANCE**

DECLARATION OF CLARK BAKER

I, Clark Warren Baker, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge.
2. This Declaration is made to confirm Declarant's compliance with the Default Judgment and Permanent Injunction (U.S. Bankruptcy Court, Central District of California, Case No. 2:15-ap-01535-BB, Document Number 867). The Paragraph numbers and Page numbers herein are provided for ease of reference and coordinate with said Default Judgment and Permanent Injunction.
3. With respect to Paragraph 1, Page 2, Declarant has not engaged in any activity which uses, mentions, or refers to James Murtagh, M.D., or any variation of that name, moniker, etc. (as further detailed in Paragraph 1 on Page 2 of the Default Judgment and Permanent Injunction), in any manner described in Paragraph 1.a. (internet, websites, etc.) or Paragraph 1.b. (any written or verbal communications with any health care facility, recruiter of medical personnel, etc.).
4. With respect to Paragraph 2, Page 3, Declarant has tried to transfer the single remaining URL owned by Declarant that contains Dr. Murtagh's name in any form, variation, or misspelling, in any way... (as further described in Par. 8.a.), namely, "jamesmurtaghmdtruth.com" (Declarant has done a search for this name and it does not appear on the internet). When Declarant attempted to transfer the URL, Declarant was instructed that he would need to unlock the URL and, after approximately 48 hours, Declarant can send it to the specified destination. This URL will not let

1 Declarant transfer without specifying a destination account. Declarant respectfully
2 requests a transferee name, telephone number and email address with whom Declarant
3 can coordinate and complete the transfer. Declarant will initiate the transfer upon
4 receipt of transferee's said information.
5

6 5. With respect to Paragraph 3, Page 3, Declarant is complying with the court's order not
7 to cyberstalk or cyberharass Dr. Murtagh (including pinging his mobile phone, or any
8 other activity that traces or attempts to trace his location; hacking into or attempting to
9 hack into any computer, mobile phone, iPad, or other electronic device, etc., as fully
10 described in Paragraph 3 on Page 3 of the Default Judgment and Permanent
11 Injunction) and will continue to not do so.
12

13
14 6. With respect to Paragraph 4, Page 3, Declarant has not, "as a means of undermining
15 or evading any provision of this Order"... offered services or obtained or brokered the
16 services of any other person(s), or instructing, directing or encouraging any other
17 person(s), to create or post on any website, social media account, etc. (as fully
18 described in Paragraph 4 of Page 3 of the Default Judgment and Permanent
19 Injunction) ... of Dr. Murtagh, or any online account owned or registered by Dr.
20 Murtagh or under Dr. Murtagh's name.
21

22
23 7. With respect to Paragraph 5, Page 4, with the exception of the documents now placed
24 into the Dropbox described below, Declarant affirms that he does not retain or
25 maintain matter referred to in this item number. of the contents placed into a
26 DropBox:
27

28 <https://www.dropbox.com/sh/lzmwnirsxvtlj2y/AACn90Ggi9XZboWy0vOK0iE1a?dl=0>

- 1 8. With respect to Paragraph 6, Page 4, Declarant has taken all steps to purge and
2 eliminate from the internet any and all traces of any websites, etc. (as further
3 described in Paragraph 6 of Page 4 of the Default Judgment and Permanent
4 Injunction). Attached hereto as Group Exhibit A is a true and correct copy of
5 screenshots that I took of my search efforts to confirm.
6
- 7 9. With respect to Paragraph 7, Page 5, Declarant has taken all steps to ensure that no
8 part of my websites and other web content is deleted and does not appear in search
9 engine results. Attached hereto as Group Exhibit A is a true and correct copy of
10 screenshots from Google search confirming that none of my websites appear in said
11 search.
12
- 13 10. With respect to Paragraph 8.a., Page 5, Declarant has tried to transfer the single
14 remaining URL owned by Declarant that contains Dr. Murtagh's name in any form,
15 variation, or misspelling, in any way... (as further described in Par. 8.a.). The only
16 such item is a single URL owned by Declarant is "jamesmurtaghmdtruth.com"
17 (Declarant has done a search for this name and it does not appear on the internet).
18 When Declarant attempted to transfer the URL, Declarant was instructed that he
19 would need to unlock the URL and, after approximately 48 hours, Declarant can send
20 it to the specified destination. This URL will not let Declarant transfer without
21 specifying a destination account. Declarant respectfully requests a transferee name,
22 telephone number and email address with whom Declarant can coordinate and
23 complete the transfer. Declarant will initiate the transfer upon receipt of transferee's
24 said information.
25
26
27
28

1 11. With respect to Paragraph 8.b., Page 5, with the exception of the documents now
2 placed into the Dropbox described below, Declarant affirms that he does not retain or
3 maintain matter referred to in this item number. of the contents placed into a
4
5 Dropbox:

6 <https://www.dropbox.com/sh/lzmwnirsxvtlj2y/AACn90Ggi9XZboWy0vOK0iE1a?dl=0>

7 12. With respect to Paragraph 8.c., Page 5, with the exception of the documents now
8 placed into the Dropbox described below, Declarant affirms that he does not retain or
9 maintain matter referred to in this item number. of the contents placed into a
10
11 Dropbox:

12 <https://www.dropbox.com/sh/lzmwnirsxvtlj2y/AACn90Ggi9XZboWy0vOK0iE1a?dl=0>

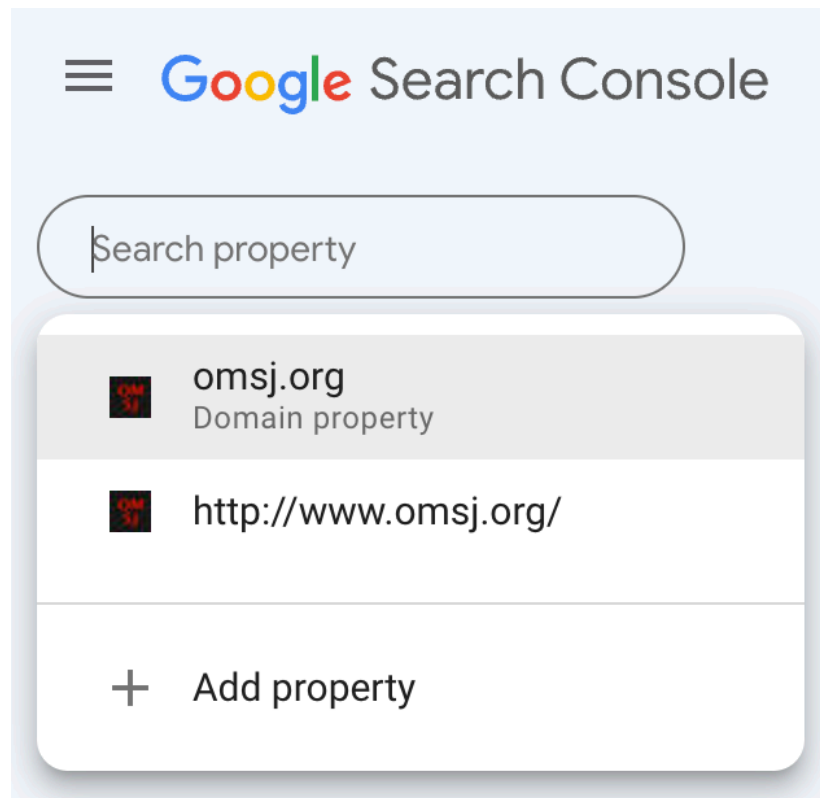
13 13. Note: Declarant does not host any of the items listed in Attachment A.
14
15

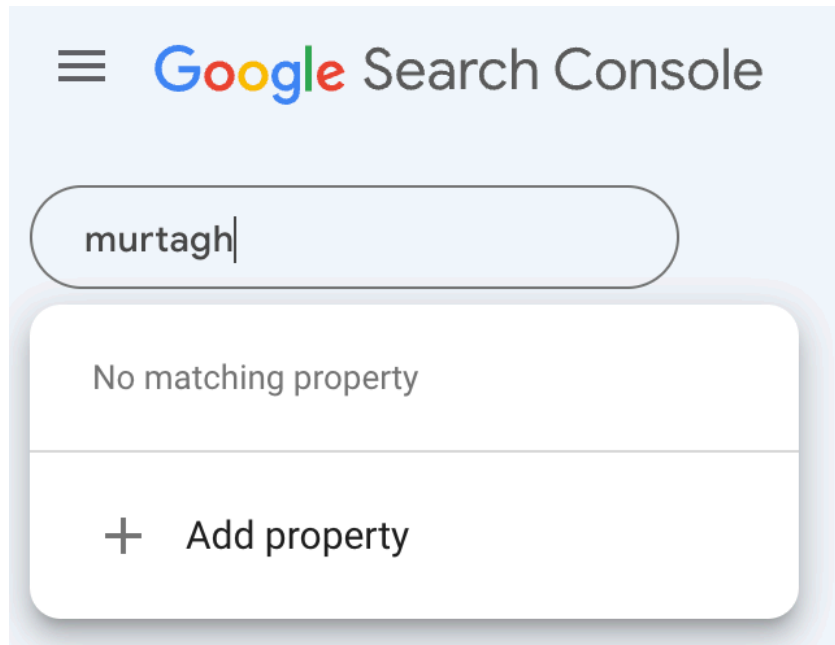
16 I declare that the foregoing is true and correct under the penalty of perjury, under the
17 laws of the United States of America. Executed this May 19, 2022 in Silverton, Colorado.
18

19
20 

21 CLARK WARREN BAKER,
22 Declarant
23
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25
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28

Group Exhibit A





Submitted sitemaps					
Sitemap	Type	Submitted	Last read	Status	Discovered URLs
http://www.omsj.org/sitemap.xml	Sitemap index	Jul 25, 2013	Oct 24, 2017	Couldn't fetch	0



Want to help make Disqus even better? [What we collect.](#)

Sure, I'd like to help

No Thanks.

Tags deleted.

Add New Tag

Name

The name is how it appears on your site.

Slug

The "slug" is the URL-friendly version of the name. It is usually all lowercase and contains only letters, numbers, and hyphens.

Description

Tags can be selectively converted to categories using the [tag to category converter](#).

Bulk actions ▾

☐

Name

Description



Slug

Count

ID

Hits

Apply

No tags found.

Search Tag

Search Tag

Search Tag

Search Tag

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

3255 Wilshire Blvd., Ste. 1801, Los Angeles, CA 90010

A true and correct copy of the foregoing document entitled (*specify*): **Defendant Clark Baker's Supplement Declaration in Response to OSC Re Contempt**

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*)

1/25/2023 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 01/ 25/2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Judge Sherri Bluebond
255 East Temple Street, Room 1539
Los Angeles, CA 90012


☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

01/25/2023 Pam Pantell
Date Printed Name


Signature

Electronically signed pursuant to CRC 2.257

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

SERVICE LIST

In re Clark Warren Baker, Debtor - Defendant

David P Bleistein
Rosen & Associates PC
Email: dbleistein@rosen-law.com

Michael J Conway
Greenberg & Bass LLP
Email: MConway@gblawllp.com

Lisa Hiraide
Rosen & Associates PC
Email: lhiraide@rosen-law.com

Derek Linke
Newman Du Wors LLP
Email: linke@newmanlaw.com

Douglas M Neistat
G&B LAW, LLP
Email: dneistat@gblawllp.com

Derek A Newman
Newman Du Wors LLP
newman@newmanlaw.com

JESSICA PONCE (SBN 284043)
LAW OFFICES OF JESSICA PONCE
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
Tel. (213) 263-2911
Fax (213) 403-5737
office@jponcelaw.com

Attorney for Debtor,
CLARK BAKER

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re
CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB
Chapter 7
Adv. Case No. 2:15-AP-01535-BB

**DEFENDANT CLARK BAKER'S
DECLARATION IN RESPONSE TO COURT'S
INTERIM ORDER and ORDER MODIFYING
AND CORRECTING INTERIM ORDER**

Date: June 13, 2023
Time: 10:00 a.m.
Ct.Rm: 1539

DECLARATION OF CLARK BAKER

I, Clark Warren Baker, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge.

2. This Declaration is made in response to the Court's Interim Order dated March 22, 2023 and the Court's March 28th Order Modifying and Correcting Interim Order in order to purge the contempt.

3. **Baker's Online Properties and Accounts:** List of all domain names, URLs, hosts and accounts that Baker has at any time registered, purchased, controlled, owned, sold, transferred, or otherwise held in any way, directly or indirectly, at any time since January 2013 including websites, domain names, blogs, social media accounts, email accounts, and other online communications accounts (collectively, "Online Properties").

URL/DOMAINS

a. **"Baddocjrm.com"** – Declarant certifies the following information:

- i. Most-recent date closed, terminated, or last used or accessed: Declarant deleted the account and website in approximately 2018 and has not had access since deletion.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

b. **"CB18.org"** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: Declarant opened this account in approximately 2017/2018 and closed it just months afterwards. Declarant has not had any access since closure.
- ii. Account name or names used: Clark Baker; User ID: exliberal

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

c. **"CFDUNN.COM"** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Declarant turned over the keys to Mario Michela in approximately 2016/2017. Declarant's last access was prior to the turnover of the keys in approximately 2016/2017.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; keys turned over prior to the injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

d. **"CLARKBAKER.ORG"** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Last accessed on April 20, 2023.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (the court order did not have provisions for this particular website).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

e. **“CWBPI.COM”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Closed in 2016. Declarant has not had access since closure.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

f. **“DAVIDBENDER.COM”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Closed in approximately 2014-2015. Declarant has not had access since closure.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

g. **“ELECTRICFAMILY-FACTS.COM”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Closed in approximately 2014-2015. Declarant has not access since closure.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

h. **“EXLIBHOLLYWOOD.BLOGSPOT.COM”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active. Declarant last accessed this account on April 20, 2023.

ii. Account name or names used: WB Clark; gallosegg@gmail.com

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the court order applicable to this website.)

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

i. **“JAMESMURTAGHMDPSYCHO.BIZ”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Expired in 2015. Declarant has not had any access since expiration.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

j. **“JAMESMURTAGHMDPSYCHO.INFO”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Expired in 2015. Declarant has not had any access since expiration.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

k. **“JAMESMURTAGHMDPSYCHO.NET”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Expired in 2015. Declarant has not had any access since expiration.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

l. **“JAMESMURTAGHMDPSYCHO.ORG”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Expired in 2015. Declarant has not had any access since expiration.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

m. **“JAMESMURTAGHMDTRUTH.COM”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This domain is hosted by NetworkSolutions. Declarant accessed his NetworkSolutions account on April 20, 2023. Declarant also accessed this account in an attempt to transfer ownership to Dr. Murtagh in May 2022.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: Declarant’s May 19, 2022 Declaration and January 24, 2023 Supplemental Declaration explained In May 2022, Declarant submitted his Declaration of Compliance to Murtagh and counsel, explaining “Declarant has tried to transfer the single remaining URL owned by Declarant that contains Dr. Murtagh’s name in any form, variation, or misspelling, in any way..., namely, “jamesmurtaghmdtruth.com” (Declarant has done a search for this name and it does not appear on the internet). When Declarant attempted to transfer the URL, Declarant was instructed that he would need to unlock the URL

1 and, after approximately 48 hours, Declarant can send it to the specified destination.
2 This URL will not let Declarant transfer without specifying a destination account.
3 “Declarant has requested a transferee name, telephone number and email address with
4 whom Declarant can coordinate and complete the transfer from Dr. Murtagh in May
5 2022. Declarant will initiate the transfer upon receipt of transferee’s said
6 information.” (Baker May 2022 Declaration of Compliance.) Declarant previously
7 could not comply with this order without cooperation by Murtagh or Murtagh’s
8 counsel. Declarant made a third attempt, through counsel, to obtain the necessary
9 information from Mr. Linke on the morning of April 20, 2023. Mr. Linke gave us the
10 information necessary to comply on the evening on April 20, 2023. This morning,
11 April 21, 2023, Declarant initiated the transfer and received confirmation that said
12 transfer was initiated and that the information was being validated before completion.
13 The confirmation was emailed to Mr. Linke on April 21, 2023. The company will
14 generate an authorization code within three days and send it to Mr. Linke at
15 linke@newmanlaw.com.
16
17
18

19 v. Identity, contact information, means of communication used: NetworkSolutions
20 contact information is www.networksolutions.com and the means of communication
21 is by entering the website; Derek Linke, Attorney for Plaintiff, Dr. Murtagh, via
22 email.
23

24 n. **“OMSJ.ORG”** – Declarant certifies the following information:

25 i. Most recent date used, accessed, terminated or closed: This domain is hosted on
26 Declarant’s Network Solutions account. The website omsj.org has been non-
27 functional since February 2023.
28

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: Declarant removed any and all references to Murtagh, any variation of that name, moniker, etc. in any manner and/or Murtagh-related information prior to the injunction.

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A. Declarant, having access to the website, personally deleted in accordance with the injunction.

o. **“OSMJ.ORG”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This domain is hosted on Declarant’s NetworkSolutions account. There is no website to access. Declarant accessed NetworkSolutions on April 20, 2023 to confirm that the domain name still exists. Declarant accessed the NetworkSolutions account on April 20, 2023. There is not a website associated with this domain name. Declarant obtained the domain as a backup to the OMSJ.org domain.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the court order applicable to this domain.)

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

p. **“PROPAGANDISTS.ORG”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This website expired in 2016/2017. Declarant has not used or had access since the expiration.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with with respect to this Online Property. It expired prior to injunction.)

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

q. **"SEMMELEWEIS.ORG"** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Declarant last used or accessed this website on or about December 2022. The website was hacked/corrupted by an unknown person and Declarant has not had access since then.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with respect to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

r. **"SHAKEDOWNDOC.COM"** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This Online Property has been closed. Declarant has not used or accessed this website since 2016-2018.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

SOCIAL MEDIA

s. **Twitter “@OMSJ”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account was closed in 2019. Declarant has not accessed this account since its closure.

ii. Account name or names used: @OMSJ

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

t. **Twitter “@RINSERTS”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant last accessed this account on April 20, 2023.

ii. Account name or names used: @RINSERTS

iii. Alias or aliases used: Kochspostulates

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

u. **Twitter “@RKOCH28399683”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant last accessed this account on or about April 10-April 15, 2023.

ii. Account name or names used: Robert Koch, @rkoch28399683

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

v. **Truth Social “@USMC_LAPD_ret”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed and used this account on or about April 1 – April 10, 2023.

ii. Account name or names used: @USMC_LAPD_ret

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

w. **GETTR “@USMC_LAPDret”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on or about April 17-April 19, 2023.

ii. Account name or names used: @USMC_LAPDret

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

x. **MINDS “@USMC_LAPDret”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed and used this account on or about April 17, 2023-April 19, 2023.

ii. Account name or names used: @USMC_LAPDret

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

y. **Instagram “@CWARRENB323”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant last accessed and used this account on or about April 18, 2023-April 19, 2023.

ii. Account name or names used: @CWARRENB323

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

z. **Ancestry.com “@CWB2_1”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed and used this account on or about April 17-18, 2023.

ii. Account name or names used: @CWB2_1

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aa. **Skype “@CWBPI01”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed and used this account on approximately April 17-19, 2023.

ii. Account name or names used: @CWBPI01

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A Skype is a means of communications and does not store information about Murtagh.

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bb. **WHATSAPP “@3236321050”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant last used this account the week of April 10-April 15, 2023

ii. Account name or names used: Clark Baker; 3236321050

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

cc. Google Voice “@3237906107” – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on April 20, 2023.

ii. Account name or names used: WB Clark; 3237906107

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

dd. Facebook “CB@OMSJ.ORG” – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: Account closed in 2019.

Declarant has not accessed account since closure.

ii. Account name or names used: Clark Baker; CB@omsj.org

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

EMAIL

ee. **Hushmail “OMSJ@hushmail.com”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: The account and all aliases under the account were closed in 2019. Declarant has not had any access since closure.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: murtaghinfo@nym.hush.com, drm@nym.hush.com, cbaker@nym.hush.com, electricfamily@nym.hush.com, 07delete@nym.hush.com, commercialjunk@nym.hush.com, creditreport212@nym.hush.com, credor@nym.hush.com, delete09@nym.hush.com, delete21@nym.hush.com, delete23@nym.hush.com, delete57@nym.hush.com, mjcrowford@nym.hush.com, jcase@nym.hush.com, jenny@nym.hush.com, agent@nym.hush.com, clark782@nym.hush.com
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ff. **Corrlinks “clark.baker@pm.me”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This account is active and declarant accessed it on April 20, 2023.
- ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

gg. Corrlinks “clark.baker@protonmail.com” – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on April 20, 2023.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hh. Protonmail.com “clark.baker@pm.me” – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on April 20, 2023.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: junk06@pm.me, dores.baker@protonmail.com, junk07@protonmail.com, cfrancisd@protonmail.com, cfrancisd@proton.me

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ii. **Protonmail.com “sheribond@protonmail.com”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account was closed in 2018/early 2019.

ii. Account name or names used: Clark Baker; sheribond@protonmail.com

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (this account and email address were closed prior to the injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jj. **Google “gallosegg@gmail.com”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active. Declarant accessed this account on April 20, 2023

ii. Account name or names used: WB Clark; gallosegg@gmail.com

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kk. **Outlook “jtdeshong@hotmail.com”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on April 20, 2023.

ii. Account name or names used: JT DeShonq, jtdeshonq@hotmail.com

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ll. Outlook “CWB@OMSJ.ORG” – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on April 20, 2023.

ii. Account name or names used: Clark Baker; CWB@OMSJ.ORG

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mm. Outlook “CWBPI” – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on April 20, 2023.

ii. Account name or names used: Clark Baker; CWBPI

iii. Alias or aliases used: N/A

- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

STORAGE, SERVERS, HOSTS, ETC.

nn. **iCloud “clark.baker@protonmail.com”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This account is active.
Declarant accessed this account on April 20, 2023
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

oo. **Dropbox “clark.baker@pm.me”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This account was closed in late 2022 and Declarant has not accessed it since closure.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: Declarant turned over all contents and access to this account to Plaintiff on or about May 19, 2022. Declarant re-affirms that he does not retain or maintain any of the files therein.

- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

pp. **Youtube “@UhOhhhhhhhhh”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This account is active.
Declarant last accessed this account on April 20, 2023.
- ii. Account name or names used: WB Clark; gallosegg@gmail.com; @UhOhhhhhhhhh
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A
Declarant has not used YouTube to host, store, maintain, or communicate about any content relating to Dr. Murtagh, in any form, variation, or misspelling, including by the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” since issuance of the injunction.
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qq. **Rumble “Teleoperatorski”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This account is active.
Declarant last accessed the account on April 20, 2023.
- ii. Account name or names used: Teleoperatorski
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

1 rr. **Carbonite “Clark.baker@protonmail.com”** – Declarant certifies the following
2 information:

- 3 i. Most recent date used, accessed, terminated or closed: This account was closed in
4 approximately 2018. Declarant has not accessed this account since closure.
5
6 ii. Account name or names used: Clark Baker
7
8 iii. Alias or aliases used: N/A
9
10 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there
11 are no provisions in the order applicable to this Online Property; closed prior to
12 injunction).
13
14 v. Identity, contact information, and means of communication used in connection with
15 the foregoing compliance efforts: N/A

16 ss. **Netsource** – Declarant certifies the following information:

- 17 i. Most recent date used, accessed, terminated or closed: This account was closed in
18 approximately 2015. Declarant has not had access to this account since closure.
19
20 ii. Account name or names used: Clark Baker
21
22 iii. Alias or aliases used: N/A
23
24 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (this
25 account was closed prior to the injunction).
26
27 v. Identity, contact information, and means of communication used in connection with
28 the foregoing compliance efforts: N/A

tt. **Orangewebsite.com** – Declarant certifies the following:

- i. Most recent date used, accessed, terminated or closed: Account closed in 2016.
ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunctions: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

uu. **Orangewebsite.com** – Declarant certifies the following:

i. Most recent date used, accessed, terminated or closed: Declarant last accessed this account in 2020.

ii. Account name or names used: Clark Baker; junk06@pm.me

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunctions: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

4. **Online Properties Specified in Court Order**

a) “<http://elmaltes.blogspot.com/2008/08/gallos-egg-investigationcontinues.html>” - Declarant certifies the following information:

i) Ever owned or controlled – Declarant has never owned or controlled this Online Property.

ii) Most recent date used, accessed, closed or terminated – Defendant has never used, accessed, closed or terminated this Online Property.

iii) Account name or names used in connection – N/A

iv) Alias or aliases used – N/A

v) Any steps taken in an effort to comply with provisions of the injunction: Shortly after receipt of the OSC in December 2022/January 2023, Declarant did a search on Google for the website and saw that it is a cross-post by a third party from Declarant's original post in 2008. Declarant has long-deleted the original post and URL but the author of this blog had re-posted Declarant's original post. Declarant does not have any control over the third-party website content. The Google search also reported that the operator of this blog is someone named Manu located in Europe. Declarant does not know Manu and does not have any affiliation with him or the website/blog. Declarant left a comment on the page asking Manu to contact him on January 7, 2023 in an effort to have the page removed. Declarant has not received a response as of the writing of this Declaration.

vi) Identity, contact information, means of communication used: Declarant left a comment on the webpage asking Manu to contact him on January 7, 2023 in an effort to have the page removed. Declarant has not received a response as of the writing of this Declaration.

b) “<https://sites.google.com/site/karristokely/misc/gallo-s-egg>” - Declarant certifies the following information:

- i) Ever owned or controlled – Declarant has never owned or controlled this Online Property.
- ii) Most recent date used, accessed, closed or terminated – Declarant has never used, closed or terminated this Online Property. Declarant visited this website after receipt of the OSC in December/January in order to be able to respond to the OSC.
- iii) Account name or names used in connection – N/A
- iv) Alias or aliases used – N/A

v) Any steps taken in an effort to comply with provisions of the injunction: Declarant looked at the website and it is a reposting of Declarant's original content without Declarant's cooperation or participation. Declarant does not have any access to the website or any ability to delete the posting. The site was posted by Karri Stokely, who died between 2010-2012.

vi) Identity, contact information, means of communication used: N/A

c) "<https://www.docin.com/p-388129527.html>" - Declarant certifies the following information:

i) Ever owned or controlled – Declarant never owned or controlled this Online Property.

ii) Most recent date used, accessed, closed or terminated – Declarant has never used, closed or terminated this Online Property. Declarant visited this website after receipt of the OSC in December/January in order to be able to respond to the OSC. Declarant's search showed that it is registered to Gang Mai in Beijing, China.

iii) Account name or names used in connection – N/A

iv) Alias or aliases used – N/A

v) Any steps taken in an effort to comply with provisions of the injunction: Declarant did a search online and learned that it is registered to a person named Gang Mai in Beijing, China.

vi) Identity, contact information, means of communication used: Declarant does not have any means of contacting Gang Mai.

d) "[omsj.org](https://www.omsj.org)" – Declarant certifies the following information:

i) Ever owned or controlled: Yes, Declarant owns this Online Property.

ii) Most recent date used, accessed, closed or terminated: This domain is hosted on Declarant's Network Solutions account. Declarant accessed NetworkSolutions on April 20, 2023. The website omsj.org has been non-functional since February 2023.

iii) Account name or names used: Clark Baker

iv) Alias or aliases used: N/A

v) Any steps taken in an effort to comply with provisions of the injunction: N/A (Declarant removed any and all references to Murtagh, any variation of that name, moniker, etc. in any manner and/or Murtagh-related information prior to the injunction).

vi) Identity, contact information, means of communication used: N/A

e) **"https://m.facebook.com/SearchingforAnswersBlog/posts/clarkbakerfor-those-who-wondered-about-the-identity-of-snout-wetracked-him-d/123924284468167/"** - Declarant certifies the following information:

i) Ever owned or controlled – Declarant has never owned or controlled this Online Property.

ii) Most recent date used, accessed, closed or terminated – N/A

iii) Account name or names used in connection – N/A

iv) Alias or aliases used – N/A

v) Any steps taken in an effort to comply with provisions of the injunction: N/A (Declarant clicked on the link to confirm it was not his).

vi) Identity, contact information, means of communication used: N/A

f) **"http://elmaltes.blogspot.com/2008/07/hiv-aids-gallos-egg.html"** - Declarant certifies the following information:

- i) Ever owned or controlled – Declarant has never owned or controlled this Online Property.
- ii) Most recent date used, accessed, closed or terminated – Declarant visited this website after receipt of the OSC in December 2022/January 2023 in order to respond to the OSC. This website is a cross-post by a third party from Declarant’s original post in 2008. Declarant has long-deleted the original post and URL but the author of this blog had re-posted his original post back in 2008. Declarant does not have any control over the third-party website content.
- iii) Account name or names used in connection – N/A
- iv) Alias or aliases used – N/A
- v) Any steps taken in an effort to comply with provisions of the injunction: After receipt of this OSC, Declarant did a search on the website on Google which reported that the operator of this blog is someone named Manu located in Europe. Declarant does not know Manu and does not have any affiliation with him or the website/blog. Declarant left a comment on the webpage asking Manu to contact him on January 7, 2023 in an effort to have the page removed. Declarant has not received a response as of the writing of this Declaration.
- vi) Identity, contact information, means of communication used: Declarant left a comment on the webpage asking Manu to contact him on January 7, 2023 in an effort to have the page removed. Declarant has not received a response as of the writing of this Declaration.

g) “<https://lokeshvuyyurumd.wordpress.com/2014/03/06/duesbergsemmelweis/>” - Declarant certifies the following information:

- i) Ever owned or controlled: Yes, Declarant owns this website. It is one website with two links (<https://lokeshvuyyurumd.wordpress.com/category/cohorts/jamesmurtagh/> is the second link).

ii) Most recent date used, accessed, closed or terminated: Declarant logged in for the first time in years on April 19, 2023 and terminated it. Prior to access on April 19, 2023, Declarant had not accessed the account since before approximately 2018-2019.

iii) Account name or names used in connection: Clark Baker

iv) Alias or aliases used: N/A

v) Any steps taken in an effort to comply with provisions of the injunction: Declarant logged into the account for the first time in years on April 19, 2023 and terminated the account.

vi) Identity, contact information, means of communication used: N/A

h) **“<https://lokeshvuyyurumd.wordpress.com/category/cohorts/jamesmurtagh/>”** - Declarant certifies the following information:

i) Ever owned or controlled: Yes. Declarant owns this website. It is one website with two links (<https://lokeshvuyyurumd.wordpress.com/category/cohorts/jamesmurtagh/> is the second link).

ii) Most recent date used, accessed, closed or terminated: Declarant logged in for the first time in years on April 19, 2023 and terminated it. Prior to access on April 19, 2023, Declarant had not accessed the account since before approximately 2018-2019.

iii) Account name or names used in connection: Clark Baker

iv) Alias or aliases used: N/A

v) Any steps taken in an effort to comply with provisions of the injunction: Declarant logged into the account for the first time in years on April 19, 2023 and terminated the account.

vi) Identity, contact information, means of communication used: N/A

i) **“jamesmurtaghmdtruth.com”** – Declarant certifies the following information:

- i) Ever owned or controlled: Yes declarant owns this Online Property. Declarant's continued ownership of the domain name jamesmurtaghmdtruth.com is due to Murtagh and Murtagh's counsel's lack of cooperation in coordinating the transfer.
- ii) Most recent date used, accessed, closed or terminated: This domain is hosted by NetworkSolutions. Declarant accessed his NetworkSolutions account on April 20, 2023. Declarant also accessed this account in an attempt to transfer ownership to Dr. Murtagh in May 2022.
- iii) Account name or names used in connection: Clark Baker
- iv) Alias or aliases used: N/A
- v) Any steps taken in an effort to comply with provisions of the injunction: Declarant's May 19, 2022 Declaration and January 24, 2023 Supplemental Declaration explained In May 2022, Declarant submitted his Declaration of Compliance to Murtagh and counsel, explaining "Declarant has tried to transfer the single remaining URL owned by Declarant that contains Dr. Murtagh's name in any form, variation, or misspelling, in any way... namely, "jamesmurtaghmdtruth.com" (Declarant has done a search for this name and it does not appear on the internet). When Declarant attempted to transfer the URL, Declarant was instructed that he would need to unlock the URL and, after approximately 48 hours, Declarant can send it to the specified destination. This URL will not let Declarant transfer without specifying a destination account. "Declarant has requested a transferee name, telephone number and email address with whom Declarant can coordinate and complete the transfer from Dr. Murtagh in May 2022. Declarant will initiate the transfer upon receipt of transferee's said information." (Baker May 2022 Declaration of Compliance.) Declarant could not comply with this order without cooperation by Murtagh or Murtagh's counsel.

Declarant made a third attempt, through counsel, to obtain the necessary information from Mr. Linke on the morning of April 20, 2023. Mr. Linke gave us the information necessary to comply on the evening on April 20, 2023. This morning, April 21, 2023, Declarant initiated the transfer and received confirmation that said transfer was initiated and that the information was being validated before completion. The confirmation was emailed to Mr. Linke on April 21, 2023. The company will generate an authorization code within three days and send it to Mr. Linke at linke@newmanlaw.com.

i) Identity, contact information, means of communication used: NetworkSolutions contact information is www.networksolutions.com and the means of communication is by entering the website; Derek Linke, Attorney for Plaintiff, Dr. Murtagh, via email.

j) **“Baddocjjm.com”** – Declarant certifies the following information:

i) Ever owned or controlled: Yes.

ii) Most recent date used, accessed, closed or terminated: Declarant deleted the account and website in approximately 2018 and has not had access since deletion.

iii) Account name or names used in connection: Clark Baker

iv) Alias or aliases used: N/A

v) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

vi) Identity, contact information, means of communication used: N/A

k) **“SHAKEDOWNDOC.COM”** – Declarant certifies the following information:

i) Ever owned or controlled: Yes.

ii) Most recent date used, accessed, terminated or closed: Declarant has not used or accessed this website since 2016-2018.

iii) Account name or names used: Clark Baker

iv) Alias or aliases used: N/A

v) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

vi) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

5. Baker's Websites and Other Online Content About Dr. Murtagh – all online hosts, websites, email accounts, and storage providers that Baker (or anyone that Baker has used to assist or aid him, or anyone that he hired, retained, directed or worked with or consulted with) has used at any time since January 2013 to host, store, maintain, or communicate about any content relating to Dr. Murtagh, in any form, variation, or misspelling, including by the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjjm,” including without limitation: jamesmurtaghmdtruth.com, baddocjjm.com, shakedowndoc.com, omsj.org, file directories, files, folders, file links, hidden files, hidden directories, linked documents, documents, Mp3 or other audio files, video files, metalinks, hyperlinks, hidden codes, internet search algorithms, PDF files, Microsoft Office documents (Word, Excel, Access, PowerPoint), compressed files (e.g., ZIP, RAR, 7-ZIP, GZIP), digital text files, swap files, temporary files, digital videos or YouTube files.

a) **Hushmail** – Declarant certifies the following information:

i) Most recent date used, accessed, terminated or closed: The account and all aliases under the account were closed in 2019. Declarant has not had any access since closure.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: omsj@hushmail.com, murtaghinfo@nym.hush.com,
drm@nym.hush.com, cbaker@nym.hush.com, electricfamily@nym.hush.com,
07delete@nym.hush.com, commercialjunk@nym.hush.com,
creditreport212@nym.hush.com, credor@nym.hush.com, delete09@nym.hush.com,
delete21@nym.hush.com, delete23@nym.hush.com, delete57@nym.hush.com,
mjcrawford@nym.hush.com, jcase@nym.hush.com, jenny@nym.hush.com,
agent@nym.hush.com, clark782@nym.hush.com

iv) Any steps taken in an effort to comply with provisions of the injunction: Turned over to
neutral expert Neil Broom pursuant to court order. There are no provisions to comply with;
closed prior to injunction.

v) Identity, contact information, and means of communication used in connection with the
foregoing compliance efforts: Neil Broom; nbroom@trcglobal.com, (678)428-6304;
conferred via telephone and email.

b) **Protonmail.com**– Declarant certifies the following information:

i) Most recent date used, accessed, terminated or closed: This account is active. Declarant
accessed this account on April 20, 2023.¹

ii) Account name or names used: Clark Baker; clark.baker@pm.me,
clark.baker@protonmail.com

iii) Alias or aliases used: clark.baker@protonmail.com, junk06@pm.me,
dores.baker@protonmail.com, junk07@protonmail.com, cfrancisd@protonmail.com,
cfrancisd@proton.me.

¹ This account is the designated email account for attorney-client communications regarding this case.

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A because these are attorney-client communications.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

c) **Outlook “jtdeshonq@hotmail.com”** – Declarant certifies the following information:

i) Most recent date used, accessed, terminated or closed: This account is active. Declarant accessed this account on April 20, 2023.

ii) Account name or names used: JT DeShonq; jtdeshonq@hotmail.com

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with with respect to this Online Property).

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

d) **“Baddocjjm.com”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Declarant deleted the account and website in approximately 2018 and has not had access since deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

1 e) **"CB18.org"** – Declarant certifies the following information:

- 2 i) Most recent date used, accessed, terminated or closed: Declarant opened this account in
3 approximately 2017/2018 and closed it just months afterwards. Declarant has not had any
4 access since closure.
5
6 ii) Account name or names used: Clark Baker; User ID: exliberal
7
8 iii) Alias or aliases used: N/A
9
10 iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no
11 provisions to comply with; closed prior to injunction).
12
13 v) Identity, contact information, and means of communication used in connection with the
14 foregoing compliance efforts: N/A

15 f) **"CWBPI.COM"** – Declarant certifies the following information:

- 16 i) Most recent date used, accessed, terminated or closed: Closed in 2016. Declarant has not had
17 access since closure.
18
19 ii) Account name or names used: Clark Baker
20
21 iii) Alias or aliases used: N/A
22
23 iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no
24 provisions to comply with; closed prior to injunction).
25
26 v) Identity, contact information, and means of communication used in connection with the
27 foregoing compliance efforts: N/A

28 g) **"DAVIDBENDER.COM"** – Declarant certifies the following information:

- i) Most recent date used, accessed, terminated or closed: Closed in approximately 2014-2015.
Declarant has not had access since closure.
ii) Account name or names used: Clark Baker

1 iii) Alias or aliases used: N/A

2 iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no
3 provisions to comply with; closed prior to injunction).

4 v) Identity, contact information, and means of communication used in connection with the
5 foregoing compliance efforts: N/A

6
7 h) **“EXLIBHOLLYWOOD.BLOGSPOT.COM”** – Declarant certifies the following information:

8 i) Most recent date used, accessed, terminated or closed: This account is active. Declarant last
9 accessed this account on April 20, 2023.

10 ii) Account name or names used: WB Clark, gallosegg@gmail.com

11 iii) Alias or aliases used: N/A

12 iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no
13 provisions in the court order applicable to this website.)

14 v) Identity, contact information, and means of communication used in connection with the
15 foregoing compliance efforts: N/A

16
17 i) **“JAMESMURTAGHMDTRUTH.COM”** – Declarant certifies the following information:

18 i) Most recent date used, accessed, terminated or closed: This domain is hosted by
19 NetworkSolutions. Declarant accessed his NetworkSolutions account on April 20, 2023.
20 Declarant also accessed this account in an attempt to transfer ownership to Dr. Murtagh in
21 May 2022.

22 ii) Account name or names used: Clark Baker

23 iii) Alias or aliases used: N/A

24 iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant’s May 19,
25 2022 Declaration and January 24, 2023 Supplemental Declaration explained In May 2022,
26 2022 Declaration and January 24, 2023 Supplemental Declaration explained In May 2022,
27 2022 Declaration and January 24, 2023 Supplemental Declaration explained In May 2022,
28 2022 Declaration and January 24, 2023 Supplemental Declaration explained In May 2022,

1 Declarant submitted his Declaration of Compliance to Murtagh and counsel, explaining
2 “Declarant has tried to transfer the single remaining URL owned by Declarant that contains
3 Dr. Murtagh’s name in any form, variation, or misspelling, in any way... namely,
4 “jamesmurtaghmdtruth.com” (Declarant has done a search for this name and it does not
5 appear on the internet). When Declarant attempted to transfer the URL, Declarant was
6 instructed that he would need to unlock the URL and, after approximately 48 hours,
7 Declarant can send it to the specified destination. This URL will not let Declarant transfer
8 without specifying a destination account. “Declarant has requested a transferee name,
9 telephone number and email address with whom Declarant can coordinate and complete the
10 transfer from Dr. Murtagh in May 2022. Declarant will initiate the transfer upon receipt of
11 transferee’s said information.” (Baker May 2022 Declaration of Compliance.) Declarant
12 could not comply with this order without cooperation by Murtagh or Murtagh’s counsel.
13 Declarant made a third attempt, through counsel, to obtain the necessary information from
14 Mr. Linke on the morning of April 20, 2023. Mr. Linke gave us the information necessary to
15 comply on the evening on April 20, 2023. This morning, April 21, 2023, Declarant initiated
16 the transfer and received confirmation that said transfer was initiated and that the information
17 was being validated before completion. The confirmation was emailed to Mr. Linke on April
18 21, 2023. The company will generate an authorization code within three days and send it to
19 Mr. Linke at linke@newmanlaw.com.

- 20
21
22
23
24 v) Identity, contact information, means of communication used: NetworkSolutions contact
25 information is www.networksolutions.com and the means of communication is by entering
26 the website; Derek Linke, Attorney for Plaintiff, Dr. Murtagh, via email.
27
28

1 j) **“OMSJ.ORG”** – Declarant certifies the following information:

- 2 i) Most recent date used, accessed, terminated or closed: This domain is hosted on Declarant’s
3 Network Solutions account. The website omsj.org has been non-functional since February
4 2023.
- 5 ii) Account name or names used: Clark Baker
- 6 iii) Alias or aliases used: N/A
- 7
- 8 iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant removed
9 any and all references to Murtagh, any variation of that name, moniker, etc. in any manner
10 and/or Murtagh-related information prior to the injunction.
- 11
- 12 v) Identity, contact information, and means of communication used in connection with the
13 foregoing compliance efforts: N/A. Declarant, having access to the website, personally
14 deleted.

15 k) **“PROPAGANDISTS.ORG”** – Declarant certifies the following information:

- 16 i) Most recent date used, accessed, terminated or closed: This website expired in 2016/2017.
17 Declarant has not used or had access since the expiration.
- 18
- 19 ii) Account name or names used: Clark Baker
- 20 iii) Alias or aliases used: N/A
- 21
- 22 iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no
23 provisions to comply with with respect to this Online Property. It expired prior to injunction.)
- 24
- 25 v) Identity, contact information, and means of communication used in connection with the
26 foregoing compliance efforts: N/A

27 l) **“SEMMELEWEIS.ORG”** – Declarant certifies the following information:
28

i) Most recent date used, accessed, terminated or closed: Declarant last used or accessed this website on or about December 2022. The website was hacked/corrupted by an unknown person and Declarant has not had access since then.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with respect to this Online Property).

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

m) **"SHAKEDOWNDOC.COM"** – Declarant certifies the following information:

i) Most recent date used, accessed, terminated or closed: This Online Property has been closed. Declarant has not used or accessed this website since 2016-2018.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (closed prior to injunction).

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

n) **"https://lokeshvuyyurumd.wordpress.com"** - Declarant certifies the following information:

i) Most recent date used, accessed, terminated or closed: Declarant logged in for the first time in years on April 19, 2023 and terminated it. Prior to access on April 19, 2023, Declarant had not accessed the account since before approximately 2018-2019.

ii) Account name or names used in connection: Clark Baker

1 iii) Alias or aliases used:

2 <https://lokeshvuyyurumd.wordpress.com/category/cohorts/jamesmurtagh/>

3 <https://lokeshvuyyurumd.wordpress.com/2014/03/06/duesbergsemmelweis/>

4 iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant

5 terminated the account on April 19, 2023. Prior to logging in on April 19, 2023, Declarant

6 had not accessed the account since before approximately 2018-2019.

7 v) Identity, contact information, means of communication used: N/A

8
9 o) **Netsource** – www.netsource.com – Declarant certifies the following information:

10 i) Most recent date used, accessed, terminated or closed: This account was closed in
11 approximately 2015. Declarant has not had access to this account since closure.

12 ii) Account name or names used: Clark Baker

13 iii) Alias or aliases used: N/A

14 iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (the account
15 was closed prior to the injunction).

16 v) Identity, contact information, and means of communication used in connection with the
17 foregoing compliance efforts: N/A

18
19
20 p) **Skype** – Declarant certifies the following information:

21 i) Most recent date used, accessed, terminated or closed: This account is active. Declarant
22 accessed and used this account on approximately April 17-19, 2023.

23 ii) Account name or names used: Clark Baker; @CWBPI01

24 iii) Alias or aliases used: N/A

25 iv) Any steps taken in an effort to comply with provisions of the injunction: N/A Skype is a
26 means of communications and does not store information about Murtagh.
27
28

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

q) **Youtube “@UhOhhhhhhhhh”** – Declarant certifies the following information:

i) Most recent date used, accessed, terminated or closed: This account is active. Declarant last accessed this account on April 20, 2023.

ii) Account name or names used: WB Clark, gallosegg@gmail.com

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant has not used YouTube to host, store, maintain, or communicate about any content relating to Dr. Murtagh, in any form, variation, or misspelling, including by the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjjm,” since issuance of the injunction.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

r) **Carbonite**– Declarant certifies the following information:

i) Most recent date used, accessed, terminated or closed: This account was closed in approximately 2018. Declarant has not accessed this account since closure.

ii) Account name or names used: Clark Baker; Clark.baker@protonmail.com

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

s) **Orangewebsite.com** – Declarant certifies the following:

- i) Most recent date used, accessed, terminated or closed: Account closed in 2016.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunctions: N/A (there are no provisions to comply with; closed prior to injunction).
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

t) **Orangewebsite.com** – Declarant certifies the following:

- i) Most recent date used, accessed, terminated or closed: Declarant last accessed this account in 2020.
- ii) Account name or names used: Clark Baker; junk06@pm.me
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunctions: N/A (there are no provisions in the order applicable to this Online Property).
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

u) **Dropbox**– Declarant certifies the following information:

- i) Most recent date used, accessed, terminated or closed: This account was closed in late 2022 and Declarant has not accessed it since closure.
- ii) Account name or names used: Clark Baker; clark.baker@pm.me
- iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant turned over all contents and access to this account to Plaintiff on or about May 19, 2022. Declarant re-affirms that he does not retain or maintain any of the files therein.

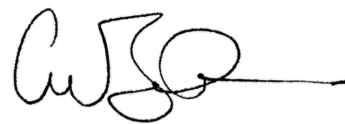
v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ADDRESSING PAGE NO. 5-6 OF COURT ORDER, Paragraph 2.c.i. ("File directories, files, folders...")

a) Regarding "...file directories, files, folders, file links, hidden files, hidden directories, linked documents, documents, Mp3 or other audio files, video files, metalinks, hyperlinks, hidden codes, internet search algorithms, PDF files, Microsoft Office documents (Word, Excel, Access, PowerPoint), compressed files (e.g., ZIP, RAR, 7-ZIP, GZIP), digital text files, swap files, temporary files, digital videos or YouTube files..." This item is the subject of a request for more time filed concurrently with this Declaration.

I declare under the foregoing is true and correct under the penalty of perjury under the laws of the state of California. Executed this April 21, 2023 in Vero Beach, Florida.

Dated: April 21, 2023



CLARK BAKER

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
3255 Wilshire Blvd., Suite 1801, Los Angeles, CA 90010

A true and correct copy of the foregoing documents entitled: DECLARATION OF C. BAKER IN RESPONSE TO INTERIM JUDGMENT OF 3/22/23; DECLARATION OF CERTIFICATION OF COUNSEL will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 04/21/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED SERVICE LIST

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 04/21/2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Judge Sherri Bluebond
255 East Temple Street, Room 1539
Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

<u>4/21/2023</u>	<u>Pam Pantell</u>	<u>/s/ Pam Pantell</u>
Date	Printed Name	Signature

SERVICE LIST

In re Clark Warren Baker, Debtor - Defendant

David P Bleistein
Rosen & Associates PC
Email: dbleistein@rosen-law.com

Michael J Conway
Greenberg & Bass LLP
Email: MConway@gblawllp.com

Lisa Hiraide
Rosen & Associates PC
Email: lhiraide@rosen-law.com

Derek Linke
Newman Du Wors LLP
Email: linke@newmanlaw.com

Douglas M Neistat
G&B LAW, LLP
Email: dneistat@gblawllp.com

Derek A Newman
Newman Du Wors LLP
dn@newmanlaw.com

JESSICA PONCE (SBN 284043)
LAW OFFICES OF JESSICA PONCE
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
Tel. (213) 263-2911
Fax (213) 403-5737
office@jponcelaw.com

Attorney for Debtor/Defendant,
CLARK BAKER

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re
CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB
Chapter 7
Adv. Case No. 2:15-AP-01535-BB

**DEFENDANT CLARK BAKER'S
DECLARATION IN RESPONSE TO ITEM
2.c.i. OF PAGE 5-6 OF ORDER OF MARCH
22, 2023, FOR C. BAKER TO AVER
COMPLIANCE**

(With Attorney Certification Per Court Order)

Date: July 25, 2023
Time: 10:00 a.m.
Ct.Rm: 1539

DECLARATION OF CLARK BAKER

I, Clark Warren Baker, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge.

2. This Declaration is made in response to the Item 2.c.i. of Page 5-6 of Order of March 22, 2023 and to aver compliance.

3. Said Item 2.c.i. provides the following: “The Baker Declaration must list all online hosts, websites, email accounts, and storage providers that Baker (or anyone that he hired, retained, directed or worked with or consulted with) has used at any time since January 2013 to host, store, maintain, or communicate about any content relating to Dr. Murtagh, in any form, variation, or misspelling, including by the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjjm,” including without limitation: jamesmurtaghmdtruth.com, baddocjjm.com, shakedowndoc.com, omsj.org, file directories, files, folders, file links, hidden files, hidden directories, linked documents, documents, Mp3 or other audio files, video files, metalinks, hyperlinks, hidden codes, internet search algorithms, PDF files, Microsoft Office documents (Word, Excel, Access, PowerPoint), compressed files (e.g., ZIP, RAR, 7-ZIP, GZIP), digital text files, swap files, temporary files, digital videos or YouTube files.”

URLS/DOMAINS

- a. **“JAMESMURTAGHMDTRUTH.COM”** – Declarant certifies the following information:
- i. Most recent date used, accessed, terminated or closed: This domain is hosted by NetworkSolutions. Declarant accessed his NetworkSolutions account on April 20, 2023. Declarant also accessed this account in an attempt to transfer ownership to Dr. Murtagh in May 2022.
 - ii. Account name or names used: Clark Baker
 - iii. Alias or aliases used: N/A
 - iv. Any steps taken in an effort to comply with provisions of the injunction: Declarant’s May 19, 2022 Declaration and January 24, 2023 Supplemental Declaration explained In May 2022, Declarant submitted his Declaration of Compliance to Murtagh and

counsel, explaining “Declarant has tried to transfer the single remaining URL owned by Declarant that contains Dr. Murtagh’s name in any form, variation, or misspelling, in any way..., namely, “jamesmurtaghmdtruth.com” (Declarant has done a search for this name and it does not appear on the internet). When Declarant attempted to transfer the URL, Declarant was instructed that he would need to unlock the URL and, after approximately 48 hours, Declarant can send it to the specified destination. This URL will not let Declarant transfer without specifying a destination account. “Declarant has requested a transferee name, telephone number and email address with whom Declarant can coordinate and complete the transfer from Dr. Murtagh in May 2022. Declarant will initiate the transfer upon receipt of transferee’s said information.” (Baker May 2022 Declaration of Compliance.) Declarant previously could not comply with this order without cooperation by Murtagh or Murtagh’s counsel. Declarant made a third attempt, through counsel, to obtain the necessary information from Mr. Linke on the morning of April 20, 2023. Mr. Linke gave us the information necessary to comply on the evening on April 20, 2023. On the morning of April 21, 2023, Declarant initiated the transfer and received confirmation that said transfer was initiated and that the information was being validated before completion. The confirmation was emailed to Mr. Linke on Friday, April 21, 2023. On Monday, April 24, 2023, Declarant received the authorization code and forwarded it to Mr. Linke (linke@newmanlaw.com) through counsel, Jessica Ponce. As a result, the transfer has been completed on Declarant’s end.

- v. Identity, contact information, means of communication used: NetworkSolutions contact information is www.networksolutions.com and the means of communication

is by entering the website; Derek Linke, Attorney for Plaintiff, Dr. Murtagh, via email.

vi. This information applies to the sub-links and/or files within this URL/domain:

“www.jamesmurtaghmdtruth.com/omsj-the-questionablecompany-robert-gallo-

keeps”, “www.jamesmurtaghmdtruth.com/sleepcare2014”,

“www.jamesmurtaghmdtruth.com/gapprop”,

“www.jamesmurtaghmdtruth.com/emory-merits”,

“www.jamesmurtaghmdtruth.com/profile-muddled”,

“www.jamesmurtaghmdtruth.com/james john-murtagh”,

“www.jamesmurtaghmdtruth.com/court-cases”,

“www.jamesmurtaghmdtruth.com/tag/lawsuits”.

b. **“Baddocjjm.com”** – Declarant certifies the following information:

i. Most-recent date closed, terminated, or last used or accessed: Declarant deleted the account and website in approximately 2018 and has not had access since deletion.

ii. Account name or names used: Clark Baker

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

c. **“OMSJ.ORG”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This domain is hosted on Declarant's Network Solutions account. The website omsj.org has been non-functional since February 2023.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: Declarant removed any and all references to Murtagh, any variation of that name, moniker, etc. in any manner and/or Murtagh-related information prior to the injunction.
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A. Declarant, having access to the website, personally deleted in accordance with the injunction.
- vi. This information also applies to sub-links and/or files of this URL/domain:
 - "www.omsj.org/issues/civil-cases/murtagh-celeb",
 - "www.omsj.org/authors/corruption-ddoms-dcwhistleblowers",
 - "http://www.omsj.org/goons/murtagh/2014/sleepcarecomplaint.pdf",
 - "http://www.omsj.org/goons/murtagh/2014/sleepcarejudg.pdf",
 - "http://www.omsj.org/goons/murtagh/Fulton8-4.pdf#page=34",
 - "http://www.omsj.org/goons/murtagh/Fulton8-3.pdf#page=70",
 - "http://www.omsj.org/goons/murtagh/Fulton8-3.pdf", "http://www.omsj.org/wp-content/uploads/30919_414238817832_1231093_n.jpg", "http://www.omsj.org/wp-content/uploads/30919_414238817832_1231093_n.jpg",
 - "http://www.omsj.org/goons/murtagh/Fulton8-16.pdf",
 - "http://www.omsj.org/goons/murtagh/Fulton8-12.pdf",

“<http://www.omsj.org/corruption/defending-semmelweis>”,

“<http://www.omsj.org/corruption/judge-denies-motion-to-dismiss-farber-libel-suit>-

casecontinues”, “<http://www.omsj.org/corruption-dooms-dc-whistleblowers>”,

“<http://www.omsj.org/authors/corruption-dooms-dc-whistleblowers>”,

“<http://www.omsj.org/corruption/the-aidstruth-rats-scatter>”,

“<http://www.omsj.org/corruption.the-semmelweis-report-gallos-egg>”,

“<http://www.omsj.org/corruption.the-semmelweis-report-gallos-egg>”

d. **“SHAKEDOWNDOC.COM”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This Online Property has been closed. Declarant has not used or accessed this website since 2016-2018.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A, because it was closed prior to the injunction.

Note: After receipt of this OSC, Declarant conducted a Google Wayback Machine search which reported as follows: according to Google Wayback, only one screen capture of this website was taken on 14 Oct 2016. On that date, the website was already being taken down and was likely closed before 2017. This webpage was hosted on a private server located in Australia, but Declarant doesn't know the name or owner of the server. Declarant has never accessed this website or server. A back-up of JAMESMURTAGHMDTRUTH.COM was transferred from Declarant sometime in 2015 or 2016 and was taken down before 2017. The lack of screenshots (one, compared to OMSJ's 300+ and JAMESMURTAGHMDTRUTH.COM 29 times). Australian citizen John McNair facilitated that transfer to the unknown server owner.

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A. Note: Regarding John McNair, because the website no longer exists, we cannot ask John McNair to remove information from a nonexistent website. Google Wayback does not give contact information for John McNair. The contact information is the following: In Google search engine, enter keywords "Google Wayback Machine."

e. **"PROPAGANDISTS.ORG"** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This website expired in 2016/2017. Declarant has not used or had access since the expiration.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with respect to this Online Property. It expired prior to injunction.)
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A "www.propogandists.org/court-cases-murtagh/ohio-comm-plea-2012"
- vi. This information also applies to the following sub-links and/or files:
"www.propogandists.org/court-cases-murtagh/ndga-fulton-dekalb-1999",
"www.propogandists.org/court-cases-murtagh/ndga-va-2000",
"www.propogandists.org/court-cases-murtagh/ndga-fulton-dekalb-2009",
"www.propogandists.org/court-cases-murtagh/tax-court-2003", "www.propogandists.org/court-cases-murtagh/ndga-usa-emory-1999".

f. **“DAVIDBENDER.COM”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: Closed in approximately 2014-2015. Declarant has not had access since closure.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

g. **“CWBPL.COM”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: Closed in or about July 2017, but had access to files through the Bluehost CPanel until I deleted the files. Files were deleted in December 2019. Declarant has not had access to those files since Dec 2019.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

FILES

a) **Files stored at jamesmurtaghmdtruth.com** – Declarant certifies the following information:

- 1 i) Most recent date used, accessed, terminated or closed: This domain is hosted by
2 NetworkSolutions. Declarant accessed his NetworkSolutions account on April 20, 2023.
3 Declarant also accessed this account in an attempt to transfer ownership to Dr. Murtagh in
4 May 2022.
- 5 ii) Account name or names used: Clark Baker
- 6 iii) Alias or aliases used: N/A
- 7
- 8 iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant's May 19,
9 2022 Declaration and January 24, 2023 Supplemental Declaration explained in May 2022,
10 Declarant submitted his Declaration of Compliance to Murtagh and counsel, explaining
11 "Declarant has tried to transfer the single remaining URL owned by Declarant that contains
12 Dr. Murtagh's name in any form, variation, or misspelling, in any way..., namely,
13 "jamesmurtaghmdtruth.com" (Declarant has done a search for this name and it does not
14 appear on the internet). When Declarant attempted to transfer the URL, Declarant was
15 instructed that he would need to unlock the URL and, after approximately 48 hours,
16 Declarant can send it to the specified destination. This URL will not let Declarant transfer
17 without specifying a destination account. "Declarant has requested a transferee name,
18 telephone number and email address with whom Declarant can coordinate and complete the
19 transfer from Dr. Murtagh in May 2022. Declarant will initiate the transfer upon receipt of
20 transferee's said information." (Baker May 2022 Declaration of Compliance.) Declarant
21 previously could not comply with this order without cooperation by Murtagh or Murtagh's
22 counsel. Declarant made a third attempt, through counsel, to obtain the necessary information
23 from Mr. Linke on the morning of April 20, 2023. Mr. Linke gave us the information
24 necessary to comply on the evening on April 20, 2023. On the morning of April 21, 2023,
25
26
27
28

1 Declarant initiated the transfer and received confirmation that said transfer was initiated and
2 that the information was being validated before completion. The confirmation was emailed to
3 Mr. Linke on April 21, 2023. Declarant received the authorization code on Monday, April
4 24, 2023 and forwarded it to Mr. Linke (linke@newmanlaw.com) on April 24, 2023 through
5 counsel, Jessica Ponce.

6
7 v) Identity, contact information, means of communication used: NetworkSolutions contact
8 information is www.networksolutions.com and the means of communication is by entering
9 the website; Derek Linke, Attorney for Plaintiff, Dr. Murtagh, via email at
10 linke@newmanlaw.com.

11
12 vi) This information also applies to the following sub-links and/or files:

13 “www.jamesmurtaghmdtruth.com/omsj-the-questionablecompany-robert-gallo-keeps”,

14 “www.jamesmurtaghmdtruth.com/sleepcare2014”,

15 “www.jamesmurtaghmdtruth.com/gapprop, www.jamesmurtaghmdtruth.com/emory-
16 merits”, “www.jamesmurtaghmdtruth.com/profile-muddled”,

17
18 “www.jamesmurtaghmdtruth.com/james john-murtagh”,

19 “www.jamesmurtaghmdtruth.com/court-cases”,

20 “www.jamesmurtaghmdtruth.com/tag/lawsuits”,

21 “http://jamesmurtaghmdtruth.com/court-cases/11th-cir-emory-2001/”,

22 “http://jamesmurtaghmdtruth.com/court-cases/11th-cir-fulton-dekalb-2000/”,

23 “http://jamesmurtaghmdtruth.com/court-cases/murtagh-v-baker/”,

24 “http://jamesmurtaghmdtruth.com/court-cases/d-idaho-2012/”,

25 “http://jamesmurtaghmdtruth.com/court-cases/d-main-st-marys-2012/”,

26
27 “http://jamesmurtaghmdtruth.com/court-cases/dc-sup-ct-fulton-dekalb-2007/”,
28

1 “http://jamesmurtaghmdtruth.com/court-cases/ga-ct-app-emory-2012”,
2 “http://jamesmurtaghmdtruth.com/court-cases/ga-sup-ct-emory-2004/”,
3 “http://jamesmurtaghmdtruth.com/court-cases/supreme-ct-ga/”,
4 “http://jamesmurtaghmdtruth.com/court-cases/ndga-emory-1999/”,
5 “http://jamesmurtaghmdtruth.com/court-cases/ndga-emory-2009/”,
6 “http://jamesmurtaghmdtruth.com/court-cases/ndga-fulton-dekalb-1999/”,
7 “http://jamesmurtaghmdtruth.com/court-cases/ndga-usa-emory-1999/”,
8 “http://jamesmurtaghmdtruth.com/court-cases/ndga-va-2000/”,
9 “http://jamesmurtaghmdtruth.com/court-cases/ny-sup-ct-farber-2009/”,
10 “http://jamesmurtaghmdtruth.com/court-cases/ohio-comm-plea-2012/”,
11 “http://jamesmurtaghmdtruth.com/court-cases/tax-court-2003/ ”.

12
13
14
15 **b) Dropbox delivered to Linke May 2022** – Declarant certifies the following information:

- 16 i) Most-recent date closed, terminated, or last used or accessed: May 2022 Declarant accessed
17 <https://www.dropbox.com/sh/lzmwnirsxvtlj2y/AACn90Ggj9XZboWy0v0K0iE1a?dl=0> to turn
18 over any remaining files to plaintiff and plaintiff’s attorney, Derek Linke.
19
20 ii) Account name or names used: Clark Baker
21
22 iii) Alias or aliases used: N/A
23
24 iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant turned
25 over all access to the DropBox account in May 2022 and deleted all contents after turning it
26 over and confirming receipt by plaintiff.
27
28 v) Identity, contact information, and means of communication used in connection with the
foregoing compliance efforts: Communication with Mr. Linke, attorney for plaintiff, via

Email, letter exchange, and submission of Declaration of Compliance of Clark Baker (signed May 19, 2022).

c) **Files stored at “<http://www.shakedowndoc.com/docs>” and**

“<http://www.shakedowndoc.com/wordpress>” - Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Declarant deleted shakedowndoc.com, and all websites contained within that URL, on or about 10/20/2016. When Declarant deleted shakedowndoc.com, <http://shakedowndoc.com/docs> and <http://shakedowndoc.com/wordpress> and any files contained therein were deleted when shakedowndoc.com was deleted on or about 10/20/2016.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant confirmed the deletion. In response to this OSC, Declarant conducted a Google Wayback Machine search, which reported that shakedowndoc.com was live between 9/2015 and 11/2017. This website hasn’t had any content or active links since 2017.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: Google Wayback Machine is a website that Declarant accessed to confirm when shakedowndoc.com was last “live” on the internet in order to respond to this OSC. The contact information is the following: In Google search engine, enter keywords “Google Wayback Machine.”

d) **“1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

e) **"20090413_Observations.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

f) **"2bk2010—76346_442013-22200-PM.mp3"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

g) **“68.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

h) **“75.pdf”** – Declarant certifies the following information:

j) **“April 21 2013 NOTICE OF INTENT TO GA SUPREME COURT.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

k) **“April 8 2013 MOTION FOR RECONSIDERATION APPELLANT.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

l) **“April 8 2013 TO SUPPLEMENT RECORD.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

m) **“Arbitrator Award.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

n) **“Arbitrator Decision.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

o) **“Arbitrator award2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

p) **“August 17 2012 REPLY BRIEF APPELLANT.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

q) **“BartonProblem.mp3”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

r) **“CourtofAppeals26Jul2012.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

s) **“Defamation suit.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

t) **“Emory 29Mar2013.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

u) **“Emory1-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

v) **“Emory1-2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

w) **“Emory1-3.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

x) **“Emory1-4.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

y) **“Emory1-5.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

z) **“Emory1-6.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aa) **“Emory1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bb) **“Emory10.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

cc) **“Emory11.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

dd) **“Emory12-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ee) **“Emory12.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ff) **“Emory13.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

gg) **“Emory14.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hh) **“Emory2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ii) **“Emory3-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jj) **“Emory3-10.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kk) **“Emory3-11.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ll) **“Emory3-12.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mm) **“Emory3-2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nn) **“Emory3-3.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

oo) **“Emory3-4.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

pp) **"Emory3-5.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qq) **"Emory3-6.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rr) **“Emory3-7.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ss) **“Emory3-8.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

tt) **“Emory3-9.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

uu) **“Emory3.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vv) **“Emory4-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ww) **“Emory4.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

xx) **"Emory5-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

yy) **"Emory5-2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

zz) **“Emory5-3.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aaa) **“Emory5.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bbb) **“Emory6-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ccc) **“Emory6-2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ddd) **“Emory6-3.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

eee) **“Emory6”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

fff) **“Emory7”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ggg) **“Emory8”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hhh) **“Emory9”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

iii) **“Evidence of retaliation.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jjj) **“Fake Clark to St. Mary.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kkk) **“Farber v. Jefferys N.Y. Sup. Ct. 2009.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

- 1 v) Identity, contact information, and means of communication used in connection with the
2 foregoing compliance efforts: N/A

3 III) **"Fierer1997.pdf"** – Declarant certifies the following information:

- 4 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
5 conducted a diligent search of his computer and online files after receipt of this OSC and
6 confirmed deletion.
7
8 ii) Account name or names used: Clark Baker
9
10 iii) Alias or aliases used: N/A
11
12 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
13 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
14 deletion.

- 15 v) Identity, contact information, and means of communication used in connection with the
16 foregoing compliance efforts: N/A

17 mmm) **"FiererSellingLies.jpg"** – Declarant certifies the following information:

- 18 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
19 conducted a diligent search of his computer and online files after receipt of this OSC and
20 confirmed deletion.
21
22 ii) Account name or names used: Clark Baker
23
24 iii) Alias or aliases used: N/A
25
26 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
27 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
28 deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nnn) **“Final Order.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ooo) **“Fulton1-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ppp) **"Fulton1-2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qqq) **"Fulton1-3.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rrr) **"Fulton1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

sss) **"Fulton10-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ttt) **"Fulton10-2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

uuu) **"Fulton10.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vvv) **"Fulton11-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

www) **"Fulton11-2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

xxx) **"Fulton11-3.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

yyy) **"Fulton11-4.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

zzz) **“Fulton11-5.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aaaa) **“Fulton11-6.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bbbb) **"Fulton11-7.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

cccc) **"Fulton11-8.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

dddd) **"Fulton11-9.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

eeee) **"Fulton11.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ffff) **"Fulton12-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

gggg) **"Fulton12-2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hhhh) **“Fulton12-3.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

iiii) **“Fulton12.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jjjj) **"Fulton13-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kkkk) **"Fulton13-2.pdf"** – Declarant certifies the following information:

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ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

lll) **"Fulton13-3.pdf"** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mmmm) **"Fulton13-4.pdf"** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nnnn) **"Fulton13-5.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

oooo) **"Fulton13-6.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

pppp) **"Fulton13-7.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qqqq) **"Fulton13.pdf"** – Declarant certifies the following information:

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ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rrrr) **"Fulton14-1.pdf"** – Declarant certifies the following information:

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ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ssss) **"Fulton14-2.pdf"** – Declarant certifies the following information:

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ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ttt) **"Fulton14.pdf"** – Declarant certifies the following information:

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ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

uuuu) **"Fulton15.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vwww) **"Fulton16.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

www) **"Fulton17.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

xxxx) **"Fulton18.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

yyyy) **"Fulton19-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

zzzz) **"Fulton19.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aaaaa) **"Fulton2-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bbbbb) **"Fulton2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ccccc) **"Fulton20-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

dddd) **"Fulton20-2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

eeee) **"Fulton20-3.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

fffff) **"Fulton20.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ggggg) **"Fulton21.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hhhhh) **"Fulton22.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

iiiiii) **"Fulton23.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jjjjj) **"Fulton4-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kkkkk) **"Fulton4-2.pdf"** – Declarant certifies the following information:

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ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

lllll) **"Fulton4.pdf"** – Declarant certifies the following information:

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ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mmmmm) **"Fulton7.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nnnnn) **"Fulton8-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ooooo) **"Fulton8-10.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ppppp) **"Fulton8-11.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qqqqq) **"Fulton8-12.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rrrrr) **"Fulton8-13.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

sssss) **"Fulton8-14.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ttttt) **“Fulton8-15.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

uuuuu) **“Fulton8-16.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vvvvv) **"Fulton8-17.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

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iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

wwwww) **"Fulton8-2.pdf"** – Declarant certifies the following information:

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iii) Alias or aliases used: N/A

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v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

xxxxx) **"Fulton8-3.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

yyyyy) **"Fulton8-4.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

zzzzz) **"Fulton8-5.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aaaaa) **"Fulton8-6.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bbbbbb) **"Fulton8-7.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

cccccc) **"Fulton8-8.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

dddddd) **"Fulton8-9.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

eeeeee) **"Fulton8.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ffffff) **“Gable affidavit.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

gggggg) **“Giustra depo.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hhhhhh) **"Idaho1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

iiiiii) **"Idaho2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jjjjjj) **"Idaho3.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kkkkkk) **"Idaho5.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

lllll) **"Idaho6.pdf"** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mmmmmm) **"Idaho7.pdf"** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nnnnnn) **“James J Murtagh Lawsuits.docx”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

oooooo) **“Joe Bird Bankruptcy Docket Report.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

pppppp) **“July 13 2012 RESPONSE TO MOTION FOR SUPERSEDEAS.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qqqqqq) **“July 26 2012 REQUEST TO ARGUE GRANTED.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rrrrrr) **“July 30 2012 BRIEF OF APPELLEE.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ssssss) **“July 30 2012 TO SUPPLEMENT RECORD.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

1 iii) Alias or aliases used: N/A

2 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
3 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
4 deletion.

5 v) Identity, contact information, and means of communication used in connection with the
6 foregoing compliance efforts: N/A
7

8 ttttt) **“July 9 2012 BRIEF OF APPELLANT.pdf”** – Declarant certifies the following
9 information:

10 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
11 conducted a diligent search of his computer and online files after receipt of this OSC and
12 confirmed deletion.
13

14 ii) Account name or names used: Clark Baker

15 iii) Alias or aliases used: N/A

16 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
17 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
18 deletion.
19

20 v) Identity, contact information, and means of communication used in connection with the
21 foregoing compliance efforts: N/A
22

23 uuuuuu) **“July 9 2012 REQUEST TO ARGUE APPELLANT.pdf”** – Declarant certifies the
24 following information:

25 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
26 conducted a diligent search of his computer and online files after receipt of this OSC and
27 confirmed deletion.
28

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vvvvvv) **“July 9 2012 REQUEST TO ARGUE APPELLEE.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

wwwwww) **“June 29 2012 NOTICE OF APPEARANCE.pdf”** – Declarant certifies the following information:

1 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
2 conducted a diligent search of his computer and online files after receipt of this OSC and
3 confirmed deletion.

4 ii) Account name or names used: Clark Baker

5 iii) Alias or aliases used: N/A

6
7 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
8 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
9 deletion.

10 v) Identity, contact information, and means of communication used in connection with the
11 foregoing compliance efforts: N/A
12

13 xxxxxx) **“Kuritzky REDACTED.pdf”** – Declarant certifies the following information:

14 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
15 conducted a diligent search of his computer and online files after receipt of this OSC and
16 confirmed deletion.

17 ii) Account name or names used: Clark Baker

18 iii) Alias or aliases used: N/A

19
20 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
21 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
22 deletion.

23
24 v) Identity, contact information, and means of communication used in connection with the
25 foregoing compliance efforts: N/A

26 yyyyyy) **“MURTAG v. EMORY, Ga. Ct. App. 2012.pdf”** – Declarant certifies the following
27 information:
28

1 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
2 conducted a diligent search of his computer and online files after receipt of this OSC and
3 confirmed deletion.

4 ii) Account name or names used: Clark Baker

5 iii) Alias or aliases used: N/A

6
7 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
8 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
9 deletion.

10 v) Identity, contact information, and means of communication used in connection with the
11 foregoing compliance efforts: N/A

12
13 **zzzzzz) “MURTAGH v. FULTON---DEJAKB, D.C. Super. Ct. 2007 (1482---2).pdf” – Declarant**
14 certifies the following information:

15 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
16 conducted a diligent search of his computer and online files after receipt of this OSC and
17 confirmed deletion.

18 ii) Account name or names used: Clark Baker

19 iii) Alias or aliases used: N/A

20
21 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
22 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
23 deletion.

24
25 v) Identity, contact information, and means of communication used in connection with the
26 foregoing compliance efforts: N/A

aaaaaaa) **“MURTAGH v. ST. MARY’S REGIONAL HEALTH CENTER, D. Me. 2012 (docs avail).pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bbbbbbb) **“Mahanylaw.jpg”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ccccccc) **“May 1 2013 NOTICE OF FILING CERT TO GA SUPREME COURT.pdf”** –

Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ddddddd) **“Murtagh 2008.jpg”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

1 eeeeeee) **“Murtagh 2011.jpg”** – Declarant certifies the following information:

- 2 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
- 3 conducted a diligent search of his computer and online files after receipt of this OSC and
- 4 confirmed deletion.
- 5 ii) Account name or names used: Clark Baker
- 6
- 7 iii) Alias or aliases used: N/A
- 8
- 9 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
- 10 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
- 11 deletion.
- 12 v) Identity, contact information, and means of communication used in connection with the
- 13 foregoing compliance efforts: N/A

14 fffffff) **“Murtagh Resume 2010.pdf”** – Declarant certifies the following information:

- 15 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
- 16 conducted a diligent search of his computer and online files after receipt of this OSC and
- 17 confirmed deletion.
- 18
- 19 ii) Account name or names used: Clark Baker
- 20
- 21 iii) Alias or aliases used: N/A
- 22
- 23 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
- 24 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
- 25 deletion.
- 26 v) Identity, contact information, and means of communication used in connection with the
- 27 foregoing compliance efforts: N/A
- 28

ggggggg) **“Murtagh v. COMMISSIONER OF INTERNAL REVENUE, U.S.T.C. 2003.pdf”** –

Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hhhhhhh) **“Murtagh v. Emory University, N.D. Ga. 1999.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

iiiiiii) **“Murtagh v. Emory, 11th Cir. 2001.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jjjjjj) **“Murtagh v. Emory, N.D. Ga 2009 (docs avail).pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kkkkkkk) **“Murtagh v. Fulton---Dekalb, 11th Cir. 2000.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

lllllll) **“Murtagh v. Fulton---Dekalb, N.D. Ga 2009 (docs avail).pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mmmmmm) **“Murtagh v. Fulton---Dekalb, N.D. Ga 1999.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nnnnnnn) **“Murtagh v. Southwest Idaho Acute Care, D. Idaho 2012 (docs avail).pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

1 iii) Alias or aliases used: N/A

2 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
3 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
4 deletion.

5 v) Identity, contact information, and means of communication used in connection with the
6 foregoing compliance efforts: N/A
7

8 ooooooo) **“Murtagh v. Veterans Admin, N.D. Ga. 2000.pdf”** – Declarant certifies the following
9 information:

10 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
11 conducted a diligent search of his computer and online files after receipt of this OSC and
12 confirmed deletion.
13

14 ii) Account name or names used: Clark Baker

15 iii) Alias or aliases used: N/A

16 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
17 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
18 deletion.
19

20 v) Identity, contact information, and means of communication used in connection with the
21 foregoing compliance efforts: N/A
22

23 ppppppp) **“Murtagh v. Sleepcare Diagnostics, Ohio Comm. Pleas. 2012.pdf”** – Declarant
24 certifies the following information:

25 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
26 conducted a diligent search of his computer and online files after receipt of this OSC and
27 confirmed deletion.
28

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qqqqqq) **“Murtagh---Pardoemail27Sep2012.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rrrrrr) **“Murtagh_v._Southwest_Idaho_Acu_1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ssssss) **“Ohare.mp3”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

tttttt) **“PoisoningAffidavit.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

uuuuuu) **“RebJJM.jpg”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vvvvvvv) **“RebJJMParis.jpg”** – Declarant certifies the following information:

1 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
2 conducted a diligent search of his computer and online files after receipt of this OSC and
3 confirmed deletion.

4 ii) Account name or names used: Clark Baker

5 iii) Alias or aliases used: N/A

6
7 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
8 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
9 deletion.

10 v) Identity, contact information, and means of communication used in connection with the
11 foregoing compliance efforts: N/A

12
13 wwwwww) **“RebJJMwine.jpg”** – Declarant certifies the following information:

14 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
15 conducted a diligent search of his computer and online files after receipt of this OSC and
16 confirmed deletion.

17 ii) Account name or names used: Clark Baker

18 iii) Alias or aliases used: N/A

19
20 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
21 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
22 deletion.

23
24 v) Identity, contact information, and means of communication used in connection with the
25 foregoing compliance efforts: N/A

26 xxxxxxx) **“September 10 2012 TO RESCHEDULE ORAL ARGUMENT.pdf”** – Declarant
27 certifies the following information:
28

1 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
2 conducted a diligent search of his computer and online files after receipt of this OSC and
3 confirmed deletion.

4 ii) Account name or names used: Clark Baker

5 iii) Alias or aliases used: N/A

6
7 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
8 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
9 deletion.

10 v) Identity, contact information, and means of communication used in connection with the
11 foregoing compliance efforts: N/A

12
13 yyyyyyy) **“September 11 2012 TO RESCHEDULE ORAL ARGUMENT GRANTED.pdf” –**

14 Declarant certifies the following information:

15 i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant
16 conducted a diligent search of his computer and online files after receipt of this OSC and
17 confirmed deletion.

18
19 ii) Account name or names used: Clark Baker

20 iii) Alias or aliases used: N/A

21 iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January
22 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed
23 deletion.

24
25 v) Identity, contact information, and means of communication used in connection with the
26 foregoing compliance efforts: N/A

zzzzzzz) **“September 13 2012 SUPP BRIEF DENIED APPELLEE.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aaaaaaa) **“September 6 2012 TO FILE SUPP BRIEF APPELLE.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bbbbbb) **“Settlement Agreement.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ccccccc) **“StMarys1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ddddddddd) **"StMarys10.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

eeeeeeeee) **"StMarys11.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ffffff) **“StMarys12.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

gggggggg) **“StMarys13.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hhhhhhh) **"StMarys14.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

iiiiiii) **"StMarys17.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jjjjjjjj) **“StMarys19.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kkkkkkkk) **“StMarys2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

lllllll) **"StMarys20.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mmmmmmmm) **"StMarys21-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nnnnnnnn) **“StMarys21-2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

oooooooo) **“StMarys21.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

pppppppp) **"StMarys22-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qqqqqqqq) **"StMarys22-2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rrrrrrrr) **“StMarys22.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ssssssss) **“StMarys23.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ttttttt) “StMarys25.pdf” – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

uuuuuuuu) “StMarys26.pdf”

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vvvvvvvv) **"StMarys27.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

wwwwwww) **"StMarys28.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

xxxxxxx) **"StMarys29.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

yyyyyyyyy) **"StMarys3.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

zzzzzzzz) **“StMarys30.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aaaaaaaa) **“StMarys31.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bbbbbbbbb) **“StMarys33.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ccccccccc) **“StMarys35-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ddddddddd) **“StMarys35-2.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

eeeeeeeee) **“StMarys35-3.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ffffff) **"StMarys35-4.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ggggggggg) **"StMarys35.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hhhhhhhhh) **“StMarys36.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

iiiiiii) **“StMarys38-1-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jjjjjjjj) **“StMarys38-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kkkkkkkkk) **“StMarys38-2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

lllllllll) **"StMarys38-3.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mmmmmmmm) **"StMarys38-4.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nnnnnnnn) **“StMarys38-5.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

oooooooo) **“StMarys38-6.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ppppppppp) **“StMarys38.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qqqqqqqqq) **“StMarys39.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rrrrrrrr) **"StMarys4.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ssssssss) **"StMarys40-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

tttttttt) **“StMarys40.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

uuuuuuuuu) **“StMarys42.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vvvvvvvvv) **“StMarys43.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

wwwwwwwww) **“StMarys44.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

xxxxxxxxx) **“StMarys45.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

yyyyyyyyy) **“StMarys46.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

zzzzzzzz) **"StMarys47.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aaaaaaaa) **"StMarys49.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bbbbbbbbbb) **“StMarys5-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ccccccccc) **“StMarys5-2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

dddddddddd) **“StMarys5.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

eeeeeeeeee) **“StMarys50.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ffffff) **"StMarys51.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ggggggggg) **"StMarys52.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hhhhhhhhh) **“StMarys53.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

iiiiiii) **“StMarys54.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jjjjjjjjj) **"StMarys55-1.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kkkkkkkkkk) **"StMarys55-2.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

lllllllll) **"StMarys55-3.pdf"** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mmmmmmmmmm) **"StMarys55.pdf"** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nnnnnnnnnn) **“StMarys56-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

oooooooooooo) **“StMarys56-2.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

pppppppppp) **“StMarys56-3.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qqqqqqqqqq) **“StMarys56.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rrrrrrrrr) **“StMarys57.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

sssssssss) **“StMarys58.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

tttttttt) **"StMarys59.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

uuuuuuuuuu) **"StMarys6.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vvvvvvvvvv) **“StMarys60.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

wwwwwwwww) **“StMarys61.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

xxxxxxxxxx) **“StMarys63-1.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

yyyyyyyyyyy) **“StMarys63.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

zzzzzzzzzz) **“StMarys64.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

aaaaaaaaaa) **“StMarys67.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

bbbbbbbbbb) **“StMarys7.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

cccccccccc) **“StMarys70.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

dddddddddd) **“StMarys71.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

eeeeeeeeeee) **“StMarys72.pdf”** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

ffffff) **“StMarys75.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

gggggggggg) **“StMarys76.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

hhhhhhhhhh) **“StMarys77.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

iiiiiiiiiii) **“StMarys78.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

jjjjjjjjjj) **"StMarys8.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

kkkkkkkkkk) **"StMarys80.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

lllllllllll) **"StMarys81.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

mmmmmmmmmm) **"StMarys83.pdf"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

nnnnnnnnnn) **“StMarys9.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

oooooooooooo) **“USA ex rel Murtagh v. Emory, N.D. Ga. 1999.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

pppppppppp) **“gactapp 22 apr 2014.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

qqqqqqqqqq) **“johnsmoke.mp3”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

rrrrrrrrrr) **“unsealed.pdf”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016. Declarant conducted a diligent search of his computer and online files after receipt of this OSC and confirmed deletion.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Links Associated with Wordpress Directory

a) **“<http://www.omsj.org/goons/murtagh/2014/sleepcarejudg.pdf>”** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2020.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A, because there are no further steps to take to comply with provisions of the injunction.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

b) **"<http://www.omsj.org/goons/murtagh/2014/sleepcarecomplaint.pdf>"** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: Deleted approximately 10/20/2020.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: N/A, because there are no further steps to take to comply with provisions of the injunction.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

c) **"<http://shakedowndoc.com/wordpress/gapprop/>"**

- i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016.
- ii) Account name or names used: Clark Baker
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: N/A, because there are no further steps to take to comply with provisions of the injunction.
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

d) **"<http://mspbwatcharchive.files.wordpress.com/gapprop/>"** – Declarant certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: This website was owned by David Pardo. Declarant does not own this website and does not have any control over its content. Declarant believes this website has been deleted in approximately 2016.

ii) Account name or names used: N/A

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A, because there are no further steps to take to comply with provisions of the injunction.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

vi) This information also applies to the following sub-links and/or files associated with this website: “<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-22.PNG>”, “<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-27.PNG>”, “<http://mspbwatcharchive.files.wordpress.com/2013/05/murtagh-poisoning-affidavit.pdf>”, “<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-27-n-22.png>”, “<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-27-22.PNG>”, “<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-27-n-22.png>”, “<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guidep-27-n-22.png>”, “<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-30.PNG>”, “<http://mspbwatcharchive.files.wordpress.com/2013/05/12/murtagh-hagiography-gappropaganda>”, “<http://mspbwatcharchive.files.wordpress.com/2013/05/corporate-whistleblower-guide-p-30.png>”.

e) “<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-emory-2009/>” – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted. Declarant blocked public access to this website, pursuant to court order, in approximately 2015-2016 and deleted the site and all files on or about May 2022 to July 2022.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant deleted the site and all files on or about May 2022 to July 2022.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A.

vi) This information also applies to the following sub-links and/or files:

“<http://www.jamesmurtaghmdtruth.com/court-cases/ndga-emory-2009/>”,

f) “<http://www.omsj.org/goons/murtagh/Emory%2029Mar2013.pdf>” – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Last access prior to the injunction was approximately September 2016. Declarant deleted this file on or about May 2022.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: Declarant deleted this file on or about May 2022.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A.

vi) This information also applies to the following sub-links and/or files:

“<http://www.omsj.org/goons/murtagh/Fulton8-4.pdf#page=34>”,

“<http://www.omsj.org/goons/murtagh/Fulton8-3.pdf#page=70>”,

“<http://www.omsj.org/goons/murtagh/Fulton8-3.pdf>”, “http://www.omsj.org/wp-content/uploads/30919_414238817832_1231093_n.jpg”, “http://www.omsj.org/wp-content/uploads/30919_414238817832_1231093_n.jpg”,

“<http://www.omsj.org/goons/murtagh/Fulton8-16.pdf>”,

“<http://www.omsj.org/goons/murtagh/Fulton8-12.pdf>”,

“<http://www.omsj.org/corruption/defending-semmelweis>”,

“<http://www.omsj.org/corruption/judge-denies-motion-to-dismiss-farber-libel-suit-casecontinues>”, “<http://www.omsj.org/corruption-dooms-dc-whistleblowers>”,

“<http://www.omsj.org/authors/corruption-dooms-dc-whistleblowers>”,

“<http://www.omsj.org/corruption/the-aidstruth-rats-scatter>”,

“<http://www.omsj.org/corruption.the-semmelweis-report-gallos-egg>”,

“<http://www.omsj.org/corruption.the-semmelweis-report-gallos-egg>”.

g) “<http://deviningafraud.wordpress.com/2012/11/27/the-devine-lewis-soeken-murtaghconnection>” – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: This website was owned by David Pardo. Declarant has never owned this website. Declarant believes this was deleted in approximately 2016.

ii) Account name or names used: David Pardo

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: This website has been deleted.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A.

Unauthorized photographs of Dr. Murtagh on Baker's websites, such as shakedown.com and omsj.org include:

h) "<http://www.shakedown.doc/docs/RebJJM.jpg>" – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016.

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: Deleted 10/20/2016.

Declarant conducted a Google Wayback Report after receipt of this OSC and confirmed that this link was live between 9/2015 and 11/2017 and has no content or active links since 2017.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: Declarant used Google Wayback Machine to conduct a report of when the link was last live. The contact information is the following: In Google search engine, enter keywords "Google Wayback Machine."

i) "<http://www.shakedown.doc/docs/RebJJMParis.jpg>" – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016.

ii) Account name or names used: Unknown

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: Deleted 10/20/2016.

Declarant conducted a Google Wayback Report after receipt of this OSC and confirmed that this link was live between 9/2015 and 11/2017 and has no content or active links since 2017.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: Declarant used Google Wayback Machine to conduct a report of when the link was last live. The contact information is the following: In Google search engine, enter keywords "Google Wayback Machine."

j) **"http://www.shakedown.doc/docs/RebJJMwine.jpg"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 10/20/2016.

ii) Account name or names used: Unknown

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: Deleted 10/20/2016.

Declarant conducted a Google Wayback Report after receipt of this OSC and confirmed that this link was live between 9/2015 and 11/2017 and has no content or active links since 2017.

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: Declarant used Google Wayback Machine to conduct a report of when the link was last live. The contact information is the following: In Google search engine, enter keywords "Google Wayback Machine."

k) **"http://www.omsj.org/goons/murtagh/RebJJM.jpg"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 12/1/2020

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (no provisions to comply with, deleted prior to injunction).

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

l) **"<http://www.omsj.org/goons/murtagh/RebJJMParis.jpg>"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 12/1/2020

ii) Account name or names used: Clark Baker

iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (no provisions to comply with, deleted prior to injunction).

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

m) **"<http://www.omsj.org/goons/murtagh/RebJJMwine.jpg>"** – Declarant certifies the following information:

i) Most-recent date closed, terminated, or last used or accessed: Deleted 12/1/2020

ii) Account name or names used: Clark Baker

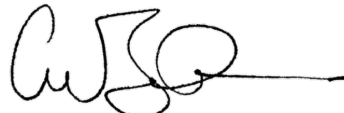
iii) Alias or aliases used: N/A

iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (no provisions to comply with, deleted prior to injunction).

v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

I declare under the foregoing is true and correct under the penalty of perjury under the laws of the state of California. Executed this May 5, 2023 in Vero Beach, Florida.

Dated: May 5, 2023


CLARK BAKER

JESSICA PONCE (SBN 284043)
LAW OFFICES OF JESSICA PONCE
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
Tel. (213) 263-2911
Fax (213) 403-5737
office@jponcelaw.com

Attorney for Debtor/Defendant,
CLARK BAKER

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re
CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB
Chapter 7
Adv. Case No. 2:15-AP-01535-BB

DECLARATION OF JESSICA PONCE

Date: July 25, 2023
Time: 10:00 a.m.
Ct.Rm: 1539

DECLARATION OF JESSICA PONCE

I, Jessica Ponce, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge, except where stated on information and belief.

2. Concurrently with this Declaration and the, Declarant is submitting a request for extension of time to respond to item 2.c.i on Page 5-6 of the March 22, 2023 Interim Order. With the exception of said information, The undersigned hereby certifies that she does not know of any responsive information that is not already contained in Baker's Declaration in Response to Item 2.c.i. of Page 5-6 of Order of March 22, 2023, for C. Baker to Aver Compliance Baker Declaration and that she has no reason to believe that any of the information contained in Baker's Declaration in Response to Item 2.c.i. of Page 5-6 of Order of March 22, 2023, for C. Baker to Aver Compliance Baker Declaration is false, inaccurate, or incomplete.

I declare under the foregoing is true and correct under the penalty of perjury under the laws of the state of California. Executed this May 5, 2023 in Encinitas, California.

Dated: May 5, 2023



JESSICA PONCE

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
3255 Wilshire Blvd., Suite 1801, Los Angeles, CA 90010

A true and correct copy of the foregoing documents entitled: DECLARATION OF C. BAKER IN RESPONSE TO ITEM 2.c.i. OF PAGE 5-6 OF ORDER OF MARCH 22, 2023 FOR C. BAKER TO AVER COMPLIANCE (W/ Atty. Cert. Per Court Order) will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 05/05/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED SERVICE LIST

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 5/5/2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Judge Sherri Bluebond
255 East Temple Street, Room 1539
Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

<u>5-5-2023</u>	<u>Pam Pantell</u>	<u>/s/ Pam Pantell</u>
Date	Printed Name	Signature

SERVICE LIST

In re Clark Warren Baker, Debtor - Defendant

David P Bleistein
Rosen & Associates PC
Email: dbleistein@rosen-law.com

Michael J Conway
Greenberg & Bass LLP
Email: MConway@gblawllp.com

Lisa Hiraide
Rosen & Associates PC
Email: lhiraide@rosen-law.com

Derek Linke
Newman Du Wors LLP
Email: linke@newmanlaw.com

Douglas M Neistat
G&B LAW, LLP
Email: dneistat@gblawllp.com

Derek A Newman
Newman Du Wors LLP
dn@newmanlaw.com

JESSICA PONCE (SBN 284043)
LAW OFFICES OF JESSICA PONCE
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
Tel. (213) 362-2911
Fax (213) 403-5737

Attorney for Debtor,
CLARK BAKER

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re
CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB
Chapter 7
Adv. Case No. 2:15-AP-01535-BB

**DEFENDANT CLARK BAKER'S
SUPPLEMENTAL DECLARATION IN
RESPONSE TO COURT'S ORDER OF NOV.
22, 2023**

(With Attorney Certification)

Date: January 9, 2024
Time: 10:00 a.m.
Ct.Rm: 1539

SUPPLEMENTAL DECLARATION OF CLARK BAKER

I, Clark Warren Baker, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge, except where stated on information and belief.

2. This Declaration is made in response to the Court's Order dated November 22, 2023 and in order to purge the contempt in this matter.

DEFENDANT CLARK BAKER'S DECLARATION IN RESPONSE TO COURT'S ORDER OF NOV. 22, 2023

3. **ITEM I**

a. **“Baddocjjm.com”**

Original Response:

Declarant certifies the following information:

- i. Most-recent date closed, terminated, or last used or accessed: Declarant deleted the account and website in approximately 2018 and has not had access since deletion.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling? including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions to comply with as this account was closed prior to the injunction.

v. N/A because there were no provisions to comply with as this account was closed prior to the injunction; therefore, there was never anybody contacted

b. **“CB18.org”**

Original Response

– Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: Declarant opened this account in approximately 2017/2018 and closed it just months afterwards. Declarant has not had any access since closure.
- ii. Account name or names used: Clark Baker; User ID: exliberal
- iii. Alias or aliases used: N/A
- iv. Alias or aliases used: N/A
- v. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).
- vi. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling? including, without limitation, the use of any moniker, such as "goon," "mo," "shakedowndoc," "baddoc," or "baddocjjm," etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions to comply with as this account was closed prior to the injunction.

v. N/A because there were no provisions to comply with as this account was closed prior to the injunction; therefore, there was never anybody contacted

h. "EXLIBHOLLYWOOD.BLOGSPOT.COM" –

Original Response:

Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant last accessed this account on April 20, 2023.

- ii. Account name or names used: WB Clark; gallosegg@gmail.com

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the court order applicable to this website.)

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this website.

v. N/A because there are no provisions in the court order applicable to this website.; therefore, there was never anybody contacted

i. Twitter “@RINSERTS”

Original Response

– Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant last accessed this account on December 19, 2023.

ii. Account name or names used: @RINSERTS

iii. Alias or aliases used: Kochspostulates

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

1 I, Clark Baker, certify under penalty of perjury that that particular online property has not been
2 used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any
3 form, variation, or misspelling, including, without limitation, the use of any moniker, such as
4 “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

5 (X) Yes

6 () No

7 iv. N/A because there are no provisions in the court order applicable to this online
8 property.

9 v. N/A because there are no provisions in the court order applicable to this online
10 property; therefore, there was never anybody contacted.

11 **U. Twitter “@RKoch28399683”**

12 **Original Response**

13 – Declarant certifies the following information:

14 h. Most recent date used, accessed, terminated or closed: This account is active. Declarant last
15 accessed this account on or about April 10-April 15, 2023.

16 ii. Account name or names used: Robert Koch, @rkoch28399683

17 iii. Alias or aliases used: N/A

18 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no
19 provisions in the order applicable to this Online Property).

20 v. Identity, contact information, and means of communication used in connection with the
21 foregoing compliance efforts: N/A

22 **Supplemental Response:**

23 Can you, C. Baker, certify the following regarding the above Online Property?

24 I, Clark Baker, certify under penalty of perjury that that particular online property has not been
25 used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any
26 form, variation, or misspelling, including, without limitation, the use of any moniker, such as
27 “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

28 (X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property.; therefore, there was never anybody contacted.

v. Truth Social “@USMC_LAPD_ret”

Original Response:

– Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed and used this account on or about April 1 – April 10, 2023.

ii. Account name or names used: @USMC_LAPD_ret

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property.; therefore, there was never anybody contacted

w. GETTR “@USMC_LAPDret”

Original Response:

– Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on or about April 17-April 19, 2023.

ii. Account name or names used: @USMC_LAPDret

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedown,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property.; therefore, there was never anybody contacted

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x. **MINDS “@USMC_LAPDret”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed and used this account on or about April 17, 2023-April 19, 2023.

ii. Account name or names used: @USMC_LAPDret

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property.; therefore, there was never anybody contacted

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y. **Instagram “@CWARRENB323”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant last accessed and used this account on or about April 18, 2023-April 19, 2023.

ii. Account name or names used: @CWARRENB323

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedownoc,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property.; therefore, there was never anybody contacted

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j. **“JAMESMURTAGHMDPSYCHO.INFO”** – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: Expired in 2015. Declarant has not had any access since expiration.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions to comply with; closed prior to injunction).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjim,” etc.

(X) Yes

() No

- iii. Alias or aliases used: N/A because no aliases were ever used.
- iv. N/A because there are no provisions to comply with because this was closed prior to the injunction.
- v. N/A because there are no provisions to comply with because this was closed prior to the injunction; therefore, there was never anybody contacted.

bb. **WHATSAPP “@3236321050”**

Original Response:

– Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant last used this account the week of April 10-April 15, 2023

ii. Account name or names used: Clark Baker; 3236321050

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property.; therefore, there was never anybody contacted

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cc. **Google Voice “@3237906107”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on April 20, 2023.

ii. Account name or names used: WB Clark; 3237906107

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

(x) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property.; therefore, there was never anybody contacted

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1 dd. Facebook “CB@OMSJ.ORG” – Declarant certifies the following information:

2 i. Most recent date used, accessed, terminated or closed: Account closed in 2019.

3 Declarant has not accessed account since closure.

4 ii. Account name or names used: Clark Baker; CB@omsj.org

5 iii. Alias or aliases used: N/A

6 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there
7 are no provisions in the order applicable to this Online Property).

9 **Supplemental Response:**

10 Can you, C. Baker, certify the following regarding the above Online Property?

11 I, Clark Baker, certify under penalty of perjury that that particular online property has not been
12 used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any
13 form, variation, or misspelling, including, without limitation, the use of any moniker, such as
14 “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

15 (x) Yes

16 () No

17 iii. Alias or aliases used: N/A because no aliases were ever used.

18 iv. N/A because there are no provisions in the court order applicable to this online
19 property.

20 v. N/A because there are no provisions in the court order applicable to this online
21 property; therefore, there was never anybody contacted

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ff. Corrlinks “clark.baker@pm.me” – Declarant certifies the following information:

- i. Most recent date used, accessed, terminated or closed: This account is active and declarant accessed it on April 20, 2023.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

(x) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property; therefore, there was never anybody contacted

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1 gg. Corrlinks “clark.baker@protonmail.com” – Declarant certifies the following information

2 i. Most recent date used, accessed, terminated or closed: This account is active.

3 Declarant accessed this account on April 20, 2023.

4 ii. Account name or names used: Clark Baker

5 iii. Alias or aliases used: N/A

6 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there
7 are no provisions in the order applicable to this Online Property).

8 v. Identity, contact information, and means of communication used in connection with
9 the foregoing compliance efforts: N/A

10 **Supplemental Response:**

11 Can you, C. Baker, certify the following regarding the above Online Property?

12 I, Clark Baker, certify under penalty of perjury that that particular online property has not been
13 used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any
14 form, variation, or misspelling, including, without limitation, the use of any moniker, such as
15 “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

16 (x) Yes

17 () No

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19 iii. Alias or aliases used: N/A because no aliases were ever used.

20 iv. N/A because there are no provisions in the court order applicable to this online
21 property.

22 v. N/A because there are no provisions in the court order applicable to this online
23 property; therefore, there was never anybody contacted

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1 hh. Protonmail.com “clark.baker@pm.me” – Declarant certifies the following information:

2 i. Most recent date used, accessed, terminated or closed: This account is active.

3 Declarant accessed this account on April 20, 2023.

4 ii. Account name or names used: Clark Baker

5 iii. Alias or aliases used: junk06@pm.me, dores.baker@protonmail.com,
6 junk07@protonmail.com, cfrancisd@protonmail.com, cfrancisd@proton.me
7

8 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there
9 are no provisions in the order applicable to this Online Property).

10 **Supplemental Response:**

11 Can you, C. Baker, certify the following regarding the above Online Property?

12 I, Clark Baker, certify under penalty of perjury that that particular online property has not been
13 used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any
14 form, variation, or misspelling, including, without limitation, the use of any moniker, such as
“goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

15 (x) Yes

16 () No

17 iv. N/A because there are no provisions in the court order applicable to this online
18 property.

19 v. N/A because there are no provisions in the court order applicable to this online
20 property; therefore, there was never anybody contacted

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1 jj. **Google “gallosegg@gmail.com”** – Declarant certifies the following information:

2 i. Most recent date used, accessed, terminated or closed: This account is active.

3 Declarant accessed this account on April 20, 2023

4 ii. Account name or names used: WB Clark; gallosegg@gmail.com

5 iii. Alias or aliases used: N/A

6
7 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there
8 are no provisions in the order applicable to this Online Property).

9 v. Identity, contact information, and means of communication used in connection with
10 the foregoing compliance efforts: N/A

11 **Supplemental Response:**

12 Can you, C. Baker, certify the following regarding the above Online Property?

13 I, Clark Baker, certify under penalty of perjury that that particular online property has not been
14 used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any
15 form, variation, or misspelling, including, without limitation, the use of any moniker, such as
16 “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

17 (x) Yes

18 () No

19 iii. Alias or aliases used: N/A because no aliases were ever used.

20 iv. N/A because there are no provisions in the court order applicable to this online
21 property.

22 v. N/A because there are no provisions in the court order applicable to this online
23 property; therefore, there was never anybody contacted

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1 **kk. Outlook “jtdeshonq@hotmail.com”** – Declarant certifies the following information:

2 i. Most recent date used, accessed, terminated or closed: This account is active.

3 Declarant accessed this account on April 20, 2023.

4 ii. Account name or names used: JT DeShonq, jtdeshonq@hotmail.com

5 iii. Alias or aliases used: N/A

6 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there
7 are no provisions in the order applicable to this Online Property).

8 v. Identity, contact information, and means of communication used in connection with
9 the foregoing compliance efforts: N/A

10 **Supplemental Response:**

11 Can you, C. Baker, certify the following regarding the above Online Property?

12 I, Clark Baker, certify under penalty of perjury that that particular online property has not been
13 used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any
14 form, variation, or misspelling, including, without limitation, the use of any moniker, such as
15 “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

16 (x) Yes

17 () No

18
19 iii. Alias or aliases used: N/A because no aliases were ever used.

20 iv. N/A because there are no provisions in the court order applicable to this online
21 property.

22 v. N/A because there are no provisions in the court order applicable to this online
23 property; therefore, there was never anybody contacted

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11. **Outlook “CWB@OMSJ.ORG”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on April 20, 2023.

ii. Account name or names used: Clark Baker; CWB@OMSJ.ORG

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedown,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property; therefore, there was never anybody contacted

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mm. **Outlook “CWBPI”** – Declarant certifies the following information:

i. Most recent date used, accessed, terminated or closed: This account is active.

Declarant accessed this account on April 20, 2023.

ii. Account name or names used: Clark Baker; CWBPI

iii. Alias or aliases used: N/A

iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property).

v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property; therefore, there was never anybody contacted

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1 nn. iCloud “clark.baker@protonmail.com” – Declarant certifies the following information:

2 i. Most recent date used, accessed, terminated or closed: This account is active.

3 Declarant accessed this account on April 20, 2023

4 ii. Account name or names used: Clark Baker

5 iii. Alias or aliases used: N/A

6
7 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there
8 are no provisions in the order applicable to this Online Property).

9 v. Identity, contact information, and means of communication used in connection with
10 the foregoing compliance efforts: N/A

11 **Supplemental Response:**

12 Can you, C. Baker, certify the following regarding the above Online Property?

13 I, Clark Baker, certify under penalty of perjury that that particular online property has not been
14 used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any
15 form, variation, or misspelling, including, without limitation, the use of any moniker, such as
“goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

16 (X) Yes

17 () No

18 iii. Alias or aliases used: N/A because no aliases were ever used.

19 iv. N/A because there are no provisions in the court order applicable to this online
20 property.

21 v. N/A because there are no provisions in the court order applicable to this online
22 property; therefore, there was never anybody contacted

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1 qq. **Rumble “Teleoperatorski”** – Declarant certifies the following information:

2 i. Most recent date used, accessed, terminated or closed: This account is active.

3 Declarant last accessed the account on April 20, 2023.

4 ii. Account name or names used: Teleoperatorski

5 iii. Alias or aliases used: N/A

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7 iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there
8 are no provisions in the order applicable to this Online Property).

9 v. Identity, contact information, and means of communication used in connection with
10 the foregoing compliance efforts: N/A

11 **Supplemental Response:**

12 Can you, C. Baker, certify the following regarding the above Online Property?

13 I, Clark Baker, certify under penalty of perjury that that particular online property has not been
14 used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any
15 form, variation, or misspelling, including, without limitation, the use of any moniker, such as
“goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

16 (X) Yes

17 () No

18 iii. Alias or aliases used: N/A because no aliases were ever used.

19 iv. N/A because there are no provisions in the court order applicable to this online
20 property.

21 v. N/A because there are no provisions in the court order applicable to this online
22 property; therefore, there was never anybody contacted

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rr. **Carbonite “Clark.baker@protonmail.com”** – Declarant certifies the following
information:

- i. Most recent date used, accessed, terminated or closed: This account was closed in approximately 2018. Declarant has not accessed this account since closure.
- ii. Account name or names used: Clark Baker
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the order applicable to this Online Property; closed prior to injunction).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property because it was closed prior to the injunction.

v. N/A because there are no provisions in the court order applicable to this online property because it was closed prior to the injunction; therefore, there was never anybody contacted

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uu. **Orangewebsite.com** – Declarant certifies the following:

- i. Most recent date used, accessed, terminated or closed: Declarant last accessed this account in 2020.
- ii. Account name or names used: Clark Baker; junk06@pm.me
- iii. Alias or aliases used: N/A
- iv. Any steps taken in an effort to comply with provisions of the injunctions: N/A (there are no provisions in the order applicable to this Online Property).
- v. Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjim,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property; therefore, there was never anybody contacted

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h) **"EXLIBHOLLYWOOD.BLOGSPOT.COM"** – Declarant certifies the following information:

- i) Most recent date used, accessed, terminated or closed: This account is active. Declarant last accessed this account on April 20, 2023.
- ii) Account name or names used: WB Clark, gallosegg@gmail.com
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunction: N/A (there are no provisions in the court order applicable to this website.)
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as "goon," "mo," "shakedowndoc," "baddoc," or "baddocjim," etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this website.

v. N/A because there are no provisions in the court order applicable to this website; therefore, there was never anybody contacted

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t) **Orangewebsite.com** – Declarant certifies the following:

- i) Most recent date used, accessed, terminated or closed: Declarant last accessed this account in 2020.
- ii) Account name or names used: Clark Baker; junk06@pm.me
- iii) Alias or aliases used: N/A
- iv) Any steps taken in an effort to comply with provisions of the injunctions: N/A (there are no provisions in the order applicable to this Online Property).
- v) Identity, contact information, and means of communication used in connection with the foregoing compliance efforts: N/A

Supplemental Response:

Can you, C. Baker, certify the following regarding the above Online Property?

I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of any moniker, such as “goon,” “mo,” “shakedowndoc,” “baddoc,” or “baddocjm,” etc.

(X) Yes

() No

iii. Alias or aliases used: N/A because no aliases were ever used.

iv. N/A because there are no provisions in the court order applicable to this online property.

v. N/A because there are no provisions in the court order applicable to this online property; therefore, there was never anybody contacted

4. ITEM 2 (John McNair or Other Responsible, Unidentified

Individual) Original Response:

1 5. The Second Baker Compliance Declaration (on page 6 at lines 23–28) includes
2 the following testimony relating to the shakedowndoc.com online property:

3 “A back-up of JamesMurtaghMDTruth.com was transferred from
4 Declarant [Baker] sometime in 2015 or 2016 and was taken down
5 before 2017. The lack of screenshots (one, compared to OMSJ’s
6 300+ and JamesMurtaghMDTruth.com 29 times). Australian
7 citizen John McNair facilitated that transfer to the unknown server
8 owner.”

9 **Supplemental Response:** Unfortunately, I was ordered to delete hundreds of emails and
10 documents related to Dr. Murtagh and no longer have possession of those documents. I relate the forgoing
11 mostly by memory from documents that Dr. Murtagh possesses in the form of the court appointed forensic
12 computer expert. My recollection of the past fifteen years of events cannot compete with the documents
13 and emails that are in Dr. Murtagh’s possession. I fear that these questions are designed to serve as perjury
14 traps. I no longer have many of the documents that contained emails and references to my responses.

15 To my best recollection, Australia resident John McNair¹ interviewed me on his podcast on the subject of
16 my investigations into HIV/AIDS sometime in 2009~2011. Because of Dr. Murtagh’s ongoing libelous
17 attacks and libels against me, my clients and associates since 2008, I investigated and discovered Dr.
18 Murtagh’s lengthy public litigation history against Emory University² and dozens of doctors and hospitals
19 in numerous states. To expose his voluminous litigation history, I created
20 www.JamesMurtaghMDTruth.com in an effort to protect and defend hospitals and employees where Dr.
21 Murtagh had perjured himself to gain employment where he could provoke his termination before suing for
22 wrongful termination. Sometime after Dr. Murtagh sued me in Los Angeles in 2014, I asked McNair
23 (sometime in 2015~2016) to create another website (ShakedownDoc.com) to repost the contents of
24 www.JamesMurtaghMDTruth.com. To my best recollection, McNair hired another unknown party to host
25 the website on his server. Shortly after posting “ShakedownDoc”, the website became buggy and
26 eventually failed. McNair also assisted me in another unrelated case to post the website
27 ELECTRICFAMILYSCAM.COM. In an effort to comply with court requests, Baker exchanged emails

28 ¹ admin4one@protonmail.com, no further contact information.

² <https://law.justia.com/cases/georgia/court-of-appeals/2013/a12a2127.html>

with McNair in March 2022 and finally spoke by Jitsi videoconference on 6 April 2022. McNair stated that he could not recall details from 2015~2016 and had no records.³ The approximate existence and timeline of these websites is corroborated by Google's Wayback Machine. With the passage of time, I no longer recall whether McNair pulled a backup from my website, or if I pushed the backup to McNair.

Explain the above testimony, including, without limitation, addressing:

- (1) The complete factual basis for such testimony.
- (2) Identification of the location and nature of documents or communications, by subject matter and type of document or communication, supporting such testimony.
- (3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony.
- (4) Who is John McNair?
- (5) Why was McNair the one facilitating the referenced transfer of the backup of JamesMurtaghMDTruth.com?
- (6) Does Baker have McNair's contact information? And if so, list all such contact information.
- (7) What is the basis for Baker's knowledge that McNair facilitated the transfer?

5. ITEM 3 (David Pardo Online Property)

Original Response:

8. The Second Baker Compliance Declaration (on page 152 at lines 22–28) includes the following testimony about an online property:

“d) ‘<http://mspbwatcharchive.files.wordpress.com/gapprop/>’ –
Declarant [Baker] certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: This website was owned by David Pardo. Declarant [Baker] does not own this website and does not have any control over its content. Declarant [Baker] believes this website has been deleted in approximately 2016.”

³ Proton email, 6 April 2022 between Baker & McNair.

ii) Account name or names used: David Pardo

iii) Alias or aliases used: N/A”

Supplemental Response:

Sometime in 2008/2009, Attorney David Pardo of MSPBWatch forwarded an email from Murtagh who had used the email address CWBPI@ymail.com to spoof my name in a defamatory way. When Pardo mentioned harassment from Murtagh, I recognized the content as characteristic of Murtagh’s countless malevolent emails to me and my associates. After sharing notes about Murtagh, Pardo helped me to compile Dr. Murtagh’s voluminous litigation history that became the basis of JAMESMURTAGHMDTRUTH.COM. I was ordered to delete this correspondence that could corroborate the events that Murtagh has in his possession. Pardo told me that he was the webmaster of Pardo’s website and Murtagh’s lawsuit against Pardo contains all of the information that I’ve deleted that Murtagh now claims to be seeking. Therefore, I can only corroborate my 15+years of these events that Murtagh and the courts ordered me to delete. As for files deleted, the fact that the links are dead indicates that the website no longer exists. I don’t know what Pardo has or has not deleted, nor am I aware of the facts related to Murtagh v. Pardo. I haven’t spoken to Pardo since 2013 and recall little of our conversations.

Explain the above-quoted testimony, including, without limitation, addressing:

(1) The complete factual basis for such testimony.

(2) Identification of the location and nature of documents or communications, by subject matter and type of document or communication, supporting such testimony.

(3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony.

(4) What is the basis for Baker’s belief that this property was owned by Pardo?

(5) What steps did Baker take to determine when this file was deleted if it was not his?

6. ITEM 4 (David Pardo - Another Online Property)

Original Response:

11. The Second Baker Compliance Declaration (on page 6 at lines 23–28) includes the following testimony relating to the shakedowndoc.com online property:

“g) ‘http://deviningafraud.wordpress.com/2012/11/27/the-devine-lewis-soeken-murtaghconnection’ – Declarant [Baker] certifies the following information:

- i) Most-recent date closed, terminated, or last used or accessed: This website was owned by David Pardo. Declarant [Baker] has never owned this website. Declarant [Baker] believes this was deleted in approximately 2016.
- ii) Account name or names used: David Pardo
- iii) Alias or aliases used: N/A”

Supplemental Response:

Sometime in 2008/2009, Attorney David Pardo of MSPBWatch forwarded an email from Murtagh who had used the email address CWBPI@ymail.com to spoof my name in a defamatory way. When Pardo mentioned harassment from Murtagh, I recognized the content as characteristic of Murtagh’s countless malevolent emails to me and my associates. After sharing notes about Murtagh, Pardo helped me to compile Dr. Murtagh’s voluminous litigation history that became the basis of JAMESMURTAGHMDTRUTH.COM. I was ordered to delete this correspondence that could corroborate the events that Murtagh has in his possession. Pardo told me that he was the webmaster of Pardo’s website and Murtagh’s lawsuit against Pardo contains all of the information that I’ve deleted that Murtagh now claims to be seeking. Therefore, I can only corroborate my 15+years of these events that Murtagh and the courts ordered me to delete. As for files deleted, the fact that the links are dead indicates that the website no longer exists. I don’t know what Pardo has or has not deleted, nor am I aware of the facts related to Murtagh v. Pardo. I haven’t spoken to Pardo since 2013 and recall little of our conversations.

Explain the above-quoted testimony, including, without limitation, addressing:

- (1) The complete factual basis for such testimony.
- (2) Identification of the location and nature of documents or communications, by subject matter and type of document or communication, supporting such testimony.
- (3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony.

(4) What is the basis for Baker's belief that this property was owned by Pardo?

(5) What steps did Baker take to determine when this file was deleted if it was not his?

7. ITEM 5 (Shredding of of Hard Copy Materials)

Original Response:

14. Baker's testimony provided pursuant to the Interim Order included claims that he shredded, or caused to be shredded, 8, 9, or 10 boxes of written information concerning Dr. Murtagh. (*See* Transcript of August 3, 2023 Deposition of Clark Baker, filed as Exhibit C to the Linke declaration (Dkt. 1013) at 387:8–389:11, 394:10–395:13.)

Supplemental Response:

I separated from Carol Dunn's home in January 2021 and left boxes of my litigation at her home. I moved to Florida in June 2021. Dunn sold her home sometime around November 2021. Dunn reported to me that she had called someone who picked up the documents and destroyed them. Shortly after my July/Aug 2023 depositions, I sent an email and made numerous calls to Dunn in an effort to identify the company and individuals who removed my case files. She refused to provide that information to me and I have no further info. I left numerous messages on her phone and she has not answered my calls. I don't know if the company shredded the documents at her home or were transported to a facility. All of the documents contained in those boxes are PUBLIC LEGAL documents that remain at the numerous court clerks of those jurisdictions. Dunn told me that the documents remained at her home until transported, she doesn't know the identity or company name of the service she used, she has no receipts, I was in Florida when they were removed from Dunn's cellar, Dunn called or emailed them. I have no idea what they charged her and I have no receipt of the services rendered. Dunn told me that she hired a shredding company but I have no further information. And she doesn't answer my calls.

8. ITEM 6 (Prohibited References to Dr. Murtagh on OMSJ.org)

Original Response:

17. Baker testified repeatedly in the First Baker Compliance Declaration and the Second Baker Compliance Declaration that he deleted everything related to Dr. Murtagh from the OMSJ.org website prior to the signing and filing of each declaration under penalty of perjury. The Court finds that such testimony has been proven false, as evidenced by Exhibit E to the Linke declaration (Dkt. 1013), which shows files relating to Dr. Murtagh still present on that website as of August 4, 2023. Additionally, the Court rejects Baker's testimony attempting to blame the continuing existence of these files on the CIA, NSA, CDC, or Dr. Fauci as having been invented out of whole cloth and therefore finds that it is also materially false.

Supplemental Response:

Explain such testimony, including, without limitation, addressing:

In 2000, President Clinton issued an order that made HIV/AIDS a national security issue. As I explained in my deposition, Bender/Kuritzky admitted in his declaration that Murtagh was part of a group that attacked individuals who questions HIV/AIDS "pseudoscience". Having won dozens of criminal cases in state and federal courts, I was attacked much the same way that skeptics of the Covid program and lockdowns attacked scientists like Jay Bhattacharya MD and others academic giants. Revelations from the Twitter files, along with the false claims of "RussiaGate", the FBI and CIA's ongoing misconduct illustrates the lengths that the bureaucracies will go to obstruct justice. Days before Kuritzky was scheduled to testify at his deposition, Murtagh mistakenly copied Baker in an email that he sent on 13 Jul 2016, stating that Murtagh played a recording of Kuritzky, that he was "shocked" that Murtagh has him "dead to rights" and that Kuritzky would "cooperate (sic) the extortion, perjury, everything... that (Kuritzky's dad layed down the law. His family bailed him out last time, they aren't going to bail him out again. Kevin's parole officer will assist too."⁴ All of

⁴ Exhibit 1

these facts occurred days before Kuritzky lied about my alleged witness tampering – a fact that the Georgia Courts established was a characteristic of Murtagh’s litigation history. Kuritzky was a federal fugitive living in Israel when the State Department issued him a new passport in the new name of David Bender, complete with a new SSN and Florida driver license before I found him at Harvard University resuming his medical school classes. Kuritzky’s cooperation led to his position at U. Maryland Baltimore where Fauci and the NIH Fauci AIDS cabal are based. I’m my experience, federal fugitives are not issued new identification and passports without clandestine federal assistance. There is far more evidence from the daily revelations from the Covid scandal.

I don’t know why the documents were found on OMSJ.ORG on 4 August 2023 but, the day after I closed my website and URL, OMSJ.ORG was back online. I called Network Solutions and “Lloyd Interaction #1-112909429” reported to me that “Michael” (No further info) had purchased the website and posted the pages hours after I closed my account. These facts suggest and concerted and coordinated effort to discredit me further.⁵ I have no idea who Michael is or why he purchased the URL to keep the website active except to discredit me further. Despite the fact that the OMSJ.ORG url and pages are still live despite having closed my account can be corroborated by a subpoena to the new owner of OMSJ.ORG “Michael” (as per Network Solutions). Because most or all of these documents are public legal documents, they likely still exist in a dozen or more county clerks across the US.

9. ITEM 7 (Deletion of Electronic Files and Subsequent Search Efforts)

Original Response:

⁵ Network Solutions and “Lloyd Interaction #1-112909429”

19. In his testimony provided pursuant to the Interim Order, Baker testifies at great length about files that claims to have deleted on October 20, 2016 and the diligent search that he conducted on his computer on January 4, 2023. The Court finds that such testimony is materially incomplete.

Supplemental Response:

Explain such testimony, including, without limitation, addressing:

(1) The complete factual basis for such testimony.

(2) Identification of the location and nature of documents or communications, by subject matter and type of document or communication, supporting such testimony.

(3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony.

(4) How does Baker know that he deleted these files on October 20, 2016?

(5) What specific documents, entries, or other records or documents did he see that reflected this date?

(6) What steps did Baker take on January 4, 2023 as part of this “diligent search”?

10. **ITEM 8 (Other Online Properties for Which Someone Else Is Responsible) Original Response:**

a) “<http://elmaltes.blogspot.com/2008/08/gallos-egg-investigationcontinues.html>” - Declarant

certifies the following information:

i) Ever owned or controlled – Declarant has never owned or controlled this Online Property.

ii) Most recent date used, accessed, closed or terminated – Defendant has never used, accessed, closed or terminated this Online Property.

iii) Account name or names used in connection – N/A

iv) Alias or aliases used – N/A

v) Any steps taken in an effort to comply with provisions of the injunction: Shortly after receipt of the OSC in December 2022/January 2023, Declarant did a search on Google for the website and saw that it is a cross-post by a third party from Declarant’s original post in 2008. Declarant has long-deleted the original post and URL but the author of this blog had re-posted Declarant’s original post. Declarant does not have any control over the third-party website content. The Google search also reported that the operator of this blog is someone named Manu located in Europe. Declarant does not know Manu and does not have any affiliation with him or the website/blog. Declarant left a comment on the page asking Manu to contact him on January 7, 2023 in an effort to have the page removed. Declarant has not received a response as of the writing of this Declaration.

vi) Identity, contact information, means of communication used: Declarant left a comment on the webpage asking Manu to contact him on January 7, 2023 in an effort to have the page removed. Declarant has not received a response as of the writing of this Declaration.

Supplemental Response:

Provide an explanation of such testimony, including without limitation,

(1) the basis for such testimony with respect to each such online property; Declarant conducted a Google search and found the name of the operator “Manu” and left a comment as more completely described in his Original Response. Declarant’s only basis for naming Manu as the operator is the Google search conducted after receipt of this OSC.

(2) identification as to the location and nature of documents or communications, by subject and category of document type supporting such testimony with respect to each such online property; There are no such documents.

(3) identification, including all available contact information, for each person Baker communicated with or otherwise obtained information from about such online property. There is no contact information available that Declarant is aware of. Declarant only left a comment on the subject website comment section.

b) “<https://sites.google.com/site/karristokely/misc/gallo-s-egg>” - Declarant certifies the following information:

- i) Ever owned or controlled – Declarant has never owned or controlled this Online Property.
- ii) Most recent date used, accessed, closed or terminated – Declarant has never used, closed or terminated this Online Property. Declarant visited this website after receipt of the OSC in December/January in order to be able to respond to the OSC.
- iii) Account name or names used in connection – N/A
- iv) Alias or aliases used – N/A
- v) Any steps taken in an effort to comply with provisions of the injunction: Declarant looked at the website and it is a reposting of Declarant’s original content without Declarant’s cooperation or participation. Declarant does not have any access to the website or any ability to delete the posting. The site was posted by Karri Stokely, who died between 2010-2012.
- vi) Identity, contact information, means of communication used: N/A

Supplemental Response:

Provide an explanation of such testimony, including without limitation,

(1) the basis for such testimony with respect to each such online property; Declarant met Karri Stokely in person and knew of her website. Declarant looked at the website after receipt of this OSC. Declarant knew of Karri's Stokely's death which occurred between 2010-2012.

(2) identification as to the location and nature of documents or communications, by subject and category of document type supporting such testimony with respect to each such online property; There are none.

(3) identification, including all available contact information, for each person Baker communicated with or otherwise obtained information from about such online property. Declarant didn't communicate with anyone to obtain information.

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- c) "<https://www.docin.com/p-388129527.html>" - Declarant certifies the following information:
- i) Ever owned or controlled – Declarant never owned or controlled this Online Property.
 - ii) Most recent date used, accessed, closed or terminated – Declarant has never used, closed or terminated this Online Property. Declarant visited this website after receipt of the OSC in December/January in order to be able to respond to the OSC. Declarant's search showed that it is registered to Gang Mai in Beijing, China.
 - iii) Account name or names used in connection – N/A
 - iv) Alias or aliases used – N/A
 - v) Any steps taken in an effort to comply with provisions of the injunction: Declarant did a search online and learned that it is registered to a person named Gang Mai in Beijing, China.
 - vi) Identity, contact information, means of communication used: Declarant does not have any means of contacting Gang Mai.

Supplemental Response:

Provide an explanation of such testimony, including without limitation,

- (1) the basis for such testimony with respect to each such online property; Declarant did an online search after receipt of this OSC.
- (2) identification as to the location and nature of documents or communications, by subject and category of document type supporting such testimony with respect to each such online property; There are none.
- (3) identification, including all available contact information, for each person Baker communicated with or otherwise obtained information from about such online property. Declarant does not have any contact information.

- 1 e) “[https://m.facebook.com/SearchingforAnswersBlog/posts/clarkbakerfor-those-who-](https://m.facebook.com/SearchingforAnswersBlog/posts/clarkbakerfor-those-who-wondered-about-the-identity-of-snout-wetracked-him-d/123924284468167/)
2 [wondered-about-the-identity-of-snout-wetracked-him-d/123924284468167/](https://m.facebook.com/SearchingforAnswersBlog/posts/clarkbakerfor-those-who-wondered-about-the-identity-of-snout-wetracked-him-d/123924284468167/)” - Declarant
3 certifies the following information:
4
5 i) Ever owned or controlled – Declarant has never owned or controlled this Online Property.
6
7 ii) Most recent date used, accessed, closed or terminated – N/A
8
9 iii) Account name or names used in connection – N/A
10
11 iv) Alias or aliases used – N/A
12
13 v) Any steps taken in an effort to comply with provisions of the injunction: N/A (Declarant
14 clicked on the link to confirm it was not his).
15
16 vi) Identity, contact information, means of communication used: N/A

17 **Supplemental Response:**

18 Provide an explanation of such testimony, including without limitation,

19 (1) the basis for such testimony with respect to each such online property; Declarant did an
20 online search and clicked on the link to confirm it was not his.

21 (2) identification as to the location and nature of documents or communications, by subject
22 and category of document type supporting such testimony with respect to each such online
23 property; There are none.

24 (3) identification, including all available contact information, for each person Baker
25 communicated with or otherwise obtained information from about such online property.

26 There is no one.

f) “<http://elmaltes.blogspot.com/2008/07/hiv-aids-gallos-egg.html>” - Declarant certifies the following information:

- i) Ever owned or controlled – Declarant has never owned or controlled this Online Property.
- ii) Most recent date used, accessed, closed or terminated – Declarant visited this website after receipt of the OSC in December 2022/January 2023 in order to respond to the OSC. This website is a cross-post by a third party from Declarant’s original post in 2008. Declarant has long-deleted the original post and URL but the author of this blog had re-posted his original post back in 2008. Declarant does not have any control over the third-party website content.
- iii) Account name or names used in connection – N/A
- iv) Alias or aliases used – N/A
- v) Any steps taken in an effort to comply with provisions of the injunction: After receipt of this OSC, Declarant did a search on the website on Google which reported that the operator of this blog is someone named Manu located in Europe. Declarant does not know Manu and does not have any affiliation with him or the website/blog. Declarant left a comment on the webpage asking Manu to contact him on January 7, 2023 in an effort to have the page removed. Declarant has not received a response as of the writing of this Declaration.
- vi) Identity, contact information, means of communication used: Declarant left a comment on the webpage asking Manu to contact him on January 7, 2023 in an effort to have the page removed. Declarant has not received a response as of the writing of this Declaration.

Supplemental Response:

The same supplemental Response re (a) eltmates applies to this section.

11. ITEM 8 (Certification of Protonmail Accounts)

23. The Supplemental Baker Declaration must also include a certification by Baker identifying each Protonmail account or subaccount he has owned, held, or controlled.

For each such account or subaccount, the Supplemental Baker Declaration must separately certify the following:

- (1) the date that account or subaccount was created;
- (2) the most-recent date he closed, terminated, or last used or accessed (other than for purposes of responding to this Order or the Interim Order) that account or subaccount;
- (3) the alias or aliases under which he used or accessed that account or subaccount;
- (4) all forms of communication Baker has used in connection with the creation, operation, or termination of each such account or subaccount; and
- (5) the identity, including all available contact information, for each person other than Baker who has had access to each such account or subaccount.

Additional:

Should Baker claim that any of the identified Protonmail accounts or subaccounts have been terminated, the Supplemental Baker Declaration must separately certify the following:

- (1) the date on which such account or subaccount was terminated; and (2) the reason or reasons that Baker terminated such account or subaccount.

Baker created account CLARK.BAKER@PM.ME on or about 18 December 2018 and last accessed this account on 20 December 2023. Baker used no alias. Baker accessed his email account using his iPhone and computer. Baker is the sole owner and operator of this account.

Baker created account CLARK.BAKER@PROTONMAIL.COM on or about 18 December 2018 and last accessed this account on 20 December 2023. Baker used no alias. Baker

1 accessed his email account using his iPhone and computer. Baker is the sole owner and
2 operator of this account.

3
4 Baker created account JUNK06@PM.ME on or about 2 November 2019 and last accessed
5 this account on 20 December 2023. Baker used alias JUNK06. Baker accessed his email
6 account using his iPhone and computer. Baker is the sole owner and operator of this
7 account.

8
9 Baker created account JUNK06@PROTONMAIL.COM on or about 2 November 2019 and
10 last accessed this account on 20 December 2023. Baker used alias JUNK06. Baker
11 accessed his email account using his iPhone and computer. Baker is the sole owner and
12 operator of this account.

13
14 Baker created account DORES.BAKER@PROTONMAIL.COM on or about 26 January
15 2019 and last accessed this account on 20 December 2023. Baker used alias
16 DORES.BAKER. Baker accessed his email account using his iPhone and computer. Baker
17 is the sole owner and operator of this account.

18
19 Baker created account JUNK07@PROTONMAIL.COM on or about 16 May 2022 and last
20 accessed this account on 20 December 2023. Baker used alias JUNK07. Baker accessed his
21 email account using his iPhone and computer. Baker is the sole owner and operator of this
22 account.

23
24
25 Baker created account CFRANCISD@PROTONMAIL.COM on or about 13 July 2022 and
26 last accessed this account on 20 December 2023. Baker used alias CFRANCISD. Baker
27 accessed his email account using his iPhone and computer. Baker is the sole owner and
28 operator of this account.

1 Baker created account CFRANCIS@PROTON.ME on or about 13 July 2022 and last
2 accessed this account on 20 December 2023. Baker used alias CFRANCISD. Baker
3 accessed his email account using his iPhone and computer. Baker is the sole owner and
4 operator of this account.
5

6 **Supplemental Response to “Additional” Regarding Terminated Accounts:**

7 Baker affirmatively states none of the immediately foregoing eight (8) identified Protonmail
8 accounts nor subaccounts have been terminated.
9

10 I declare under the foregoing is true and correct under the penalty of perjury under the laws of the
11 state of California. Executed this December 28, 2023 in Vero Beach, Florida.
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16 CLARK BAKER
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DECLARATION OF JESSICA PONCE


I, Jessica Ponce, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge, except where stated on information and belief.

2. The undersigned hereby certifies that she does not know of any responsive information that is not already contained in Baker's foregoing Supplemental Declaration and that she has no reason to believe that any of the information contained therein is false, inaccurate, or incomplete.

I declare under the foregoing is true and correct under the penalty of perjury under the laws of the State of California.

Executed December 28, 2023 in Encinitas, California.



Jessica Ponce, Esq.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

3255 Wilshire Blvd., Ste. 1801, Los Angeles, CA 90010

A true and correct copy of the foregoing document entitled (*specify*): **CLARK BAKER'S SUPPLEMENTAL DECLARATION PURSUANT TO ORDER OF COURT NOV. 22, 2023** be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) December 28, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED SERVICE LIST

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) December 28, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Judge Sheri Bluebond
255 East Temple Street, Room 1539
Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

December 28, 2023
Date

Pam Pantell
Printed Name


Signature

SERVICE LIST

In re Clark Warren Baker, Debtor - Defendant

David P Bleistein
Rosen & Associates PC
Email: dbleistein@rosen-law.com

Michael J Conway
Greenberg & Bass LLP
Email: MConway@gblawllp.com

Lisa Hiraide
Rosen & Associates PC
Email: lhiraide@rosen-law.com

Derek Linke
Newman Du Wors LLP
Email: linke@newmanlaw.com

Douglas M Neistat
G&B LAW, LLP
Email: dneistat@gblawllp.com

Derek A Newman
Newman Du Wors LLP
newman@newmanlaw.com

JESSICA PONCE (SBN 284043)
LAW OFFICES OF JESSICA PONCE
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
Tel. (213) 263-2911
Fax (213) 403-5737
office@jponcelaw.com

Attorney for Debtor/Defendant,
CLARK BAKER

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re
CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB
Chapter 7
Adv. Case No. 2:15-AP-01535-BB

**FOURTH BAKER COMPLIANCE
DECLARATION**

(With Attorney Certification Per Court Order)

Date: June 20, 2024
Time: 11:00 a.m.
Ct.Rm: 1539

DECLARATION OF CLARK BAKER

I, Clark Warren Baker, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge.

2. This Declaration is made in response to the Third Interim Order lodged by Plaintiffs on and to aver compliance.

3. The following “Items 1-4” are enumerated as per the Third Interim Order.

Item 1: October 20, 2016 and Diligent Searches

4. **Erroneous Date of Oct. 20, 2016:** The Court makes the reference to the fact that Baker did not make any reference to October 20, 2016 in the compliance declaration (Declarant leaves a big blank after the court’s reference to 2016 in Baker’s Declaration Filed 12/28/23, Dkt. #1065). It was intended that Baker would explain why there is no response. That explanation is provided now.

- a. The October 20, 2016 date is first mentioned in the Court’s November 6, 2023 Tentative Ruling. It is repeated in the subsequent Second Interim Order and Third Interim Order.
- b. Baker filed two Declarations before the November 2023 hearing:
 - i. 4/21/2023 Dkt.# 979 - Def. Clark Baker’s Decl. in re Court’s Interim Order and Order Modifying and Correcting Interim Order; and
 - ii. 5/5/2023 Dkt.# 990 - Def. Clark Baker’s Decl. in re Item 2.c.i. of Page 5-6 of Order of March 22, 2023 for Baker to Aver Compliance.
- c. To be clear, Baker does not reference October 20, 2016 in either declaration or in any other previous declaration.
- d. In Baker’s Declaration filed 12/28/2023, Baker mistakenly failed to bring the immediately foregoing facts to the court’s attention. The language was mistakenly left in the declaration without providing the response. (Defendant

Clark Baker's Supplemental Declaration in Response to Court's Order of November 22, 2023, Dkt. # 1065, Pg. 34.) No disrespect was intended the court.

- e. Although Declarant did not technically make a reference to "October 20, 2016," it is acknowledged the court has a concern and Declarant stands ready to respond further with clarification in that regard.

5. **Diligent Search April 20, 2023:** In case the court is intending to reference April 20, 2023, to which Baker made numerous references in the 4/21/2023 and 5/5/2023 declarations, Baker responds as follows. Baker conducted diligent searches on his computer as further described below on and around April 20, 2023 in preparation for the declaration submitted April 21, 2023.

Diligent Searches conducted January 4, 2023 and April 2023

6. Declarant owns a Mac laptop and a PC computer. The Mac contains a single hard drive, "Drive C." The PC contains three hard drives, "Drives C:, D: and Z." Declarant conducted the same diligent search concerning each of the four hard drives.

7. Declarant conducted the subject diligent searches as follows:

- a. I referred to Exhibit A for the names of the prohibited files. I conducted "Boolean searches" for the restricted files on each of my above-referenced hard drives.
- b. Multiple prohibited files list the name "Emory" in its name, i.e., Emory 29Mar2013.pdf, Emory1-1.pdf, Emory1-2.pdf, Emory1-3.pdf, etc.

1 c. By searching for "Emory" on each drive, I was able to establish that all of
2 the prohibited "Emory" files had been deleted. I followed the same steps to
3 search for each of the other files on all of my drives, i.e., "Fulton",
4 "Murtag", "Idaho", etc.
5

6 8. Sometime after conducting these searches, I noticed that Drive D: was performing
7 with increasing instability. I took my PC to "Computer Connection" (941 Seventeenth St, Vero
8 Beach FL 32960), where Drive D: was mirrored and replaced. I then conducted a new search as
9 described above on that new drive. I'm confident that I no longer possess any of the prohibited
10 files on any of my drives.
11
12
13

14 **Item 2 (jtdeshonq@hotmail.com)**

15 9. Declarant was doing a final sweep of his email accounts in preparation for
16 submitting his Declaration in response to the Third Interim Order.
17

18 10. On the eve of the deadline Declarant searched the email address server hosting
19 jtdeshonq@hotmail.com and was horrified to see emails regarding Kurtizky and Murtagh pop
20 up (as his recollection at that moment was that on the previous check no such emails were
21 there).
22

23 11. When I discovered the emails Declarant immediately notified his attorney via
24 email. Apparently in the final rush just before the filing, she did not catch that final correction.
25 See the accompanying Declaration of Jessica Ponce.
26

27 12. Declarant had, in the meantime, signed and submitted his Declaration in response
28 to the Third Interim Order without adjusting his responses to reflect the change.

1 13. **Good Faith:** As evidence of good faith, I am bringing to the court's attention the
2 following fact. Hours later, early the next morning, my attorney spoke with Mr. Linke on the
3 telephone and alerted him to the fact that Baker filed his declaration bearing the discrepancy and
4 was preparing the files and emails for submission to Linke and Dr. Murtagh. See below the
5 accompanying declaration of my attorney.
6

7
8
9 **Item 3 (clarkbaker.org, osmj.org)**

10 14. Declarant bought the domains for clarkbaker.org and osmj.org but never created
11 any websites or did anything with the domain names. Both are maintained by Network
12 Solutions.
13

14 15. OSMJ.org is registered to Declarant. It was initially acquired in July 2009. The
15 registration expires July 2024. Baker has never used this domain.
16

17 16. Clarkbaker.org is registered to Declarant. It was initially acquired in February
18 2006. The registration expires on February 2, 2027. Baker has never used this domain.
19

20 17. Any omissions regarding these two items were simple error. Declarant has
21 submitted hundreds of pages of documents by way of Declarations and did not intend to omit
22 these items.
23

24 18. **Good Faith:** As evidence of good faith, I am bringing to the court's attention the
25 following fact. On May 7, 2024 Declarant submitted authorizations for Network Solutions
26 pursuant to Plaintiff's request.
27

28 **Item 4 (Copies of Communications)**

1 19. Baker does not have communications to submit in response to this item because no
2 such documents have ever existed.

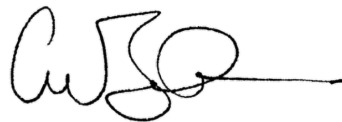
3 20. Declarant spoke with Carol Dunn on the telephone about shredding documents
4 approximately one year ago. Declarant asked if there were receipts or documentation of the
5 shredding and she said no.
6

7 21. After receipt of the subject OSC, Declarant did a search on Google (for the
8 websites referenced in the OSC) which reported that the operator was someone named Manu
9 located in Europe. Declarant does not know Manu and does not have any affiliation with him.
10 On January 7, 2023 Declarant left a comment on Manu's page asking him to remove the page.
11 Declarant did not receive a response. There was no option to "copy" counsel or Murtagh on a
12 comment left on a webpage.
13
14

15 22. No violation of a court order was intended.
16
17

18 I declare under the foregoing is true and correct under the penalty of perjury under the
19 laws of the state of California. Executed this May 15, 2024 in Vero Beach, Florida.
20

21 Dated: May 15, 2024
22

23 
24

25 CLARK BAKER
26
27
28

DECLARATION OF JESSICA PONCE

I, Jessica Ponce, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge, except where stated on information and belief.

2. **Good Faith:** As evidence of good faith, I am bringing to the court's attention the following facts. In preparing the December 28, 2023 Declaration for filing, apparently I did not see Baker's last email correction regarding jtideshonq come in. Hours after submitting the Baker Declaration on December 28, 2023, it came to my attention that Baker had located files in the subject email account. Early the next morning, I called Mr. Linke on the telephone and spoke with him and alerted him to the fact that Baker filed his declaration bearing the discrepancy. I explained that I would be preparing the files from the emails for submission to Linke and Dr. Murtagh and would email them the following week. On January 7, 2024 I emailed the files to Mr. Linke referencing our 12/29 telephone conversation and asking if "he needs further supplemental declaration on this point." A true and correct copy of the email is attached hereto as Exhibit A. We never received a response. (For this reason, I was surprised when Mr. Linke later claimed to the Court that Baker had falsely sworn when he was notified within hours of the oversight; he made a serious accusation without notifying the Court of these material circumstances.)

3. The undersigned hereby certifies that she does not know of any responsive information that is not already contained in the Baker Declaration and that she has no reason to

1 believe that any of the information contained in the Baker Declaration is false, inaccurate, or
2 incomplete.

3
4
5 I declare under the foregoing is true and correct under the penalty of perjury under the
6 laws of the state of California. Executed this May 15, 2024 in Encinitas, California.

7
8
9 Dated: May 15, 2024

10
11
12 
13 _____
14 JESSICA PONCE
15
16
17
18
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21
22
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EXHIBIT A



Jessica Ponce <office@jponcelaw.com>

Murtagh v. Baker - Item 1 of Court Order 11/22/23

1 message

Jessica Ponce Merino <office@jponcelaw.com>
To: Derek Linke <linke@newmanlaw.com>
Cc: Assistant One <assistant1@jponcelaw.com>

Sun, Jan 7, 2024 at 6:29 PM

Mr. Linke,

In accordance with our telephone conversation last Friday (12/29), attached please find the following:

- With respect to the Hotmail/Outlook, which is the subject of item 1 of the above order, Baker discloses the following:
 - Mr. Baker found the attached Murtagh files in his old DeShong Outlook email folder. Although previously provided to Murtagh and his counsel and generated by Murtagh through his previous counsel's email server.
 - Attached are the emails from Mr. Baker's Hotmail/Outlook Deshong folder.
 - Mr. Baker initially placed these items in a deleted folder and is now awaiting your approval before deleting them.

Please let us know if you need a further supplemental declaration on this point.


Thank you,

Jessica Ponce Merino

Law Offices of Jessica Ponce
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
(213) 263-2911
F: (213) 403-5737
office@jponcelaw.com
jponcelaw.com

NOTICE: This message is intended for the use of the individual or entity to which it is addressed and may contain attorney/client information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email or by telephone and immediately delete this message and all its attachments.

Unless our firm has been formally retained, nothing contained in this email shall be construed as legal advice.

 **Baker_Deshong.pdf**
1065K

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
3255 Wilshire Blvd., Suite 1801, Los Angeles, CA 90010

A true and correct copy of the foregoing documents entitled: **BAKER'S FOURTH COMPLIANCE DECLARATION, DECL. OF J. PONCE (WITH ATTORNEY CERTIFICATION PER COURT ORDER)**

(a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 5/15/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED SERVICE LIST

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 5/15/2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Judge Sherri Bluebond
255 East Temple Street, Room 1539
Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

<u>5/15/2024</u>	<u>Pam Pantell</u>	<u>/s/ Pam Pantell</u>
Date	Printed Name	Signature

SERVICE LIST

In re Clark Warren Baker, Debtor - Defendant

David P Bleistein
Rosen & Associates PC
Email: dbleistein@rosen-law.com

Michael J Conway
Greenberg & Bass LLP
Email: MConway@gbllawllp.com

Lisa Hiraide
Rosen & Associates PC
Email: lhiraide@rosen-law.com

Derek Linke
Newman Du Wors LLP
Email: linke@newmanlaw.com

Douglas M Neistat
G&B LAW, LLP
Email: dneistat@gbllawllp.com

Derek A Newman
Newman Du Wors LLP
dn@newmanlaw.com

JESSICA PONCE (SBN 284043)
LAW OFFICES OF JESSICA PONCE
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
Tel. (213) 263-2911
Fax (213) 403-5737
office@jponcelaw.com

Attorney for Debtor/Defendant,
CLARK BAKER

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re
CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB
Chapter 7
Adv. Case No. 2:15-AP-01535-BB

**SUPPLEMENT TO FOURTH BAKER
COMPLIANCE DECLARATION;
ATTORNEY CERTIFICATION PER COURT
ORDER**

**(Clarifying Item 4 Re Certain Third-Party
Communications)**

Date: June 20, 2024
Time: 11:00 a.m.
Ct.Rm: 1539

DECLARATION OF CLARK BAKER

I, Clark Warren Baker, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge.

2. This Declaration supplements my Fourth Compliance Declaration filed May 15, 2024 made in response to the Third Interim Order.

3. The Court's Third Interim Order in Item 4 referenced the Injunction requirement that "Baker [] copy Dr. Murtagh's counsel on certain third-party communications made in an effort to comply with the Injunction." The Third Interim Order then provides "Para. 13, Baker's Communications. Any written communication by Baker [] with any Third-Party Provider concerning any part of this Order, shall be copied . . . to Designated Plaintiff's Counsel. . . ."

4. It is stressed to the Court, that I received a bill from Bluehost, an online provider, and that the below described events were only response to that bill. In other words, they did not occur as a "third-party communications made in an effort to comply," nor did they occur "concerning any part of this order."

5. Declarant submits this declaration as a further good faith effort to comply with the Injunction and Interim Orders and provide notice to Plaintiff of communications with third parties, even though they are in response to a bill and not made for purposes of compliance with Court order, as such.

6. Attached hereto as Group Exhibit 1 are true and correct copies of documents referenced in parenthetical comments below.

1
2 7. On 14 June 2023, I received a bill for my Bluehost account. I ignored it, hoping
3 that it would lapse. (Bluehost 14 June 2023.)
4

5 8. On July 28th 2023, BlueHost **auto-renewed** my account. (Exh. 1, Bluehost 28
6 July 2023.)
7

8 9. On or about 4 August 2023 I noticed that the website and URL, OMSJ.ORG was
9 back online. I called Network Solutions and "Lloyd Interaction #1-112909429" reported to me
10 that "Michael" (No further info) had purchased the OMSJ URL. The pages reappeared hours
11 after I closed my account.
12

13 10. On August 27 2023, I contacted Bluehost Chat and wrote to employee **Eliyas**
14 **Mohammad** (EM) that **"I wanted (my URLs and OMSJ links) gone months ago and they**
15 **still show. I wanted my website closed - that page - construction - ANYTHING but close**
16 **those links... Those links are dead - I want them off my old page... I was told last time that**
17 **it would be done within a couple business days.... How do I kill that page - I want a 404**
18 **error or something... All of those links must be removed. I requested this weeks ago... can**
19 **you fix this for me?** EM replied "I am checking the website files... okay - they're all dead
20 links." I replied that **"This should have been done weeks ago when I contacted you last...**
21 **We discussed this page... I asked for my account to be closed."** EM replied, "Can you
22 please check the website now I have removed the links from the website." I confirmed that the
23 links and website were down. **I replied, "Thank you - that works - please make that**
24 **permanent."** Because Bluehost had failed to shut down my website earlier, EM emailed the
25 chat conversation to clark.baker@pm.me. (Exh. 1, Bluehost 27 Aug 2023)
26
27
28

11. On Tuesday, June 4th 2024, I received a new email notice from Bluehost reporting that my "hosting plan was scheduled for an upgrade". (Exh. 1 Bluehost 4 June 2024.)

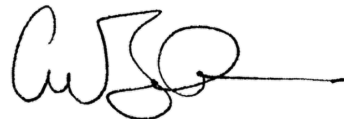
12. I immediately called Bluehost Chat and was connected to employee Nevidita Math (NM). I told NM about my previous contact with EM and that I wanted the OMSJ.ORG website closed and my Bluehost account closed as I had requested 4 August 2023. I wrote again that "I wanted all of my websites and URLs closed." NM reported that it had automatically renewed on 4 August 2023 and was paid for one year. I replied "**CLOSE MY ACCOUNT ASAP**". NM asked me why and I replied, "**I DON'T want it - the Federal Government wants me to close it and I want it closed.**" After reconfirming my account information, NM wrote, "**Order: 1729945533 submitted to delete... Your account is successfully closed...**" I thanked her and ended the conversation. (Exh. 1, Bluehost CHAT 4 June 2024.)

13. As of the signing of this declaration, the website is still up.

14. I will keep continuous demands on Blue host until it is truly removed.

I declare under the foregoing is true and correct under the penalty of perjury under the laws of the United States of America. Executed this June 6, 2024 in Vero Beach, Florida.

Dated: June 6, 2024



CLARK BAKER

DECLARATION OF JESSICA PONCE

I, Jessica Ponce, declare:

1. If called as a witness I could competently testify to the following matters, which are of my own personal knowledge, except where stated on information and belief.

2. The undersigned hereby certifies that she does not know of any responsive information that is not already contained in the Baker Declaration and that she has no reason to believe that any of the information contained in the Baker Declaration is false, inaccurate, or incomplete.

I declare under the foregoing is true and correct under the penalty of perjury under the laws of the state of California. Executed this June 6, 2024 in Encinitas, California.

Dated: June 6, 2024



JESSICA PONCE

GROUP EXHIBIT 1

From noreply@bluehost.com <noreply@bluehost.com>
To clark.baker@protonmail.com
Date Wednesday, June 14th, 2023 at 5:16 PM



Account Login

Clark,

Just letting you know that the following products will auto-renew as outlined below.

If the billing information on your account is up-to-date then you're all set! These products will renew automatically roughly 15 days before the expiration date(s) listed below and use the payment method on file.

Billed to:
Clark Baker

2645 Greenvally Road Los Angeles, CA 90046-1412

Paying With:
card

Product Description	Exp.	Qty	Price
omsj.org			
Plus: from 2023-08-04 to 2024-08-04	04 Aug 2023	\$14.99/12.00 mo	\$179.88
Site Backup Pro: from 2023-08-04 to 2024-08-04	04 Aug 2023	\$2.99/12.00 mo	\$35.88
		subtotal	\$215.76
		tax:	\$0.00
		total:	\$215.76

You can adjust your renewal setting(s), update your billing information, or cancel at any time by [logging in to your account](#) or by calling customer support at 888-401-4678.

Check out our [Resource Center](#) to get answers to your most pressing website questions, or [contact support](#) any time you need.

Your continued use of Bluehost products and services is subject to the [Terms of Service](#), [Privacy Notice](#) and [Cancellation Policy](#).

From noreply@bluehost.com <noreply@bluehost.com>
To Clark<junk06@pm.me>
Date Friday, July 28th, 2023 at 2:03 PM

Your Bluehost order has been confirmed.

Account Login

Payment Confirmation

Thank you again for choosing Bluehost. Our best-in-class solutions are designed to meet all of your online needs.

Your payment has been confirmed and you're all set to go. Log in to your account [here](#).

Receipt Details

Invoice Number: 76397524
Date: 28 July 2023

Billing Information

Clark Baker
6055 Sequoia Circle
Vero Beach, FL 32967

Payment Details

Payment Method: VISA 1560
Status: Authorized
Transaction Type: VISA ending in 1560

Description	Domain	Term	Expiration	Price
Plus	omsj.org	12 months	04 August 2024	\$179.88
Codeguard Basic	omsj.org	11.97 months	04 August 2024	\$47.76
				Subtotal: \$227.64
				Total: \$227.64

All plans and products automatically renew approximately 15 days before the expiration unless you cancel. The renewal will be for the same term length and at the [regular rates](#) reflected in your Control Panel under [My Account](#). The payment method you provide today, or we have on file, will be used for renewals, unless you change it or cancel. You may cancel at any time by calling customer support at 888-401-4678 or by [logging into your account](#).

apply.

Bluehost is always dedicated to customer success. We now offer even faster hosting for quicker website load times, improved visitor experience, and better SEO rankings for you.

Check out our [Resource Center](#) to get answers to your most pressing website questions, or [contact support](#) any time you need.

Your purchase and use of Bluehost products and services are subject to the [Terms of Service](#), [Privacy Notice](#) and [Cancellation Policy](#).

Connect With Us



[Privacy Notice](#) | [Terms of Service](#) | [Cancellation Policy](#)

Copyright © 2023. All rights reserved. We never send email unsolicited. Bluehost, 5335 Gate Pkwy 2nd Floor Jacksonville, FL 32256.

Aug 27, 2023 7:02 AM
Eliyas Mohammad

I closed my account for OMSJ.org but the site still hosts links that I wanted gone months ago.

Aug 27, 2023 7:02 AM

How may I help you today?

Aug 27, 2023 7:02 AM
Eliyas Mohammad

Please go to OMSJ.org.

Aug 27, 2023 7:02 AM

You'll see links - I wanted them gone months ago and they still show. I wanted my website closed - that page - construction - ANYTHING but close those links

Aug 27, 2023 7:03 AM

Those links are dead - I want them off my old page

Aug 27, 2023 7:04 AM

Can you do that for me? I was told last time that it would be done within a couple business days.

Aug 27, 2023 7:04 AM

How do I kill that page - I want a 404 error or something

Aug 27, 2023 7:04 AM

You there?

Aug 27, 2023 7:05 AM

You mean to say that you dont want show the links on the website is that right?

Aug 27, 2023 7:05 AM
Eliyas Mohammad

I need those links dead - I closed my account

Aug 27, 2023 7:06 AM

closed my account

Aug 27, 2023 7:06 AM

Can you do that for me?

Aug 27, 2023 7:06 AM

HELLO?????

Aug 27, 2023 7:07 AM

I will check and help you with it.

Aug 27, 2023 7:09 AM

Eliyas Mohammad

To maintain high security standards, please authenticate with the token number
Here's the link to get the token number: <https://my.bluehost.com/hosting/token>

Aug 27, 2023 7:09 AM

Eliyas Mohammad

592234

Aug 27, 2023 7:09 AM

All of those links must be removed. I requested this weeks ago.

Aug 27, 2023 7:10 AM

How long does this take?

Aug 27, 2023 7:12 AM

can you fix this for me?

Aug 27, 2023 7:12 AM

Thank you for authenticating.

Aug 27, 2023 7:14 AM
Eliyas Mohammad

I am checking the website files.

Aug 27, 2023 7:14 AM
Eliyas Mohammad

okay - they're all dead links.

Aug 27, 2023 7:15 AM

This should have been done weeks ago when I contacted you last.

Aug 27, 2023 7:15 AM

We discussed this page.

Aug 27, 2023 7:15 AM

I asked for my account to be closed.

Aug 27, 2023 7:16 AM

Can you please check the website now I have removed the links from the website.

Aug 27, 2023 7:17 AM
Eliyas Mohammad

Thank you - that works - please make that permanent.

Aug 27, 2023 7:18 AM

Please send a copy of our conversation to clark.baker@pm.me

Aug 27, 2023 7:20 AM

It is a permanent change.

PrivateBin -

1.2.1

PrivateBin is a minimalist, open source online pastebin where the server has zero knowledge of pasted data. Data is encrypted/decrypted *in the browser* using 256 bits AES. More information on the [project page](#).

Important Reminder: Hosting Plan Storage Limits

From Bluehost <no-reply@e.bluehost.com>
To clark.baker@protonmail.com
Date Tuesday, June 4th, 2024 at 2:00 PM

Your Hosting Plan is scheduled for upgrade | [View in Browser](#)

Hi Clark,

At Bluehost, we're dedicated to ensuring top-notch performance for every website we host. We wanted to take a moment to remind you that your Shared Plus plan does have limits on CPU and storage resources.

Per the notice you received about this transition, we are now implementing these limits across all users to uphold the level of uptime and reliability that you expect from us. This adjustment is necessary for maintaining the quality of service we provide.

What does this mean for you?

Our records show that you've currently exceeded the storage limits allowed in your Shared Plus hosting plan. As a result, on your next renewal date, your account will be transitioned to a plan that better aligns with your storage needs.* Typically, this involves moving to a higher tier plan.

Updating your plan not only ensures compliance but also offers additional benefits. With a higher tier plan, you'll benefit from increased CPU allocation, translating to faster response times and improved website stability. We encourage you to take a moment to compare the benefits of each hosting plan option, including website and storage limits, as well as pricing, by visiting our [Hosting Plan Comparison](#) page.

If you have any questions or concerns about this change, our [support](#) team is here to help.

We appreciate your understanding and cooperation as we work together to ensure the best possible experience for you and all of our valued customers.

Sincerely,
The Bluehost Support Team

Connect With Us



Your customer ID is 75597784

*With this upgrade, your plan will be adjusted to the hosting plan that fits your storage needs to ensure your website continues to operate as intended.

All products and services will automatically renew approximately 15 day(s) prior to Expiration Date. You may cancel at any time prior to renewal by contacting [Bluehost support](#) by logging into your account online.

Copyright © 2024. All rights reserved. Bluehost, 5335 Gate Pkwy, Jacksonville, FL 32256
[Terms of Service](#) | [Privacy Notice](#) | [Cancellation Policy](#).

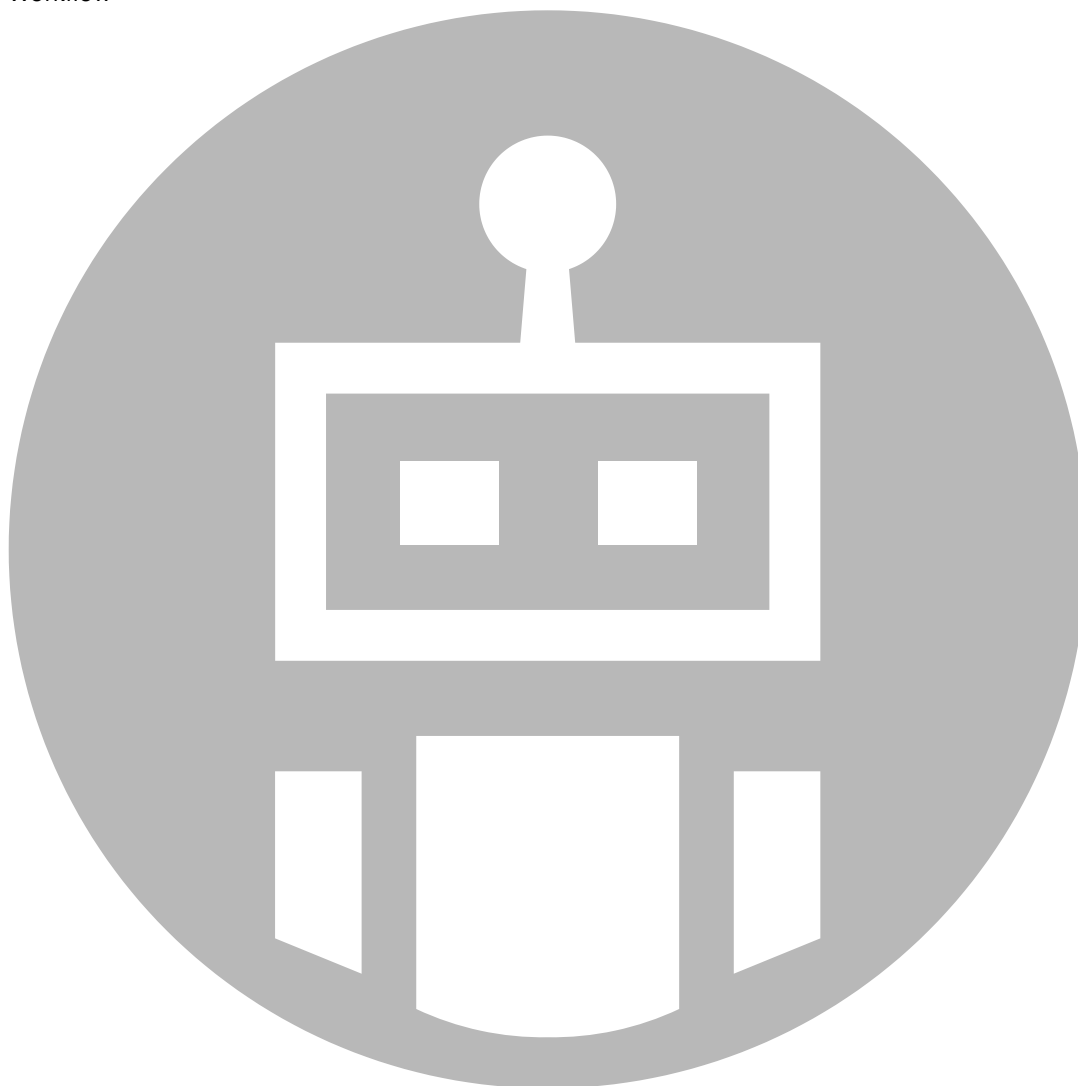
From noreply@bluehost.com <noreply@bluehost.com>
To CLARK.BAKER@PROTONMAIL.COM, Clark Baker <clark.baker@pm.me>
Date Tuesday, June 4th, 2024 at 5:45 PM



Dear Clark,

Thank you for contacting *Bluehost*. By continuing you agree to our privacy policy
<https://newfold.com/privacy-center>

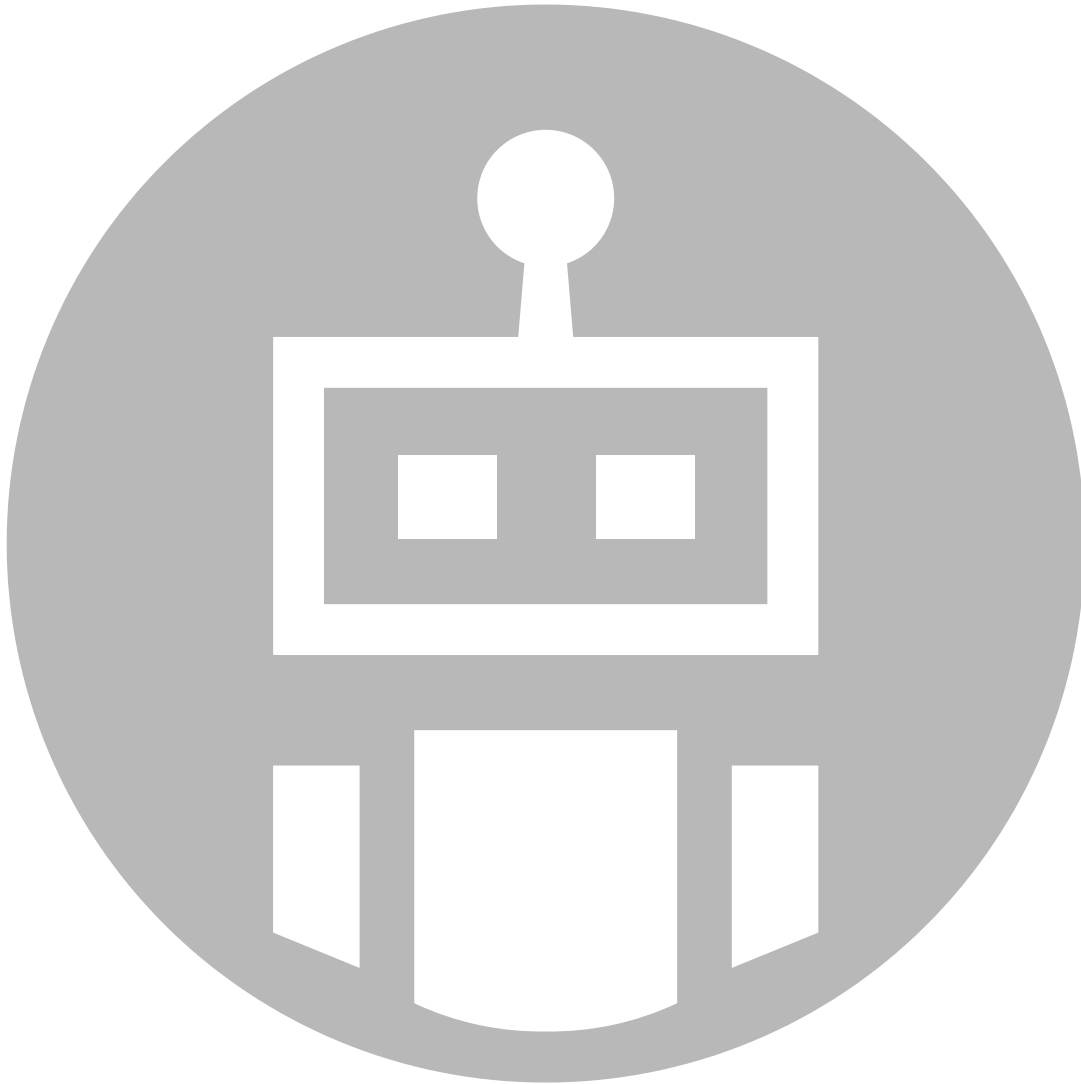
Jun 5, 2024 2:49 AM
Workflow



Do you require support with existing products or are you looking to renew/purchase services?

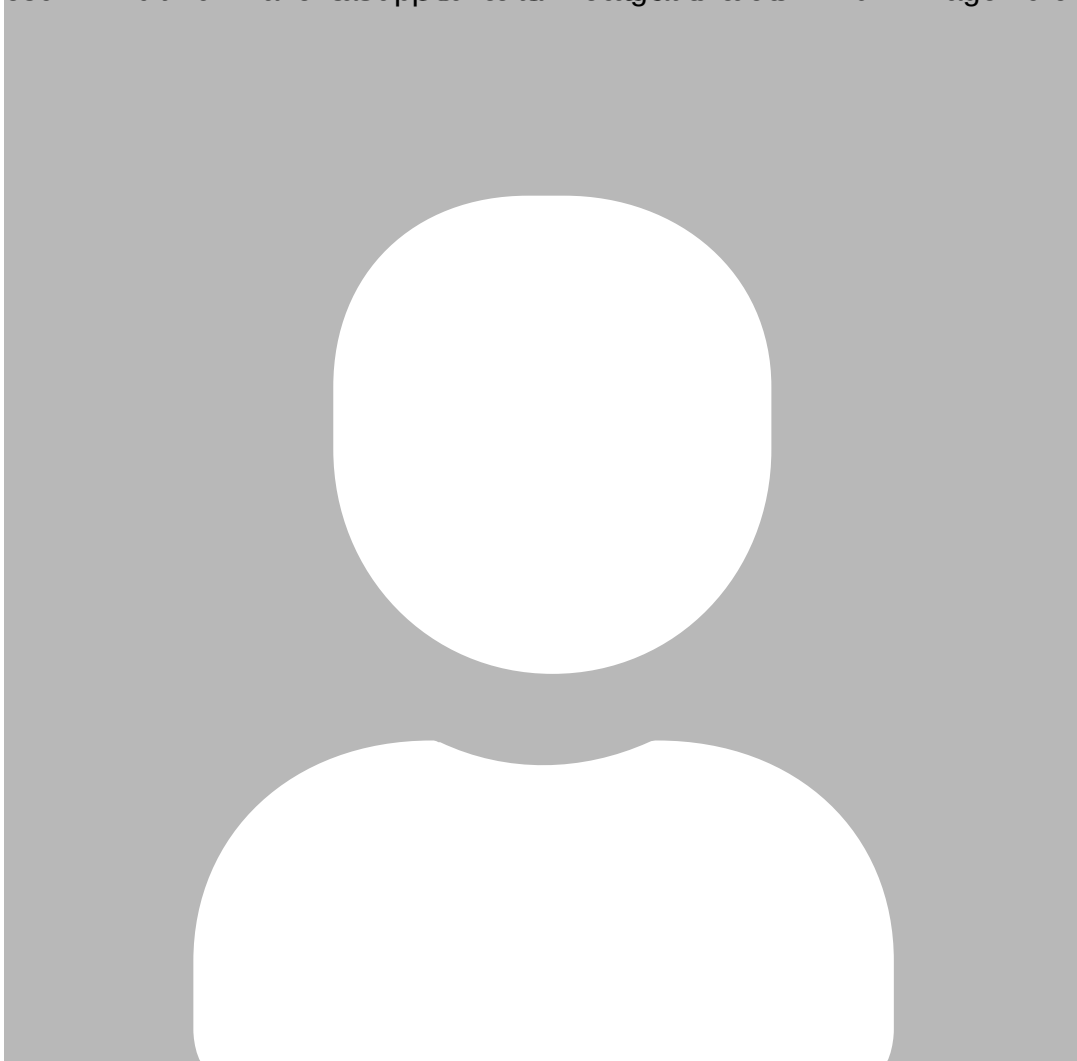
Jun 5, 2024 2:49 AM

Workflow



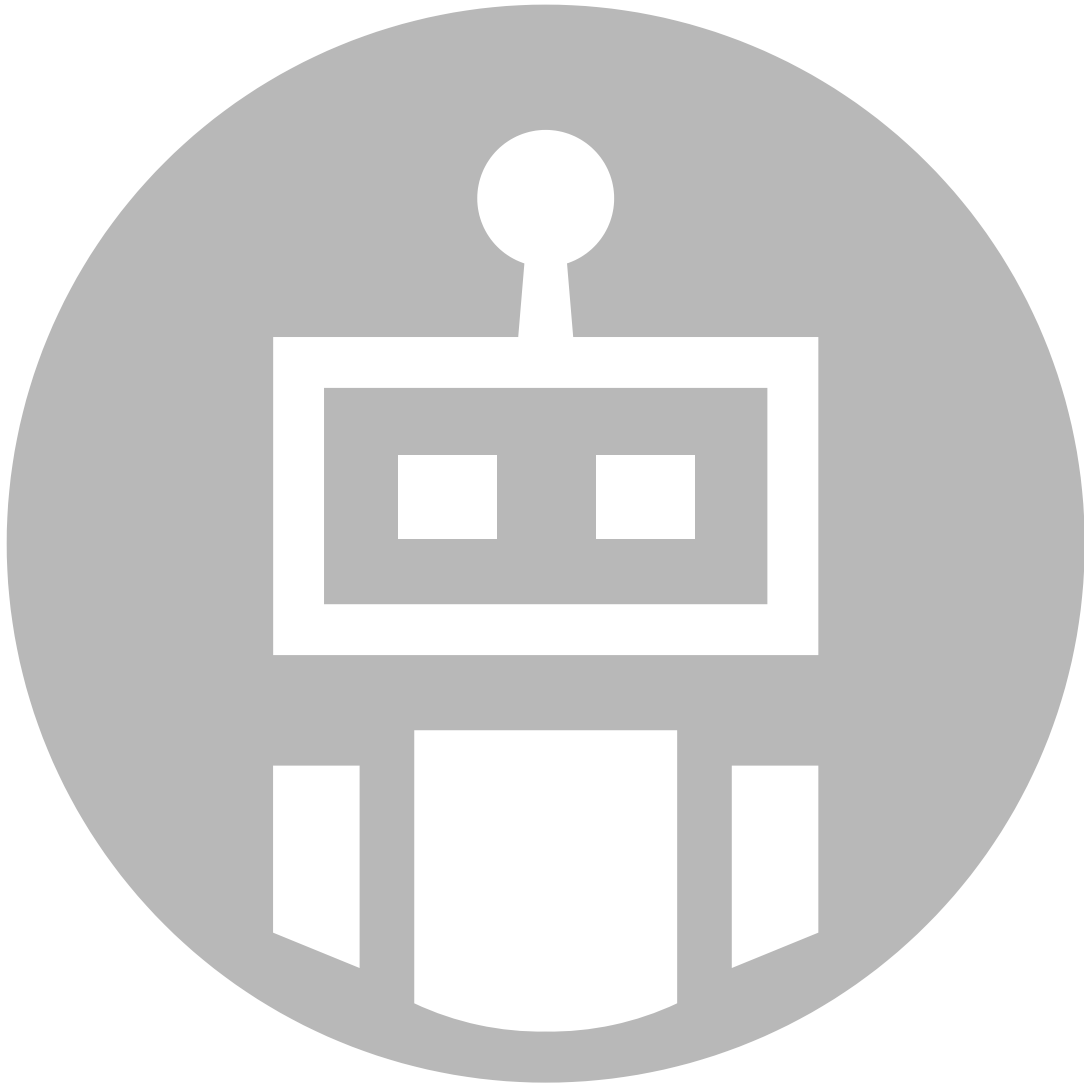
I asked months ago to close my account.

Jun 5, 2024 2:49 AM



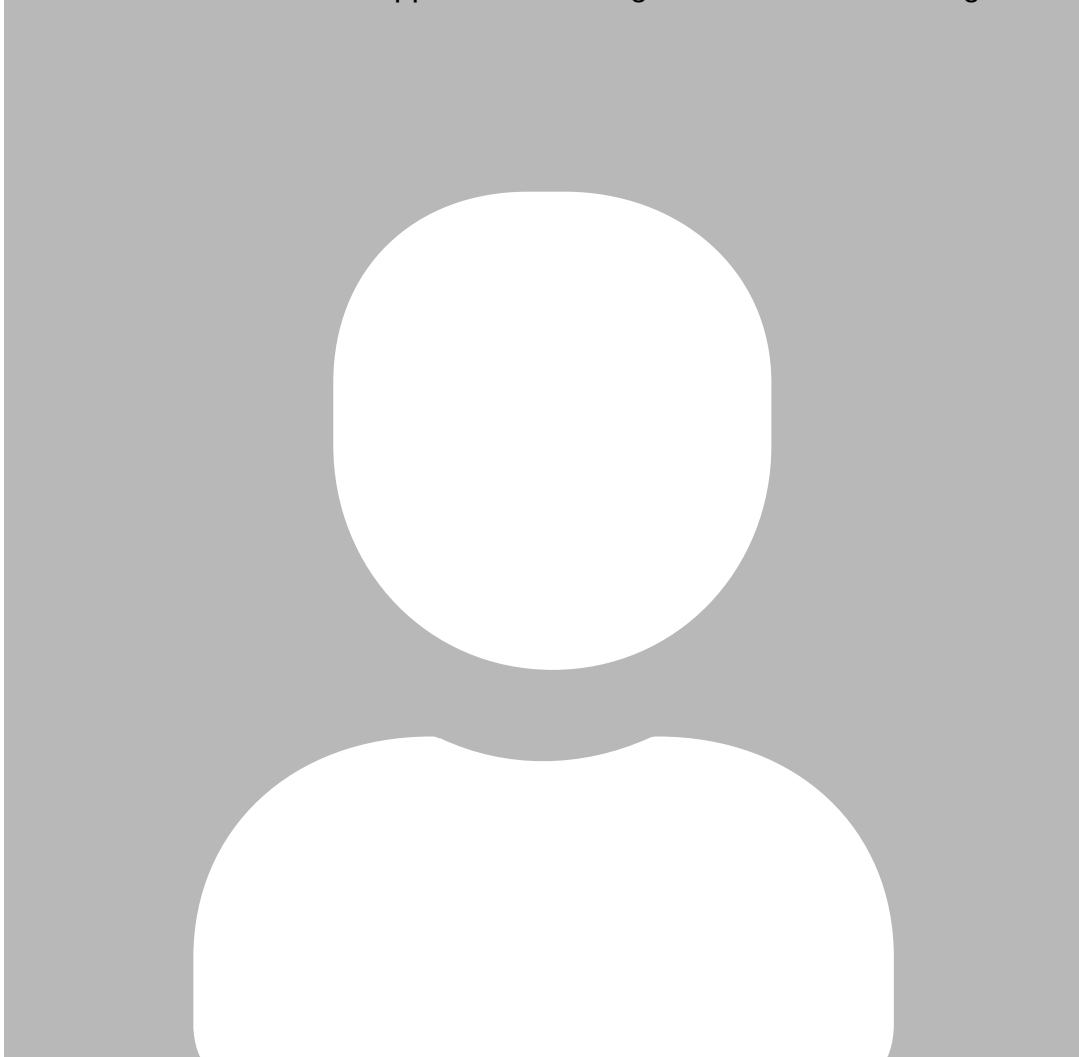
Sorry. To best assist you, please select one of the options below.

Jun 5, 2024 2:49 AM



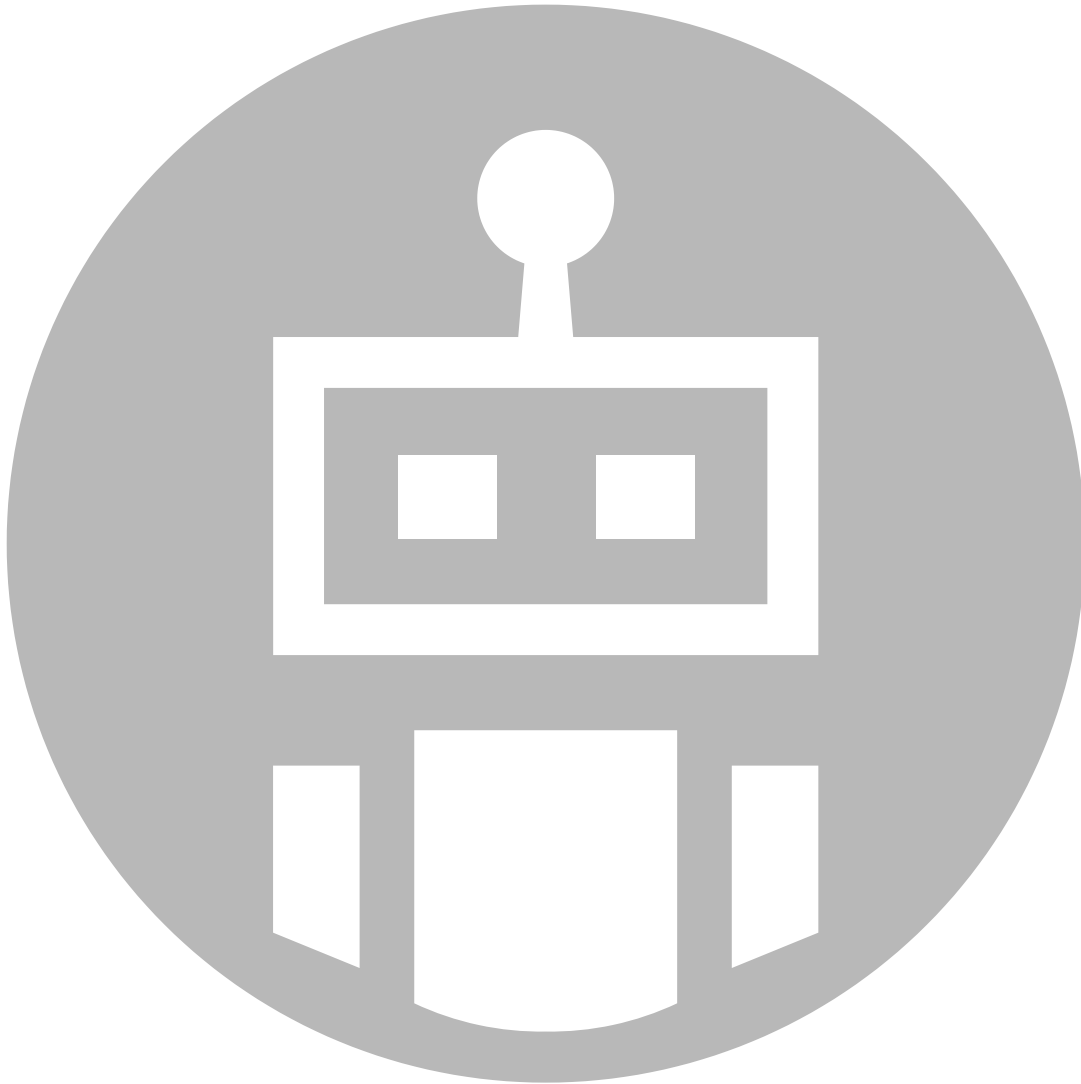
Close my account

Jun 5, 2024 2:50 AM



Sorry. To best assist you, please select one of the options below.

Jun 5, 2024 2:50 AM

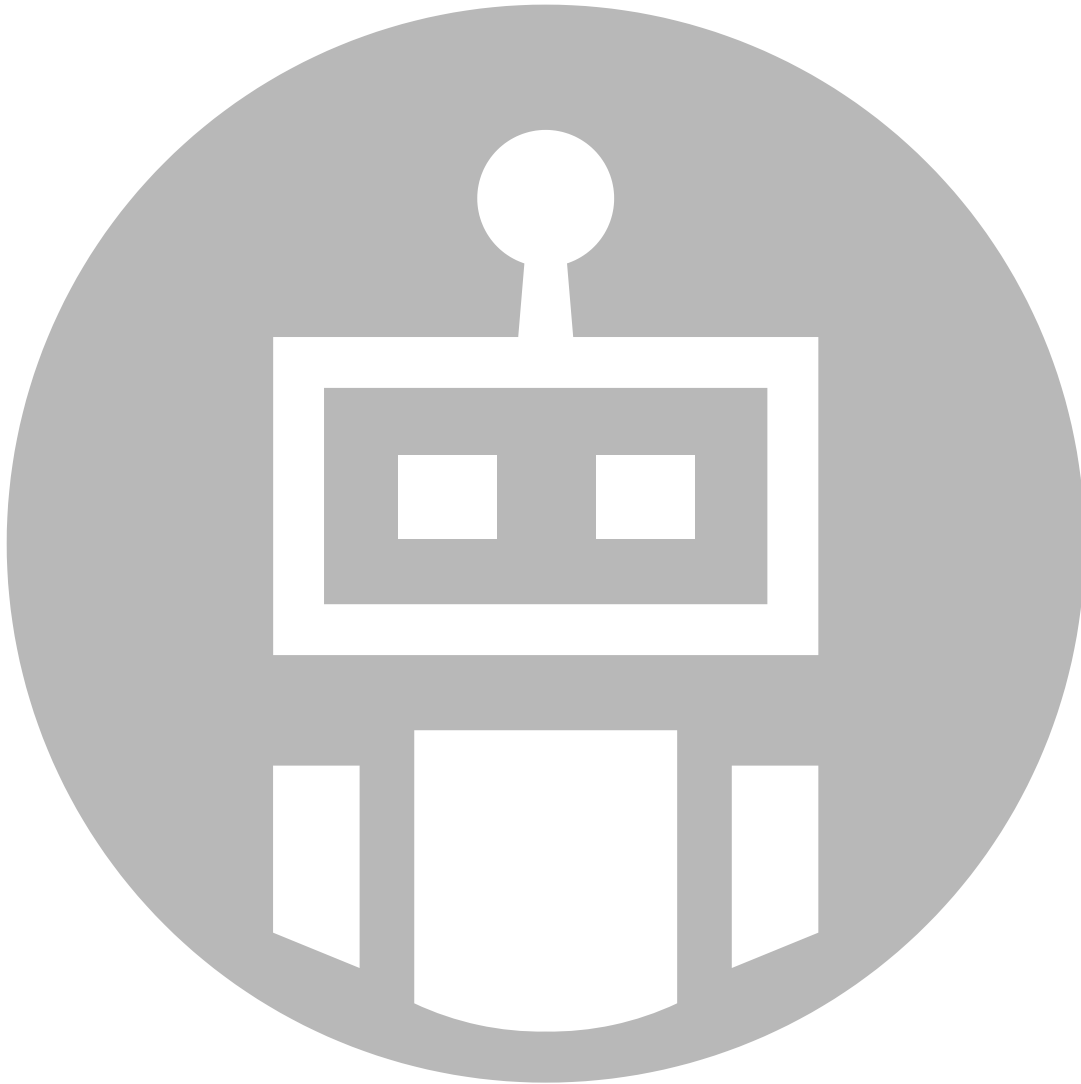


QuickReply Selection
Support for Existing Products



What is the product you need help with?

Jun 5, 2024 2:50 AM

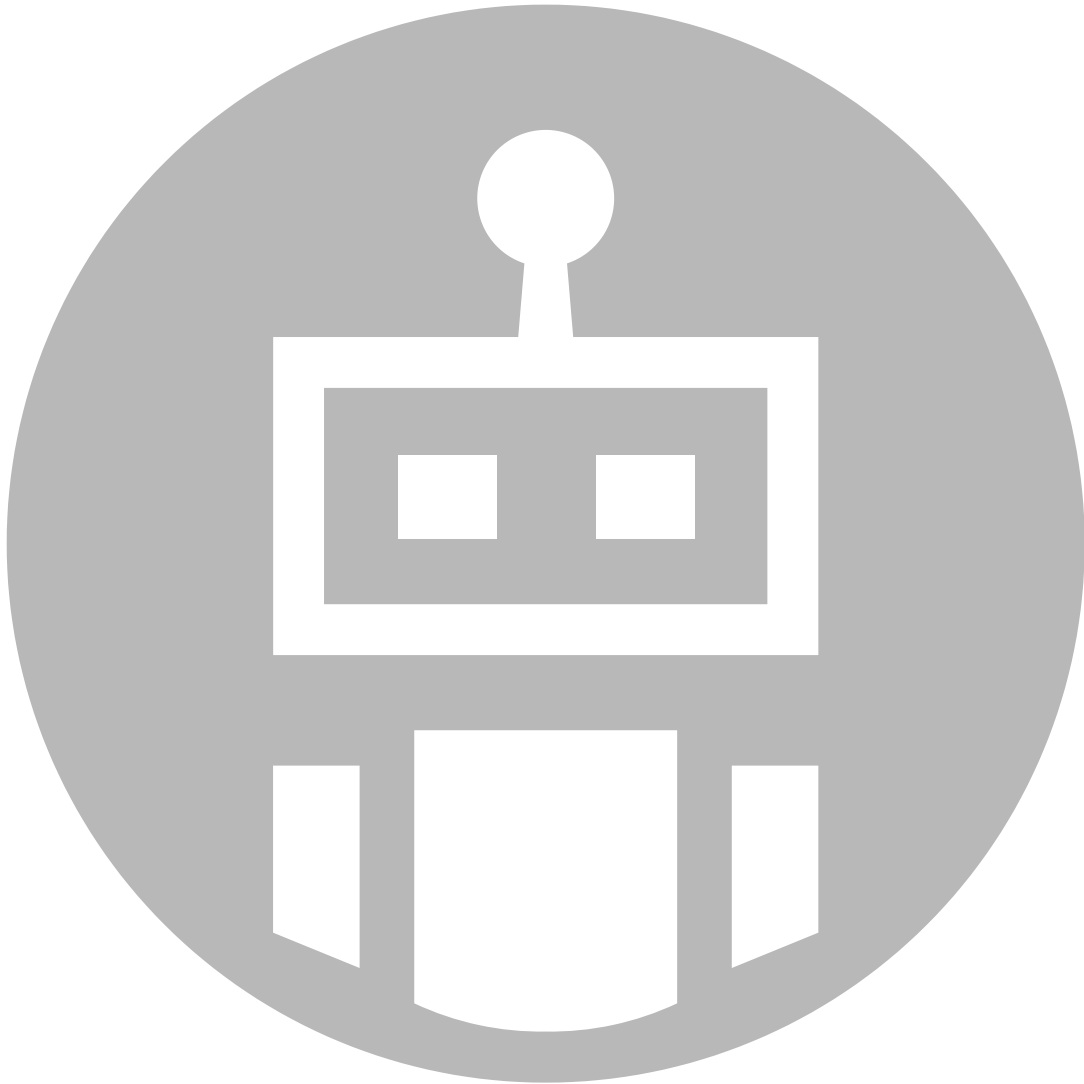


QuickReply Selection
Web Hosting



What service do you need help with?

Jun 5, 2024 2:50 AM

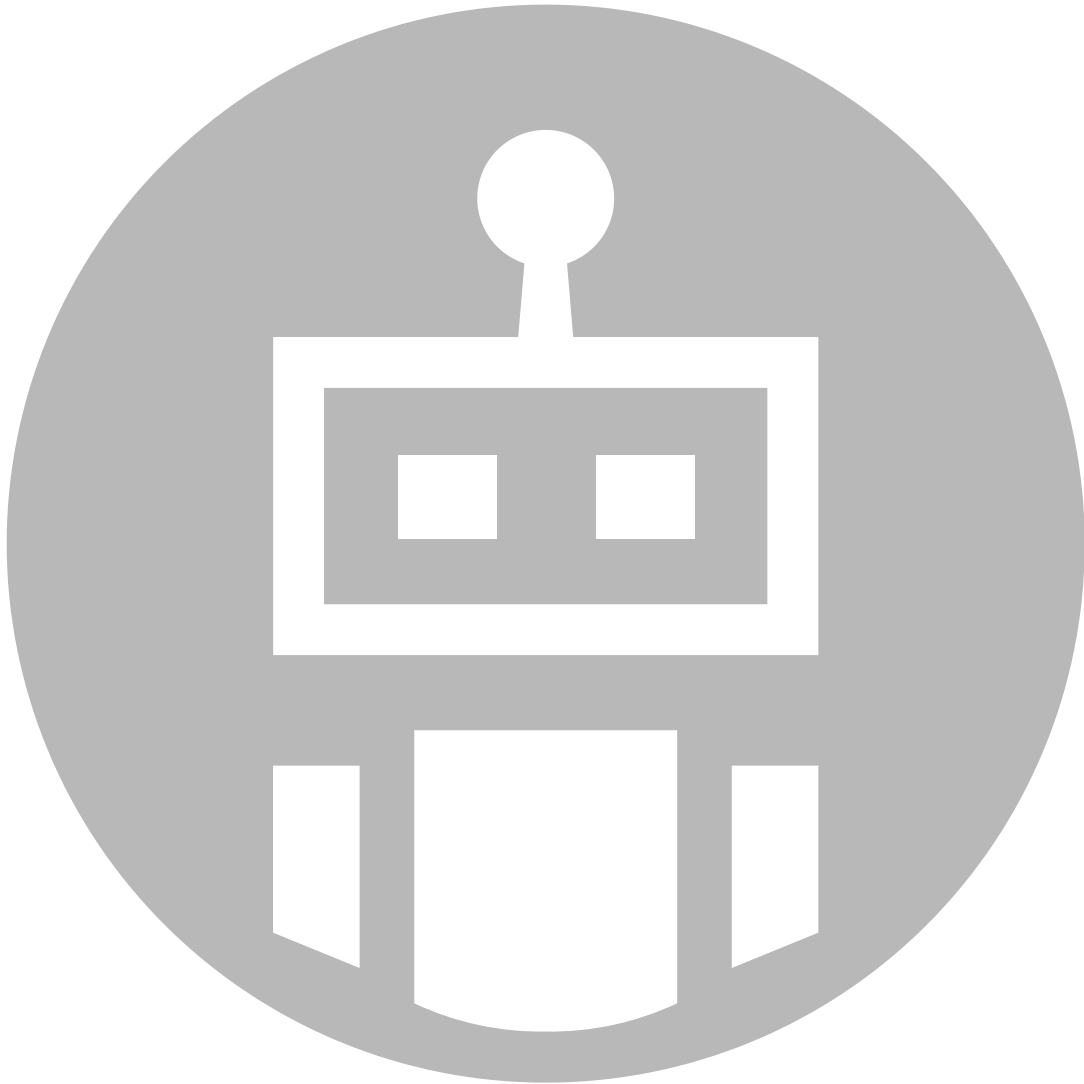


QuickReply Selection
Billing



Please select the option below that best describes what you need help with.

Jun 5, 2024 2:50 AM

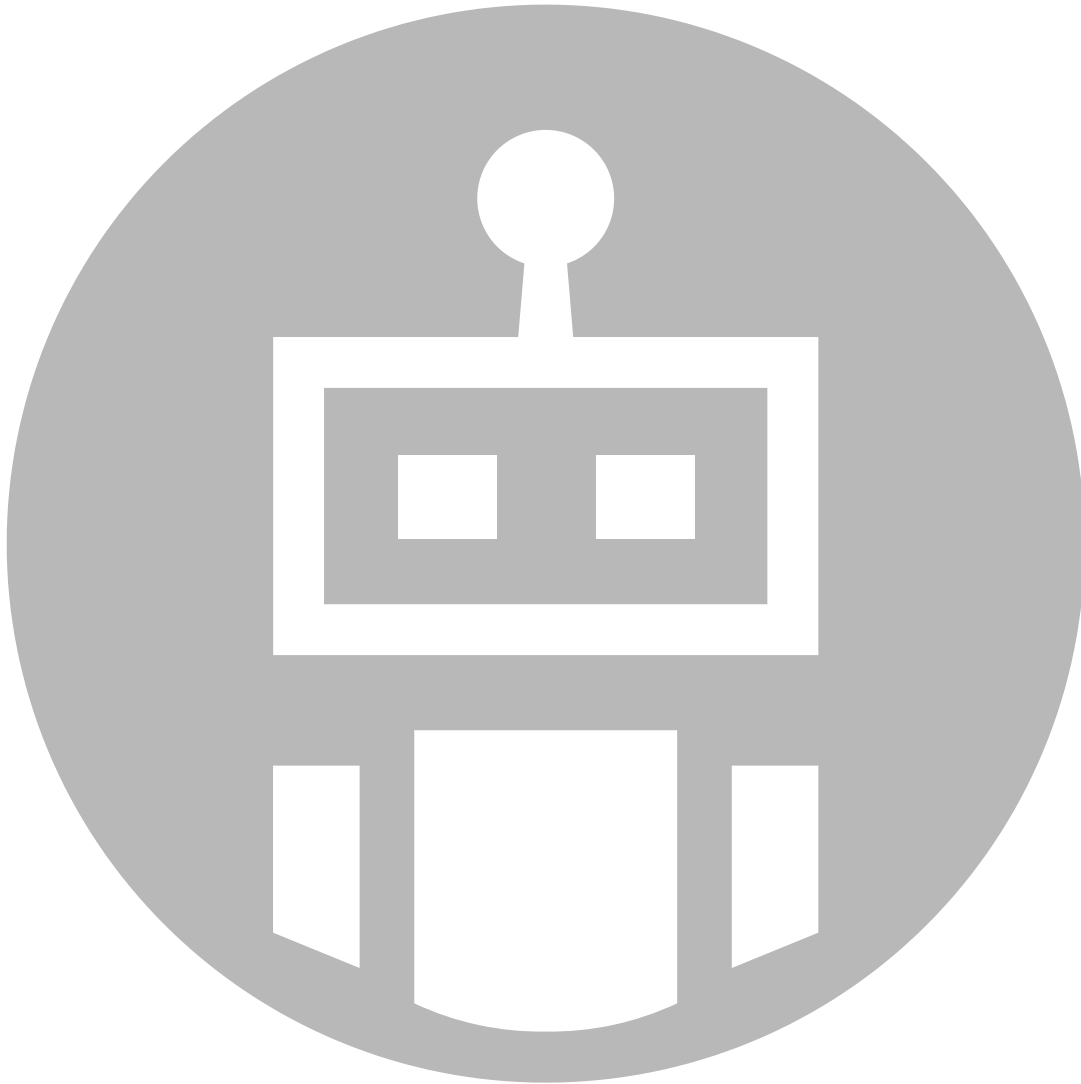


QuickReply Selection
Cancel Product/Services



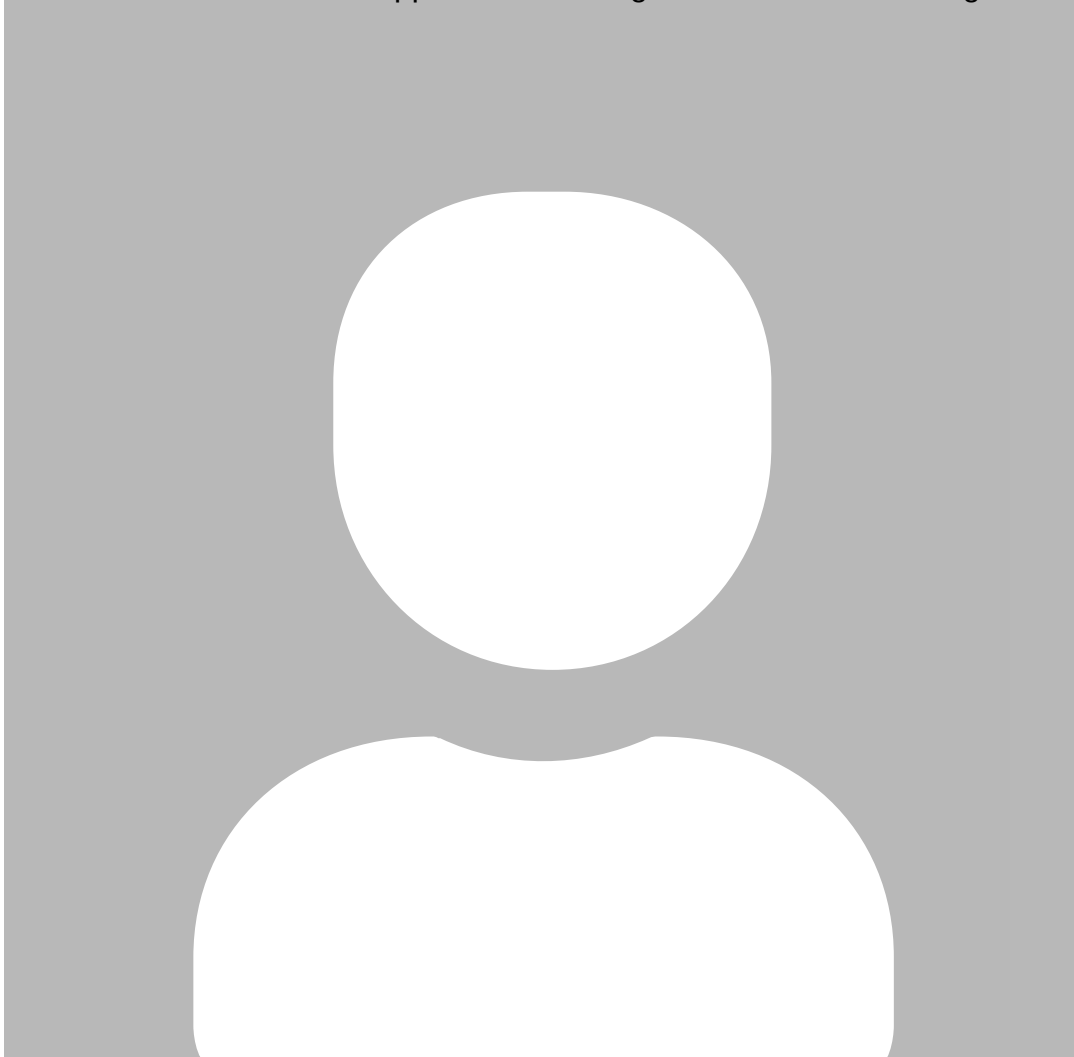
What is the domain name associated to the account you are contacting us about today? If you do not have a domain name type "pass".

Jun 5, 2024 2:50 AM



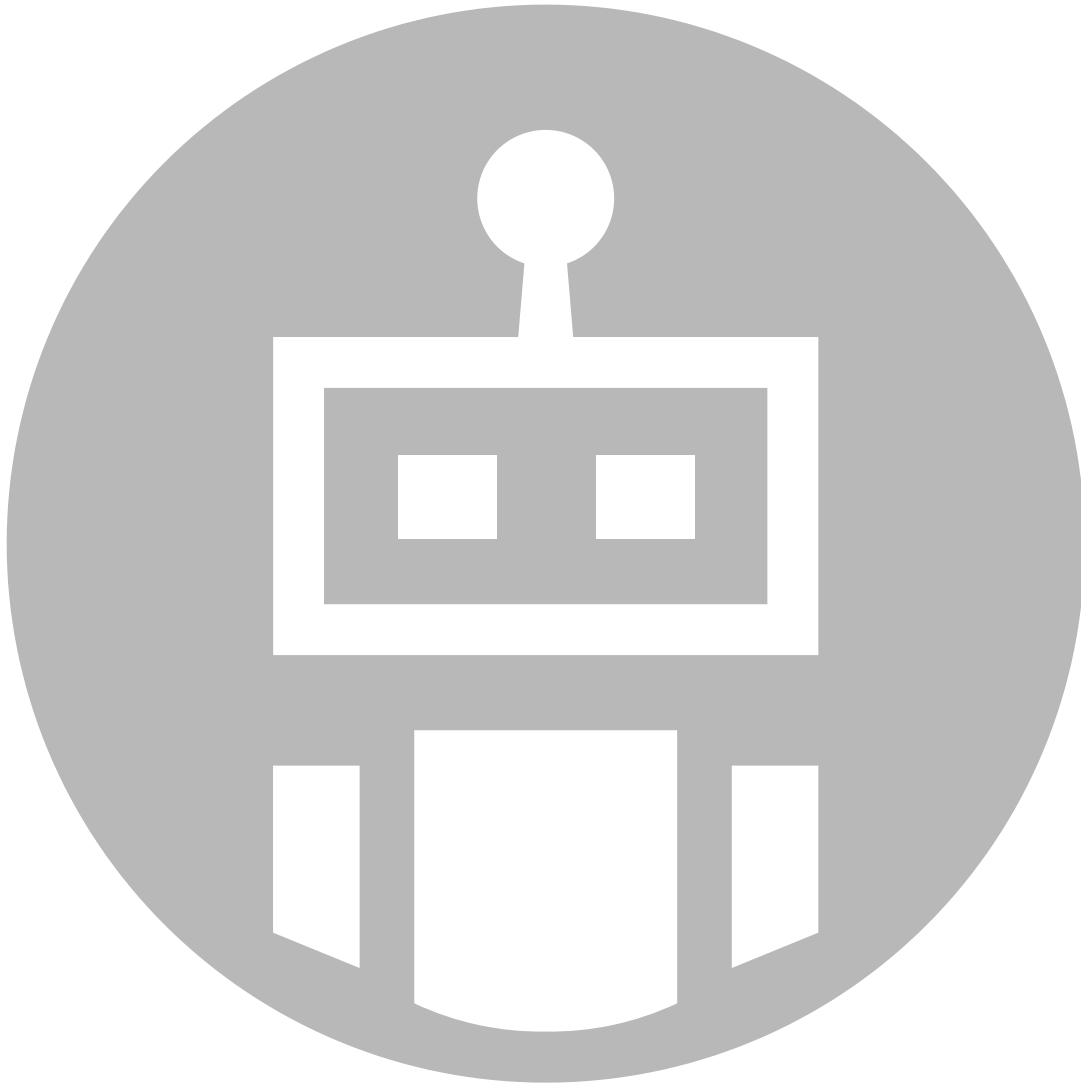
All of them - I asked to close my Bluehost account months ago.

Jun 5, 2024 2:51 AM



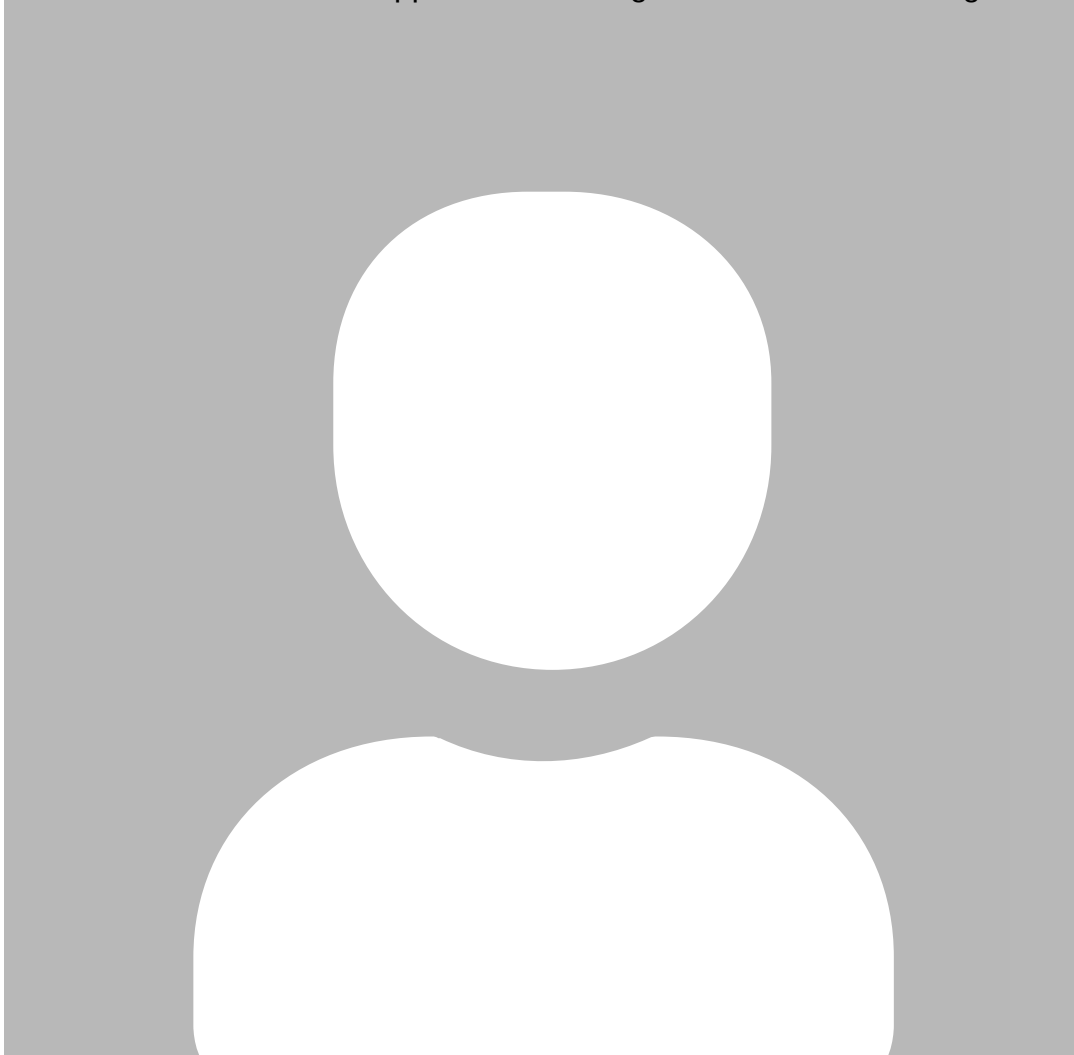
Thanks! For our team to quickly begin researching your request, please describe your issue in detail.

Jun 5, 2024 2:51 AM



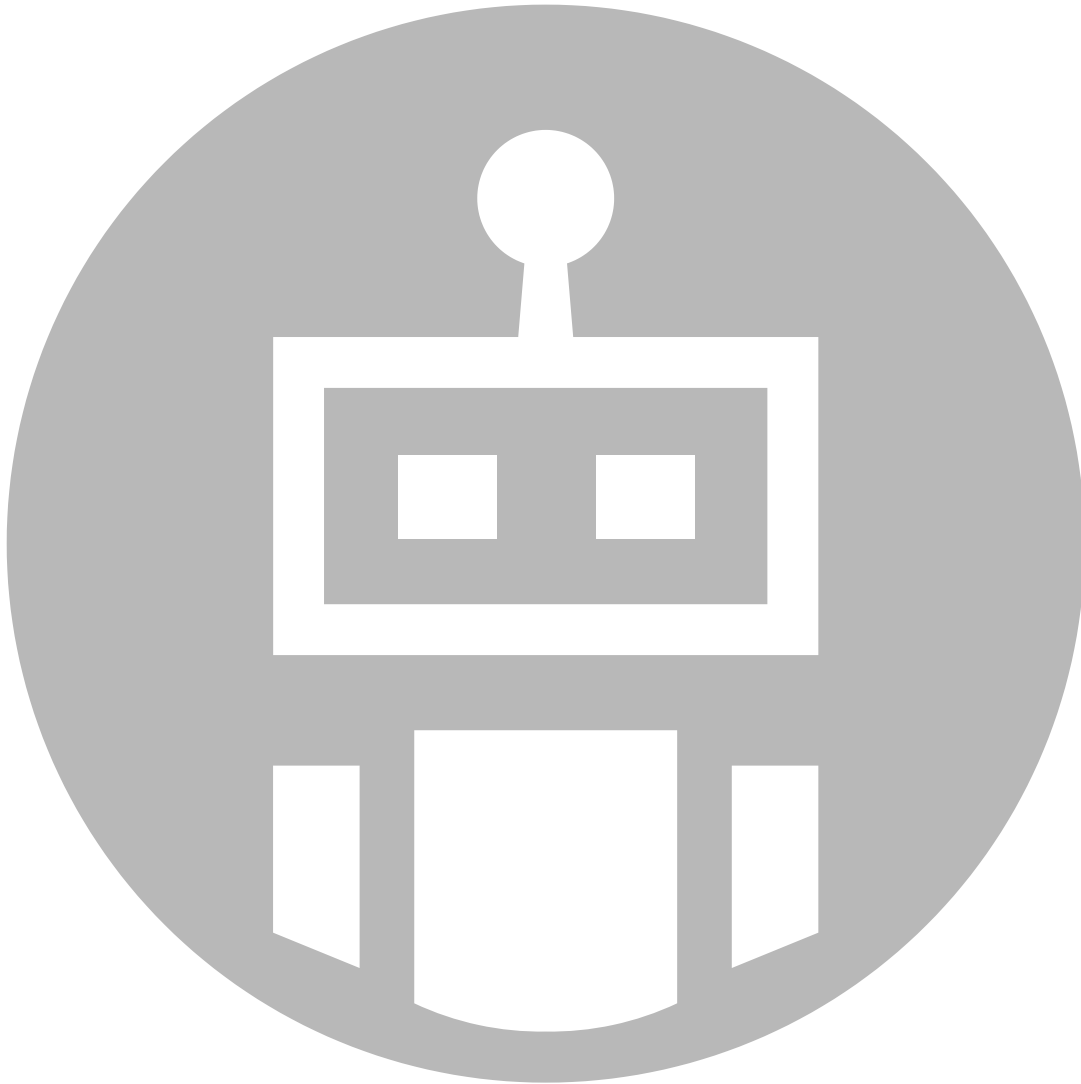
I changed my debit card last year and haven't paid you for months. Bluehost employee Eliyas Mohammad told me that he closed my BlueHost account on Aug 27, 2023. He confirmed on Aug 27, 2023 7:20 AM that my account was permanently closed. Months later he said that "Michael" took over the website. I don't know who Michael is.

Jun 5, 2024 2:57 AM



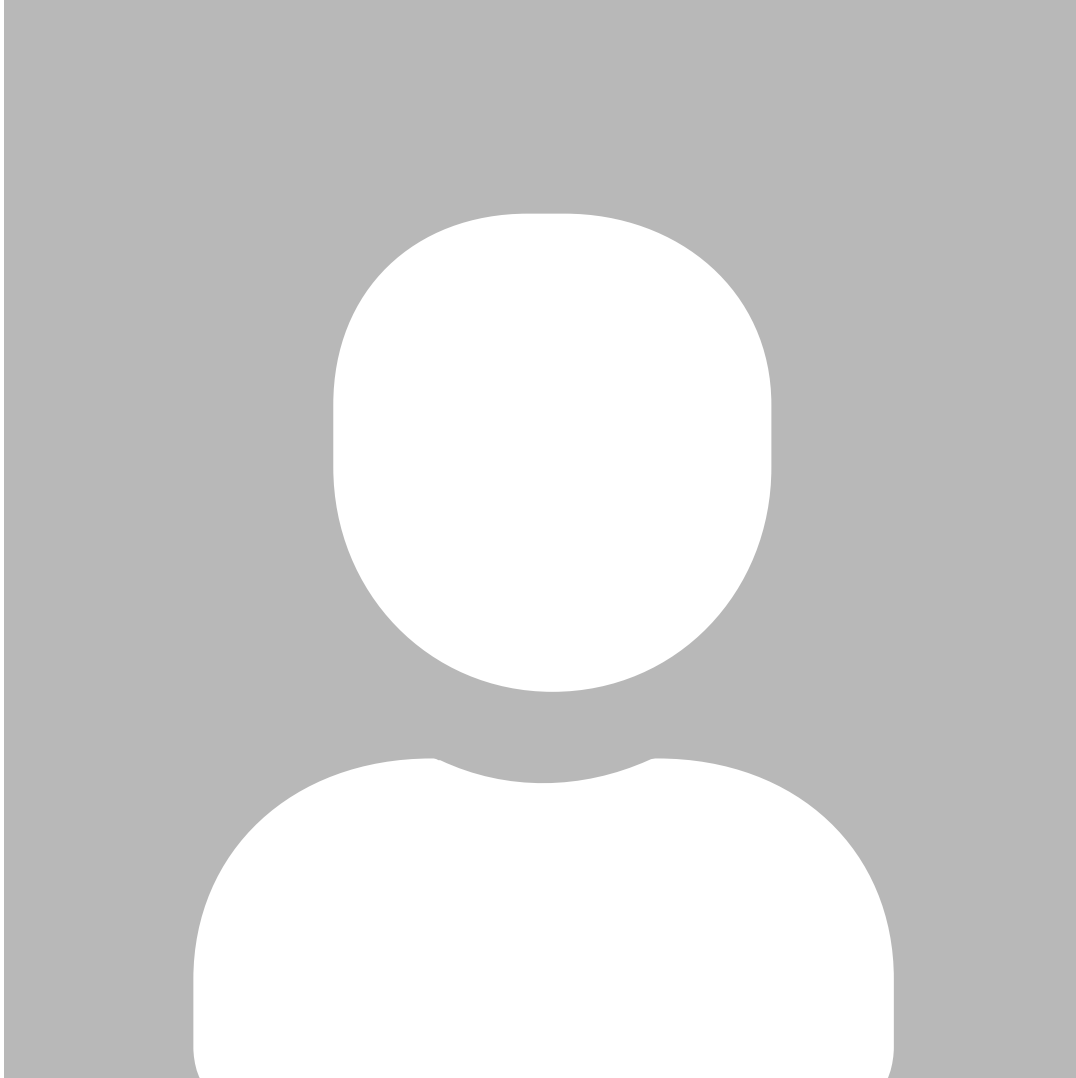
Let me get you to someone who can help. Please note, once our agent has completed assisting you, we'd also like to invite you to complete a brief survey on your experience today.

Jun 5, 2024 2:57 AM



Hi! I'm Nivedita and I'm looking forward to assisting you today.

Jun 5, 2024 2:57 AM



To ensure a seamless and uninterrupted chat experience, please consider enabling sound on your device. By doing so, you'll receive notification sounds throughout our interaction, preventing any accidental disconnections and keeping our conversation engaging and active. Thank you for your cooperation.

Jun 5, 2024 2:57 AM



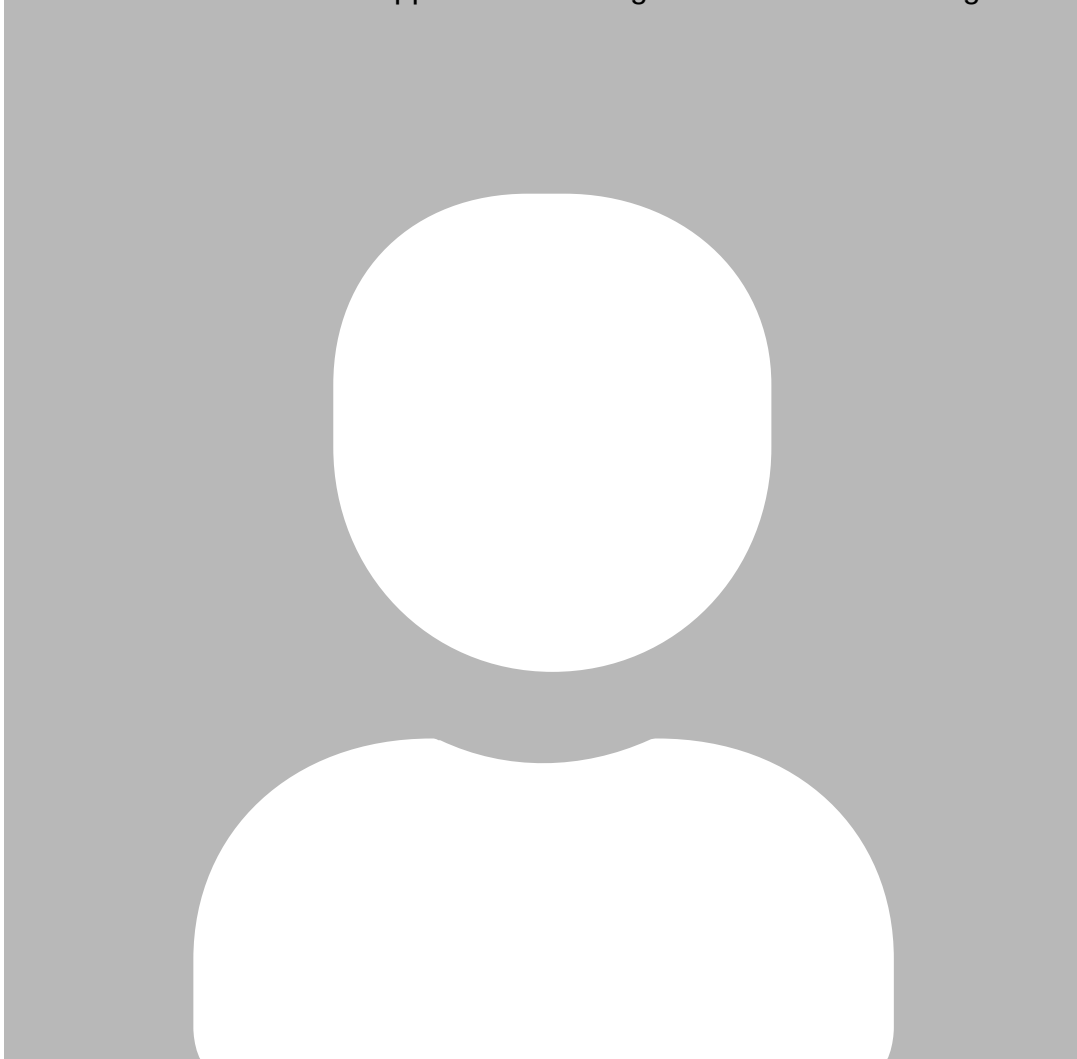
Please authenticate your account with the security PIN or access the link <https://www.bluehost.com/my-account/account-center> to get the Security PIN. Meanwhile, I will pull up the account details.

Jun 5, 2024 2:57 AM



226344

Jun 5, 2024 2:58 AM



Thank you for authenticating.

Jun 5, 2024 2:58 AM



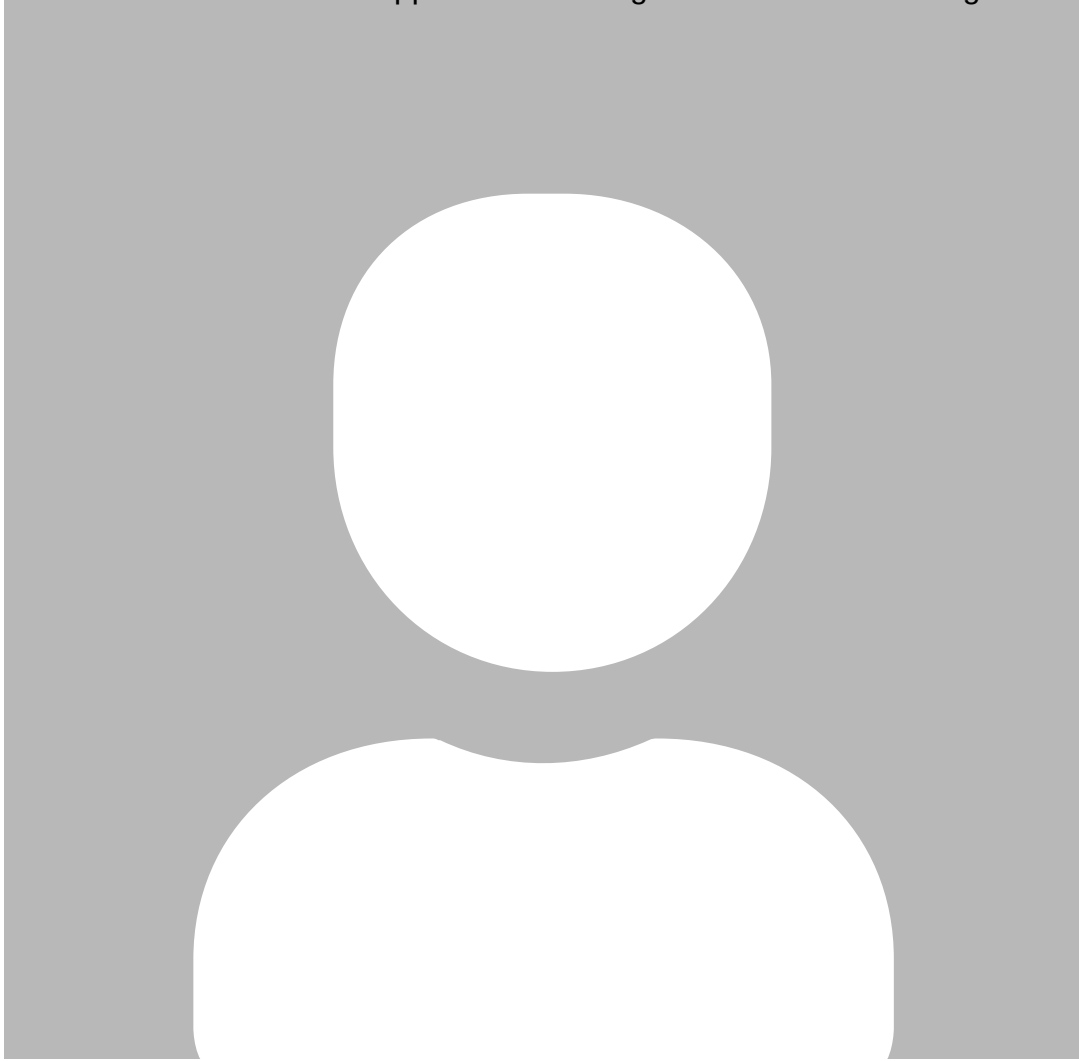
May I know the exact concern?

Jun 5, 2024 2:58 AM



I want all of my URLs and websites closed and my Bluehost account closed.

Jun 5, 2024 2:59 AM



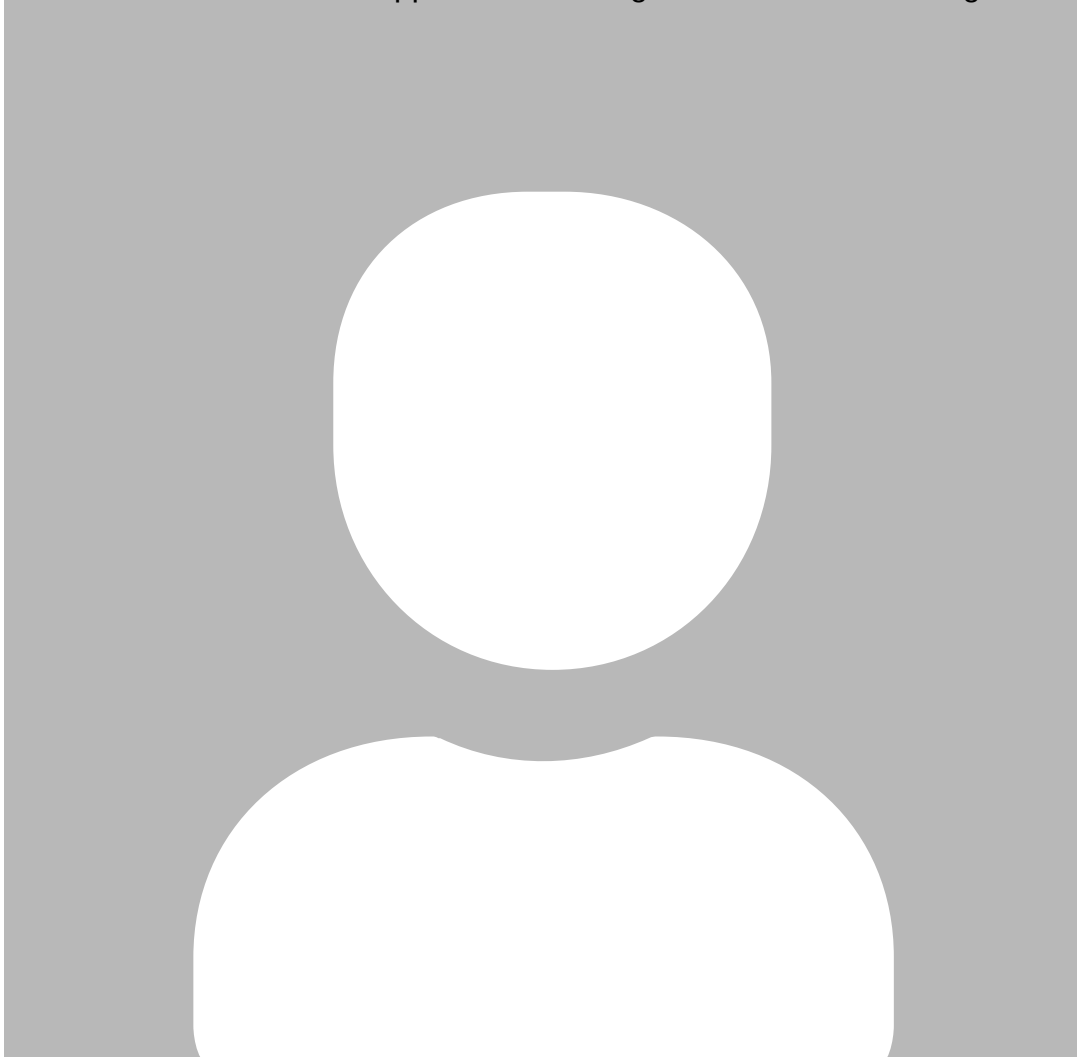
I asked for this in August 2023.

Jun 5, 2024 2:59 AM



I changed my debit card last year and haven't paid you for months. Bluehost employee Eliyas Mohammad told me that he closed my BlueHost account on Aug 27, 2023. He confirmed on Aug 27, 2023 7:20 AM that my account was permanently closed. Months later he said that "Michael" took over the website. I don't know who Michael is.

Jun 5, 2024 3:00 AM



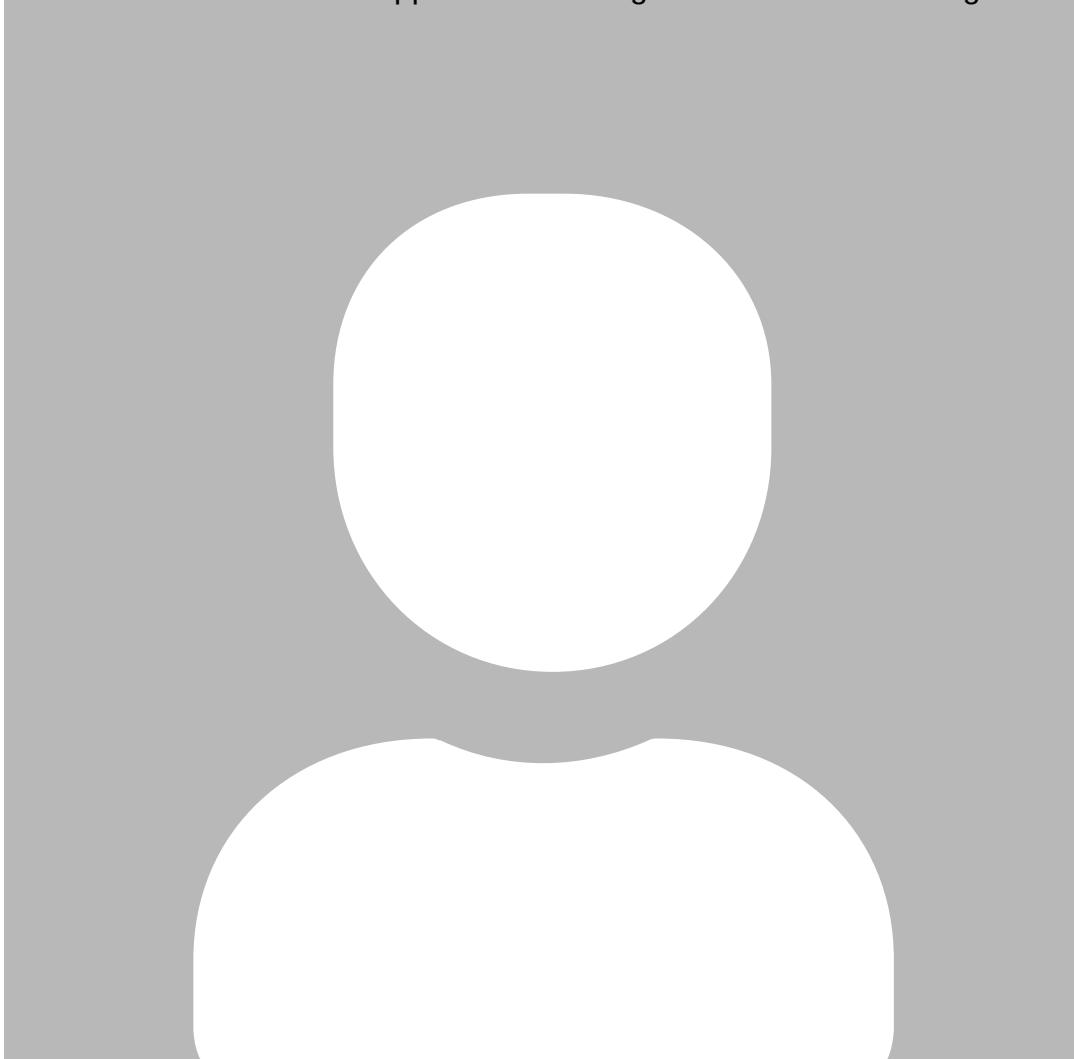
Thank you for the information. I see your account is active

Jun 5, 2024 3:00 AM



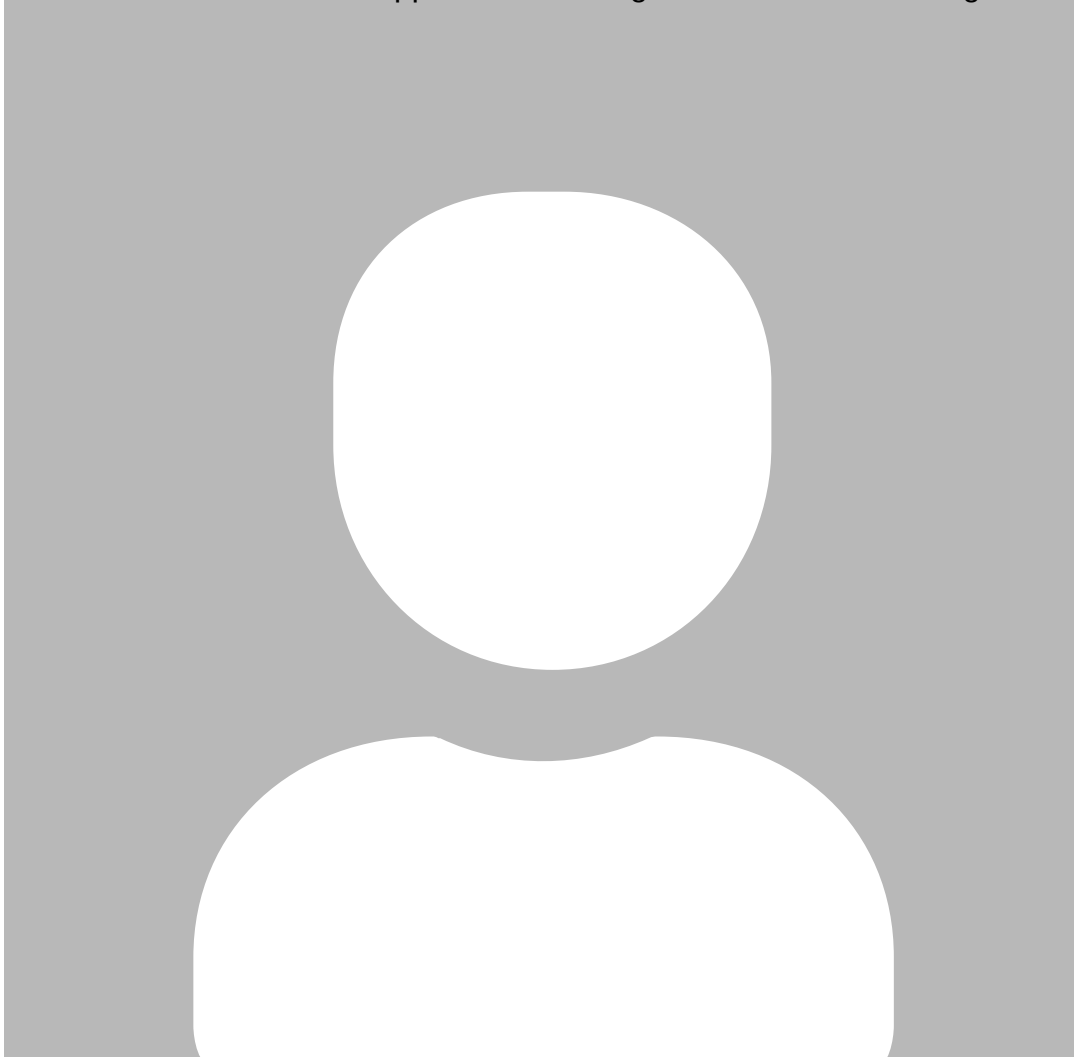
I want all of my websites and URLs CLOSED.

Jun 5, 2024 3:00 AM



Who has been paying you since August 2023?

Jun 5, 2024 3:01 AM



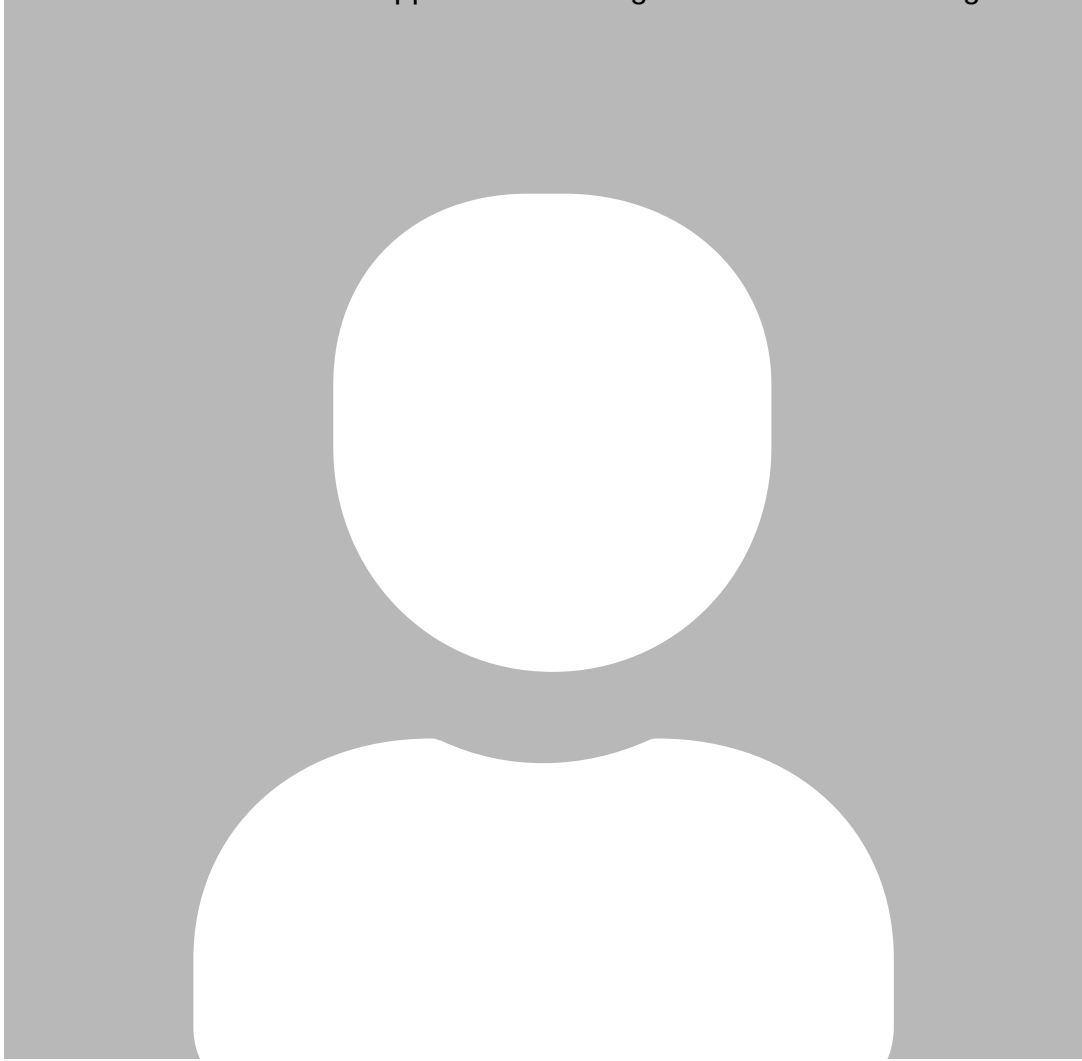
Its renewed on 08-04-2023 and it is paid for an year

Jun 5, 2024 3:01 AM



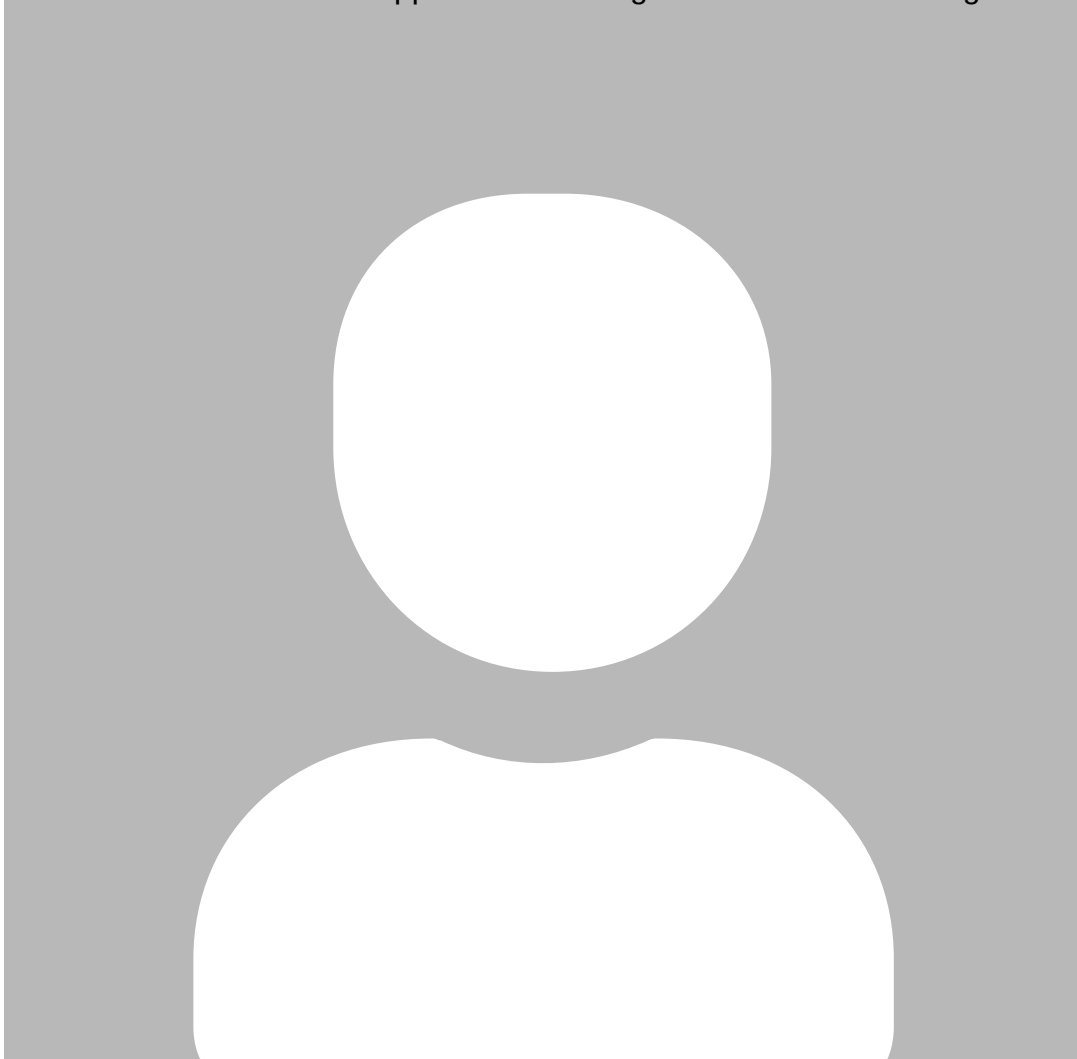
CLOSE MY ACCOUNT ASAP.

Jun 5, 2024 3:01 AM



TODAY

Jun 5, 2024 3:02 AM



May I know the reason to close this account ?

Jun 5, 2024 3:02 AM



I DON'T want it - the Federal Government wants me to close it and I want it closed.

Jun 5, 2024 3:02 AM



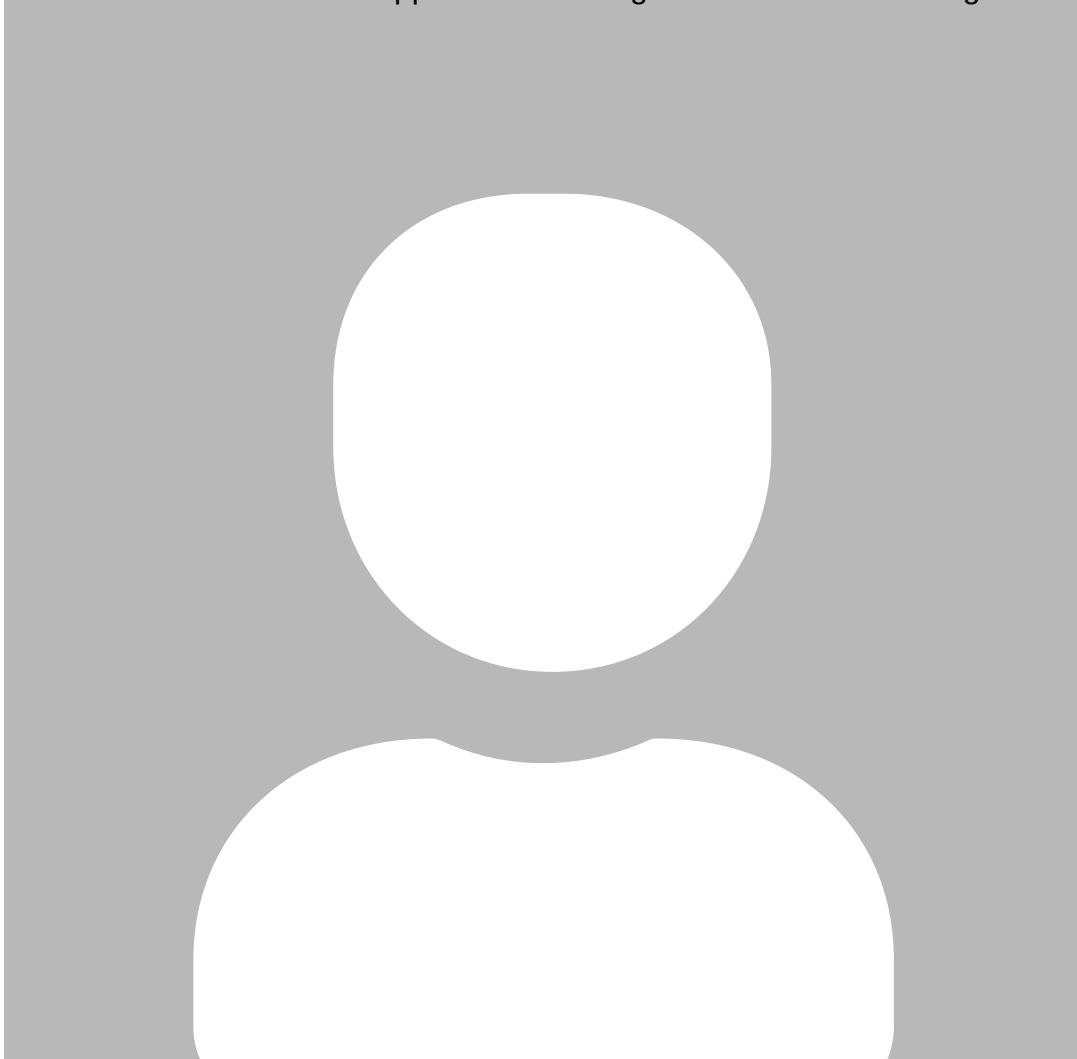
Thank you for clarifying. 1 – Could you please provide me your full name on file for the account? 2 – Have you already taken backups for the website files and databases? Once the account is deleted, you will no longer have access to them. 3-Do you have access to the email address on file for the account?

Jun 5, 2024 3:02 AM



I changed my debit card last year and haven't paid you for months. Bluehost employee Eliyas Mohammad told me that he closed my BlueHost account on Aug 27, 2023. He confirmed on Aug 27, 2023 7:20 AM that my account was permanently closed. Months later he said that "Michael" took over the website. I don't know who Michael is.

Jun 5, 2024 3:02 AM



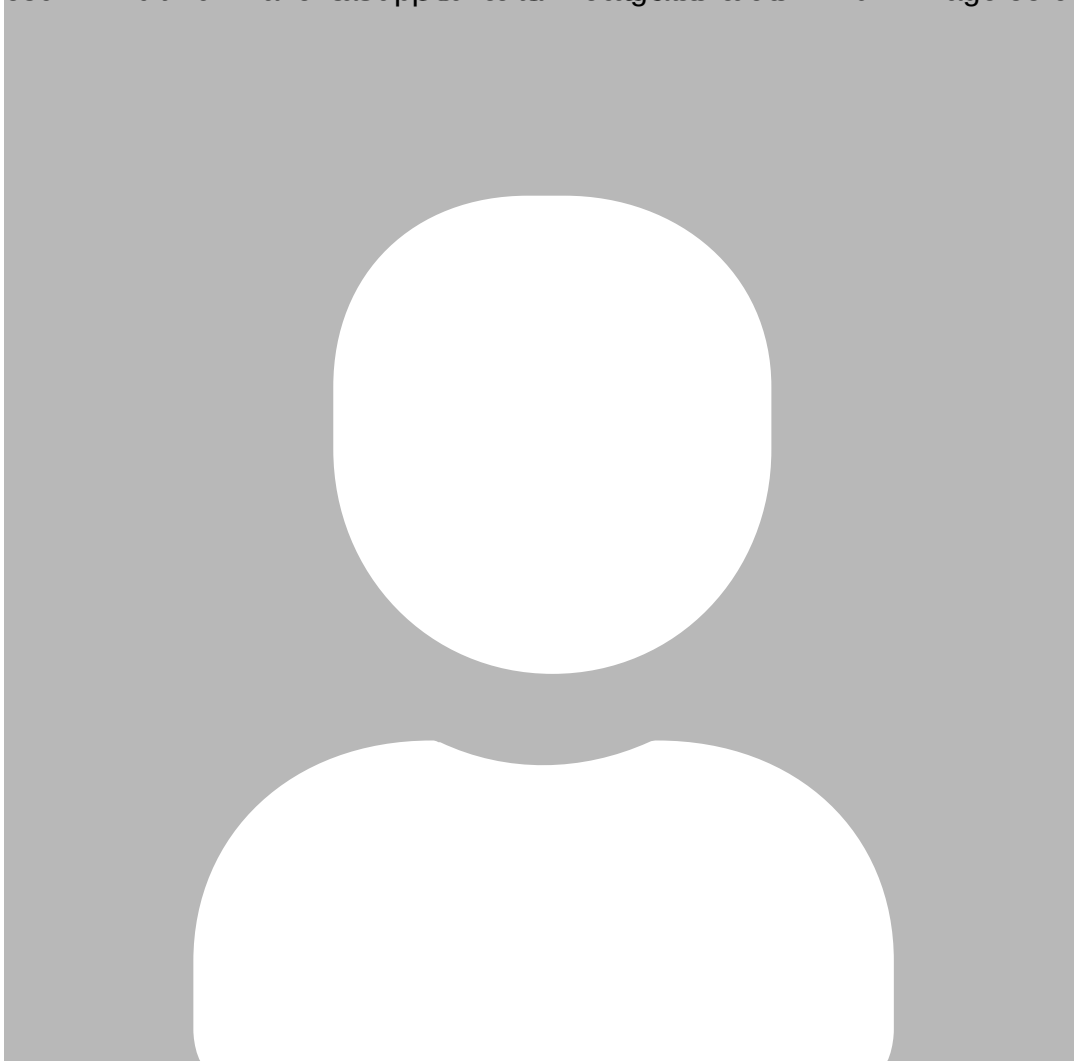
There are no refund available on the account

Jun 5, 2024 3:02 AM



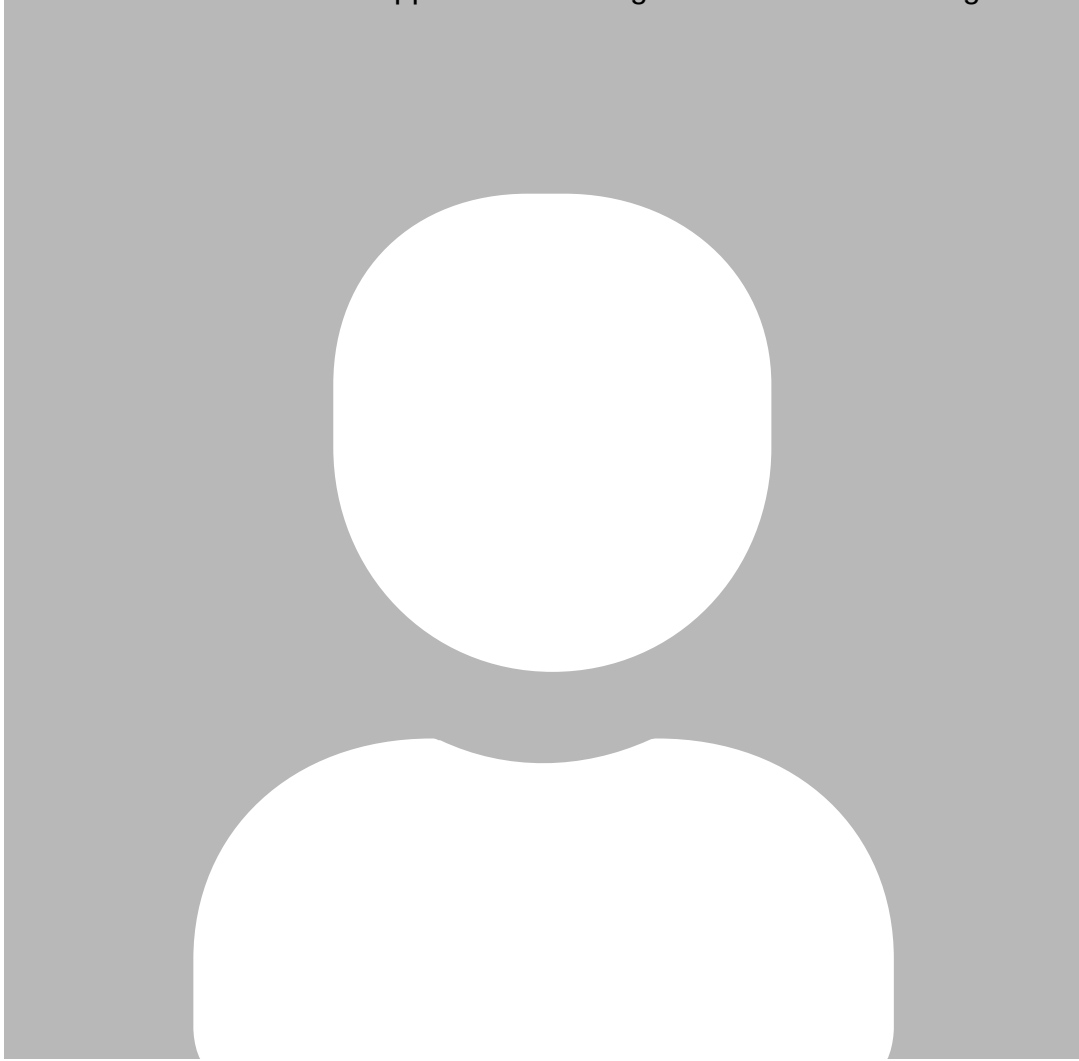
Clark Warren Baker - no backups needed. Close the account.

Jun 5, 2024 3:03 AM



I don't access Bluehost email.

Jun 5, 2024 3:03 AM



Thank you for clarifying.

Jun 5, 2024 3:05 AM



May I know if you have any future plans to build the webostes?

Jun 5, 2024 3:05 AM



Your account si active till 2028 Aug. You can just keep them to expire as well

Jun 5, 2024 3:05 AM



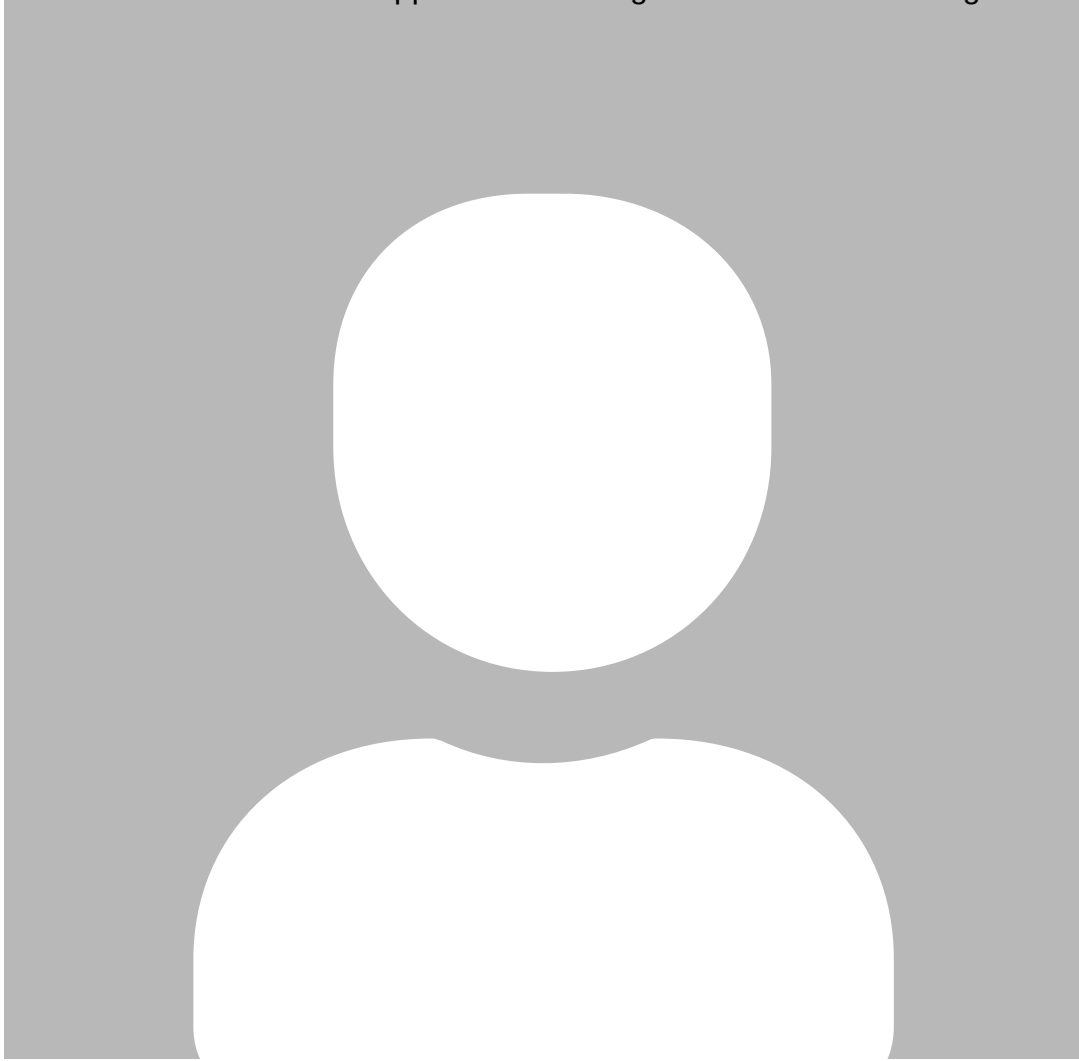
Clarify me to proceed further

Jun 5, 2024 3:05 AM



No future plans - I want nothing to do with Bluehost, as I told Bluehost employee Eliyas Mohammad last August.

Jun 5, 2024 3:06 AM



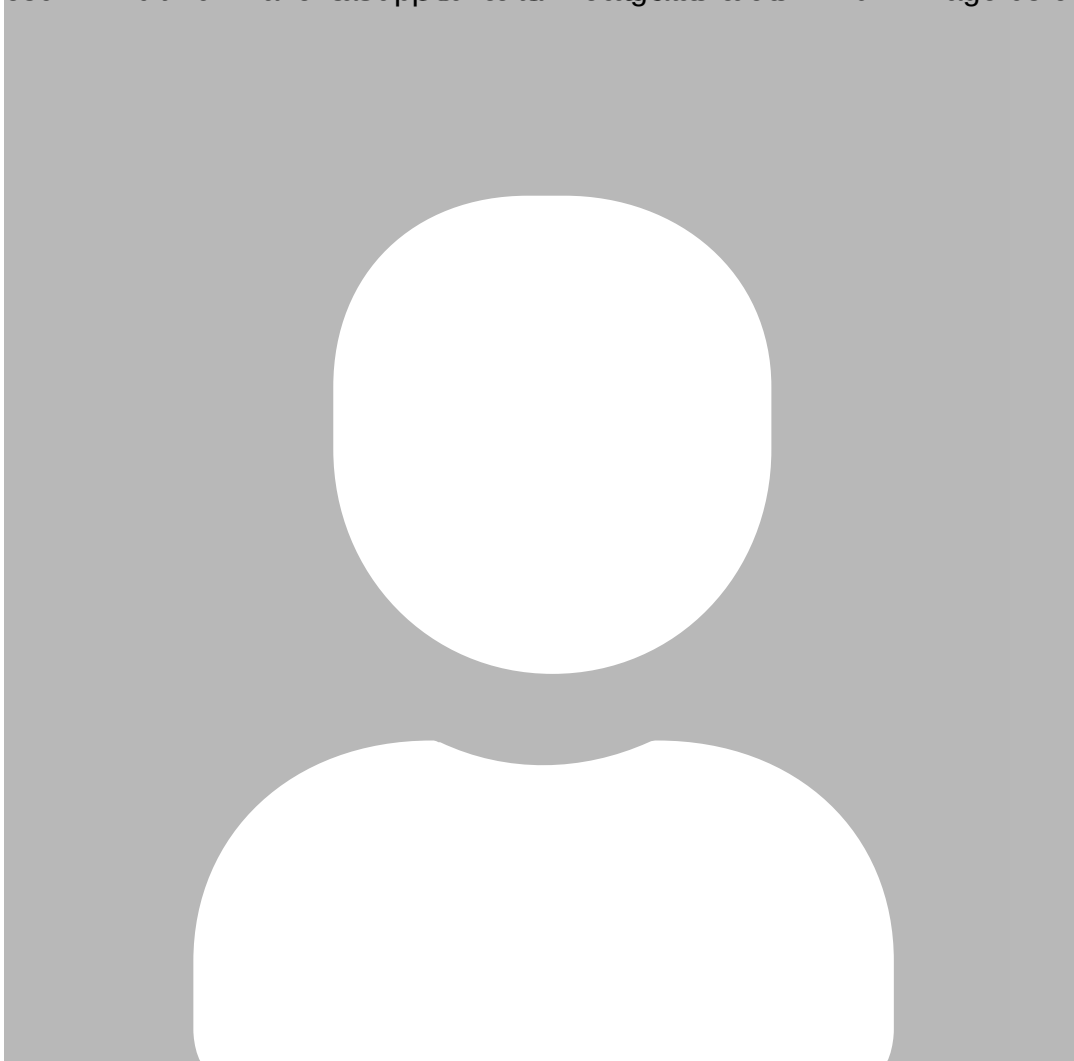
Thank you for the clarification.

Jun 5, 2024 3:06 AM



CLOSE IT

Jun 5, 2024 3:06 AM



Let me cancel the complete account for you

Jun 5, 2024 3:06 AM



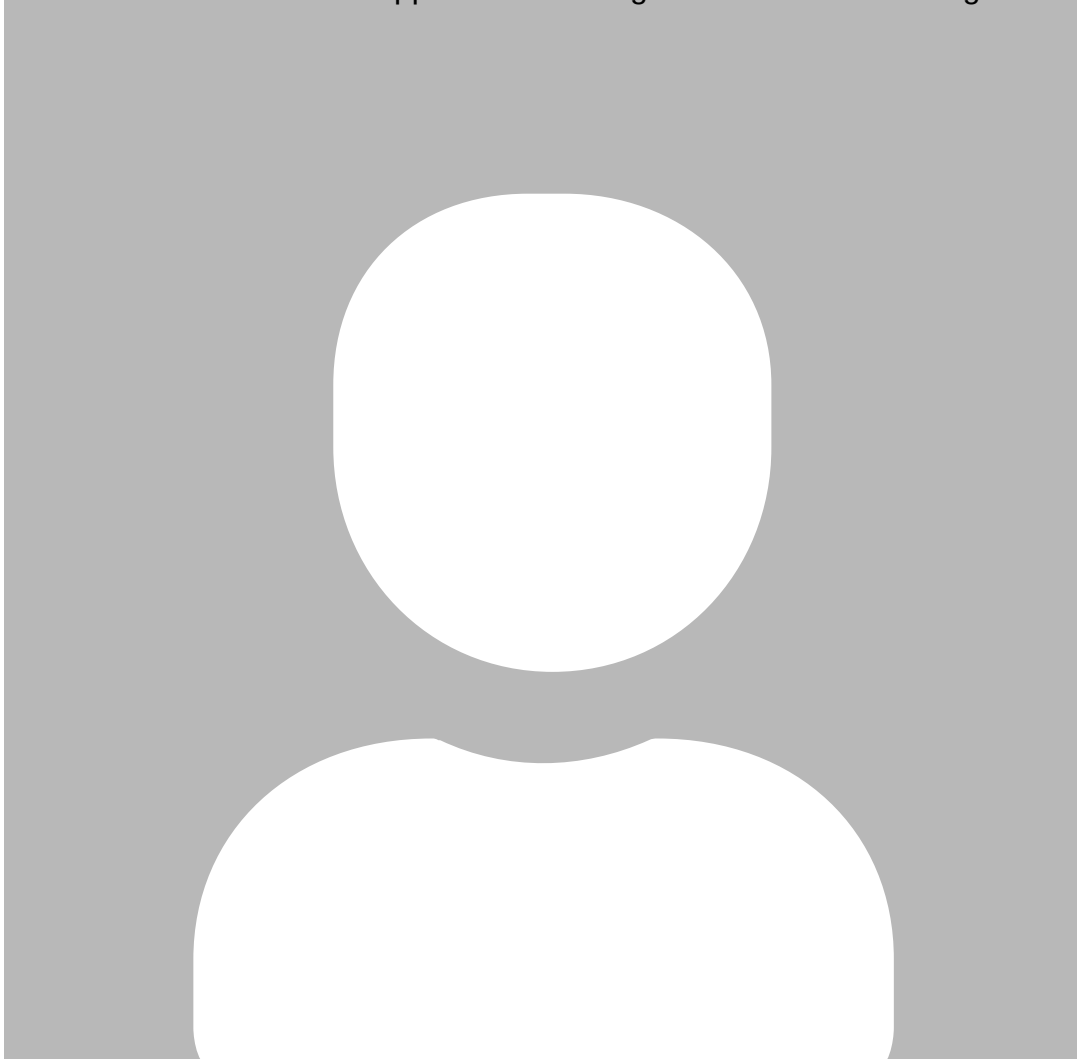
Please be on hold

Jun 5, 2024 3:06 AM



THANK YOU

Jun 5, 2024 3:06 AM



Order: 1729945533 submitted to delete

Jun 5, 2024 3:06 AM



Your account is successfully closed

Jun 5, 2024 3:07 AM



You will be receiving and email regards this

Jun 5, 2024 3:07 AM



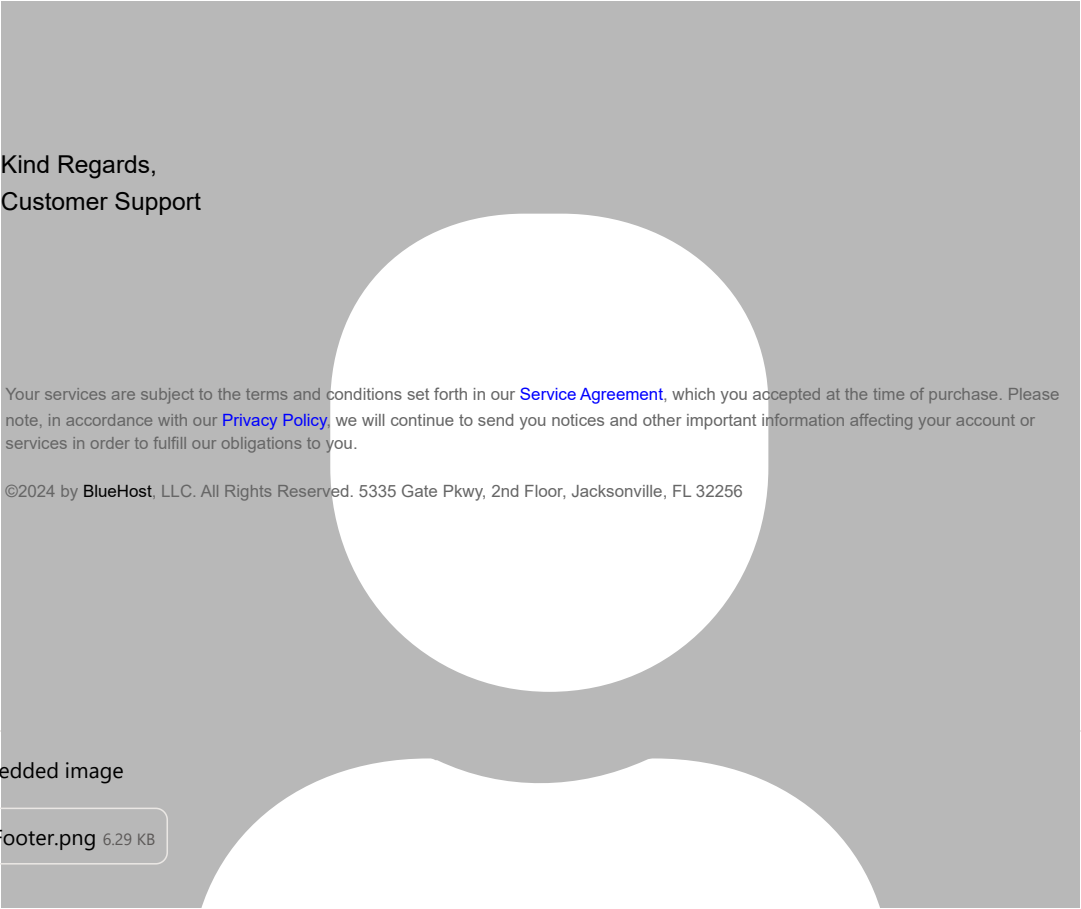
[Send a copy of this transcript](#)

Jun 5, 2024 3:07 AM



I-15038708 chat reference ID

Jun 5, 2024 3:07 AM



Kind Regards,
Customer Support

Your services are subject to the terms and conditions set forth in our [Service Agreement](#), which you accepted at the time of purchase. Please note, in accordance with our [Privacy Policy](#), we will continue to send you notices and other important information affecting your account or services in order to fulfill our obligations to you.

©2024 by BlueHost, LLC. All Rights Reserved. 5335 Gate Pkwy, 2nd Floor, Jacksonville, FL 32256

6.29 KB 1 embedded image

webwb/BlueHostFooter.png 6.29 KB

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
3255 Wilshire Blvd., Suite 1801, Los Angeles, CA 90010

A true and correct copy of the foregoing documents entitled: **SUPPLEMENT TO
BAKER'S FOURTH COMPLIANCE DECLARATION**
(Clarifying Item 4 Re Certain Third-Party Communications)

(a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 6/6/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED SERVICE LIST

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 6/6/2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Judge Sherri Bluebond
255 East Temple Street, Room 1539
Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

<u>6/6/2024</u>	<u>Pam Pantell</u>	<u>/s/ Pam Pantell</u>
Date	Printed Name	Signature

SERVICE LIST

In re Clark Warren Baker, Debtor - Defendant

David P Bleistein
Rosen & Associates PC
Email: dbleistein@rosen-law.com

Michael J Conway
Greenberg & Bass LLP
Email: MConway@gblawllp.com

Lisa Hiraide
Rosen & Associates PC
Email: lhiraide@rosen-law.com

Derek Linke
Newman Du Wors LLP
Email: linke@newmanlaw.com

Douglas M Neistat
G&B LAW, LLP
Email: dneistat@gblawllp.com

Derek A Newman
Newman Du Wors LLP
dn@newmanlaw.com

JESSICA PONCE (SBN 284043)
LAW OFFICES OF JESSICA PONCE
3255 Wilshire Blvd., Suite 1801
Los Angeles, CA 90010
Tel. (213) 263-2911
Fax (213) 403-5737
office@jponcelaw.com

Attorney for Debtor/Defendant,
CLARK BAKER

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION

In re
CLARK WARREN BAKER

Debtor.

JAMES MURTAGH, M.D.,

Plaintiff,

vs.

CLARK WARREN BAKER,

Defendant.

Bk. Case No.: 2:15-bk-20351-BB
Chapter 7
Adv. Case No. 2:15-AP-01535-BB

**DECLARATION OF CLARK BAKER IN
RESPONSE TO PROPOSED ORDER (DKT. #
1103) AND SUPPLEMENTAL BRIEF (DKT. #1102)**

Date: July 10, 2024
Time: 10:00 a.m.
Dept: 1539

DECLARATION OF CLARK BAKER

I, Clark Warren Baker, declare:

1
2 1. If called as a witness I could competently testify to the following matters, which are of my own
3 personal knowledge.

4
5 2. This Declaration is made in response to Plaintiff's Supplemental Brief Re Contempt Sanctions
6 and [Proposed] Order Holding Defendant Clark Warren Baker in Contempt.

7 3. Before I begin, I apologize to the Court for any and all problems that I have caused to the Court.
8 I also apologize to Dr. Murtagh for any and all problems that I created in his personal life. My
9 intentions were only to protect and defend the innocent from malevolent actors. If tracked like real
10 diseases, preventable errors and complications would rank as the third leading cause of death in the US.
11 My intentions were no more than to protect and defend the innocent. I've since retired, moved to a safe
12 and healthy environment, I've married and have been welcomed by a loving family. I have no interest
13 or desire to pursue Dr. Murtagh or to conduct any investigations into Murtagh or his governmental and
14 non-governmental associates again. I simply seek peace for my friends, family, and pray that Dr.
15 Murtagh finds peace and is blessed with a long and healthy life.
16
17
18
19

Proposed Finding of Alleged Materially Incomplete and/or False Testimony	Order	Response
For each instance in either the First Baker Compliance Declaration or the Second Baker Compliance Declaration where Baker testifies that there are no provisions in the Court's Injunction, December 2022 OSC, and/or Interim Order applicable to a particular online property, the Court finds that such testimony is materially incomplete.	Second Interim Order, 4:3-7	<p>This item is the subject of an objection by my attorney based on it being compound and non-specific, and that the Court cannot render such an order without an evidentiary hearing. Also, any imagined shortcomings are non-material.</p> <p>But as far as I know every time I said statement, it was correct. The following should be kept mind:</p> <p>(i) The Judgment/Injunction contained sixteen (16) pages and was extremely complex, with references to other and almost impossible to read. (It should be</p>

		<p>noted, I only received the judgment six or so months after date stamped on it from my attorney, but was never served by anyone before then).</p> <p>(ii) I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should know I did not act wilfully in violation any court order. In a trial with live testimony, the Court can determine my veracity.</p>
<p>The Second Baker Compliance Declaration (on page 6 at lines 23–28) includes the following testimony relating to the shakedown.com online property:</p> <p>“A back-up of JamesMurtaghMDTruth.com was transferred from Declarant [Baker] sometime in 2015 or 2016 and was taken down before 2017. The lack of screenshots (one, compared to OMSJ’s 300+ and JamesMurtaghMDTruth.com 29 times). Australian citizen John McNair facilitated that transfer to the unknown server owner.”</p> <p>The Court finds that such testimony is materially incomplete.”</p>	<p>Second Interim Order, 4:23-5:1</p>	<p>This item is the subject of an objection by my attorney based on the following grounds.</p> <ul style="list-style-type: none"> - Murtagh has presented no evidence said statement is materially incomplete. It is a bald conclusion. - Due process requires an evidentiary hearing with live testimony to determine if any shortcoming was material. - Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully, - Such evidentiary hearing is necessary to determine veracity. <p>Defendant responds as follows:</p> <ul style="list-style-type: none"> - The information required by the order was unclear to me, so I gave it my best answer. I do not possess a "back-up of JamesMurtaghMDTruth.com.” I don't recall whether I pushed a backup to McNair or he pulled it from my server. - I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should

		<p>know I did not act wilfully in violation of any court order. In a trial with live testimony, the Court can determine my veracity.</p> <p>-</p> <p>Attached hereto as Exhibit A are true and correct copies of all communications with McNair and the WhoIs search results for Shakedown conducted by Baker on 7-11-2024. Declarant has no further information or recollection of the website, which no longer exists or appears.</p>
<p>“The Second Baker Compliance Declaration (on page 152 at lines 22–28) includes the following testimony about an online property:</p> <p>“d) ‘http://mspbwatcharchive.files.wordpress.com/gapprop/’ – Declarant [Baker] certifies the following information:</p> <p>i) Most-recent date closed, terminated, or last used or accessed: This website was owned by David Pardo. Declarant [Baker] does not own this website and does not have any control over its content. Declarant [Baker] believes this website has been deleted in approximately 2016.”</p> <p>The Court finds that the above testimony is materially incomplete.</p>	<p>Second Interim Order, 5:16-24</p>	<p>This item is the subject of an objection by my attorney based on the following grounds.</p> <ul style="list-style-type: none">- Murtagh has presented no evidence said statement is materially incomplete. It is a bald conclusion.- Due process requires an evidentiary hearing with live testimony to determine if any shortcoming was material.- Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully,- Such evidentiary hearing is necessary to determine veracity. <p>I, Declarant [Baker], certify that I never owned or operated, and I do not recall accessing ‘http://mspbwatcharchive.files.wordpress.com/gapprop/’.</p> <p>Declarant does not know when it was opened or closed.</p> <p>Declarant conducted a WhoIs.com search on July 11, 2024 in preparation of this response. WhoIs info shows no</p>

		<p>registration. Attached hereto as Exhibit B is a true and correct copy of the WhoIs search conducted by Baker on 7/11/2024.</p> <p>This website was owned by David Pardo, who was also sued by Murtagh. Declarant [Baker] has never own or controlled this website and does not have any control over its content. Declarant [Baker] believes this website has been deleted in approximately 2016.</p> <ul style="list-style-type: none">- I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should know I did not act wilfully in violation of any court order. In a trial with live testimony, the Court can determine my veracity.
<p>The Second Baker Compliance Declaration (on page 6 at lines 23–28) includes the following testimony relating to the shakedowndoc.com online property:</p> <p>“g) ‘http://deviningafraud.wordpress.com/2012/11/27/the-devine-lewis-soeken-murtaghconnection’ – Declarant [Baker] certifies the following information:</p> <p>i) Most-recent date closed, terminated, or last used or accessed: This website was owned by David Pardo. Declarant [Baker] has never owned this website. Declarant [Baker] believes this was deleted in approximately 2016.</p> <p>ii) Account name or names used: David</p>	<p>Second Interim Order, 6:8-18</p>	<p>This item is the subject of an objection by my attorney based on the following grounds.</p> <ul style="list-style-type: none">- Murtagh has presented no evidence said statement is materially incomplete. It is a bald conclusion.- Due process requires an evidentiary hearing with live testimony to determine if any shortcoming was material.- Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully.- Such evidentiary hearing is necessary to determine veracity. <p>Declarant [Baker] certifies that Baker never owned or operated, and does not recall accessing</p>

<p>Pardo</p> <p>iii) Alias or aliases used: N/A”</p> <p>The Court finds that the above testimony is materially incomplete.</p>		<p>http://devininga fraud.wordpress.com/2012/11/27/the devine-lewis-soeken-murtagh connection?.</p> <p>Baker does not know when it was opened or closed.</p> <p>Declarant conducted a WhoIs.com search on July 11, 2024 in preparation of this response. WhoIs info shows no registration. Attached hereto as Exhibit C is a true and correct copy of the WhoIs.com search.</p> <p>This website was owned by David Pardo. Declarant [Baker] has never owned or controlled this website and does not have any control over its content. Declarant [Baker] believes this website has been deleted in approximately 2016.</p> <ul style="list-style-type: none">- I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should know I did not act wilfully in violation of any court order. In a trial with live testimony, the Court can determine my veracity.
<p>Baker’s testimony provided pursuant to the Interim Order included claims that he shredded, or caused to be shredded, 8, 9, or 10 boxes of written information concerning Dr. Murtagh. (See Transcript of August 3, 2023 Deposition of Clark Baker, filed as Exhibit C to the Linke declaration (Dkt. 1013) at 387:8–389:11, 394:10–395:13.) The Court finds that such testimony is materially</p>	<p>Second Interim Order, 7:3-8</p>	<p>This item is the subject of an objection by my attorney based on the following grounds.</p> <ul style="list-style-type: none">- Murtagh has presented no evidence said statement is materially incomplete. It is a bald conclusion- Due process requires an evidentiary hearing with live testimony to determine if any shortcoming was material.

incomplete.

- Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully,
- Such evidentiary hearing is necessary to determine veracity.

Baker responds as follows:

On 4 Feb 2022, Carol Dunn sent an email to Baker requesting that the 14 case boxes be removed from her basement, located at Baker's former resident at 2645 Greenvally Road, Los Angeles, 90046. Baker left them in her basement. On August 8 2022, Baker traveled to Los Angeles. Upon his arrival, Carol Dunn informed Baker that she was selling her house and had hired an unknown document disposal/shredding service to remove the boxes and destroy them. When I asked, Dunn said that she did not recall the name of the company or the date they had performed their services. Baker only knows that Carol Dunn told him they were removed and destroyed.

- I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should know I did not act wilfully in violation of any court order. In a trial with live testimony, the Court can determine my veracity.

Baker testified repeatedly in the First Baker Compliance Declaration and the Second Baker Compliance Declaration that he deleted everything related to Dr. Murtagh from the OMSJ.org website prior to the signing and filing of each declaration under penalty of perjury. **The Court finds that such testimony has been proven false**, as evidenced by Exhibit E to the Linke declaration (Dkt. 1013), which shows files relating to Dr. Murtagh still present on that website as of August 4, 2023.

Second Interim Order, 7:26-8.4

This item is the subject of an objection by my attorney based on the following grounds.

- The language “such testimony has been materially proven false” is objectionable insofar as it implies that there was an intentional falsehood, which has not been shown (i.e. that there was false swearing).
- There is no evidence that Baker AT THE TIME OF THE SWEARING knew certain information was incorrect.
- The proposed language disregards Baker’s statement that he found out about certain incorrect statements, only after the declaration was signed.
- The proposed language disregards Baker’s counsel notifying Linke of later- discovered incorrect statements promptly and within days of the filing of the declaration.
- If the Court is going to weigh the evidence showing that Baker only later discovered the certain incorrect factual statements, then Due Process requires an evidentiary hearing with live testimony.
- To the extent there were incorrect statements later discovered, whether such discrepancies are material requires a due process evidentiary hearing.
- Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully,
- Such evidentiary hearing is necessary to determine veracity.

		<p>Baker responds: Before 4 August 2023, Declarant was not aware that that single document still remained on the website. To my best recollection, that document must have been found on a temporary folder that I somehow missed during my search. Upon returning home, I immediately removed that document and re-searched the website for Murtagh-related files.</p> <p>Although Declarant has deleted all files and closed my OMSJ accounts with BlueHost and Network Solutions, the website continues to appear at the URL OMSJ.ORG.</p> <p>Declarant conducted a WhoIs.com search on July 11, 2024. Attached hereto is a true and correct copy of the search results which reveal that the new owner of OMSJ is registered in Poland (Country Code PL, WhoIs).</p> <p>A further search of the website reveals no evidence of Murtagh's name or any of the prohibited files. Declarant conducted said search on July 11, 2024 in preparation of submitting this declaration.</p> <ul style="list-style-type: none">- I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should know I did not act wilfully in violation of any court order. In a trial with live testimony, the Court can determine my veracity.
Additionally, the Court rejects Baker's	Second Interim	My attorney is objecting to this item based on said proposed order language omits Baker's

testimony attempting to blame the continuing existence of these files on the CIA, NSA, CDC, or Dr. Fauci as having been invented out of whole cloth and therefore **finds that it is also materially false.**

Order,
8:4-7

material and main statement which preceded Baker's language, that Baker is not to blame for the continued existence of the files, and that, in other words, without evidence Mr. Linke and Plaintiff have leapt to the conclusion that Baker is to blame.

Also,

- Due process requires an evidentiary hearing with live testimony to determine if any shortcoming was material.
- Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully,
- Such evidentiary hearing is necessary to determine veracity.

Baker responds:

Between 2009 and 2015, Baker successfully conducted 50+ criminal defense investigations/cases. In each case, Baker's team demonstrated the unreliability and ineffectiveness of biological tests that included Polymerase Chain Reaction (PCR) tests and proved with electron microscopy that the tests could not detect pathogens in human blood, thereby misdiagnosing millions of US and foreign citizens who relied on those tests. The biological PCR technology is a multi-billion dollar industry that appears to use the tests to convince healthy and uninfected patients that they are sick with a disease that will eventually kill them unless they immediately subject themselves to unnecessary medical interventions with "Black Box" drugs that compromise kidney and liver function. Baker's final win was US v. David Gutierrez, which reversed the conviction of an HIV+ USAF veteran and effectively ended all criminal HIV arrests and prosecutions throughout the US. (UNITED STATES, Appellee v. David J. A. GUTIERREZ, Technical Sergeant U.S. Air Force, Appellant No. 13-0522 Crim. App. No. 37913 United States Court of Appeals for the Armed Forces Argued December 9, 2014 -

Decided February 23, 2015
<https://www.armfor.uscourts.gov/newcaaf/opinions/2014SepTerm/130522.pdf>
The attached are two documents that detail the nature of the cases that I was involved in. One will scoff at the idea of Fauci/CIA involvement until you read these documents and understand the government's stakes in my efforts to expose the fraud and corruption of the US Government's biotech industry, pre-covid. (see attached 8-4-7 BECK.pdf and 8-4-7 US v AB.pdf)

The PCR technology used to test for HIV is the same technology used to misdiagnose and grossly inflate millions of positive Covid tests between 2020 through today. Like HIV, those tests were used to misdiagnose patients to generate "cases" to begin unnecessary treatment with drugs like Remdesivir that led to ventilation and death - deaths that were then used to inflate Covid "case" numbers. Further revelations of Dr. Fauci's gross misconduct and fraud is now widely understood, as was his connection to Covid and the CIA's involvement in the development of deadly protocols and mRNA shots that have already crippled and killed millions of people throughout the world. (The Real Anthony Fauci, RFK 2021),
<https://www.michaelpsenger.com/p/michael-callahahan-darpas-ventilator>

Aside from the revelations about the NSA (Snowden files), Fauci, NIAID, CDC, and DoD's involvement in the Covid operations, more recent revelations by Project Veritas of CIA Agents Amjad Anton Fseisi (May 2024 <https://rumble.com/v4stsko-project-veritas-video-inside-cia.html>) and Gavin O'Blennis (<https://rumble.com/v4of6un-cia-fbi-sets-up-deceits-americans-if-they-dont-like-what-you-say.html>) shows CIA officers admitting on camera that the CIA/FBI sets up and destroys Americans when they don't like what we say. I did far more than say impolite things, I posted public court documents about Dr. Murtagh's parasitical and predatory behavior and his 16

years of harassment against Emory University, St. Mary's Hospital, VA Altoona, and many others. This case is just ONE of Dr. Murtagh's 10+ lawsuits:

"(T)he trial court was authorized to conclude, as it did in its orders of 2005, 2007, and 2012, that Murtagh's 2004 suit was part of a larger pattern of "repeated, bad faith and surreptitious violations of the settlement agreement...Emory's counterclaims also arose from Murtagh's bad faith conduct in the performance of the settlement agreement, and thus "arose separately" from Murtagh's 2004 suit itself..."

<https://cases.justia.com/georgia/court-of-appels/2013-a12a2127.pdf?ts=1541003824>)

What else explains the intelligence community's involvement in providing federal fugitive Kevin Kuritzky a new identity (David Bender), a new passport, new Florida driver license, admission into Harvard and his eventual employment at U. Maryland Baltimore where Fauci and his associates operate? What kind of plaintiff spends 16+ years and \$6 million to sue a judgment-proof pensioner with no assets? The ONLY explanation is that my involvement and leadership in exposing widespread fraud and corruption that is now widely recognized in NIAID and the Covid/mRNA bioweapons debacle is that I threatened the technologies that would be used in 2020 to perpetrate the Covid project that has injured and killed 17 million (still climbing), generated billion of dollars in profits, and transferred \$4 trillion in wealth from the middle class to America's ruling class. Without the PCR or other unreliable tests, 2020-2024 would been no more than a series of cold and flu seasons. Even PCR inventor and Nobel Laureate Kary Mullis cautioned that PCR could not be used for diagnostic purposes.

Unfortunately, US courts have no jurisdiction over the Intelligence Community, so all of the methods and technologies they use against US

citizens are conducted with impunity. The Court may not believe me, but these are some of the many reasons that this case has been prosecuted. You may not believe me now, but the evidence, history and growing actuarial data bears much of this out.

A defendant who raises the necessity defense admits to committing what would normally be a criminal act but claims the circumstances justified it.

I had a legal necessity to investigate and report what I found in biotech:

- * a specific threat of significant, imminent danger existed
- * the situation required an immediate necessity to act
- * no effective legal alternatives were available
- * the defendant didn't cause or contribute to the threat
- * the defendant acted out of necessity at all times, and
- * the harm caused wasn't greater than the harm prevented.

A defendant has the best chance at succeeding with this defense when the criminal act is minor and the potential harm is significant (life-threatening or catastrophic). The misdiagnosis and unnecessary treatment for HIV and Covid has killed millions of people. The criminal charges brought against misdiagnosed people who are accused of exposing others to HIV are catastrophic.

These facts are why I created my websites. This court is why I have removed them and destroyed the evidence (Murtagh's documents).

- I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should

		know I did not act wilfully in violation of any court order. In a trial with live testimony, the Court can determine my veracity.
In his testimony provided pursuant to the Interim Order, Baker testifies at great length about files that claims to have deleted on October 20, 2016 and the diligent search that he conducted on his computer on January 4, 2023. The Court finds that such testimony is materially incomplete.	Second Interim Order, 8:22-25	<p>This item is the subject of an objection by my attorney based on the following grounds.</p> <ul style="list-style-type: none">- Due process requires an evidentiary hearing with live testimony to determine if any shortcoming was material.- Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully,- Such evidentiary hearing is necessary to determine veracity. <p>Declarant cannot explain how the restricted file appeared on OMSJ's website in August 2023 - all I can say is that the protected documents no longer exist on the website since I closed my accounts. Even after closing my account, the website remains up. I've authorized Murtagh's access to my BlueHost and NetWork Solutions accounts and hope that they will be satisfied that no documents remain and that my access to that website no longer exists.</p> <ul style="list-style-type: none">- I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should know I did not act wilfully in violation of any court order. In a trial with live testimony, the Court can determine my veracity.

<p>In addition to the above items 1 through 7, for each instance in either the First Baker Compliance Declaration or the Second Baker Compliance Declaration where Baker testified that somebody else other than him was responsible for a particular online property, the Court finds that such testimony is materially incomplete.</p>	<p>Second Interim Order, 9:11-15</p>	<p>This item is the subject of an objection by my attorney based on the following grounds.</p> <ul style="list-style-type: none">- The proposed language is compound.- The proposed language is a blanket statement too general and non-specific.- Murtagh has presented no evidence said statement is materially incomplete. It is a bald conclusion- Due process requires an evidentiary hearing with live testimony to determine if any shortcoming was material.- Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully,- Such evidentiary hearing is necessary to determine veracity. <p>Baker responds: Declarant cannot prove how the material appeared on the OMSJ website on August 2023, but I have explained how and why it could've been placed there, but former CIA/NSA whistleblower Edward Snowden leaked the existence of global surveillance programs that target Americans and use technologies and techniques that enter computer systems and plant evidence. Members of Congress and Media have been unlawfully targeted in ways that are nearly impossible to protect and defend oneself from. XKeyscore, PRISM, ECHELON, Sentient, Carnivore, Dishfire, Stone Ghost, Tempora, Frenchelon, Fairview, MYSTIC, DCSN, Boundless Informant Bullrun Pinwale Stingray SORM RAMPART-A, Mastering the Internet,</p>

		<p>Jindalee Operational Radar Network are just a few of those programs. https://en.wikipedia.org/wiki/Edward_Snowden</p>
<p>In Paragraph 19 of its Second Interim Order, the Court found that, “In his testimony provided pursuant to the Interim Order, Baker testifies at great length about files that claims to have deleted on October 20, 2016 and the diligent search that he conducted on his computer on January 4, 2023. The Court finds that such testimony is materially incomplete.” (Second Interim Order ¶ 19.) Accordingly, the Court ordered Baker to explain such testimony in the Third Baker Compliance Declaration, “including, without limitation, addressing: (1) The complete factual basis for such testimony. (2) Identification of as to the location and nature of documents or communications, by subject and category of document type supporting such testimony. (3) Identification, including all available contact information, of all individuals from whom Baker obtained information forming the basis of such testimony. (4) How does Baker know that he deleted these files on October 20, 2016? (5) What specific documents, entries, or other records or documents did he see that reflected this date? (6) What steps did Baker take on January 4, 2023 as part of this “diligent search”? (Id. ¶ 20.)</p> <p>The Court finds that the Third Baker Compliance Declaration fails to include any such testimony in response to Paragraph 20 of the Second Interim Contempt Order and is thus materially</p>	<p>3rd Interim Order, 3:23-4:12</p>	<p>This item is the subject of an objection by my attorney based on the following grounds.</p> <ul style="list-style-type: none"> - The proposed language is compound. - The proposed language is a blanket statement too general and non-specific. - Murtagh has presented no evidence said statement is materially incomplete. It is a bald conclusion - Due process requires an evidentiary hearing with live testimony to determine if any shortcoming was material. - Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully, - Such evidentiary hearing is necessary to determine veracity. <p>Baker responds: In Paragraph 19 of its Second Interim Order, the Court found that, “In his testimony provided pursuant to the Interim Order, Baker testifies at great length about files that claims to have deleted on October 20, 2016 and the diligent search that he conducted on his computer on January 4, 2023. The Court finds that such testimony is materially incomplete.” (Second Interim Order ¶ 19.) Declarant doesn’t know how I missed deleting certain files from OMSJ’s servers in 2016 and January 2023 - I searched for them and deleted everything that I found. Once notified that one file was still located at omsj.org in august 2023, Declarant made repeated attempts to delete the entire website and all files (related or not) from the server. months after Declarant requested that</p>

incomplete.

omsj.org and its contents be removed and closed, the url and website are still visible.

Despite the \$6 million Murtagh has spent to compel me to remove publicly available court documents that prove that his medical career had ended before we met in 2008, he gives me no guidance as to what I am to do. The websites are gone - the files are gone - short of email and social media, I have closed all of my accounts at network solutions, bluehost, orange. I am at a loss as to how to comply with Murtagh's ongoing lawfare. Even if the court finds me in contempt again and punishes me with incarceration, I fear that all of their current claims and accusations will be refiled and I will be unable to satisfy a court that will return me to prison for failing to prove that I deleted files I no longer have. would it not be easier for Murtagh to notify me when a file is found so that i can pursue and delete it? After 2015, whenever Murtagh reported an offending file, I immediately deleted it. I will gladly respond this way in the future if he comes across something that violates the court orders. Even if I stopped using and junked my computers, Murtagh would still blame me for posting files. more than 95% of the files are public court documents, so what prevents me from being accused if and when others dig into dr. murtagh's public court documents?

I have no independent recollection of what I did eight years ago or how I deviated from this process in 2016.

How do I prove the non-existence (the negative) that something is not there? When I deleted everything related to Murtagh, I deleted records that might've helped me remember.

I have deleted all the files. This information is from my own knowledge.

I deleted my files from my computers and servers. I sought no help from third parties.

(4) How does Baker know that he deleted these files on October 20, 2016?

I have no independent recollection of the searches and deletions I performed eight years ago. I vaguely recall that i searched for files and deleted them when I discovered them.

(5) What specific documents, entries, or other records or documents did he see that reflected this date?

Because I have deleted my files, I have no independent recollection of having deleted files on 20 October 2016. I do, however, have a general recollection of having deleted files in 2016.

Because of the physical and psychological trauma caused by this lawfare, I regularly attend private counseling and have deliberately forgotten much of the past 16 years to preserve my health and sanity.

(6) What steps did Baker take on January 4, 2023 as part of this “diligent search”? (Id. ¶ 20.)

I vaguely recall going through the same process on or about January 2023. I don't know how or why the Kuritzky file still appeared on omsj.org in august 2023, but once identified I immediately removed it and initiated the process to close omsj.org and my hosting accounts when it became clear to me that I no longer controlled the presentation and contents of the website.

As previously mentioned, I am aware of the widespread corruption and unlawful misconduct of our us intelligence agencies, the weaponization of those agencies against us citizens that our intelligence agencies deem dangerous; the 4000+ illegal searches that former FBI Director Mueller has admitted to, and the motives that government agencies would have in their ongoing efforts to silence individuals who expose the tools used to wage their war against us and foreign citizens in operations like covid, gain of function, mrna, and pcr testing. Like millions of Americans, I've learned the lengths the US government will go to wage war against its own citizens. Lawfare is widely used against Americans every day, but the worst form comes when a court enables a predator like Murtagh in proxy wars like this.

		<p>What kind of man spends 16 years and \$6 million to sue a man with no assets? I accept that Murtagh will continue to attack me until dead, but how many years is this court willing to stretch this punishment out? What purpose exactly will further incarceration serve except to make good citizens fear reprisal for protecting and defending the innocent from pathologized government agencies and the parasitical predators they contract. I've already endured prison and continue to do everything I can to avoid the court's wrath.</p> <ul style="list-style-type: none"> - I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should know I did not act wilfully in violation of any court order. In a trial with live testimony, the Court can determine my veracity.
<p>The Third Baker Compliance Declaration (on page 18 at lines 12–17) includes the following testimony relating to the Outlook email account jtdeshonq@hotmail.com online property:</p> <p>“kk. Outlook ‘jtdeshonq@hotmail.com’ – Declarant certifies the following information:...</p> <p>Supplemental Response:</p> <p>Can you, C. Baker, certify the following regarding the above Online Property</p> <p>I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including,</p>	<p>3rd Interim Order, 4:25-5:15</p>	<p>This item is the subject of an objection by my attorney based on the following grounds.</p> <ul style="list-style-type: none"> - The language “the Third Compliance Declaration was false” is objectionable insofar as it implies that there was an intentional falsehood, which has not been shown (i.e. that there was false swearing). - The language, “Baker subsequently conceded that there was material pertaining to Dr. Murtagh located at this online property” is a characterization of an unstated fact, and is a blatantly incorrect mischaracterization. Instead, Baker stated that he <u>later</u>, after submitting his declaration, realized that the declaration needed correction.

without limitation, the use of an moniker, such as 'goon,' 'mo,' 'shakedowndoc,' 'baddoc,' or baddocjjm,' etc.

(x)Yes ()No”

At the Hearing, Baker’s counsel confirmed that, notwithstanding the above testimony, Baker subsequently conceded that there was material pertaining to Dr. Murtagh located at this online property.

Therefore, the Court finds that the above testimony at page 18 at lines 12–17 of the Third Baker Compliance Declaration was false.

- There is no evidence that Baker AT THE TIME OF THE SWEARING knew the information was incorrect.
- If the Court is going to weigh the evidence showing that Baker only later discovered the certain incorrect factual statements, then Due Process requires an evidentiary hearing with live testimony.
- To the extent there were incorrect statements later discovered, whether such discrepancies are material requires a due process evidentiary hearing.
- Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully,
- Such evidentiary hearing is necessary to determine Baker’s credibility.

Baker responds:
I created and briefly used the email address jtdeshonq@hotmail.com after reporting that the NIH website aidstruth.org was down. Subsequently, that email was copied on emails of Murtagh and his associates as they acted against me and pressured Kuritzky to change his testimony and falsely claim that I had pressured Kuritzky to lie about Murtagh. Those emails proved that it was Murtagh who pressured Kuritzky to lie to the court and falsely claim that I had committed witness tampering. After being sanctioned and threatened with criminal charges, I stopped using the outlook account and eventually forgot about it. Nothing in those emails that prove that Murtagh and his lawyers knew of Murtagh's witness tampering was ever revealed and I

		reported and deleted that account when I rediscovered it. I forwarded copies of those emails, deleted them from the account, and notified the court. To avoid further confusion on this issue, I have closed jtdeshonq@hotmail.com .
<p>The Third Baker Compliance Declaration (on page 18 at lines 12–17) includes the following testimony relating to the Outlook email account jtdeshonq@hotmail.com online property</p> <p>“kk. Outlook ‘jtdeshonq@hotmail.com’ – Declarant certifies the following information:...</p> <p>Supplemental Response:</p> <p>Can you, C. Baker, certify the following regarding the above Online Property?</p> <p>I, Clark Baker, certify under penalty of perjury that that particular online property has not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of an moniker, such as ‘goon,’ ‘mo,’ ‘shakedowndoc,’ ‘baddoc,’ or baddocjim,’ etc.</p> <p>(x)Yes ()No”</p> <p>At the Hearing, Baker’s counsel confirmed that, notwithstanding the above testimony, Baker subsequently conceded that there was material pertaining to Dr. Murtagh located at this online property.</p> <p>Therefore, the Court finds that the</p>	<p>3rd Interim Order, 5:25-6:17</p>	<p>This item is the subject of an objection by my attorney based on the following grounds.</p> <ul style="list-style-type: none"> - The language “the Third Compliance Declaration was false” is objectionable insofar as it implies that there was an intentional falsehood, which has not been shown (i.e. that there was false swearing). - There is no evidence that Baker <u>AT THE TIME OF THE SWEARING</u> knew certain information was incorrect. - The proposed language disregards Baker’s statement in Supplemental Declaration that he found out about continued existence of websites despite his formal orders to take down the websites, which he only discovered after the declaration was signed and submitted.. - The proposed language disregards Baker’s counsel promptly filing said Supplemental Declaration, which promptness allows the natural inference of that original statement was made in good faith and later discovered to be incorrect. Declaration being filed promptly . - If the Court is going to weigh the evidence showing that Baker only later discovered the certain incorrect factual statements, then

above testimony at page 18 at lines 12–17 of the Third Baker Compliance Declaration was false.

Due Process requires an evidentiary hearing with live testimony.

- To the extent there were incorrect statements later discovered, whether such discrepancies are material requires a due process evidentiary hearing.
- Such evidentiary hearing is necessary to determine whether Baker acted intentionally or willfully,

Baker responds:

Such evidentiary hearing is necessary to determine veracity. Both clarkbaker.org and osmj.org were never live websites and never contained prohibited documents and never referred to Murtagh. They were only URLs that Declarant purchased and maintained. The existence of those urls do not violate any orders and neither of those urls ever contained anything related to Murtagh as defined by the injunction. They were urls, nothing more. Declarant reported those urls in previous filings. Declarant has closed his account with network solutions.

- I REQUEST A TRIAL IF THE COURT IS GOING adopt the conclusion leapt to by Mr. Linke and Plaintiff. The Court should know I did not act wilfully in violation of any court order. In a trial with live testimony, the Court can determine my veracity.

I declare under the foregoing is true and correct under the penalty of perjury under the laws of the state of California. Executed this July 15, 2024 in Vero Beach, Florida.

Dated: July 15, 2024



CLARK BAKER

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
3255 Wilshire Blvd., Suite 1801, Los Angeles, CA 90010

A true and correct copy of the foregoing documents entitled: **DECLARATION OF CLARK BAKER**

(a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 6/6/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED SERVICE LIST

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 7-15-24, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Judge Sherri Bluebond
255 East Temple Street, Room 1539
Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

<u>7-15-24</u>	<u>Pam Pantell</u>	<u>/s/ Pam Pantell</u>
Date	Printed Name	Signature

Derek A Newman
Newman Du Wors LLP
dn@newmanlaw.com

FILED & ENTERED

JUL 18 2024

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY evangeli DEPUTY CLERK

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re:

CLARK WARREN BAKER,

Case No.: 2:15-bk-20351-BB

Chapter: 7

Adversary No.: 2:15-ap-01535-BB

Debtor(s),

JAMES MURTAGH, M.D.,

Plaintiff(s),

Vs.

CLARK WARREN BAKER,

Defendant(s).

**ORDER AFTER JULY 10, 2024
HEARING ON ORDER TO SHOW
CAUSE RE CONTEMPT**

Date: July 10, 2024

Time: 10:00 AM

Location: Courtroom 1539

On July 10, 2024, the Court held a continued hearing on its December 22, 2022 “Order to Show Cause re Contempt” (the “OSC”) [Docket No. 939], relating to Baker’s compliance with the Court’s February 17, 2022 Default Judgment and Permanent Injunction (the “Injunction”) [Docket No. 867]. Defendant Clark Warren Baker and his attorney, Jessica

Ponce, appeared remotely by video conference at the hearing. Other appearances were as noted in the record at the time of hearing.

Having previously found that Baker had failed to comply in various respects with the requirements of the Injunction, the Court issued the OSC in December of 2022. Thereafter, the Court conducted numerous hearings and entered a series of orders (collectively, the “Interim Orders”), including without limitation the following, requiring defendant Clark Warren Baker (“Baker”) to file declarations providing additional information and to produce various documents for the purpose of purging his contempt of the Injunction:

1. its March 25, 2023 “Interim Order re Contempt Sanctions against Clark Baker” (the “First Interim Order”) [Docket No. 975] (which was modified and corrected by this Court’s March 28, 2023 “Order Modifying and Correcting Interim Order re Contempt Sanctions Against Clark Baker” [Docket No. 977]);
2. its November 22, 2023 “Second Interim Order re Contempt Sanctions Against Clark Baker” (the “Second Interim Order”) [Docket No. 1045]; and
3. its April 25, 2024 “Third Interim Order re Contempt Sanctions Against Clark Baker” (the “Third Interim Order”) [Docket No. 1087].

In response to the Interim Orders, Baker filed a series of declarations, including without limitation the following, and produced a limited number of documents as attachments to those declarations:

1. “Defendant Clark Baker’s Supplemental Declaration in Response to OSC re Contempt” [Docket No. 948] filed January 25, 2023;
2. “Defendant Clark Baker’s Declaration in Response to Court’s Interim Order and Order Modifying and Correcting Interim Order” [Docket No. 979] filed April 21, 2023;
3. “Defendant Clark Baker’s Declaration in Response to Item 2.c.i. of Page 5-6 of Order of March 22, 2023 for C. Baker to Aver Compliance” [Docket No. 990] filed May 5, 2023;
4. “Defendant Clark Baker’s Supplemental Declaration in Response to Court’s Order of Nov. 22, 2023” [Docket No. 1065] filed December 28, 2023;
5. “Fourth Baker Compliance Declaration” [Docket No. 1098] filed May 15, 2024;

6. "Supplement to Fourth Baker Compliance Declaration" [Docket No. 1101] filed June 6, 2024; and
7. "Declaration of Clark Baker in Response to Proposed Order (Dkt. #1103) and Supplemental Brief (Dkt. #1102)" [Docket No. 1104] filed July 15, 2024 (the "July 2024 Baker Declaration").

The Court, having reviewed and considered (a) the requirements that the Interim Orders established for Baker to purge his contempt of the Injunction; (b) the extent to which Baker has fulfilled these requirements; (c) all of the memoranda, declarations and other documents filed by the parties in the above adversary proceeding (the "Action") with regard to Baker's attempts to purge his contempt; (d) the oral argument of counsel at the time of the numerous hearings on this matter; (e) the proposed form of order lodged by plaintiff in the Action in advance of the July 10, 2024 hearing on the OSC; (f) Baker's objections to the form of that proposed order; and (g) the Court's records and files in the Action; hereby makes the following findings:

1. In its First Interim Order (as modified and corrected by Docket No. 977]), the Court held Baker in contempt for willfully violating the February 17, 2022 Injunction by doing all of the following:
 - a. Continuing to own, administer or maintain online properties such as websites, blogs, or domain names that refer to Dr. Murtagh (paragraph 2¹);
 - b. Maintaining or retaining websites or online storage sites that contain content and/or host documents concerning Dr. Murtagh (paragraph 5);
 - c. Failing to purge from the internet content that he controls referring to or mentioning Dr. Murtagh (paragraph 6);
 - d. Failing to ensure that Baker's content about Murtagh was "deindexed" from internet search engines (paragraph 7);
 - e. Failing to transfer to Dr. Murtagh within 10 days of the entry of the Injunction domain names and websites referencing Dr. Murtagh (paragraph 8);

¹ The paragraph numbers in these sub-indented paragraphs refer to paragraph numbers in the Injunction.

- f. Failing to notify the Court and Dr. Murtagh within 10 days after the entry of the Injunction if he was unable to comply with any of the above directives (paragraph 9); and
 - g. Failing to copy Dr. Murtagh's counsel on any third-party communications made in an effort to comply with the directives contained in the Injunction (paragraph 13);
2. Although Baker complied with certain of the directives outlined in the Interim Orders in the various declarations he submitted in response to these orders, as of the July 10, 2024 hearing, a number of deficiencies remained (as outlined in detail below).
3. The July 2024 Baker Declaration does not address any of the remaining deficiencies identified by the Court at the July 10, 2024 hearing on the OSC and does not attach any of the exhibits that the declaration represents are attached to that document;
4. In the July 2024 Baker Declaration, in response to the prompt, "How does Baker know that he deleted these files on October 20, 2016," Baker states that he has "no independent recollection of the searches and deletions I performed eight years ago;" however, Baker first submitted a declaration swearing under penalty of perjury that he had deleted the files in question on October 20, 2016 **in a declaration that he filed on May 5, 2023** [Docket No. 990] – a little over a year ago. How did Baker know that that deletion had occurred on October 20, 2016 in May of 2023? The Court has repeatedly requested more information about the steps that Baker took in an effort to ensure that he had complied with the Injunction (or the documents or electronic records that he looked at to determine that the deletion occurred on this date) and has given Baker multiple opportunities to describe the process he used to ensure compliance or to determine that deletion occurred on this date, but cannot obtain anything remotely resembling an answer to this question.
5. Baker was advised in the First Interim Order [p. 7 at par. 3] that, if he failed to purge his contempt in the manner described by that order, or if the Court determined that any of the information contained in his compliance declarations was materially incomplete or false, or both, the Court would prepare a report and recommendation

- to the District Court in which it recommended to the District Court that it withdraw the reference of the Action to the extent necessary to hold Baker in criminal contempt and direct that he be incarcerated for a period of not less than one year. Similar warnings/reminders were contained in the Second Interim Order [Docket 1045, p. 3 at lines 17-23] and the Third Interim Order [Docket No. 1087, p. 3 at lines 10-16].
6. Baker has had more than ample time and opportunity to provide the information and documentation necessary to purge his contempt of the Injunction and has failed to do as described in more detail below.

In light of the foregoing, **IT IS HEREBY ORDERED** as follows:

1. Baker has failed to purge his contempt of the Injunction in at least the following respects:
 - a. He has failed to provide a full, complete and truthful explanation of all information, documents and any other grounds upon which he relied when he represented that he had deleted numerous files on October 20, 2016.
 - i. In his May 5, 2023 declaration [Docket No. 990], Baker testified 292 times that he had “closed, terminated or last used or accessed” a particular document or internet property on October 20, 2016. When directed in the Second Interim Order and Third Interim Order to explain this testimony by, among other things, advising the Court how he knows that he deleted these files on October 20, 2016 – what specific documents, entries or other records or documents he saw that reflected this date, Baker has failed to supply an answer to this question.
 - ii. Instead, Baker testified in his May 15, 2024 declaration that he never said he deleted files on this date and that this date was first mentioned in the Court’s November 6, 2023 Tentative Ruling. (See Docket No. 1098, p. 2 at pars. 4(a) and (c) (“The October 20, 2016 date is first mentioned in the Court’s November 6, 2023 Tentative

Ruling. It is repeated in the subsequent Second Interim Order and Third Interim Order. . . . To be clear, Baker does not reference October 20, 2016 in either declaration or in any previous declaration.”) Baker’s testimony in this declaration is false and demonstrates, at a minimum, that Baker does not take the time necessary to verify the accuracy of his statements before swearing to them under penalty of perjury in a declaration.

iii. In the July 2024 Baker Declaration, on page 18, Baker offers the following additional response to the prompt, “How does Baker know that he deleted these files on October 20, 2016?”: “I have no independent recollection of the searches and deletions I performed eight years ago. I vaguely recall that i searched for files and deleted them when I discovered them.” He adds in response to a question that asked what documents, entries or other records or documents he saw that reflected this date, “Because I have deleted my files, I have no independent recollection of having deleted files on 20 October 2016. I do, however, have a general recollection of having deleted files in 2016.”

iv. None of this testimony explains how, in May of 2023, when Baker signed docket number 990 under penalty of perjury, Baker knew that he had deleted files on October 20, 2016. Did he invent this date out of whole cloth or did he see this date on some document that he has not identified? Or was there some other reason that he selected or recalled this date when he prepared his May 2023 declaration and signed it under penalty of perjury? Baker never tells us or makes any effort to describe what steps he took to arrive at this date.

b. Baker has failed to provide a full, complete and truthful explanation of all information, documents and any other grounds upon which Baker relied

when he testified in his May 2023 declaration [Docket No. 990] that he conducted a diligent search on January 4, 2023 for files and other materials that he was required to delete pursuant to the Injunction, as required by the Third Interim Order.

- i. In his May 2023 Declaration, Docket No. 990, Baker testifies 275 times that, “On or about January 4, 2023 Declarant conducted a diligent search online and of his own computer and confirmed deletion” of various materials.
- ii. In response to the Third Interim Order, Baker filed his May 15, 2024 Fourth Compliance Declaration. On page 3 of that document, in paragraph 5, Baker suggests that the Court must have gotten this date wrong and must have been referring to April 20, 2023. (See Fourth Compliance Declaration, Docket No. 1098 (“In case the court is intending to reference April 20, 2023, to which Baker made numerous references in the 4/21/2023 and 5/5/2023 declarations, Baker responds as follows. Baker conducted diligent searches on his computer and as further described below on and around April 20, 2023 in preparation for the declaration submitted April 21, 2023.”)).
- iii. In the very next section of the Fourth Compliance Declaration, Baker provides a few paragraphs describing how he went about conducting the search referenced in the preceding section. He includes the date January 4, 2023 as one of the dates in the heading of that section, but it is clear from the text of paragraph 5 of the declaration that he is not testifying that he actually did any of this on January 4, 2023. As a result, Baker has never explained what if anything he did on or about January 4, 2023. As with the October 20 date, the question remains, did Baker invent this date out of whole cloth or was there some reason that he recalled or

selected this date at the time he prepared his May 2023 declaration? Baker never tells us or makes any effort to describe why he arrived at this date when he prepared his May 2023 declaration, again leaving the Court with the distinct impression that he “plays fast and loose” with the facts that he puts in declarations and does not make any effort to verify the accuracy of information given to the Court, even when he swears to the accuracy of that information under penalty of perjury.

iv. In the July 2024 Baker Declaration [Docket No. 1104] on page 18 in approximately the middle of the page, he responds to the prompt, “(6) What steps did Baker take on January 4, 2023 as part of this ‘diligent search?’” as follows: “I vaguely recall going through the same process on or about January 2023.” He does not describe in this declaration what he means by “the same process.” The preceding paragraph says merely, “I vaguely recall that i searched for files and deleted them when I discovered them.” That is hardly a detailed explanation of the steps he took in performing this “diligent search” and does not contain any information as to what documents or information Baker looked at to determine that he conducted this diligent search on January 4, 2023 or how he remembered in May of 2023 that this “diligent search” had occurred on or about January 4, 2023.

c. Baker has failed to provide a full, complete and truthful explanation of all of the following, as required by the Third Interim Order: (1) how in preparing his December 28, 2023 declaration he missed the fact that one of his email accounts (jtdeshong@hotmail.com) contained information that should have been deleted in response to the Injunction; (2) how and when he discovered that this information still existed; and (3) what this newly-discovered information was.

- i. In his December 28, 2023 declaration [Docket No. 1065], Baker certified under penalty of perjury that the Outlook email account jtreshonq@hotmail.com had not been used to host, store, maintain, or communicate about any content relating to Dr. Murtagh in any form, variation, or misspelling, including, without limitation, the use of an moniker, such as 'goon,' 'mo,' 'shakedowndoc,' 'baddoc,' or baddocjjm,' etc." (Docket No. 1065, p. 18 at lines 12–17.) However, shortly after filing that declaration, Baker's counsel advised opposing counsel (and confirmed on the record at a January 9, 2024 hearing) that Baker had located emails from this account that pertained to Dr. Murtagh.
- ii. As a result, the Court found in the Third Interim Order that Baker's certification that this email account did not contain any such information was false (see Third Interim Order, p. 5 at pars. 7-8) and ordered Baker to explain in a fourth compliance declaration how this oversight occurred. Paragraph 9 of the Third Interim Order requires Baker to include the following in the fourth Baker compliance declaration:
 1. The complete factual basis for such testimony [his testimony that this email account does not include any communications concerning Dr. Murtagh];
 2. What steps did Baker take in connection with conducting a diligent search and preparing his responses to the Second Interim Order [his December 28, 2023 declaration], including without limitation with respect to [the email address jtreshonq@hotmail.com]; and
 3. Identification of the location and nature of documents and communications that Baker subsequently located at the above online property.

iii. Baker's Fourth Compliance Declaration [Docket No. 1098] fails to provide the requested information and instead provides an explanation that is demonstrably false.

iv. In the Fourth Compliance Declaration, on page 4 at paragraphs 9 through 12, Baker provides the following testimony:

9. Declarant was doing a final sweep of his email accounts in preparation for submitting his Declaration in response to the Third Interim Order.

10. On the eve of the deadline Declarant searched the email address server hosting jtdeshong@hotmail.com and was horrified to see emails regarding Kurtizky and Murtagh pop up (as his recollection at that moment was that on the previous check no such emails were there).

11. When I discovered the emails Declarant immediately notified his attorney via email. Apparently in the final rush just before the filing, she did not catch that final correction. See the accompanying Declaration of Jessica Ponce.

12. Defendant had, in the meantime, signed and submitted his Declaration in response to the Third Interim Order without adjusting his responses to reflect the change.

v. This testimony cannot be accurate. The Third Interim Order was not even entered until four months after the declaration containing the relevant omission was filed. Therefore, Baker could not have prepared his December 2023 declaration [Docket No. 1065] in compliance with an order [Docket No. 1087] that did not yet exist. Although it could certainly be that Baker was merely confused and that he was preparing this declaration in response to the Second Interim Order rather than the Third, this testimony once again underscores the fact that Baker apparently makes little if any effort

to ensure that his declarations are accurate when they are signed and filed with the Court.

vi. After this inaccuracy was called to his attention, Baker filed the July 2024 Baker Declaration [Docket No. 1104], which contains more false information (or information that reveals that his earlier declaration was false). In his December 2023 declaration, Baker testified that he found these offending emails “on the eve of the deadline” for filing his declaration and promptly notified his attorney and that she must have missed making this correction before filing the declaration. In the July 2024 Baker Declaration, Baker states that, “later, after submitting his declaration, he realized that the declaration needed correction.” So, apparently, he signed and “submitted” the declaration before conducting this alleged “final sweep”?

vii. In any event, even if these inconsistencies can be harmonized, Baker has never explained what steps he took *before* submitting his December 2023 declaration to make sure that the representations and certifications contained in that declaration were accurate, as directed by the Third Interim Order. (He found these documents while doing his “final sweep.” Were there other, earlier sweeps? If so, what did those consist of? And, if not, why didn’t he make any effort to ensure that his certification was correct *before* signing the declaration?) And he does not provide a description of the location and nature of the offending emails. He says merely that this email address was copied on emails of Murtagh and his associates as

they acted against him and claims that these emails proved that the plaintiff pressured Kuritzky to change his testimony and lie.²

d. Baker has failed to provide plaintiff's counsel with copies of written communications (or to send emails describing oral communications) evidencing that Baker has complied with the Injunction by taking down websites, online storage sites and other online properties that contain disparaging information concerning the plaintiff.

i. Paragraph 13 of the Injunction (entered February 17, 2022) requires Baker to copy plaintiff's counsel with any written communication by Baker (or any agent or representative of Baker, or anyone acting on Baker's behalf), with any Third-Party Provider³ concerning any part of the Injunction. That same paragraph requires Baker to inform plaintiff's counsel by email of the substance of any verbal communication that Baker (or any agent or representative of Baker, or anyone acting on Baker's behalf) has with any Third-Party Provider concerning any aspect of the Injunction within 12 hours of any such verbal communication.

ii. In several instances in his compliance declarations, Baker referred to communications that fell within the scope of paragraph 13 of the Injunction, yet, with the exception of four documents attached to his June 6, 2024 declaration⁴ [Docket No. 1101], Baker has never supplied copies of any written communications concerning his

² The Court previously found that Baker (and not the plaintiff) had pressured Kuritzky (also known as David Bender) to sign a perjurious declaration and referred Baker to the U.S. Attorney's office for further investigation and possible criminal prosecution for witness tampering. A copy of this referral appears as docket no. 200 in the Action.

³ The Injunction defines the term, "Third-Party Providers," as referring collectively to third-parties providing services in connection with Baker's website, www.jamesmurtaghmdtruth.com or any other of Baker's websites and other web content, including without limitation, Internet Service Providers (ISP), domain-name registrars, domain name registries, website or web hosting providers, web designers, search engine or ad-word providers, banks, or online payment platforms or services, and peer-to-peer payment platforms.

⁴ The four documents produced on June 6, 2024 were (1) an email from Bluehost dated June 14, 2023; (2) an email from Bluehost dated July 28, 2023; (3) a printout of a chat with Eliyas Mohammad (a representative of Bluehost) dated August 27, 2023; and (4) a printout of an online chat between Baker and Bluehost dated June 4-5, 2024.

1 compliance with the Injunction and has never sent plaintiff's
2 counsel an email describing any oral communications concerning
3 compliance. And Baker has never explained why he failed to
4 produce copies of documents dating back to June and July of 2023
5 to plaintiff's counsel until June 6, 2024.

6 iii. In the Third Interim Order, the Court specifically identified the
7 following references from Baker's December 28, 2023 declaration
8 that indicate or evidence the existence of a writing that should have
9 been produced and ordered him to produce these writings:

- 10 1. Proton email, 6 April 2022 between Baker and McNair
11 [Docket No. 1065, p. 28, n. 3];
- 12 2. In an effort to comply with court requests, Baker exchanged
13 emails with McNair in March 2022 [Id., pp. 27:25–28:1];
- 14 3. Shortly after my July/Aug 2023 depositions, I sent an email
15 and made numerous calls to [Carol] Dunn in an effort to
16 identify the company and individuals who removed my case
17 files. [Id., p. 31:16–17]; and
- 18 4. "Lloyd Interaction #1-112909429" reported to me that
19 "Michael" (No further info) had purchased the [omsj.org]
20 website and posted the pages hours after I closed my
21 account. [Id., p. 33:11–13].

22 iv. The Third Interim Order also directed Baker to include in the Fourth
23 Baker Compliance Declaration a "complete explanation as to why
24 Baker failed to copy Dr. Murtagh's counsel, or provide
25 contemporaneous copies, on all such communications." (Third
26 Interim Order at par. 17.)

27 v. Baker's May 15, 2024 declaration fails to comply with these
28 requirements. Instead, in this declaration, Baker offers testimony
which, if true, means that his prior testimony concerning the

existence of these documents was false. In his May 15, 2024 declaration, Baker represents that he cannot produce any of the requested documents because “no such documents have ever existed.” [Docket No. 1098, at par. 19.] Baker provides no explanation as to why he previously testified that there were April and March 2022 emails with McNair.

- vi. With regard to the email that his December 28, 2023 declaration states he sent to Carol Dunn, he offered the following testimony in his May 15, 2024 declaration [Docket No. 1098, p. 6 at par. 20]: “Declarant spoke with Carol Dunn on the telephone about shredding documents approximately one year ago. Declarant asked if there were receipts or documentation of the shredding and she said no.” He neither mentions his prior testimony in which he stated that he sent her an email nor offers any explanation as to how or why his prior testimony was in error, if he now contends that this is the case.
- vii. In the July 2024 Baker Declaration [Docket No. 1104] on page 7, Baker provides more detail about his conversations with Carol Dunn, but now refers only to an email that Carol Dunn sent *to him*. Absent from this declaration is any reference to the email that he sent to her (once again without an explanation or discussion of the inconsistency). These inconsistencies further exacerbate the Court’s concern that Baker does not take seriously his obligation to provide truthful testimony to the Court each and every time he submits a declaration under penalty of perjury.
- viii. In the July 2024 Baker Declaration [Docket No. 1104], Baker makes reference to (A) communications with McNair [p. 4 at line 7], (B) the results of a WhoIs search that Baker conducted on July 11, 2024 [pp. 4, 5, 6 & 9]; and (C) two documents that detail the nature of

certain cases in which Baker was involved [p. 11 at line 4] and represents that these documents are attached to the declaration. They are not; there were no exhibits to the July 2024 Baker Declaration.

ix. The whole purpose of the injunctive relief included in the Court's February 2022 judgment was to prevent Baker from resuming his internet defamation campaign against the plaintiff, which the Court found had resulted in actual compensatory damages to the plaintiff of more than \$10,000,000. Toward this end, paragraph 6 of the Injunction requires Baker to "Take all necessary steps to purge and eliminate from the internet any and all traces of any websites . . . , webpages, files, court filings, exhibits or other attachment thereto . . . which is about, refers to, references or mentions Dr. James Murtagh, M.D. in any form, variation or misspelling " Baker was ordered by this same paragraph to complete all of these steps within 10 days after issuance of the Injunction. The provisions of paragraph 13 of the Injunction required Baker to copy plaintiff's counsel on communications with Third-Party Providers so that plaintiff's counsel could verify that Baker had in fact complied with the Injunction.

2. The Injunction was entered more than two years ago and, only through the diligent efforts of plaintiff's counsel has any compliance with the Injunction been obtained.⁵ Baker took no steps to comply with the Injunction until plaintiff moved for the entry of an order why he should not be held in contempt for failing to comply with the Injunction. And, at every step in the process, Baker has made at

⁵ When plaintiff's counsel first contacted Baker's counsel in May 2022 to note several violations of the Injunction, she responded (although she had attended the hearings at which provisions of the Injunction were discussed, negotiated and revised and had been served with an entered copy of the Injunction) that she was "shocked that there are provisions which require affirmative action by my client." (See Exhibit "G" to the Declaration of Derek Linke filed in support of "Plaintiff James Murtagh M.D.'s Notice of Motion and Motion for Issuance of an Order to Show Cause Why Defendant Clark Baker Should Not be Held in Contempt of Court" [Docket No. 935].)

best only half-hearted attempts to supply the information and documentation that the Court has requested, with apparently little if any regard for the accuracy of whatever testimony he provides in his compliance declarations. As a result, Baker has caused the plaintiff and this Court to expend inordinate amounts of time and effort in a largely fruitless effort that, in this Court's view, might best be described as "trying to nail Jello to the wall." This process needs to come to an end. As Baker claims to be judgment proof and has failed to pay hundreds of thousands of dollars in compensatory sanctions that the Court has already imposed, and this Court's prior efforts to induce compliance with its orders through the use of its civil contempt powers have not led to a notable improvement in Baker's behavior, the Court believes that the time has come for it to request that the District Court employ its criminal contempt powers in this Action. There needs to be a consequence for failing to comply with court orders and "playing fast and loose" with the truth in submitting declarations under penalty of perjury to a court of law.

3. In light of the foregoing, the Court will prepare a Report and Recommendation to the District Court recommending that it withdraw the reference of this adversary proceeding to the extent necessary to hold Baker in criminal contempt and direct that he be incarcerated for a period of not less than one year.

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Date: July 18, 2024



Sheri Bluebond
United States Bankruptcy Judge